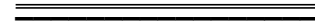


**The Bill Blackwood  
Law Enforcement Management Institute of Texas**



**Cultural Diversity  
&  
Law Enforcement**



**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**



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## **ABSTRACT**

Law enforcement is an institution that was developed from values that resonate from rights and powers that were given by society. John Locke, the English Philosopher, also known as the “Father of Liberalism,” and others gave life to this line of thought. This was the emergence of the social contract theory. The idea that society wants to govern is incorporated throughout the original established government in the United States, through documents such as the Articles of the Confederation and the Declaration of Independence. The United States has accepted all ethnicities and religions to exist under one platform and one government. The statue that stands in New York harbor promotes the idea of diversity in this country and is a constant reminder that the United States builds the country on these principles. Though the American culture has grown to be multi-cultural, police relations with these groups have become estranged. The disconnect in relations and understanding has led to disruption and distrust of police personnel world-wide. In order to govern (police) properly, agencies need to invest more time and resources into training within the communities they serve. The concept of cross-cultural awareness, at the local level, is imperative to maintaining the bridge of communication that has been preset by the forefathers of this country. Procedural justice, in the eyes of the community and from within the law enforcement community, is a progressive issue. If taken into consideration, police-community relations will prosper, and incidents would certainly decrease.

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## INTRODUCTION

The goal of this paper is to further explore the link between the community, different subcultures, and the way law enforcement (LE) views and interacts with them. It is also geared to draw attention at how different law enforcement ethnicities are viewed by these groups. The purpose is to further develop existing programs and retool existing models in order to further develop relations between society and the entity that was designed to protect it. This paper will question the deficiencies in the lack of communication and cultural awareness between LE and the communities' different subcultures. It will also explore behavioral patterns of these groups toward LE from a historical view. Also, in addition to the previously mentioned, it will analyze religious and orientation barriers that not only LE faces from the community, but from within the LE community as well.

The definition of diversity, from the collegiate perspective, is how sexual orientation, ethnic origin, economic status, and religious preference characterize a certain group of people ("Diversity," n.d.). The LE community agrees with the definition but expounds to add other attributes to obtain a more precise meaning. The dimensions of diversity can be broken into two categories, primary and secondary. Primary, explains the core characteristic with which an individual is born into, remaining with the person throughout life (Shusta, Levine, Harris & Wong, 2002). The first dimension includes one's age, ethnicity, gender, mental / physical abilities, race, and sexual orientation. Secondly, a layer is composed of personal choices that have been made by themselves or others in his or her interests: Communication style, education, religion, income, family status, etc. (Shusta, Levine, Harris & Wong, 2002). These

dimensions can be viewed much like an artery that flows through the heart. When speaking of the heart, the primary level is the inside wall, and the secondary is the exterior. For information to pass through, there must be minimal factors that will cause blockage.

In present day, the culture of man has radically changed. The country was built upon the principle that it would accept all immigrants, no matter the race, color, or creed: the melting pot theory. Because principle is a cornerstone of American development, a more exacting and complex study should be completed in order to truly address cultural differences in this country.

The differences in society go far beyond the boundaries of race and gender, but also include the personal experiences accrued over time. Throughout this decade (2010-2020), there were several incidents in this country, and abroad, between several ethnicities and LE that draws attention to how police powers responded to encounters where race or gender was a predominant factor. Police shootings and in-custody deaths have occurred in areas such as Minneapolis (MN), Dallas (TX), Louisville (KY), Baton Rouge (LA), Falcon Heights (MN), Ferguson (MO), Hempstead (TX), and other areas that have spiraled into racial division and social movement throughout this country.

Movements such as Black lives matter (BLM) sparked protests in several of these cities including Ferguson, Missouri after a social media platform post stated that someone had died at the hands of the police, coupled with a photograph of a lifeless body (Bonilla & Rosa, 2015). This type of march was also seen in the state of Minnesota after the killing of George Floyd by the hand of the police. These types of

culturally diverse incidents also spawned to other cities throughout the country resulting in the loss of life of officers and civilians. The question that is presented is whether these outcomes could have been prevented with the correct amount of training provided by that local, state, or federal entity. It is a common factor that current events have magnified the issue of needed training in diverse culture.

