

Senate Democratic Policy Committee Hearing

“An Oversight Hearing on Reduced Federal Funding For Law Enforcement and the Rise in Violent Crime”

**Monday, July 10, 2006
1:30 p.m. to 3:30 p.m.
192 Dirksen Senate Office Building**

Hearing Transcript

SEN. DORGAN: We'll call the hearing to order.

This is a hearing of the Democratic policy committee. We are here today to talk about the issue of crime rates and federal funding for the criminal justice system. It's interesting that we meet at the start of a week when we will take up the issue of Homeland Security here in the United States Senate. We will have the appropriations bill that deals with Homeland Security on the floor of the Senate, perhaps all of this week.

This issue is also about Homeland Security but probably more appropriately about hometown security. What kind of hometown security exists in our country, particularly with respect to violent crime. Over the last five years we have seen both this congress and the administration propose cuts for federal funding for local law enforcement programs, including successful programs such as the Byrne grant program and the COPS program. And so today we hold an oversight hearing to discuss what have the consequences been of these cuts? Have they contributed in any way to the increase in crime rates we now see? At the same time that there are proposals to further cut and in some cases eliminate these programs we see an increase in the rates of violent crime. Fifteen years ago we were in the midst of a violent crime rate that was pretty scary for this country. Violent crime had increased about 139% over 25 years and experts feared that it would become much, much worse. John DiIulio, then a criminologist at Princeton University, warned about a generation of super predators. Some of you might remember the concern about the generation of super predators who would do “homicidal violence in wolf packs” on the streets, this from a rather well-known criminologist at Princeton University. In the *Weekly Standard* he wrote in the 1990s “the youth crime wave has reached horrific proportions from coast to coast. What's really frightening everyone from DA's to demographers, old cops to old convicts, is not what's happening now but what's just around the corner, namely a sharp increase in the number of super crime prone young males.”

Then something happened that was very unusual. From 1994 through 2000, we had a rather substantial drop in the crime rate. The Congress and the administration responded with some new programs. They were called the COPS program to put cops on

the street; they increased, I believe by, 94,000 police officers on the beat around the country. They included innovative programs such as Community Oriented Police Service programs, the grant programs, Byrne grant, the funding for those programs and the Local Law Enforcement Block Grant program which was passed in 1996. All of those played some role, and there have been CRS studies about this, played some role in addressing the crime rate. There were other things, external and economic issues as well.

But starting in 2003, things began to change again. The President's budgets have proposed zeroing out COPS funding, the Community Oriented Policing funding, for the hiring of local law enforcement authorities. They proposed that the local law enforcement and the Byrne grant programs be consolidated into a single program. Congress agreed to that consolidation and then the proposal in the president's budget was to zero out the funding for the newly consolidated program.

The overall effect of these actions has been a rather substantial decline in the amount of total federal support through the Department of Justice, and the state and local law enforcement authorities have experienced that decline. These cuts have come at the same time that many local law enforcement officers have been called up for military reserve and national guard duty, and this has created in many cases a shortage or a significant problem with respect to police departments across the country, especially in keeping police officers on the street and sheriffs' deputies on the roads. The recent increases in violent crime foreshadow a troubling trend, and the question is what's happening, what can we do about it, what is the impact of the law enforcement block grants, the Byrne grant, the COPS programs, what do you see locally? So today we're going to hear from a panel of witnesses to have a discussion about these issues as we move into the appropriations process.

We have Ted Kamatchus, the Sheriff of Marshall County Iowa, and the President of the National Sheriff's Association. The Sheriff will discuss these issues, the impact of reduced federal on the efforts of local law enforcement. Brian O'Keefe is the Deputy Chief of the Milwaukee Police Department, where he leads the criminal investigation bureau. Timothy Dolan is the Interim Chief of the Minneapolis Police Department, a former member of the department's SWAT team. He has been with Minneapolis Police Department for more than two decades. Gary Hagler is Chief of the Flint, Michigan Police Department. A twenty year veteran of the Flint Police Department, where he has held nearly every rank, I am told. And James Allen Fox is with us today. He is a professor of Criminal Justice at Northeastern University, and has been described by *USA Today* as "arguably the nation's foremost criminologist." I want to thank all of the witnesses for coming to Washington, D.C. today, to be with us and sharing your thoughts and your experiences as we discuss what kinds of things we ought to do, what kinds of strategies we ought to employ as we see the crime rate, the violent crime rate, begin to increase as we see proposals to cut funding for the local programs such as the Byrne grant and the COPS program. Let me thank my colleagues for joining us, Senator Reid.

SEN. REID: Thank you very much for arranging this hearing. This is extremely timely, and the list of witnesses that you have are world class. I was a police officer. I

put myself through school working the night shift here as a capitol policeman. But the years I was a police officer things were much different, here in our capital and around the country. The most dangerous thing I had to do was direct traffic, and certainly I'll bet that each of you wish that for the people who work under you that was the most dangerous thing they had to do, and it's not, and we realize that.

Public safety is one of the most important jobs our government has. That's why securing adequate funds to fight crime should be a top priority of this country, and it has not been, and it is not, during the last five and a half years. As Chairman Dorgan just mentioned, crime statistics are headed in the wrong direction. Violent crime is on the rise. We've had the biggest increase since 1991. Murders rose by about five percent, the largest percentage increase in 15 years.

In Nevada, and we have Henderson Police Officer here, Henderson, second largest city in Nevada, we have Detective Troy Herring, who's a Henderson narcotics detective. In our major cities, Las Vegas, Henderson, Reno, Las Vegas, police officers are overwhelmed with work, the prosecutors are overwhelmed with work. Burglaries are not much of a priority anymore, because there is so much violent crime. And if it were only that way in Nevada, it wouldn't perhaps be as big a concern, but it's not just Nevada.

In each of your departments, you have to prioritize the crimes that you submit to the prosecutor. So it's very difficult to understand how our President would submit a budget to us cutting the COPS program by almost 80 percent. As Chairman Dorgan mentioned we have almost 100,000 cops across this country that wouldn't be here but for this new program we call the COPS program, started during the Clinton years. The Byrne memorial grants. They're so important. Each of you, your departments, these are being whacked, for lack of a better description. Slashing these resources is not going to make our communities safer. It's just the opposite. Each of you and those who work with you are working hard to meet the increased demands that Homeland Security presents us with, rapidly growing population, and you need more resources, not less. America needs a war-time budget, but we have in our streets and cities war against criminals that's not being effectively met. And I have to say that the President's budget has made America less safe and the nation less secure. So I hope this hearing will alert the American public to the crisis that each of you have, and we very much appreciate your being here to lend us your perspective. You're going to give us an overall view that we need to have.

Thank you very much Chairman Dorgan, and I'm going to be excused at two o'clock, Senate opens at two and I have to be their to give a statement.

DORGAN: Senator Reid, thank you very much, Senator Bingaman.

BINGAMAN: Thank you very much Chairman Dorgan for having the hearing. Let me thank everyone for being here.

Last week on Wednesday I met with local law enforcement Sheriffs and Chiefs of Police for the communities in southern New Mexico in the three counties we have right along the U.S.-Mexico border. The word I got loud and clear from them was that they've had to cut back on the number of personnel in the last few years because the COPS funding has gone away. While they're being asked to do more, because there are more and more people coming through the border and more and more criminal activity along the border, they have fewer resources with which to do that work. They add to that the problem of methamphetamine use in the communities that are in our state. Not just in southern New Mexico, but throughout New Mexico, the methamphetamine problem has become a larger and larger law enforcement problem. And again they cite the problem of lack of resources to maintain their personnel levels, lack of resources to keep their equipment up to date; so I'm going to be asking a few questions on that set of issues, and I look forward to hearing from all of you and again thank you for your willingness to be here today to talk about these important issues.

DORGAN: Senator Bingaman thank you very much. Let me again say for the record the Democratic Policy Committee, as is the case with the Republican Policy Committee, is created by federal law in 1947, and anticipates the holding of hearings. We have always issued an open invitation to all Senators, Republicans and Democrats, to attend any of our hearings. I should say that we had originally had a vote scheduled today, I believe at 5:30, Senator Reid. That vote was canceled so there are no Senate votes today which means that some Senators who would have been coming back to Washington for that vote are now not on their way back to Washington perhaps until this evening. But I very much appreciate Senator Bingaman and Senator Reid your attendance.

