

Statement of

# **The Honorable Patrick Leahy**

United States Senator  
Vermont  
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Chairman, Senate Judiciary Committee  
Hearing On "Rising Violent Crime In The Aftermath Of Hurricane Katrina"  
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When Hurricane Katrina struck New Orleans and the Gulf Coast nearly two years ago, no one knew the extent of the devastation, or how long it would take to recover from this tragedy. As we all know now, the federal government's emergency response was inadequate, uncoordinated, and left far too many to suffer far too long after the storm. Today, the Committee examines the latest challenge to recovery from Katrina -- the growing crisis of violent crime in the City of New Orleans.

Violent crime in New Orleans has reached near-epidemic proportions and emerged as the most serious threat to its recovery since the storm. In the first three months of this year, violent crime is up more than 100 percent compared to the same time a year ago. New Orleans has lost nearly half its population since the storm, but the number of murders, armed robberies, and assaults are on track to match totals from before Katrina. In just the last 10 days, there have been 8 more murders, bringing the total to more than 90 so far this year.

The murder rate per capita is now the highest in America, more than 20 percent higher than in the any other major city. At its current rate, New Orleans has 12 times as many homicides as New York City, 3 times as many as Philadelphia, and twice as many as Washington, D.C. The crisis is so severe that National Guardsman and state police have been brought in to help patrol the city streets.

The criminal justice system was battered by Katrina and is now strained to the breaking point. The New Orleans police department has lost more than 500 active officers since the storm -- that's roughly 30 percent of the force. The police department continues to lose more than 15 officers a month to retirement, resignation, and the inability to hire and train new recruits. The courts, prosecutors, and police often work out of temporary facilities, as the Police Commissioner and the District Attorney's offices still rely on FEMA trailers for office space. Only four of 11 jail facilities in the city have been reopened, and, in some cases, temporary FEMA facilities are even used to house inmates. Just this year, the city reopened its crime lab in a rented facility, but it still has a current backlog of more than 1,600 cases, and only one fingerprint examiner and one firearms examiner for the entire city.

In its weakened condition, the criminal justice system has struggled to keep order and bring justice to offenders. Last year, there were more than 160 murders in the city, and so far, only one murder case has led to a conviction -- just one. The police have only brought a quarter of those cases to the district attorney to be charged, and the office has accepted only half of those for prosecution. In the remaining 20 odd cases, securing convictions has become increasingly difficult with the lack of forensic capabilities, delays in court proceedings, and the reluctance of witnesses to come forward where the system cannot protect them from retaliation. And the problem is not unique to murder cases. In more than 3,000 criminal cases last year, the charges had to be dismissed and suspects released, at least temporarily, where in many cases indictments could not be brought within 60 days, as required by Louisiana law. The overall conviction rate is among the lowest in the country.

There can be no question that restoring order and security to the streets of New Orleans must be among our highest priorities in the rebuilding effort for Louisiana and the Gulf region. Unfortunately, the response of this Administration to this crisis has often been too little, too late. And while the Administration has written a blank check for the war in Iraq, it cannot seem to find the necessary support for those who need it in New Orleans and the Gulf coast here at home.

Federal funds for rebuilding can be structured in ways that make it impossible for the cities and towns in the region to get the help they need. Too often, federal agencies require prepayment or partial payment by local communities, which is impossible where the tax base has been decimated, and there are no funds to even start work on projects. In fact, much of the assistance this Congress has authorized for those in need after Katrina remains unused, and far too many are still waiting for the federal help we have promised. This is also true for those working to restore the criminal justice system in New Orleans.

Two weeks ago, Attorney General Gonzales announced a new violent crime program in response to the second year of FBI statistics showing violent crime is increasing nationally. Unfortunately, this program included no money at all for new state or local police officers on our streets. And regrettably, Attorney General Gonzales failed to even mention the violent crime problem in New Orleans, which is clearly among the most serious in the Nation.

Over the last six years, the Administration has abandoned any commitment to the COPS program, which in the 1990s was the model for reducing violent crime to historical lows in this country. In fact, the COPS program is widely credited with reducing the murder rate in New Orleans by 30 percent -- its lowest rate ever - from 1995 to 1999. But as this Administration defunded the program, effectively taking more and more cops off the street, the murder rate in New Orleans predictably rose to higher and higher levels until Hurricane Katrina.

So far, the largest federal response to rising violent crime in New Orleans has come at the insistence of Congress, and in particular it has come from the leadership of Senator Mary Landrieu, one of the witnesses the Committee will hear from this morning. We welcome Senator Landrieu and her colleague from Louisiana, Senator Vitter. In January of this year, Senator Landrieu announced a 10-point plan to combat violent crime in the region, and she laid out a roadmap to restore the criminal justice system in New Orleans and Louisiana by giving help directly to those who need it most. She called for measures that I have long supported, such as an emergency COPS grants to restore the police officer ranks and immediate block grant funding to

restore drug rehabilitation services. She called for the Administration to speed up its reconstruction projects for criminal justice facilities. And she called for the Department of Justice to increase the number of federal agents assigned to New Orleans.

Following her lead, in the past few months, the Department of Justice announced plans to send 20 more federal agents to New Orleans and the region, and to hire six more federal prosecutors. And we learned just last week -- after this hearing was announced -- the Justice Department released \$5 million in new Byrne grant funding for law enforcement in Louisiana, some of which can be used for New Orleans. This new support is welcome and needed, but it is a small step in longer journey to restore the police department to a robust force that is needed to patrol the city's streets, and help local prosecutors and investigators raise the historically low conviction rates. We need to do more, and we can do more.

There is a clear roadmap for success in battling violent crime in cities, such as New Orleans, and Congress must continue to show the Administration the way forward on this issue. With Senator Landrieu's leadership, Congress has already provided \$50 million for law enforcement reconstruction in Louisiana, which was part of the supplemental appropriations bill signed into law just this month. The Administration can now follow the path proven to reduce violent crime in the past, by supporting full re-authorization of the COPS program and using these newly committed funding to hire and train new police officers in New Orleans, rebuild the city's courts and jails, and make their criminal justice system even better than it was before the storm.

I hope today's hearing will be a step toward recovery for the Gulf region, and send a signal to this Administration that we can fight violent crime in this country by working cooperatively with our state and local law enforcement partners. Only then can we bring back the vitality and pride of one of our Nation's greatest treasures, the City of New Orleans and the Gulf coast region, and make it a secure and prosperous home again for all its citizens.

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