

Testimony of Thomas J. Nee
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“Rising Crime in the United States: Examining the Federal
Role in Helping Communities Prevent and Respond to Violent Crime”
U.S. Senate Judiciary Subcommittee on Crime and Drugs
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Good Morning Mr. Chairman, Senator Graham, and members of the Subcommittee. My name is Tom Nee and I am a Patrolman with the Boston Police Department. I also serve as the president of the Boston Police Patrolmen’s Association, as well as the National Association of Police Organizations (NAPO), representing approximately 238,000 sworn law enforcement officers throughout the United States.

As police officers, it is our duty to serve and protect. As men and women working on the front lines to enforce the law, we have a right, a need, really, to have the full support of the federal government. This need is why I am here speaking to you today. America’s state and local law enforcement are being disregarded by the current administration. They are being passed over for critical funding to assist them in performing their roles in combating and responding to crime and terrorism.

There are three issues that I will address this afternoon that are of increasing concern to NAPO and our members: the decrease in funding for vital Department of Justice state and local law enforcement assistance programs witnessed over the past several years; the additional duties taken on by local law enforcement agencies in the post-9/11 era; and finally, the recent increase in crime rates experienced by communities nationwide. These issues are interrelated and cannot be separated, particularly when addressing the issue of rising violent crime rates in the United States.

The Community Oriented Policing Services program, together with the Local Law Enforcement Block Grant (LLEBG) and the Byrne Memorial Fund, gave state and local law enforcement the necessary funding to truly assist their efforts to keep our nation’s communities safe. These justice assistance programs have contributed countless resources to help combat crime, from assisting with the hiring and retention of over 118,000 police officers to serve in local communities, to paying for overtime, equipment, training, and allowing for the development of innovative partnerships with communities to fight crime.

With the support of these federal grant programs, community policing has been a dominant force behind the dramatic reduction in crime this nation has witnessed over the past 13 years. In 2000, violent crime rates were at their lowest level in thirty years, particularly in large cities. More police officers patrolling the streets not only provides greater police presence in our communities but also increases police knowledge of crime problems as well. Thus, allowing law enforcement to do its job more efficiently and effectively.

A key factor in the implementation and success of community policing has been federal support through funding and resources to state and local law enforcement agencies. It is not a coincidence that community policing was at its best and national crime rates were at their lowest when federal support for programs such as COPS, the Byrne Fund, and LLEBG was at its highest. It is also no coincidence that the steep reduction in federal support for these programs corresponds with the increases in violent crime rates nationwide.

A December 2001 study by researchers at the University of Nebraska at Omaha found that the COPS program is directly linked to the historic drop in U.S. crime rates in the 1990s. The “More Cops = Less Crime” statistical analysis produced by Senator Biden, together with Congressman Anthony Weiner, gives further evidence to the link between the COPS grants funds and decreases in crime from 1995-2000.

According to the “More Cops = Less Crime” evaluation, the effects of the COPS grants from fiscal year 1994 to fiscal year 1999 on violent crime during that 1995-2000 period were substantial. During that time, approximately \$2 billion was provided nationally in hiring grants and over \$3.6 million was provided in innovative grants to cities with populations over 10,000. Nationwide, police departments in these cities reported that occurrences of violent crimes decreased by well over 150,000 between 1995 and 2000.

As NAPO represents the police forces of some of our nation’s largest cities, we will focus on the effect these grants have had on the needs of a few of NAPO’s local law enforcement agencies.

During this period, Phoenix, Arizona received \$23.5 million in COPS hiring grants and \$2.34 million in COPS innovative grants. Phoenix law enforcement estimates that these funds helped reduce reports of violent crime by over 1,500 incidents and reduced overall crime by 7,679 incidents. Los Angeles, California received nearly \$194 million in COPS grants and \$2.3 million in COPS innovative grants between fiscal years 1994 and 1999. During this time, violent crimes were reduced by 10,500 incidents and overall crime in the city by 53,435 incidents.

The COPS program was not the only catalyst for the increase in community policing and the decrease in national crime rates. The Byrne Memorial Fund contributed by awarding grants to assist educational and training programs for criminal justice personnel and provide for technical assistance to state and local law enforcement. Additionally, the LLEBG provided vast support to local police departments through facilitating the hiring and training of new officers, paying overtime and procuring needed equipment and technology. LLEBG funds also went towards enhancing school safety, supporting drug courts, securing violent convictions, enhancing community policing and defraying the costs of officer insurances.