Let me make one final point. This discussion is about policy and choices. It's always about choices here in the United States Congress. What choices do we decide are important, what choices work, which policies are effective? And especially as in this country we see violent crime rising once again, the question is what are we doing right and what are we doing wrong, and if we're doing things wrong how can we change it? Especially the question of withdrawing funds from issues like the Byrne grant program or the COPS program at a time when violent crime is rising, is that the wrong thing to do? It seems to me it is, and what kind of consequences exist across the country with respect to those actions.

We'll hear first from Sheriff Ted Kamatchus, I hope I have that name correctly Sheriff? Sheriff Kamatchus is formerly a police officer for the Waterville, Minnesota Police Department. How large is Waterville?

SHERIFF KAMATCHUS: (INAUDIBLE) Approximately 2,000 people.

DORGAN: We call that a big town where I come from. He started at Waterville, Minnesota as a police officer. He has now risen to become the president of the National Sheriffs' Association, and we very much appreciate his leadership as president of the National Sheriffs' Association, and Sheriff why don't you proceed?

SHERIFF KAMATCHUS: (INAUDIBLE): Good afternoon Mr. Chairman and members of the Committee. My name is Ted Kamatchus and I currently serve as the Sheriff of Marshall County, Iowa and President of the National Sheriffs' Association. I am pleased to have this opportunity to appear before you today to express my concerns, and what I know to be the concerns of Sheriffs across the country with

(AUDIO RETURNED): Is that better? I can hear myself now, that's even better, thank you. The biggest concern has to do with the continued reduction in federal assistance available to state and local law enforcement particularly the Edward Byrne Memorial Grants and of course the COPS programs that were mentioned earlier.

Most recently, we have seen an increase of violent crime across this country. FBI statistics show that violent crime in 2005 increased 2.5 percent, most noticeably in mid-sized cities and in the Midwest. And on a regional basis, the increase disproportionately hit the Midwest area, including my home state of Iowa, which reported a 5.7 percent increase, three times the rate of the Northeast, South or West. Overall, this marks the largest annual increase since 1991.

Mr. Chairman, as NSA President, I represent the Sheriffs of this country. Republicans, Democrats, Independents alike, my interest is for the country as a whole, border to border, coast to coast. That in mind, you will find a chart that I have submitted, it's in the packet that you would have received earlier. I see it's also up on the easel behind you there. According to this chart, prepared by the North Carolina Governor's Crime Commission, there is a statistically significant correlation between the Office of Justice Programs funding levels and reported crime as measured by the FBI's Uniform Crime Index. It illustrates that OJP allocation for justice programs, which includes state and local assistance and COPS programs, escalated from 1995 to 2000, and then began a rapid downward shift in 2001. In 2004, the funding level plummeted to over \$1 billion compared to the 1996 level which was at \$4.1 billion. Simply, OJP funding levels and reported crime statistics show an inverse relationship.

In the early 1990's Congress joined in a partnership with law enforcement to provide assistance in federal funds for hiring additional officers and deputies to put offenders behind the bars, and fight the war on drugs through Byrne and COPS programs. The 1994 Crime Bill begins with "Strategies to Assist State and Local Governments in Providing an Immediate Response to Crime" through grants to combat violent crimes and put more police on the streets. I'm amazed that those same people who supported us then, seem to have walked away as if the problem could never happen again. But now today, we are faced with a spike in violent crime and rampant drug use, illegal sales and trafficking.

Over the past ten years I have been on the forefront of this battle, a battle in the streets themselves against drug dealers, and the battle to convince Congress that the need to assist states and locals in this "war on drugs" continues to exist. The war on drugs may have a history as a term of endearment or mere political rhetoric for some, but to a

person who lays his or her life on the line, it is a harsh reminder of reality. The reality is that we simply do not have the necessary federal support to fight the war on drugs and sweep the streets of our criminals.

For more than 30 years, Byrne grants have funded state and local drug task forces, community crime prevention programs, substance abuse treatment programs, prosecution initiatives, and many other local crime control and prevention programs. We perceive these programs as the underpinning of federal aid for local law enforcement. Continued reduction in Byrne funding will undoubtedly obliterate the successes that we have all helped to achieve. There must be a balancing of roles between federal, state and local governments. Crime control may primarily be a state and local responsibility, but we must not forget that crime is a national problem. The correlation between the earlier graph clearly shows this to be true.

Since 2003, my office in Marshalltown, Iowa has suffered major setbacks due to drastic reduction in Byrne-JAG and COPS programs. In an effort to deal with reducing funding, we have shifted local dollars, strategy and manpower in an effort to keep many of the programs alive.

While my home state of Iowa has made headway combating the methamphetamine epidemic due in part to a very tough law in controlling pseudo ephedrine, as well as persistent enforcement, we continue to see methamphetamine, in the form of crystal meth, or what's known as ice which is a purer form and more potent form of the drug, smuggled into Iowa from Mexico. Shipments of marijuana, cocaine, and heroin are also originating and are shipped across from Mexico. As a matter of fact just this past week, my agency was involved with the seizure of over 200 pounds of high grade marijuana and cocaine and mushrooms. These had come up through the Southwest Corridor and were headed to New York State. These type of incidents are becoming more and more prevalent in my state of Iowa, and across the country as a whole. Given the scope of this problem which transcends state and national borders, we need federal assistance to address this growing problem now more than ever.

As with many other states, Iowa is already feeling the brunt of reduced federal assistance in funding to programs in 2004 and 2005. Last year Iowa suffered a nearly 40 percent cut in Byrne-JAG across the state. Estimated funding cut to this program over the last two years have led to an approximately 30 percent reduction in arrest in Iowa.

In most states, Byrne-JAG funded drug task forces are the cornerstone of drug enforcement efforts. These task forces represent the ideal in law enforcement; pooling limited resources, sharing intelligence, strategically targeting a specific problem, and eliminating duplication of efforts. In a survey conducted by the Iowa Governor's Office of Drug Control Policy in February of 2006, forty-six states reported funding multiple jurisdictional drug task forces through Byrne-JAG. And thirty-nine states reported 2,794 drug task force personnel funded full time. This doesn't include figures from several of the larger states such as Illinois, California, Pennsylvania and Texas who also have spent significant amounts of grant funding in task forces. This also does not take into account

the grant program's manpower multiplier effect, which is a result of state and local agencies assigning locally funded officers, prosecutors and support staff to grant funded task forces.

Forty-five states reported a total of 221,475 drug arrests made by Byrne-JAG funded task forces. That translates into many fewer victims. And participating states reported a total value of drugs seized at over \$12 billion representing more than \$63 in seized drugs for every one dollar spent on drug task forces. Thirty-seven states reported a total of nearly 9,000 methamphetamine clandestine lab responses. More than half the states, 24 of the 41, stated further reduction or elimination of the Byrne-JAG program would reduce or eliminate drug, gang and multi-jurisdictional drug task forces in their state.

Furthermore, as we consider the correlation between violent crime and the need for additional funding to support law enforcement activities, I would like you to consider the astonishing result by our law enforcement. Byrne-JAG funded drug task forces have seized over 54,000 weapons just last year alone.

COPS programs play an integral role in providing enhanced information technology, systems that are vital to support community policing efforts. It has been essential to crime-fighting since patrol cars got radios back in the 1920s. And over the past decade, an increasing number of law enforcement agencies have relied on computer aided dispatch, records management, crime analysis, and other forms of technology system applications to help them better protect their communities.

For example, the interoperable communications program helps achieve a very important goal; the ability to respond effectively and mitigate incidents that require the coordinated action of law enforcement and public safety officers. However, this program has been slashed in the last two years. Technology grants currently provide 450 communities with up-to-date technologies and automated systems which aid law enforcement personnel to respond quicker, cover more ground, investigate and evaluate criminal activity.

