

THE BREATHE ACT

A woman with dark skin and long dark hair is shown from the chest up, looking upwards with her eyes closed. She is wearing a white ribbed top. The background is dark with a large, vibrant orange and red arc, resembling a rainbow, curving behind her. The entire image is framed by a thick yellow border.

SECTION 2:

INVESTING IN NEW APPROACHES TO COMMUNITY
SAFETY UTILIZING FUNDING INCENTIVES

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SECTION 2:

INVESTING IN NEW APPROACHES TO COMMUNITY SAFETY UTILIZING FUNDING INCENTIVES

Section 2 builds out the infrastructure for a new paradigm of public safety: a non-punitive, non-carceral, prevention-oriented paradigm that will genuinely keep our communities safe.

ESTABLISHING FEDERAL INFRASTRUCTURE (Subsection 1)

As of now, “public safety” is often tied to the Department of Justice (DOJ) and carceral institutions. Subsection 1 breaks this link by establishing a brand-new federal agency that is completely dedicated to community safety, but is grounded in public health rather than criminal punishment.

- ❖ Building federal infrastructure (Subsection 1). This Section first creates a new federal Community Public Safety Agency (CPSA) at the Department of Health and Human Services. This agency will:
 - Research non-punitive, non-carceral approaches to public safety;
 - Provide technical assistance; and
 - Run grant programs that fund these non-punitive, non-carceral approaches to public safety and spur State and local governments to shrink their criminal-legal systems.

- ◆ The CPSA will answer to an Advisory Commission that is composed of individuals who have been directly impacted by the criminal-legal system. This Commission will have authority to:
 - Determine the process that is used to award grants;
 - Conduct annual reviews of and make recommendations for Agency grants;
 - Approve annual priorities for research and technical assistance; and
 - Make recommendations on how Agency dollars can best reduce incarceration and support community-based organizations.

BUILDING LOCAL POWER & ALTERNATIVE APPROACHES TO PUBLIC SAFETY (Subsection 2)

Community safety is rooted in local power. That reality is why Subsection 2, the first section describing the work of the new CPSA, is geared at funding community-based organizations and building community-led Community Safety Offices that can drive non-punitive, non-carceral approaches to safety.