Society can be divided into several subcultures: Blacks, Whites, Hispanic, Asian, generational, and others. Subcultures of orientation and lifestyle can also be included in this broad view of society. Historically, governments have used police powers to influence political opinions. Mid-century America used police presence to influence the state of government during the African American Civil Rights movement, where uses of force and brutality was a common practice and tactic. As stated by Smith and Holmes (2003), the law's theory of conflict entertains that persuasive measures that control crime regulate threats to the interests of the entity that holds the power, thereby helping sustain the current social culture. More recently at the beginning of the new millennia, citizens of Indian descent were under scrutiny due to their race and the events that occurred during the 9/11 attacks. This can be similarly said for the Asian population in America during World War II. Because of these events, and how society has viewed the ethnicity of the offenders, a political culture has been developed on how these cultures have been handled.

Devastating events are not the only statistic followed, but the economic and religious status that individuals have also plays a part in the development of this culture. Because this culture has been developed, and the treatment of different ethnic groups,

whether by ethnicity or economic status, has created a low opinion of these groups for LE and the effects it has in those communities.

LE not only has to investigate how these groups respond to police powers, but also how LE accepts these cultures into its own. Officers that pursue an alternative lifestyle choice have not been readily accepted among the LE community, whether it be federal, state, or local entities. It is estimated that up to 46% of gay men, lesbians, and bisexuals experience employment discrimination (Colvin, 2009). It is difficult to predict the number of gay and lesbian officers and command staff due to fear of persecution and retaliation. Since this was a growing issue, in 2004, at the annual meeting of the International Association of Chiefs of Police, a workshop was held on gay and transgender officers (Sklansky, 2006). With magnified current events, religious differences, growing numbers of LGBT in the police community, and how LE is viewed because of these issues, law enforcement should increase their efforts and expand the awareness in training of cultural diversity and awareness.

## **POSITION**

The vast emergence of social media and the way society views race relations has been pivotal since the mid 2000's. Police officers are tasked with managing the scales between enforcing the law and contradictive behavior toward the law from the training they have received. Miles-Johnson (2016) states the detailed and professional training of police officers concerning specific minority groups helps LE officers adapt and make better and informed decisions when assisting diverse groups. With the assistance of social media and new technology, current events have opened how society views LE on a massive stage, thus creating a behavior that is assumed by this

audience. Police are often judged by their interactions with a specific group (James, James, & Vila, 2018). The use of this technology can be beneficial to both LE and the community in efforts to be transparent to any major public issue (President's Task force on 21<sup>st</sup> Century Policing, 2015). The substance matter of any police encounter is the initial contact and how it is received. Having information on the culture and why it is as so will influence the situation.

Cop baiting has become popular among society for the purpose of financial gain. In his article, Waters (2012) states that cop baiting is a definite issue for the police. Lawsuits and claims awarded to civilians are prevalent due to the often recorded videos available on any published social media site. For some individuals, a citation or jail time is worthwhile if a cash payoff results. Baiting poses situations that officers may not know whether they are facing legitimate, staged, or exaggerated scenes for someone else's benefit. This puts officers at risk in their professional and personal lives.

The effects of social media and its effect on volatile law enforcement events was captured in the *After-Action Assessment of the Police Response to the August 2014 Demonstrations in Ferguson, Missouri*; the Michael Brown shooting. The Department of Justice found that partial videos were uploaded and used by social media platforms, such as Facebook & Twitter (United States Department of Justice, 2015). This allowed this audience not to rely on major news conglomerates such as FOX, CNN, MSNBC for breaking and new information (U.S. Department of Justice, 2015). Police involved use-of-force videos create emotional connections to the ethnicities involved. This event, along with other occurrences caused the subculture of the African American community to view the LE community as a possible racist entity. Movements began to form and



gain ground, such as BLM and other associated affiliates. *Time Magazine* reflects the opinion of a politician that the BLM movement alone causes a racial divide between society and LE. New Jersey Governor Chris Christie stated that the movement is calling for the murders of LE officers (Altman, 2015).