Gentlemen, I cannot emphasize enough the importance of the COPS programs, particularly in funding these programs in a way that distributed directly to local law enforcement agencies those that can best assess and allocate funds where they have the most impact.

I want to take a moment and thank you very much for this opportunity to come before you and express my concerns. I know we'll have some interaction with questions a little bit later on. I hope that I've conveyed to you the dire situations that Sheriffs of this nation are facing, especially when it comes to Byrne-JAG and the COPS programs. The strain on limited funds for law enforcement programs in the face of increasing violence and drug use in our communities ought to be a major inducement for government and law enforcement alike to share the responsibility for keeping our communities safe.

I speak to you today as the President of the National Sheriffs' Association. We are the largest law enforcement association in the country with 98% of the Sheriff members elected by the same constituents that elect this Congress and our President. We interact on a daily basis with that voting public and therefore see the direct impact that violent crime and drugs have on those families. I ask your full consideration for my comments today, not just as a Sheriff, but as a representative of all law enforcement, and also as a citizen. I know through your commitment to these efforts, to working together, with congress and law enforcement, public safety across this country, we're going to be able to get this done the right way and make sure our citizens are safer. I want to thank you very much

DORGAN: Well Sheriff, thank you very much and thank you for traveling to Washington, D.C. today to be with us. Next we will hear from Brian O'Keefe. I'm going to wait and ask questions when the panel has completed its statements. Brian O'Keefe is the Deputy Chief of Police in Milwaukee, Wisconsin. He has been with the Milwaukee Police Department in charge of the Criminal Investigation Bureau. He's been with the Department 25 years I understand, and perhaps done everything you can do in a Department like that. Once again, Deputy Chief O'Keefe, thank you for being with us today, and you may proceed.

O'KEEFE: Mr. Chairman, members of the Democratic Policy Committee, thank you for the opportunity to appear before you and give testimony on the negative impact the reduction of federal grant funds has had on local law enforcement.

DORGAN: Would you pull that microphone just a bit closer to you? Thank you.

O'KEEFE: I want to be clear today that I'm not here to engage in any partisan discussion. The safety of the citizens of our country is a non-partisan issue that needs the full attention of this Congress from both parties.

During these anxious times, we find ourselves struggling to provide public safety services to our communities with diminishing financial resources. Law enforcement agencies are being asked to do more with less and to respond to an increasing number of calls that are ever more violent. Any reduction in grant funding for state and local law enforcement agencies will jeopardize the gains that were made in crime reduction in the past decade, as discussed by the Sheriff.

In the past, Milwaukee has been fortunate to receive a significant amount of Byrne Grant funding, both directly and in a shared capacity. This has greatly enhanced our ability to develop strategies to address drugs and other violent crimes, as well as, target serious and repeat offenders. I cannot emphasize enough the many benefits that were realized. We enjoyed reductions in crime, as we became more effective in identifying, arresting, and prosecuting both individuals and organized street gangs that engaged in violent criminal activity. This accomplishment was done through the use of Federal grant funds. As discussed by Sheriff Kamatchus, most of our drug enforcement

taskforces are funded through the Byrne Grant Funds, and those are now in jeopardy. Most recently, grant funding helped to finance specialized community prosecutors and drug prosecutors who work closely with both law enforcement and community residents to rid neighborhoods of crime and disorder. Grant funding has also permitted us to upgrade our technology, improve our record keeping and our ability to track and detect offenders. The reductions in crime realized as a direct result of these pro-active programs, funded with the assistance of federal dollars, is now at great risk.

Back in the early 1990's, the Milwaukee Police Department was handling over 150 homicides a year. In the past decade, with the assistance of federal grants, we were able to implement deterrent-based policing strategies, increase the number of officers on the street, and reduce the number of homicides to an 18-year-low of 88 in 2004. Unfortunately, in 2005 we jumped up to 122 homicides; our robberies and assaults also had double-digit increases. This has put a strain on our ability to pro-actively police our community with deterrent-based strategies, as we become driven by calls for service.

It is no coincidence that in the early 1990's, as is now the case in 2006, we also have the fewest number of officers on the street. The Milwaukee Police Department is over 225 officers down from its authorized strength, as tremendous increases in technology, equipment, and fuel have forced us to reduce the number of officers on the street to stay within our budget. This is not just a problem for us in Milwaukee. I know this is being experienced nationwide.

In the past, I have heard people say that local law enforcement issues should not be a federal responsibility. I couldn't disagree more.

Since 9/11, local law enforcement agencies have become the frontline in keeping our nation safe. The current threat from both domestic and foreign terrorism has put additional responsibilities on law enforcement agencies that did not exist prior to 9/11. We have used a substantial amount of local funds to upgrade our ability to detect, respond to and mitigate any terrorism event. We have been tasked with providing extra patrols at transportation and power facilities, ports, and other critical infrastructure sites. We have conducted training for all of our officers on counter-surveillance and terrorism detection. We have also created a unit dedicated to homeland security issues, which is staffed by state and local officers at our cost.

The federal government has also provided billions of dollars in homeland security funds, but these grants have been primarily geared towards critical infrastructure, equipment and technology upgrades. I want to state unequivocally that these homeland security grants are welcomed and very much needed, but no piece of equipment or technology upgrade has ever placed handcuffs on a violent offender, located a missing child or stopped to interview a suspicious person at a critical site.

Additionally, state and local law enforcement agencies are supplying federal law enforcement with our personnel resources on many task forces. The Milwaukee Police

Department has officers and detectives on the Joint Terrorism Task Force, the ATF Task Force, the US Marshall's Task Force, the DEA Task Force and the HIDTA Task Force.

These partnerships are critical to policing our community and nation, but none of our officers are fully funded, putting the financial responsibility back on our agency. The reassignment of our personnel resources to the federal task forces, coupled with the overall reduction in officers, is a tremendous burden on our agency as there are even fewer officers available to answer calls for service.

As these examples show, the financial strain currently being experienced by local law enforcement agencies is definitely a federal issue.

The restoration or increase of federal funding levels for local law enforcement will provide us with the resources and equipment to operate more effectively. We would also like to have more flexibility in the expenditure of grant funds, as was available with the LLEBG funds. The current limitations on the use of the JAG grants, which combine the Byrne and COPS funds when it comes to the purchase of squads, or the hiring of personnel, does not account for local needs, and limits our ability to efficiently police our city. My request for flexibility does not mean there should not be accountability and a constant review to ensure an efficient delivery of services. All law enforcement agencies in our area have combined resources to reduce costs and maximize our ability to police our area, but the narrower guidelines on expenditures, as set forth by Washington, fails to adequately account for local conditions. My request for the restoration of funds to previous levels and increase in flexibility will assist in providing personnel, training and equipment resources that would otherwise be unavailable in our operating budget. It will also allow us to aggressively attack crime and disorder, and try to turn back the increases in the crime rate that are having such a severe impact on my city.

At a time when law enforcement agencies have to be extra vigilant in protecting our communities from terrorism, as well as carry on our traditional role as crime suppressors, the reduction of federal grant funds will not only have an adverse impact on our local communities, but our nation as a whole.

Thank you, and I appreciate the opportunity to appear before you today.

DORGAN: Mr. Dolan, thank you very much. Next, excuse me, Mr. O'Keefe I should say, thank you very much for being here. Next we'll hear from Timothy Dolan, the Chief of Police of the Minneapolis Police Department, a 28 year veteran of law enforcement, and a member of the Minneapolis Police Department since 1983. Senator Bingaman will be right back, but why don't you proceed Chief Dolan.

DOLAN: Mr. Chair, thank you for hearing from us today. Minneapolis, as many of you know, is a city of about 380,000 people. It's an urban hub for a county of 1.5 million. It's also the urban hub for a metro area of 3 million. We have the main downtown, which attracts about 200,000 people during the day coming to work, and in the evening the entertainment district attracts about 100,000 people.

The Department has a budget of about \$118 million, about \$15 million of that any given year comes from grants, State and Federal. 85% of the budget that we have in the police department goes toward personnel. We're currently sitting at 810 sworn. Last year we were at an all-time low of about 780 sworn, with about, you mentioned it earlier, with about a dozen of those officers that were on staff that were actually in Iraq and with the National Guard. When we look at our prime, we were at about 920 sworn. That included 70 officers that were on the COPS grant.