Most of these programs were included when Congress agreed to President Bush’s proposal to combine the Byrne Memorial Fund and the LLEBG; however, grant programs for the hiring and retaining of officers were cut back. Not only were hiring grants cut, but the total funding level for the new combined grant program, the Byrne Justice Assistance Grant (JAG), was significantly reduced and has not rebounded today.

NAPO is truly concerned about the steep decline in funding for vital state and local law enforcement assistance programs that has occurred since fiscal year 2002, particularly in light of the additional duties taken on by law enforcement officers since 9/11.

Following the September 11, 2001 terrorist attacks and the creation of the Department of Homeland Security in 2002, NAPO has witnessed steep declines in the funding levels for these critical law enforcement assistance programs. In fiscal year 2002, the funding level for Department of Justice law enforcement assistance grant programs was at \$3.831 billion. In fiscal year 2005, the funding level for these programs was at \$1.851 billion. While we have seen moderate increase in this funding level in fiscal years 2006 and 2007, the fiscal 2007 level of \$2.3 billion is still \$1.5 billion less than what these programs received five years ago.

Advocates of these reductions argue that state and local law enforcement are not losing critical funding; rather, agencies are receiving assistance funds through Homeland Security programs. However, Homeland Security grants provide only limited funding for law enforcement personnel initiatives. They are also distributed through the states, while the COPS grants go directly to law enforcement agencies, giving them more flexibility in deciding where and how to use the funds to meet their communities' needs the best. More often than not, the funds most needed by local law enforcement agencies are those that can be used to hire new officers, retain officers, and obtain new equipment.

Nevertheless, law enforcement has seen a steady decline in Homeland Security funds as well. As of fiscal year 2007, the three primary DHS programs - the State Homeland Security Grant Program, the Law Enforcement Terrorism Prevention Program, and the Urban Area Security Initiative - have been slashed by almost 50 percent from fiscal year 2003 levels, when these programs received more than \$3 billion in funding. Yet law enforcement's role in homeland security has not diminished along with the funding.

Together, DOJ and DHS law enforcement assistance programs have seen a total decrease of \$2.03 billion in funding between fiscal years 2004 and 2007. This sharp, steady decline in funding has occurred despite the fact that state and local law enforcement continue to assume more duties to protect communities against terrorist threats, continue to fight against drugs and domestic crime, and endure pressing state budget constraints.

This brings me to our other concerns. Today, local police departments, already undermanned due to a lack of resources to hire new officers, must place officers into Drug, Gang and Terrorism Task Forces, as well as protect critical infrastructure during periods of heightened national threat advisory levels, often at the expense of street patrols.

Phoenix, Arizona law enforcement agencies have had to redeploy officers and resources to fixed structure protection, such as water treatment facilities, Arizona Public Service power stations, and airports, among other infrastructure. While these resources are being shifted away from community policing, Phoenix is seeing record increases in violent crime. Just between 2005 and 2006, the city saw a nearly 5 percent increase in its violent crime rates, including a 4.5 percent rise in homicides and an over 6 percent rise in aggravated assault. Now if you include 2004 in

those numbers, Phoenix law enforcement saw an astounding 12 percent increase in homicides and an almost 20 percent increase in aggravated assault over a two year period.

Law enforcement in Los Angeles, California has seen a substantial amount of resources - officers and funding - shifted to homeland security details. Hundreds of law enforcement personnel have been assigned to terrorism prevention issues. However, the Los Angeles Police Department has limited funds to hire new officers. When the department is mandated to redeploy officers to protect infrastructure, staff terrorism task forces, and take on counterterrorism duties, patrol units suffer. Over the past several years, although L.A. has seen a decrease in the overall level of violent crimes, including murder, it has seen a significant increase in gang-related homicides and violent crimes. Los Angeles police attribute this to the lack of resources the police department has to cover the holes in community policing and gang deterrence caused by new terrorism prevention duties.

