

Frequently Asked Questions – Patrick Leahy Bulletproof Vest Partnership Program Mandatory Wear Requirement

Updated: February, 2020

Q. Why is a mandatory wear requirement necessary under the DOJ's Patrick Leahy Bulletproof Vest Partnership (BVP) Program?

A. The requirement is intended to ensure the use of body armor to protect law enforcement officers and reduce line-of-duty deaths. This requirement ensures that vests purchased through the BVP program will be used to the maximum benefit in protecting officers. This is particularly important given that many agencies and officers cannot afford the total cost of protective vests and with limited BVP funding BJA has been unable to reimburse the maximum 50 percent for all requested vests.

Q. Isn't this policy requirement best left to local law enforcement agencies to decide?

A. BJA implemented this policy requirement to reduce line of duty deaths and disabling injuries and to ensure that taxpayer funding, appropriated by Congress specifically for body armor to protect officers, is spent wisely and that the armor is used in the field. This requirement was carefully written to ensure that local law enforcement agencies maintain significant discretion in how this requirement is met locally. There are no requirements regarding the nature of the policy other than it **specify when mandatory wear is required** for uniformed officers on duty.

Q. Does this requirement pertain to all DOJ funding that may be used for body armor?

A. This requirement is specific to the Patrick Leahy Bulletproof Vest Partnership Program and the Justice Assistance Grant Program (JAG) administered by BJA ([JAG FAQs](#)).

Q. When must the policy be in effect?

A. The written mandatory wear policy must be in effect when the jurisdiction submits its application for BVP funds. Each submitting government official will need to electronically certify during the application process that it has a written mandatory wear policy for all uniform law enforcement officers. The policy will need to be submitted with the BVP application and said policy will be subject to random review and verification. In order to meet the requirement of the BVP program, the policy must bear the date that the policy was enacted and be signed by the CEO or the authorized representative of the requesting agency/jurisdiction.

Q. How long after receiving funding must jurisdictions maintain the mandatory wear policy?

A. An agency's written mandatory wear policy must be active for the life of the vests purchased with BVP program funds (dependent upon the grantee's vest replacement cycle that is usually 4-5 years). If at any time the agency modifies the policy after submitting it to the BVP program, the revised policy must be submitted to the BVP program (via the BVP Helpdesk email or during an application for funding) for compliance review. Failure to maintain a mandatory wear policy during the vest replacement cycle may result in a withholding of any funds remaining in the jurisdiction's BVP account and/or a return of all funds dispersed to the jurisdiction since the submission of the mandatory wear policy.

Q. What is meant precisely by "while engaged in patrol or field operations"? Who does that cover?

A. BJA recognizes that some officers in uniform assignments may not always be in situations or environments where they are at risk of violent encounters. The BVP requirement will not expand beyond this language and local agencies may decide how they wish to implement the mandatory wear requirement within their agency. BJA takes no position on agency interpretations so long as the local

policy does not serve to eliminate the requirement altogether for all officers. However, please note that a policy that allows for vests to be “readily available” for all officers does not constitute a mandatory wear policy.

Q. Can a Chief/Commander have authority to grant exceptions to mandatory wear policy within the agency?

A. Yes, agencies can provide exceptions for individuals, assignments, organizational units, climate-related situations and other factors that may be determined necessary at the local level.

Q. Does this apply to officers who are uniformed but are in administrative or support positions that do not regularly engage in police action?

A. Local agencies may decide what, if any, exceptions should be in place within the mandatory wear policy for uniformed officers.

Q. Can an agency exempt an officer for documented medical reasons?

A. Yes; however, the agency should maintain records regarding the exemption.

Q. If an officer is injured/killed in the line of duty and was NOT wearing a vest as required by policy, would they risk losing federal benefits?

A. No blanket policy or automatic disqualification shall be implemented regarding this policy and its effects on federal death, disability, or educational benefits through the Public Safety Officers Benefits Program (PSOB).

Q. Does the requirement pertain to correctional agencies and other law enforcement agencies that do not have a traditional “street patrol” function or that have uniformed officers in specialized non-“street patrol” functions, such as jails, civil process service, school resource, or security?

A. The mandatory wear requirement applies to all agencies that apply for funding through the BVP program; however, agencies have discretion in determining which types of specialized functions may be exempted from the mandatory wear requirement or how this would be done.

Q. Where can I get a copy of a sample model policy?

A. Law enforcement agency administrators and jurisdiction CEOs can obtain a copy of the Body Armor Model Policy and Issues Paper (developed by the International Association of Chiefs of Police) by contacting the BVP Help Desk at 1-877-758-3787 or by email at vests@usdoj.gov.