Traditional federal funding for the police department has come through Block Grant funding, which we use solely for prosecutors right now. That's been reduced down, sizably down, to where we pay for about two prosecutors with that now. The Weed and Seed zones, which we lost our Weed and Seed zone for our highest crime area two years ago, and we have Byrne Grant Funding for task force for narcotics and gangs, which was cut by 1/3 last year. We take full advantage of federal task force opportunities with the Department of Justice; we have a task force with the FBI, DEA, and the Marshall's office. We also take full advantage of Homeland Security funding. The trends that we're seeing with federal grant funding is that not only are they shrinking, but the control and use of them for traditional law enforcement as for hiring officers or putting more officers on the street is becoming more and more difficult.

We've got staffing trends for what we have, our shortage in numbers. We've focused on trying to keep officers on the street. As you've heard from several of the other departments already, our main focus is keeping officers on the street. 79% of our 810 officers work the street. As a result, 15% of those sworn officers are now working investigations. I think it was Senator Reid that brought up earlier that we're red lining cases that we weren't red lining before. Auto thieves don't go to jail. Narcotics offenders are not going to jail until they have multiple offenders. Even robbery offenders now are seldom going to jail on the first offense. Six percent of our staff are in training for internal affairs and alike.

What we're seeing in Minneapolis is rising violent crime. We got national attention this year when the UCR numbers came out, because of our high number of increase in violent crime. We couple that with a 37% increase in violent crime this year, year to date. Juveniles are our number one problem. We're seeing them account for over 50% of what we're seeing in our violent crime. It's gangs, guns, drugs. We're seeing that our seizures of guns, we had a record number of seizures last year. We're going to increase that numbers of seizures this year probably by another 25%. We've had gun buy-back programs that have been funded by the community, which will bring in additional guns to that number. Violent crime has reached a rate in Minneapolis where the State of Minnesota has given us emergency aid of \$1.5 million to help fund overtime in precincts and downtown, and recently added State Patrol officers to our highest crime precinct, to help the officers that patrol in that precinct.

I'd like to conclude by saying Chief Bratton from Los Angeles was recently on the air saying that, "we have a lot of focus on homeland security. We can't lose focus on domestic crime. We have to do both, and if we focus on just one or just the other, we're

going to be in trouble.” We need to focus more in making sure that domestic crime becomes a priority of the U.S. Senate. Thank you.

DORGAN: Chief Dolan, again thank you for being with us today. We appreciate your testimony. Next we will hear from Chief Gary Hagler. Gary Hagler is the Chief of Police in Flint, Michigan. He has been a 20 year veteran of the Flint Police Department in which, as I said, he has held every rank I’m told. So thank you for being with us Chief, you may proceed.

HAGLER: May I first express my sincere thanks to Senator Dorgan, as well as the distinguished members of this committee, and all in attendance for the opportunity to address a matter that I personally believe to be of the utmost importance to the citizens that I have been sworn to serve. I am fortunate to be here today representing the citizens of Flint. The City of Flint recently celebrated its Sesquicentennial this past year. It is noteworthy that Flint was the birthplace of General Motors and the automotive industry that you know today. During our productive history we have transformed from a small village along the Flint River to become a city that flourished with economic development as the automotive industry prospered throughout the 20th century. Unfortunately, recent decades have dramatically changed the social and economic conditions of this city of great character and resilience.

Let me tell you about our city demographics today. Based on the 2000 U.S. Census, the City of Flint was comprised of 124,943 residents. 2004 data indicates that the population had reduced to 119,716 residents. Unfortunately our population base continues to decrease as industrial jobs continue to leave the City of Flint and its citizens attempt to find new forms of employment. The average household income in Flint is only \$28,000, which is only 62 percent of the average Michigan household income of \$44,000. U.S. Census data indicates that 26 percent of the residents of the City of Flint live below the poverty level, which is significantly greater than the current national poverty level of 12 percent. This demonstrates that City of Flint residents are struggling to afford the additional tax burdens necessary to support all the police services necessary to provide a safe environment for all. According to recently compiled FBI statistics, the Flint Journal was quoted in an October, 19, 2005 publication with a headline that read “Violent Crimes Up 50 Percent.” The article went on to state the City of Flint’s violent crime rate was 1,926 per 100,000 people which placed the City of Flint second in the nation in cities of 100,000 or more inhabitants.

We’ve gone through an era of de-industrialization in Flint. It has been said as goes General Motors so goes the City of Flint. Today, we are dealing with the retraction of the U.S. economy and the automotive industry’s decline. We have evolved from a geographic area that once had in excess of 70,000 automotive related jobs to one that only retains approximately 13,000 automotive related jobs and we are decreasing annually. At one time a General Motors job or one related to the automotive industry was nearly guaranteed for every high school graduate that was inclined to enter the automotive industry. Today, the youth of the City of Flint have to face one of the highest unemployment rates in the United States. As jobs decrease so does the tax base that

supports the funding for city services, including law enforcement. We have moved from a police department that once employed nearly 350 sworn law enforcement officers to one that now employs approximately 263 sworn law enforcement officers. Violent crimes in my city are on the increase, at a time when federal funding is decreasing, while the government asks us to be more vigilant in our participation with Homeland Security.

Some of the recent Crime data in Flint. In 1999 the Flint Police Department employed 338 sworn Police Officers. Between 2001 and 2002 the City of Flint suffered from a major financial deficit. Because of this deficit, layoffs occurred within the Flint Police Department. These layoffs reduced the department's total number of sworn police officers to 237. This resulted in a 30 percent decrease in the number of sworn police officers. Along with the reduction of sworn police officers there was a reduction in support personnel as well. This created a situation where sworn police officers were performing clerical level tasks that took away from their time spent on police work. Between 1996 and 2001 the Federal Government funded between 17 to 34 sworn police officer positions within the Flint Police Department per year. In 2002 the Federal Government funded 12 sworn police officer positions within the Flint Police Department.

After this year the Federal Government will no longer be funding sworn police officers in the Flint Police Department. Please keep in mind according to the Uniform Crime Report in 1999 the City of Flint reported 3096 violent crimes and the total number of sworn police officers for 1999 was 338. This represents an average of 9.2 violent crimes per officer. In 2005 the City of Flint reported 2760 violent crimes and the total number of sworn officers for 2005 was 249. This represents an average of 11.1 violent crimes per officer, which is an 18 percent increase in violent crimes per officer. During this time the national average of violent crimes decreased yet in the City of Flint violent crime rate per officer dramatically increased. It is hard to judge these statistics without more empirical data yet these statistics cannot be ignored. I believe there is a direct correlation between the number of officers on the street and violent crime. The Flint Police Department is striving to utilize the resources available to us in the best way it can to combat crime. An example of this is the Flint Police Department's Crime Area Target Team known as the CATT Unit, which is comprised of approximately 18 sworn police officers and 3 police supervisors. The CATT team was designed to be simultaneously a problem oriented policing team, crime prevention team, community organizing team and a juvenile crime suppression team. The team's mission is to assist neighborhoods in reducing conditions that create crime and disorder in a substantive and permanent manner. One of the CATT team's primary resources of information is from the community. Between January 2005 and May 2006, the team has made 2513 felony arrests, 3051 misdemeanor arrests, recovered \$208,000.00 of illegal narcotics, seized \$173,000.00 in cash as forfeiture and recovered 210 illegal firearms. Much of the success of this unit can be related directly to the community providing information and feedback on the crimes that are occurring in their neighborhoods to the CATT team and Community Policing Officers.

Recently Dr. Charles A. Brawner III, a professor of Criminal Justice Studies, as well as a publisher and consultant to the Flint Police Department was quoted as saying,

“In order to be successful crime-fighters, today’s police departments must view the citizen as a co-producer of police services. Citizens can provide the police with invaluable information to solve crimes. Be they paid informants, snooping neighbors, or just ordinary people concerned with the quality-of-life in their neighborhood, no one can disagree that the concept of community policing has expanded the access of communications between the police and citizens. Arguably, a lack of funding for local law enforcement could jeopardize the improved atmosphere of communications between the citizen and police that has helped us to solve crime and target potential criminal activities.”