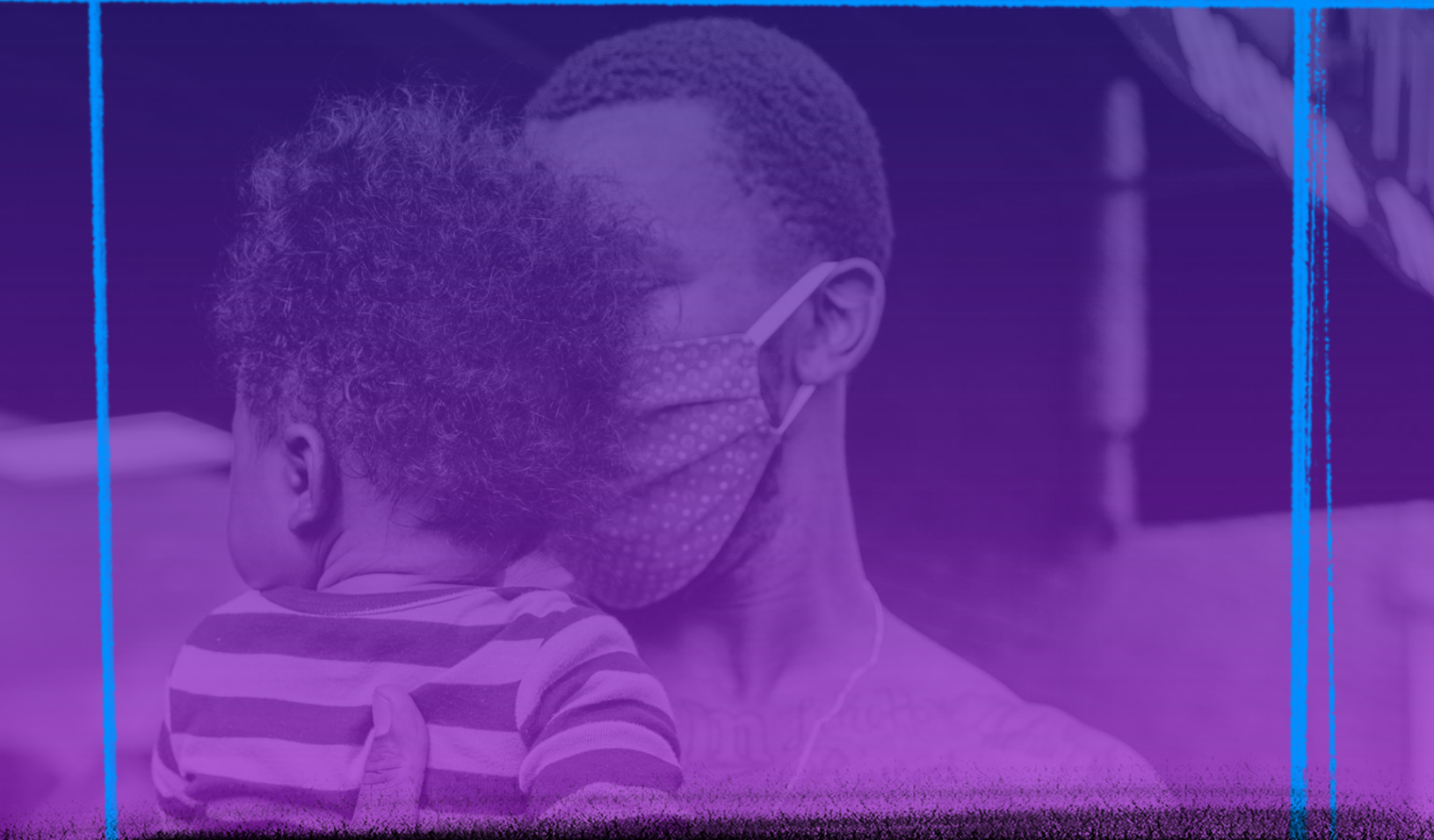


- ❖ **Supporting Community Based Organizations (CBOs) & local infrastructure (Subsection 2).** Next, this Section provides resources to build local infrastructure that supports public safety. Specifically, the bill provides the following:

- **Grants to CBOs.** The BREATHE Act sets aside funding for community-based organizations that are providing non-punitive, non-carceral programming to improve public safety, including programming related to:
 - **Non-carceral accountability** (e.g., transformative justice);
 - **Violence reduction** (e.g., violence interruption mentorship, safe passage to schools, and afterschool programs related to art, music, theater, or dance);
 - **Public health** (e.g., patient-based, community-based mental healthcare and non-mandatory, harm reduction-based Substance Use Disorder treatment programs);
 - **Housing** (e.g., long-term supportive housing);
 - **Non-carceral crisis intervention** (e.g. unarmed first-responders and new, accessible methods of processing 911 calls);
 - **Healing** (e.g., funding for CBOs that provide trauma-informed health services);
 - **Reentry** (e.g., educational, workforce development, and transition supports for reentering individuals, including support for worker-owned coops);
 - **Capacity-building** (e.g., funding for fiscal agency, professional services, and other resources allowing CBOs and community leaders to develop advocacy and programming infrastructure); and
 - **Voluntary pretrial supports** (e.g., transportation assistance and text-message reminders).

- **Grants to fund local Community Safety Offices.** The BREATHE Act creates a formula grant for localities that wish to establish Community Safety Offices (CSO) that:
 - Identify, prioritize, vet, distribute money to, and evaluate non-carceral, non-punitive projects and programs that will improve community safety; and
 - Provide capacity-building assistance to organizers, local advocates, and community-based organizations.

All CSOs must operate wholly outside of the criminal-legal system, with no connection to law enforcement. In addition, such CSO must vest ultimate governance with a Commission that is made up predominantly by individuals who have been directly impacted by the criminal-legal system or who work in related fields like racial justice, housing justice, or legal services.



USING GRANT PROGRAMS TO SPUR STATE & LOCAL CHANGE (Subsections 3-6)

Because the federal government does not directly control State and local criminal-legal systems, the next few Subsections establish four CPSA grants that incentivize State and local governments to shrink their criminal-legal systems while providing much-needed resources for the non-punitive, non-carceral investments that genuinely keep communities safe.

- ❖ **Incentivizing local governments to decarcerate & defund (Subsection 3).** The Reimagining Public Safety Grant Program is a competitive grant for local governments so that they can create plans to reduce their jail populations or shrink their police budgets, specifically through prevention-oriented, non-carceral investments that address the root causes of criminal-legal involvement. This grant includes both a planning phase and an implementation phase, enabling localities to develop community-driven solutions that are targeted to their specific needs.



- ❖ **Incentivizing closure of detention facilities (Subsection 4).** The Free Them All Grant Program provides a 50% funding match of what State, local, or Tribal governments are projected to save when they close prisons, jails, or other detention facilities..
- ❖ **Incentivizing States and localities to shrink their criminal-legal systems—and invest in non-punitive, non-carceral approaches to public safety (Subsection 5).** The Just Communities Grant Program is a competitive grant to spur State and local criminal-legal system reforms. Jurisdictions that take significant steps to shrink their criminal-legal systems will receive money that they can put toward non-carceral, non-punitive interventions to improve public safety—things like transformative justice, mental health services, and violence interruption.

The Just Communities Grant Program also has a formula grant set-aside for Tribal nations. These grant dollars may go toward all the same non-punitive, non-carceral programs eligible under the competitive grant.

- ❖ **Incentivizing demilitarization of police forces (Subsection 6).** Although Section 1 of the BREATHE Act ends federal programs that provide military equipment to police forces, such termination does not address existing weapons. The Neighborhood Demilitarization Grant Program fills this gap. This program is a formula grant that helps State, local, and Tribal governments to collect and destroy military-grade equipment.