Cultural patterns of behavior toward LE can be, and, in many cases, are attributed to events in history and religious preferences. Diversity in culture is deeply implanted in the history of law enforcement and its use over time. Middle Eastern immigrants migrated to this country for several reasons. Many came for political reasons, while others for economic gain. Shusta, Levine, Wong, Olson, & Harris (2002) believe that “despite most differences, whether apparent in socioeconomic status, levels of traditionalism, or motivation for coming to the United States, there are values and beliefs associated with Arab culture that law enforcement officials should understand in order to establish rapport and trust” (p. 241).

In Arab culture, the family, rather than the individual, is the core of the society and where values and traditions are taught. Family commitment and unity, family honor and loyalty, and obligations are the central values of an Arab Muslim (Betts, 2018). Yet, many Africans that are in America did not come by choice, the struggle for equality and reasonable treatment has been a long road traveled. With the 13<sup>th</sup> Amendment of the constitution, came the abolishment of slavery in 1865. It was not until the 15<sup>th</sup> Amendment was passed in 1870 that people of color were given the opportunity to exercise their right to vote. This privilege also came with a cost. The struggle of voting rights (poll taxes, property), and equality in education, are instances where the

government, including LE, enforce or restrict this class of people from either obtaining these goals or minimally achieving them (Smith, 2020)

Religion also plays a major part when speaking of cultural behavior. When religion is a factor in law enforcement situations, it is commonly ignored. Law enforcement agencies' knowledge of religious practices can be beneficial. Ammerman (1995) explains why religion was discounted by police in the events of the Branch Davidians. There are several factors that contributed to the ignorance. First, religion is a foreign category. Authorities may have little or no experience with religion, thus making it impossible to comprehend the magnitude of influence it will hold over an individual. Also, they could not see the similarity of their own religious beliefs, if deeply rooted, and the practices done by the Branch Davidian cult. Also, LE's own history of religion, whether positive or otherwise, made for difficulties on being sympathetic to Branch Davidian cause (Ammerman, 1995). After this, LE officers did what they were trained to do. Relying only on what was available to them, which was a limited standard operating procedure to guide the response, law enforcement approached the situation unprepared.

Law enforcement has been driven by a male, heterosexual environment. This is seen and depicted in movies and in television. It seems that these media sources are not ready to show the cross over in sexual orientation. In the current LE model for diversity, the topic of sexual orientation is not very common. The cultural diversity training {#394} model that is currently taught by the Texas Commission on Law Enforcement (TCOLE), is not specific on what is addressed for sexual orientation. It looks at the relationship of a domestic partner as opposed to orientation within the

workplace (TCOLE, 2021). Training is not conducted from a view of diverse orientation inside the workplace, but from a view of the individual. To understand the issues of gay and lesbian culture inside the LE community, the police organizational culture must be explained. Since the 1930's, police departments have been mainly composed of white, working-class males (Miller, Forest, & Jurik, 2003). They were described as "the fierce warrior-robot, devoid of emotions [...] Policemen relied on technology, expertise in marksmanship, and their courage to bring criminals to justice" (Miller, 1995, p. 83). Over time, white women and men of ethnic backgrounds begin to enter into the police organizational culture. When women were introduced into the patrol model, femininity was introduced. From male and female outlooks, sensitive issues were scrutinized and categorized into being either too macho or too feminine. Full disclosure on sexual orientation is an obstacle faced by gay and / or lesbian officers (Miller et al., 2003). In order to be accepted amongst peers, gay and lesbian officers would have to establish themselves within the industry. This meant that all that was done had to be over and beyond what was considered the norm. These officers are looking to belong to what Miles-Johnson (2016) calls "in-group membership," which is a self-identifying group among the LE community. He characterizes the "in-group" by common language described by "us," "they," and "those people". Many in the gay and lesbian community consider officers of the same culture to be as traitors to their own group (Buhrke, 1996).