Dr. Brawner went on to emphasize that “community partnerships built upon the COPS funding throughout the 1990’s should serve today to assist in developing intelligence information for our nation’s proactive battle against terrorism. Homeland Security and COPS should not be viewed as separate entities, but rather as potential collaborating bodies for gathering intelligence at the street (local) level in the war against terrorism.”

His words are insightful, given the recently rising violent crimes within the City of Flint, during a time of decreased federal funding which threatens the public safety of our citizens. With additional sworn police officers on the streets of Flint, we could increase the number of officers to target those areas and suspects that are responsible for the rise in violent crime and thus save lives.

In my written record, there are some snippets from *The Flint Journal* from one week in May where a number of individuals were killed within our city, a number of our residents.

Let me respond and continue on to respond to citizen’s needs. Maintaining the commitment of residents in the City of Flint to combating violent crime in our community has definitely been challenging since the reduction of federal funding in recent years. With federal funding cuts, the rising problem of violent crime in our community has been left to our state and local government to solve. Finding revenue sources to combat this violent crime problem has been complicated with the decreased State revenues flowing to local communities not to mention the declining population and subsequent tax base erosion the City has faced in recent years. The residents of the City of Flint have also recognized the seriousness of the violent crime problem our City is facing. In seeking solutions to the problem the residents of our city demonstrated overwhelming support of the Flint Police Department’s community based policing programs in March of this year, when they approved a 2-mill millage request to keep 40 officers working in our neighborhoods by 92 percent. This 92 percent voter approval speaks volumes to the fact that the citizens of the City of Flint want to feel safe in their neighborhoods by having a strong police presence.

We are constantly being asked to do more with less. The Federal Government asks us to be vigilant in investigating Homeland Security issues and in gathering intelligence both of which are time consuming endeavors. I believe that we have reached

our saturation point. We cannot continue to take on additional responsibilities without supplementary funding sources for police personnel and equipment. I would charge that critics of community policing and COPS funding have not had first hand experience with the violence and death found upon the streets of some of our cities within the nation. Hence, a call for renewed funding to assist those urban areas facing potentially rising crime rates only makes sense. Citizens of the City of Flint have stepped up to the plate by maintaining funding through millage proposals. The citizens of Flint cannot continue to shoulder the burden alone and we are asking the Federal Government to step up to the plate and assist us in making our streets a place where children can play and our residents can feel safe.

Senators, people are dying in the City of Flint! I ask your support in restoring funding to programs that support law enforcement jobs and equipment. We need the funds to save the lives of our citizens and to make the streets safe for our children.

I want to thank you again for having me here today and for investigating this important matter.

DORGAN: Chief Hagler, thank you very much for being with us. Prior to asking questions of the panel, we have one last statement, and that will come from Professor James Allen Fox. He is the Lipmann Family Professor of Criminal Justice and former Dean at Northeastern University in Boston. As I indicated before, he has been described by *USA Today* as “arguably the nation’s foremost criminologist.” He has published 16 books and dozens of journals and magazine articles and writes a regular column for *The Boston Herald*, has been a visiting fellow at the U.S. Department of Justice and The Bureau of Justice Statistics. Mr. Fox, thank you for being with us and providing another perspective on this issue today. You may proceed.

DR. FOX: Thank you Mr. Chairman. It gives me pleasure to be here, and it’s an honor to share with this panel with the distinguished group of the members of the law enforcement community, who each has had between 20-30 years experience; veterans of law enforcement. I am a veteran of the classroom; 33 year veteran of the lecture halls.

I am not going to repeat everything in my longer statement, and I’m not going to apologize if I sound partisan, because I think I sort of am partisan. It seems to me that if there is one feature that describes the current administration, it would be its doggedness, stubbornness. Even as support for the war in Iraq has sunk to incredibly low levels in red states and in blue states, the President preaches that the nation must ‘show resolve, be vigilant, and stay the course’ to defeat the forces of terror. Well regrettably President Bush has failed to show the same level of resolve and commitment to our front line of defense at home; Local police to defeat the forces of violence.

President Bush, somewhat disingenuously during the re-election campaign a couple of years ago stood proudly shoulder to shoulder with the heroes of the New York City Police department and took photo opportunities and campaign ads, while at the same time depriving the local finest in New York and elsewhere the federal funds necessary to

do the job. That is, to keep us safe, not just from the external threat of terrorism, but also from the threat of common street crime. This is a case of money versus mouth hypocrisy.

President Bush says he supports the officers in blue who patrol the streets of America, just as much as he supports the officers in green uniforms who patrol the streets of Baghdad. But his funding priorities say otherwise. The Bush budget proposal for fiscal 2007, like those of previous budget cycles, would further decimate federal programs on which local, state, and county police agencies have depended to supplement limited local resources.

The President is clearly playing politics with policing, and jeopardizing us all in the process. Looking back over the last decade, it was the federal government's initiative to add 100,000 police officers through the COPS Office, that was key to much of the success in cutting crime through the 1990s, a seven year drop from 1993 to 2000.

Of course, COPS was one of Bill Clinton's pet programs, advocated during the 1992 campaign, the 100,000 COPS initiative, and delivered with Congress' aid. But President Bush, from the start of his term in 2001, targeted this Clinton program for downsizing, and regrettably he, too, has delivered on that promise.

This change in priorities is much more and far worse than the typical move in Washington politics to throw out a predecessor's agenda and replace it. This one has the tragic irony of occurring when the affected services provided by local law enforcement are as critical as ever.

Compounding the political hypocrisy is the fact that the federal government is asking local police agencies to do more, not less, in the face of the terrorist threat. If anything, the President Bush administration should be increasing local aid to law enforcement, not diminishing it.

How can the police keep an eye on the hotspots of street crime and gang activity when there are government buildings, financial centers, and transportation hubs to patrol and protect? Still, many more Americans--mostly poor or working class folks, the kind that the Chief talked about--are murdered each year by local gunfire than were killed on 9/11 by al-Qaeda operatives. I'm not trying to weigh one death against the other. But the distinction between homeland security and hometown security is that terrorism unevenly jeopardizes the wealthy and powerful, while street violence threatens the poor and powerless.

The other area of great concern involves cuts to various support programs for children, from mentoring to after-school programs. Such as in Minneapolis, a huge percentage of the increase in violence is in youth and gang violence.

Don't be surprised if the concomitant increase in the number of at-risk youth, especially black and Latino children with less than adequate supervision, the numbers are only increasing--combined with budget cuts for youth programs, translates into more

increases in gang and gun violence. We're already seeing the early signs. For example the 4.5% increase in homicide from 2004-2005, well that translates into 800 more American lives lost.

In closing, please understand that I am not suggesting that the recent rise in violence is reason to conclude, as did fabled Chicken Little, that the "sky is falling." Chicken Little, as you'll recall, became hysterical yet convinced Henny Penny, Ducky Lucky, Goosey Loosey, Turkey Lurkey, and her other frightened friends that their lives were in imminent danger. At the end of her journey, Chicken Little met up with Foxy Loxy, who knew better than to get carried away. As far as this Foxy Loxy is concerned, we should remain calm in the wake of tragedy yet aggressively restore the funding levels for cops and kids.

The good news--or at least the encouraging word--is that the crime problem is not out of control, at least by contrast to the early 1990s when the nation's murder rate was almost twice what it is today. It is not surprising that a small bounce back would occur after the glory years of the late 1990s. But let this small upturn serve as a thunderous wake-up call that crime prevention, police funding, and gun control—and don't get me started on the immunity law given to the gun industry—these need to be priorities once again

Finally I recognize that many citizens are tired of so-called "tax and spend" approaches to government. But I question value a few hundred dollars more in the pocket when you're staring down the wrong end of a gun. The choice is ours, pay for the programs now or pray for the victims later. Thank you.

DORGAN: Professor Fox thank you very much. Senator Bingaman.