Chicago and Miami are also seeing similar spikes in gang-related violent crimes and the cities' police departments are spread too thin to properly respond to this disturbing trend. While NAPO wholeheartedly endorses legislation aimed at helping state and local law enforcement in their efforts against gang expansion and activity, particularly Senator Dianne Feinstein's "Gang Abatement and Prevention Act of 2007," we feel it is not enough. Gang violence, terrorism prevention, and the fight against domestic crime cannot always be taken as separate issues, but as pieces of a whole – the protection of our nation's communities. The issue at hand is about giving state and local law enforcement the equipment, training and personnel it needs to accomplish all of its duties.

Another case in point: New York City. The New York City Police Department (NYPD) has lost over 4,000 officers since 1999. After the 9/11 terrorist attacks, the city has been on high alert and its police department has dedicated over 1,000 police officers to counterterrorism activities. Officers assigned to street patrol are being trained in terrorism prevention in addition to their usual training, adding to their responsibilities while patrolling New York City streets. Despite these additional duties and training, New York City police officers are some of the lowest paid law enforcement officers in the nation.¹ Low salaries and no premium pay for the added terrorism responsibilities are the primary sources for low officer retention rates and the City's inability to recruit and retain new officers.

The NYPD no longer has the funds or personnel to have officers completely dedicated to either terrorism prevention or community policing. The city, whose police department is now also a counterterrorism force, is short thousands of officers and is barely able to retain the officers it has today.

State and local law enforcement endure growing budget constraints even as they assume more duties to protect our nation's communities against terrorist threats, as well as continue their daily fight against drugs and domestic crime. According to the FBI's semi-annual Uniformed Crime Report (UCR), which was released in December of last year, there was a steep increase in violent crime in the first half of 2006. These results follow the 2005 UCR, which stated that the murder

¹ During training, new hires earn \$25,100 a year. Upon completion of the Police Academy, their annual base salary increases to \$32,700. Adjusted for inflation, this is the lowest pay in the history of the NYPD for rookie cops.

rate was up by 4.5 percent from 2004 to 2005 and that violent crime in general, which included robbery, aggravated assault and homicides, increased by 2.5 percent. Up to 2006, 2005 marked the highest rise in the crime rate in 15 years.

It is beginning to appear that 2005 was not an anomaly, but rather the start of a terrible trend. Reports of violent crime nationwide surged by nearly 4 percent in the first half of 2006 when compared with the same six months of 2005. This includes a drastic, almost 10 percent increase in the number of robbery offenses, an approximate 1.5 percent rise in murder offenses, and an increase of over 1 percent in aggravated assaults. Some of our nation's cities have experienced remarkably higher increases in violent crimes than this national summary recognizes.

Between 2004 and 2006, the reported homicides in Boston alone increased by almost 23 percent; the highest homicide rate the city has seen in eleven years. In this time period, Boston also saw a nearly 10 percent rise in robberies and a staggering 37 percent rise in aggravated assaults involving firearms.

Houston, Texas experienced an increase of over 26 percent in reported homicides, a nearly 40 percent rise in robberies and a 22 percent rise in aggravated assault in just a two year period, from 2004 to 2006. Over these same two years, Detroit saw a 7 percent rise in reported homicides, an astonishing 40 percent increase in robberies, and a 22 percent rise in aggravated assault.

As we have witnessed in cities such as Phoenix, Los Angeles, Boston, and New York, local law enforcement agencies are struggling to meet the needs of their communities due to increased duties and diminished federal assistance and support. With the police departments in this nation's largest cities undermanned and overworked and national crime rates at their highest levels in fifteen years, how can Congress and this Administration justify cutting or eliminating grants under the COPS program and the Byrne-JAG program?

Over the past 15 years, local law enforcement officers and the agencies they serve have made tremendous strides in reducing the level of crime and violence in our communities. This success was in large part because of the generous assistance and support given to them by the federal government. However, today, as state and local law enforcement take on more duties to protect our communities from rising crime and terrorist threats, federal support of vital assistance programs is in a continuing state of decline. Now is not the time to disregard the programs and resources that have proved to be effective in protecting our neighborhoods. Community oriented policing works. We recognize this fact and so do Americans. It is now time that the federal government recognizes the important impact having more police on the streets has on crime.

Thank you for this opportunity to speak to you on behalf of America's rank and file law enforcement officers. I ask that my printed testimony be made part of the record, and I would be happy to answer any questions you may have.