## **COUNTER POSITION**

The current model and outlook of diversity training among police divisions are somewhat outdated. Being unable to keep track of new developments in diversity trainings, outdated programs could exhibit push back in the community (Mobley &

Payne, 1992). The current training in Texas has attempted to expand the training model to include more. Even though the training scope has widened, LE agencies should expand this scope of cultural diversity and awareness training. Birzer advises that LE must receive training on the community demographics as well as the customs and cultures (1999). It will show exposure to deficiency in the current model due to outdated material and trainer limitations. In Texas, the current model has been in place and in use since September 2009. Internally, this model is limited in scope and in information when referring to direct community involvement. The argument can be made that current training is sufficient.

Law enforcement officers may feel that there would be potential added costs and resources needed to better serve this area. In the state of Texas, Article III, Section 49a of the Texas Constitution requires the Comptroller of Public Accounts to “present a revenue estimate at the start of each legislative session (Texas Constitution, Article III). The state budget proposed for the 2014-2015 fiscal year, the state had \$101.4 billion available for general-purpose spending (Perry, 2013). This is an increase of approximately 12.4 percent over corresponding amounts for the 2012-2013 biennium (Perry, 2013).

Due to the increase in proposed state revenue collected, funds can be readily available to the public services sector. Found in the Department of Homeland Securities *Budget In Brief: Fiscal Year 2017* (p. 10), federal budgeting for the Federal Law Enforcement Training Center has remained relatively the same, only with a 1 % decrease over the past year. Considering police brutality concerns in multiple states, including Texas, any further bill could pose a problem with how Texas cities will fund

public safety. Critics could argue that funding is more than adequate (Royster & Sith-Peterson, 2021). Funds could be shifted to be used in the department of public safety for the extensive study in cultural diversity and community awareness. This would take creativity in planning and cuts to other programs by local city governments. Shifts in funding could better service the community, lowering liability of claims of discrimination on either side, which would improve overall community relations.

## **RECOMMENDATION**

Because society is ever changing and subcultures are continuing to form, law enforcement should broaden its efforts to expand current training to address major diversity issues. It is suggested that law enforcement takes on a “guardian” rather than “warrior” state of mind in order to establish and maintain public legitimacy and trust (President’s Task force on 21<sup>st</sup> Century Policing, 2015). Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy. To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and post violation information about stops, summonses, arrests, reported crime, and other law enforcement data. In September of 2017, state lawmakers from California have prepared a bill for the governor that will set a new national standard that every other state can look to as a model when updating their own use of force policies (Caballero, 2019). The bill would require officers to learn ways to de-escalate confrontations and alternative methods to using deadly force. It will include training on homeless encounters, of different cultures, who are mentally ill (Caballero, 2019).

Relations between the LE community and society have changed dramatically over recent years due to the rise and access to social media. The local government should support the development and delivery of training to help law enforcement learn, acquire, and implement technological tools and tactics when dealing with the public. Recent events that have occurred since the mid 2000's warrant for LE to revise the current views and depictions of what was formally considered. Historically, the LE community has not been favored among several subcultures. Ethnical opinions from several groups do not hold a high regard for the power that is there to protect. Religious customs and practices often deter how cultures dialogue with LE, due to lack of knowledge and fear. Local governments should mandate that LE becomes aware of the demographics and provide extended training on subcultures and traditions. Sexual orientation of citizens and officers alike causes a breakdown of common norms. LE must be open to the new coming-of-age officers and the genders that wish to be in at that time.

In comparison to the existing model of training, deficiencies can be detected to impose trained response. The scope of the subject matter within the standardized training has not cast a wide enough net to deal with overall issues. This could suggest that federal, state, and local public safety budgets need to be increased, or even reconstructed. Yet, federal budgets for public safety, in some states, have increased over the years (Perry, 2013). Recent attempts have been made by several surveys to address compiling more information on diverse culture. The Multicultural Awareness Knowledge Skills Survey (MAKSS), the Multicultural Counseling Awareness Scale (MCAS), and the Survey of Graduate Students' Experiences with Diversity (GSEDS) are

a few that have been used (Kocarek, Talbot, Batka, & Anderson, 2001). Funding and resources, from federal sources, need to be acquired to assist with a new national development of data collection on various subcultures. Data collected should be used to enhance law enforcement's knowledge and communication of ever-evolving society for the purpose of serving the community.