BINGAMAN: Thank you all for that excellent testimony. Let me just for any insights you can give me on the connection between homeland security and hometown security. I'm just not clear in my mind—we get a lot of speeches around here, 'law enforcement is the front line', I think you mentioned that Chief Hagler. What role do you actually play in being the eyes and ears that are needed in order to head off terrorist attacks and deal with potential problems before they arise.

MR. HAGLER: When you have a good community communications program between the law enforcement and the community, that's where informants develop; where someone hears something on the street. We're about 60 miles from the largest population outside the Middle East of Arabic speakers, and folks with bad ideas for this country could nest themselves in that location because they could blend in better. But the issue is if you have good communication sources, you could relay that to the federal government. We have a good relationship with the Federal agencies in Flint; the ATF, the FBI, the DEA. In many cases, they come to us for information because we have the informants on the street and we can dig up the minor crimes which allow these people to flip, and then they start giving information.

BINGAMAN: Very good, Chief Dolan did you have a comment?

MR. DOLAN: I'd like to echo what was said by Chief Hagler. We also do the major events, the dome security. We use a lot of homeland security funds to fund major sporting events, major conventions, those type of things. We work with our federal partners in doing the type of federal intelligence work that was mentioned earlier. A lot of the money goes towards funding security of those large events.

BINGAMAN: One thing I don't understand well is, in my state, most law enforcement agencies that I've talked to have reduced their personnel numbers because the COPS program funding being cut, that chart we had up here. They've reduced the number of personnel and yet as you say they're still being called up to do additional duties that relate to this homeland security function. How does that work?

MR. DOLAN: Most of the money we use we fund through the use of overtime. Obviously there is a limit on the amount of overtime an agency can use and absorb. We have state aid for overtime in high crime areas and officers are only going to work so much overtime. We make sure we fund overtime in those homeland security type events.

BINGAMAN: Yes, Chief.

MR. O'KEEFE: Just to go to your comment about the reduction in officers, our costs have not gone down since 9/11. It still costs money to put cars out on the street, wages, fringes, they're increasing. Our fuel costs have gone up in Milwaukee 67% since 2001. We pay about \$1.7 million a year in fuel costs, which is a tremendous increase. We have to shift those resources into fuel and it affects our ability to put officers out on the street. As Chief Dolan mentioned, the overwhelming majority of a police department's costs are in personnel. Operating budgets are very very small for the purchase of equipment. Even back in the 90's, when grants were available, we could buy technologies and automobiles. We could put our money into putting officers on the street. All of those grants are going away, that makes us make hard choices. We still have to pay our fuel and energy costs, we still have our technology. As the esteemed Chief from Iowa mentioned, we use technology for everything. As those costs more, we have less to pay for our officers and again, given that we have to do the parts, transportation; when the threat came to New York, those weren't federal officers on the buses and subway systems. Those were local law enforcement officers and that was coming out of our budget.

BINGAMAN: Did you have a comment Sherriff, and then Professor Fox?

MR. KAMATCHUS: A couple of points. First, like all politics is local, so is crime. Putting a face to the victim, being able to touch and see the criminals, being able to gather the intelligence. That happens at the local level. Drug task forces are really multi-tasking, those intelligence systems they set up with their ears to the ground if you will, that system is a valuable piece of the machinery that's going to help protect this country in its war against terror. When somebody strange comes into an area and says

something, loose lips sink ships type of a situation, our drug task force intelligence officers hear that, and it's that type of information that's going to protect this country. COPS helps us get technology and operability and the things that help us work. The original COPS hiring program was a three year program, simply a band-aid, nothing more than that to get us through. Now when we have all the other cost increases that we've mentioned here, COLAs, fuel etc, we have to deal with those and make up for the loss of revenue when the COPS hiring program came to an end.

Here's one thing that I want to finish quick. In industry, as the call for product decreases, personnel decreases. That's just the nature of business. In our case, it's just the opposite. As our funding is decreasing, we're seeing the drive up of crime. That's our manufacturing point. The thing is that we have to do something long term that is as consistent as the message itself. When we can do that, the federal government, local government, our citizens are going to be safer in the long run.

BINGAMAN: Professor Fox you had a comment?

DR. FOX: I'm glad that Deputy Chief brought up Boston, my old hometown. Boston, New York, Washington, these are hotspots for concerns over terrorism. And what you see in cities like mine is a situation where you rob, rape and murder Peter to pay for Paul. We have communities that have a fraction that the kind of police enforcement that they had previously because of a shift in local resources to downtown targets. After 9/11 there was a spike in crime here in DC in the southeast and in other poor neighborhoods after resources were shifted to federal areas.

BINGAMAN: We used to give speeches around here about the war on drugs. That issue has sort of gone away here in Washington, but I wanted to ask—we passed a 'Combat Meth Act' which I think unfortunately focused on providing funds for cleaning up Meth labs once labs were found and destroyed, there is to be federal funding from the government to assist states and communities. As far as the actual dealing of Meth use in the country, I don't know of any major effort going on at the federal level to assist with that. What I hear from law enforcement in my state is that this is a real epidemic; it's something that's come on in the last few years, it's cheap, it's available, it's widely used and it's accounting for 70-90% of the criminal activities in my state in some areas. Professor Fox did you have a comment on the significance of this?

DR. FOX: Yes, just a few months ago I released a report on the Meth epidemic here in DC in a press conference. What's so interesting about the recent legislation was the move to take the ingredients locally, and basically take it off the store shelves. What many states found is that the situation actually got worse. Rather than having local labs, we started getting Crystal Meth imported from Mexico because you couldn't make it locally. So sometimes good ideas can often backfire. The Meth issue is a huge one.

BINGAMAN: Any of you had any experience with this Meth problem?

MR. KAMATCHUS: In 1998 I came before a joint committee here on this hill to testify about Meth use in America. We've been dealing with the Meth problem for 12-15 years in rural Iowa. Some people have a hard time imagining that, but its easy to go to a number of major metropolitan areas.

I guess I'll say somewhat differently from what Dr. Fox has mentioned; we've seen an 84% decrease with the ephedrine law that was passed, Meth labs have just gone away. Keeping in mind of the fact that we've seen an increase in Meth use over the years, that is continuing to grow. What's happened is that even at peak production local Meth labs only accounted for 15% or so of the total that got out on the streets. The overwhelming majority of Meth still comes from that southwest corridor. When you're dealing with 80-90% of the problem still there, then it grows so I agree with Professor Fox in some ways.

You mentioned the chart a little while ago, I wanted to pay attention to where the peak of the funding was, the OJP. Did you ever notice that? In 1999 and again in 2003. It's ironic that those peaks occur right before Presidential elections. And I guess if I can come out of here with anything I hope that the Congress and the President give us that bump one more time before we get out of here.

BINGAMAN: Well we do tend to do things pretty much in sync with the upcoming elections, and so maybe we can persuade people to do better this year. Thank you Mr. Chairman.

DORGAN: Senator Bingaman thank you very much. Let me ask Professor Fox, the chart here shows the reduction in funding at the federal level for local law enforcement activities. It seems to show that as you reduce funding for law enforcement, crime goes up. Would you concur?

DR. FOX: Well I know you won't like it when I start off my response by saying 'with all due respect' because its just not something that anyone wants to hear. But with all due respect making a correlation making a correlation based on that is kind of tenuous.

DORGAN: But with all due respect (laughing), let me ask you what is causing an increase in violent crimes once again?

DR. FOX: Well in fact, I've gone on record recently saying that one of the causes for an increase in violent crime is the cutting of funding for police activities, and also gun program changes and other issues. There are about ten reasons this has happened, not just federal funding this is just one piece of the puzzle; Demographics, re-entry of prisoners into populations—prisoners who aren't any better than when they came in, and in fact are sometimes worse and going back to their old neighborhoods and old activities. It's because we got complacent; cities like Boston which saw such a large decrease activities in the 1990's phased out these anti-gang programs because people said well gang-activities have gone away so much so we don't need them anymore. Well they didn't go away, they contracted perhaps, and they're back, they're back with a vengeance

partially because of the returning gang members from prison, partially because kids are attracted to gangs, they see gang membership as exciting, cool, thrilling, status conferring, a sense of belonging. So there's lots of reasons crime went up, and part of it is because they went so low. As I mentioned we would not be wringing our hands about an increase in crime this year if it were not for the drop we saw in crime in the 1990s.

DORGAN: Professor Fox let me just ask a question about that.

FOX: I was flying down on a plane here today the light came on that said fasten your seatbelts and all a sudden it got bumpy so my thought was every time they put the fasten seatbelt light on it gets bumpy maybe they should stop putting the fasten seatbelt light on. Essentially, this is a correlation that is not necessarily causal, but I do agree with you that this is part of the issue and that the federal government has to get back into the business of supporting local law enforcement efforts and juvenile justice programs.

DORGAN: Chief Hagler you painted a pretty difficult picture of Flint, Michigan. Decreased population, substantial poverty, substantial increase in crime rates. Tell me at this point as chief of the police department what kind of things are you doing to construct a new approach or new initiatives and how significant is federal funding to development of those initiatives to address this issues.

HAGLER: We are trying to keep the lines of communications open with our community instead of just responding to calls for services as they come up we try to be proactive, maintain the relationships that we have built over the years, even though it is more difficult when you have a time of increasing crime, and calls for service when you have less bodies to do that. So we are keeping the lines of communication open and we are targeting the remaining resources as best we can. We are looking at crime trends in neighborhoods the information that we are hearing from the residents and the community police officers out there, and the primary-target team officers and we are trying to bring areas, pockets of our most severe crime under control, and maintaining control as soon as we gain it. We are focusing on doing more and doing it better even though we are doing it with less. We rely strongly on the community to provide us with information and when those lines of communication are open we can get bad guys off the streets quicker

DORGAN: I should say to all of you that one of the leaders here in the congress, in the United States Senate on these issues has been Senator Joe Biden, and he is not able to be here. I believe he is on his way back from a trip to Iraq. He wanted to be here but was not able to. My sense is from the work that Joe and many others have done on a range of issues, COPS programs and so on, is that one of the really effective ways of combating crime is more police officers on the streets, generally speaking, and lights. Law enforcement authorities say that lights are very important. Lighted walkways, lighted parking lots, lights. Do you all agree with that? Chief Dolan?

DOLAN: Senator, I would add that lights add technology. And technology, as you heard from the sheriff, is a big growing piece, cameras, corner cameras, squad

cameras. It definitely does help. I would say that is a growing tool in law enforcement throughout the country.

I think crime is never stagnant. It is either trending up or trending down and if we are proactive and have enough resources to be proactive we can trend that down. When we do not have enough resources to be proactive and all we are doing is reactive, like many of us now with all these cuts, it is going to trend up because we are in that reactive mode. We are either ahead or behind the bubble you are never sitting on the bubble.

FOX: I want to respond to that quickly. Interesting thing about responding to trends is let's suppose that we have a 4.5% increase in homicides in 2005. Let's say it continued in 2006 and people got really upset here in the Congress. Well, we are going to put the money back and deal with the problem. The thing about law enforcement resources and personnel is that you cannot just say here we are. Because they have to be hired, trained, and have to get some experience. It takes several years to respond effectively with an experienced police force. So what is so difficult about the cuts is that you cannot just restore it and think that the resources are going to be back over night. It is a concern in the short term and it is a concern in the long term and the longer it takes us to restore funding you can add extra years of lag time until we are really up to speed.

DORGAN: Let me ask Chief O'Keefe and the Sheriff, my understanding of the funding of these task forces whether it be methamphetamines or gang task forces is that the use of federal funding or grant funding and others, which includes the ability to fund task forces, and buy equipment has been particularly effective because it comes with maximum flexibility to meet local needs is that the case? Is that what your experience is?

O'KEEFE: It has been especially with the Byrne grant funding we had the flexibility to join with other agencies and use that money in new ways where we actually went and looked and figured what is going to be the best deterrent out here. As Chief Dolan mentioned before, they used funding for prosecutors, we also used funding for community prosecutors. In Milwaukee our district attorneys and some city attorneys ride right along with the anti-gang units in the districts and probation parole officers. They are a working team, we have maximized our efforts, and used some of our funding to get them in there and it has been a tremendous asset to us in trying to reduce crime in some problem areas here. That money is at risk, some of those. We are not going to be able to fund those things even with the JAG grants, as I mentioned in my opening remarks we used to be able to buy cars out of there. If I was going to buy 80 cars in a year, \$30,000 to \$35,000 a piece, once you get them loaded up and that's ever increasing with the costs of cameras and everything else we are putting in our cars now. And that is money I could buy the cars with even if I wasn't getting direct funding for the officer, I could shift those funds in our operation budget or our chief could. Now we do not have the option to do either because the funding is gone. So that causes the reduction in officers. And again the leverage we gained by partnering with other agencies through the flexibility we had with those grants is gone especially the smaller agencies that cannot afford it.

DORGAN: As you answer Sheriff I just want to pose this question and perhaps Professor Fox will respond to it. We had in October 2005 a GAO, Government Accountability Office, study, and their conclusion was, and obviously these are conclusions that are related to rough judgment I think, but for every dollar spent in COPS hiring per residence, crime fell about 30 instances per 100,000 residences. In other words they were drawing a direct correlation between that particular program and the ability to deter crime. Your assessment of that, Sheriff?

KAMATCHUS: I would think the more cops we have on the street the greater deterrent. Most of the people that are criminals out there are people who are very weak. They see a squad car—that is one of the reasons we mark up our squad cards up with Sheriff with big letters on the is because it is a deterrent—so more officers on the street are going to cover more area, so that those people will stay in their cellars or corners or wherever they hide. You asked an earlier question about the Byrne money and task forces. I am from rural America—about 40,000 to 50,000 people as my county fluctuates. We have seen a massive change in demographics with immigration that has occurred in the last decade. The overwhelming majority of those people are good hard working individuals—we see them at our pork packing plant in Iowa in Marshall County, but we do have one problem and this is something that we have gone through for a while, you cannot tell the players without a program, we would actually end up with individuals who were believe it or not criminals mixed in with that group. And along with that, even in rural Iowa where I am from, came gangs—SIR-13 [phonetic] is one that jumps out right off the bat—bloods, crips and everybody else.

As a matter of fact in the last year we have made raids of 20 to 30 people who are directly affiliated with gangs in our town—our little community of Marshall—town of about 25,000 people. Now let me explain on what I am trying to get at here. It was the working efforts by our drug task force working in conjunction with the gang task forces out of Des Moines and with the local police department and local Sheriff's office – it is a working effort. Now if you go ahead and eliminate our drug task force in Marshall Country, for instance, our four country area- five people, if you take it out of there you are taking the core of our intelligence gathering, our ear to the ground and that is how we find out where those real bad people are.

So that is why it is so important to maintain that. I agree totally, some of the big problems when they moved the LLEBG in with the Byrne/JAG combination that they did, is that they took away some of the flexibility of the funding. We had the opportunity at the local level to say we need new, as you heard the Chief say earlier, new squad cars and they could concentrate on that. Or maybe we need mobile data computers we could concentrate that. Now what we are doing with ours is putting it towards bodies because I cannot afford to lose another deputy. So I guess what I am saying is that it has a long lasting, far reaching effect on rural Iowa, rural America. We utilize those drug task forces for more than just drugs.

DORGAN: I am going to ask Professor Fox to comment on what I just said, but I also want to ask a question on whether you all can communicate with your highway

patrol, fire department, and in your case the three chiefs-with the sheriff's office, in the case of the sheriff's office with the local police departments. Think about that for a moment. Professor Fox?

FOX: I have not seen the GAO analysis. I would like to see it. The question would be how well controlled it is. I do not doubt that spending more on law enforcement has a positive impact in reducing crime. The precise figure – the elasticity of one on the other – may be a bit questionable to the extent to which they were able to control for demographics, increased funding on crime prevention programs, increased funding on prisons. So there are a lot of factors going on when you look at the late – all through the 1990s. We were doing more than just increasing COPS. In fact, the way to really get at this is not to look at the aggregate national level like this, but look at the local levels. Which cities were getting how much money, and were those cities the ones that had a parallel decline in crime. It is a little bit murkier when you get down to the local level and do those kinds of correlations. When you go up to the aggregate level like this most statisticians will say that those correlations do not say that much. So I would like to see the GAO study and I will look at it and perhaps get back to you on that.