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## Appendix

### Appendix A

## Total Budget Authority by Organization Gross Discretionary, Mandatory, Fees, and Trust Funds

	FY 2015 Revised Enacted	FY 2016 Enacted	FY 2017 Pres. Budget	FY 2017 +/- FY 2016	FY 2017 +/- FY 2016
	\$000	\$000	\$000	\$000	%
<b>Departmental Management and Operations (DMO)</b>	\$ 773,428	\$ 1,069,328	\$ 1,011,511	\$ (57,817)	-5.4%
<b>Analysis and Operations (A&amp;O)</b>	251,804	264,714	265,719	1,005	0.4%
<b>Office of the Inspector General (OIG)</b>	142,617	161,488	181,144	19,656	12.2%
<b>U.S. Customs &amp; Border Protection (CBP)</b>	12,804,651	13,254,127	13,940,997	686,870	5.2%
<b>U.S. Immigration &amp; Customs Enforcement (ICE)</b>	6,190,953	6,154,041	6,230,206	76,165	1.2%
<b>Transportation Security Administration (TSA)</b>	7,377,367	7,440,096	7,589,079	148,983	2.0%
<b>U.S. Coast Guard (USCG)</b>	10,144,470	10,984,634	10,321,548	(663,086)	-6.0%
<b>U.S. Secret Service (USSS)</b>	2,018,035	2,198,545	2,156,119	(42,426)	-1.9%
<b>National Protection and Programs Directorate (NPPD)</b>	2,877,192	3,079,054	3,044,846	(34,208)	-1.1%
<b>Office of Health Affairs (OHA)</b>	129,358	125,369	-	(125,369)	-100.0%
<b>Federal Emergency Management Agency (FEMA)</b>	13,053,665	13,984,971	14,169,074	184,104	1.3%
<b>FEMA: Grant Programs</b>	2,530,000	2,590,000	2,370,729	(219,271)	-8.5%
<b>U.S. Citizenship &amp; Immigration Services (USCIS)</b>	3,541,722	3,610,217	4,018,270	408,053	11.3%
<b>Federal Law Enforcement Training Center (FLETC)</b>	258,338	245,038	242,518	(2,520)	-1.0%
<b>Science &amp; Technology Directorate (S&amp;T)</b>	1,105,058	786,938	758,743	(28,195)	-3.6%
<b>CBRNE</b>	-	-	501,445	501,445	0.0%
<b>Domestic Nuclear Detection Office (DNDO)</b>	307,842	347,120	-	(347,120)	-100.0%
<b>TOTAL BUDGET AUTHORITY:</b>	\$ 63,506,499	\$ 66,295,680	\$ 66,801,948	\$ 506,269	0.8%
<b>Less: Mandatory, Fee, and Trust Funds:</b>	(12,874,263)	(13,083,458)	(14,555,664)	(1,472,206)	11.3%
<b>GROSS DISC. BUDGET AUTHORITY:</b>	50,632,236	53,212,222	52,246,284	(965,937)	-1.8%
<b>Less: Discretionary Offsetting Fees:</b>	(3,899,863)	(4,040,389)	(4,965,808)	(925,419)	22.9%
<b>NET DISC. BUDGET AUTHORITY:</b>	\$ 46,732,373	\$ 49,171,833	\$ 47,280,477	\$ (1,891,356)	-3.8%
<b>Less: FEMA Disaster Relief - Major Disasters Cap Adjustment:</b>	\$ (6,437,793)	\$ (6,712,953)	\$ (6,709,000)	\$ 3,953	-0.1%
<b>Less: Rescission of Prior-Year Carryover - Regular Appropriations:</b>	(519,372)	(1,506,153)	-	1,506,153	-
<b>ADJUSTED NET DISC. BUDGET AUTHORITY:</b>	\$ 39,775,208	\$ 40,952,727	\$ 40,571,477	\$ (381,250)	-0.9%