DORGAN: Alright. There really is a connection between homeland security and hometown security as some of you suggested because it is almost certain that in the future if a terrorist enters this country the first responder to a terrorist attack or likely the first person in contact with a terrorist himself or herself will be local law enforcement. It was, I believe, a Maryland highway patrol officer who stopped one of the terrorists from 9-11 traveling on interstate 95 in Maryland- stopped that person from speeding. That person supposedly at that point was not on a watch list. I believe that person was in the country illegally but not on a watch list. So one of the persons that committed the act of terror on 9-11 was actually stopped on a highway. It is likely to be the case that the first person to have a response to a terrorist act or to be in touch with a terrorist will be a local police officer, a member of the local sheriff's department or a first responder. So I had asked the question because it was raised by a number of you- the inter-capability of communications. Sheriff, does your communication system have inter-capability with the state highway patrol in Iowa?

KAMATCHUS: One of the primary things we did about 8 years ago when we switched into the 100 megahertz system was that we set a mandate that said that you still had to be able to communicate with the old high band frequencies, 150 range if you will. And our particular system happens to have an interlink-a linking device in it that does allow that to happen. However, a county to the west of me, I recently was sitting, monitoring my people involved in a chase, trying to get in a position. A gentleman had just beaten his wife rather bad. This is about 2 years ago actually. All of a sudden this vehicle comes flying by me. Pretty soon I saw this neighboring county's cars coming along and I thought what in the world is that all about? They had to relay through their dispatch talk to our dispatch because they were on a different system than us. It is terrible and needs to be addressed. Back in the 1970s when we got an influx of cash, law enforcement allowed the manufacturers or the tail to wag the dog. And they all had a better widget for us to buy. We did not worry about mutual aid anymore, or frequencies

that had been set up at one time by the government, or fire aid or those other things. So it is a problem across this country. I recently was involved with our Governor, who stepped to the forefront. Iowa was the third state to file its interoperability with communications to meet with the homeland security requirements we had. What we found out was a nightmare to deal with because there were so many different frequencies and systems out there. We think that we have kind of resolved that in Iowa but we know it is a problem across the United States.

DORGAN: It seems to me like it is going very slowly. Chief Dolan in Minneapolis, does your police department have the capability of communicating directly with your fire fighters?

DOLAN: We do Senator. We are looking at a brand new system that is largely funded by homeland security grants. We want to thank you for that. That is a new 800 megahertz system is coming up, but we are currently are able to communicate somewhat as the sheriff was saying, there has to be a dispatcher that can patch these things together, but the 800 megahertz system will be up within six months.

O'KEEFE: In Milwaukee area we can also communicate with the fire agencies in our county. We still have some difficulties and I think it has a greater impact on the smaller agencies because they can't switch their system, maybe the fire department is operating on VHF or UHF frequencies where law enforcement is operating on 800 MHZ. We do have to put the patches on the overlays there. That becomes tremendous costs and Milwaukee has spent millions and millions of dollars on our radio system. That is something that the smaller agencies do not have the ability to do. And if one of them gets hit or suffers on catastrophic event there could be a difficulty in communication between the different agencies.

DORGAN: Chief Hagler?

HAGLER: In Flint we do not have connective communications with the agencies that surround us. We are the county seat, and the other agencies are in a consortium: all the other municipal agencies. We do have the ability to patch through one channel for a major event, but the car to car communications once they went 800 megahertz, and we did not have funding to follow through on that ourselves. We are kind of an island within the county, and we are looking at hopefully future monies if we can get them rewarded to us of about 7 million dollars to get our system upgraded to that point, but maybe some of the other projects went off better than I had seen in our area. I was on my way here this morning, I was talking with the airport police officer in Flint, Michigan, and he was using his old VHF radio because the 800 megahertz did not work well in a building, so he was carrying two radios still. So you know, we are going to use the money appropriately, but we got to make sure once we get in that the system works that you get because in an urban environment if you do not have penetration of the radio waves in the building you got problems if the officer is calling for help or if you have a major situation going on in there. We are going to be looking for the money. I want to make sure it is the right move when we do get it.

DORGAN: With respect to, I mentioned the National Guard, and the number of folks that have been deployed overseas, I assume it has put a stress or strain on the local law enforcement. It has in some areas of North Dakota. Also, with the federal hiring of substantial new people in law enforcement; whether its air marshals, or any number of border patrol, or any number of positions like that, I am wondering what your experience has been with respect to people moving off of the local police force and local county sheriff to other opportunities. Any experience in that area? Anybody? Yes?

DOLAN: Senator, it actually came about during times of cuts. So actually managing those leaves, and having people that left, lowered the number of people we had to lay off. It came at a time when many of us were reducing our agencies and those leaves were something that we actually needed.

DORGAN: Anybody else?

FOX: Just a little commercial here, since you did mention federal hiring. At Northeastern University we have one of the largest criminal justice programs. Historically we have placed dozens every year into federal law enforcement, DEA, Marshall service, FBI, you name it. If you were looking for some good, young men and women who are highly educated., they are available at some of the best criminal justice programs like Northeastern University.

O'KEEFE: We do not recruit out of Northeastern normally. I think that even for the hiring that we do have to try to make up for the losses, just to hold steady we are competing harder and harder for a limited number of potential recruits. As the federal government hires, every major city around the country is having difficulty getting good officer that can come on the job and be very responsible and go foreword. So that does cause us difficulties when other areas are hiring.

One other comment that the Chief made before with the inter-operabilities, I know with Flint, and they do have a very large population with immigrants from the Middle East there, too. Difficulties that Flint has with our radios is also being experienced in several of our smaller counties, as the Sheriff mentioned, and not a lot of funds when they come back in. There's been a lot going to the major cities, and I do appreciate that, I do not want that to diminish being from a major city. But the rural areas of our state have been extra hard hit. I talked to a Sheriff up north, he had six people killed in a homicide by a suspect from Minnesota, but this was in a very rural area of Wisconsin, and it required a response from multiple sheriffs departments from several counties. They couldn't talk to each other when they're searching for someone who's just murdered six people, and that becomes a serious issue, not just for homeland security, for the local law enforcement in God's land up there.

DORGAN: Well let me thank all of you. Professor, thank you for your work in the classroom and research. And let me thank the four of you in law enforcement. I think it's safe to say we Americans go to bed at night taking law enforcement for granted.

When we go to sleep there are people out on the streets wearing a Sheriff's uniform or a Sheriff's deputy uniform or a police officer's uniform risking their lives to keep us safe.

I think it is certainly the case that the issues we talk about today are not about partisan choices, they're about policy choices. What is the smart policy? What's the right thing for this country to do? I am a great believer in that we have responsibilities all across the world. I understand that. We are a world leader, and we have responsibilities. And we rush to meet those responsibilities often at the same time that we drag our feet meeting responsibilities here at home. We have things we need to do here at home to keep people safe, and that includes, it seems to me, paying attention to the needs of local law enforcement officials, largely because they are the first responders. In this day and age of terrorism, they will be first responders to any potential terrorist act. That's why we've been pretty vigilant in recent years talking about training and equipment, but it has been the case that in recent budgets we have also seen substantial interest in cutting funding, funding that I consider to be very important in maintaining the strength of local law enforcement authorities.

I began service in Washington, D.C. in the U.S. House, and Tip O'Neill used to say, "All politics is local." That is true, but it's true with policy choices as well. Policy choices start with, "how does it affect me?" "How does it affect things at home?" "How does it affect our community?" "How does it affect our daily lives?" And I think when we talk about the issue of putting more police on the beat where we have substantial crime problems, or talk about inter-communication or capability of communicating between our law enforcement and our first responder agencies, it's very important. That's not a luxury; it's a necessity in this new age and new day of new threats.

So I want to thank all of you. You've taken some time to come to Washington, D.C. to share your thought with us, and this record will be made available to the entire Senate. And I appreciate very much your time today. This meeting is adjourned.