

Testimony of  
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STATEMENT OF

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BEFORE THE

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON CRIME AND DRUGS

HEARING TITLED

"SUPPORTING THE FRONT LINE IN THE FIGHT AGAINST CRIME: RESTORING  
FEDERAL FUNDING FOR STATE AND LOCAL LAW ENFORCEMENT"

PRESENTED

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Mr. Chairman, Ranking Member Graham, Members of the Subcommittee, I am Mark Epley, Senior Counsel to the Deputy Attorney General of the U.S. Department of Justice.

My role as the senior counsel is to advise and assist the Deputy Attorney General in formulating and implementing the Department's budget and to oversee the Department's grant making components, including the Office of Justice Programs (OJP), Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW). I am pleased to be here today to discuss how the federal government can best assist our state and local partners to prevent and control violent crime.

According to the FBI's Preliminary Semiannual Uniform Crime Report (UCR), released on January 7, 2008, the Nation experienced a 1.8 percent decrease in violent crime and a 2.6 percent decrease in property crime during the first six months of 2007, compared to the same period in 2006. According to the UCR, each of the violent crime offense categories (murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault) decreased nationwide in the first six months of 2007: murder decreased 1.1 percent, forcible rape declined 6.1 percent, robbery decreased 1.2 percent, and aggravated assault decreased 1.7 percent. These drops in violent crime are due in large part to the hard work of law enforcement across the country.

These latest numbers are encouraging, although they are preliminary and subject to change when the final numbers are released later this year. The last two final Uniform Crime Reports, for 2005 and 2006, showed a slight increase in violent crime. In 2005, the violent crime rate increased approximately 1.3 percent, and between 2005 and 2006, the violent crime rate increased a little less than one percent. Despite these upticks, violent crime remains near historic low levels. Leaving aside 2004 and 2005, the last time the rate of violent crime was comparably low was in 1977. When we examine state and local law enforcement expenditures and hiring trends we see that these jurisdictions have invested, in ever increasing measure, in public safety; and these investments have yielded dividends. (See Table 1.)

That said, some communities continue to face violent crime challenges. Between 2004 and 2006 the total increase in the number of violent crimes (not the rate) was 59,906 violent crimes. What is remarkable is that just 16 cities accounted for half of that total increase. These were: Detroit, MI; Memphis, TN; Las Vegas, NV; Milwaukee, WI; Oakland, CA; Philadelphia, PA; Phoenix, AZ; St. Louis, MO; Minneapolis, MN; Washington, D.C.; Cleveland, OH; Rochester, NY; Arlington, TX; Sacramento, CA; Houston, TX; and Orlando, FL. About half of these continue to show an uptick in the 2007 Preliminary report. While the source of the violent crime challenges among these cities vary widely throughout the country, the Department is committed to assisting our state and local partners in combating violent crime wherever it exists.

As I testified last spring, to better understand this situation, the Department of Justice visited and gathered additional information from 18 regionally distributed communities--both those observing increases in violent crime and a number seeing decreases. From these meetings, the Department sought to identify common themes for the crime trends in the specific communities. The themes included:

- ? Presence of loosely organized local gangs or street crews
- ? Increased incidence of illegal use and illegal acquisition of firearms
- ? Level of violence among youth

One consistent theme we heard was the importance of partnerships between federal and local entities. A specific example of this kind of partnership is Project Safe Neighborhoods, through which local law enforcement and prosecutors can refer gun crime cases to the federal system. Through PSN we have doubled the number of gun crime prosecutions over the last seven years compared to the preceding seven years. In terms of resources, the Department has invested almost \$1.5 billion incarcerating these gun criminals.

Another form of partnership in action is law enforcement task force activity. Examples led by federal law enforcement include the FBI Safe Street's task forces operated in 182 sites, 30 ATF Violent Crime Impact Teams, and 90 U.S. Marshals Service fugitive apprehension task forces (6 regional fugitive task forces and 84 full time district task forces).

Whether by partnerships through prosecution or by operations, we want to continue to find ways

to shore up our relationship with State and local law enforcement, but appreciate that sometimes that cooperation takes resources.

To meet this need the President's Fiscal Year (FY) 2009 budget requests \$200 million for the Violent Crime Reduction Initiative. These funds will help communities address high rates of violent crime by forming and developing effective multi-jurisdictional law enforcement partnerships between local, state, tribal, and federal law enforcement agencies. Through these multi-jurisdictional partnerships, we can disrupt criminal gang, firearm, and drug activities, particularly those with a multi-jurisdictional dimension.

In October 2007, the Department of Justice awarded \$75 million to 106 local law enforcement agencies to support multi-jurisdictional violent crime task forces. This FY 2007 program is considered an initial demonstration of the approach proposed in the President's FY 2009 budget. These funds go directly to communities with demonstrated need and a sound plan for addressing their particular violent crime challenge.

Training will also continue to be an important component to help communities fight violent crime. Agencies throughout the Department have focused on resources designed to assist local law enforcement. Both OJP and the COPS Office provide training and technical assistance services with a focus on local solutions to common national problems. The focus of training is on current and emerging issues confronting law enforcement and the communities they serve. In addition, OVW provides training and technical assistance to law enforcement and prosecutors on responding to domestic violence, dating violence, sexual assault, and stalking.

In addition, the Department has proposed to consolidate certain grant programs in order to increase effectiveness. Consolidation of more than 70 grant programs will allow state and local governments to identify their own unique needs and apply for assistance that directly addresses them. The discretionary character of some of these programs also allows the federal government to concentrate aid where it is needed most and where it shows the greatest promise of leveraging positive change.

Also part of the President's FY 2009 budget request is the Byrne Public Safety and Protection Program. This initiative will consolidate the Department's most successful state and local law enforcement assistance programs into a single, flexible, competitive discretionary grant program. This new approach will help state, local, and tribal governments develop programs appropriate to the particular needs of their jurisdictions. Through the competitive grant process, we will continue to assist communities in addressing a number of high-priority concerns, such as: 1) reducing violent crime at the local level through the Project Safe Neighborhoods initiative; 2) addressing the criminal justice issues surrounding substance abuse through drug courts, residential treatment for prison inmates, prescription drug monitoring programs, methamphetamine enforcement and lab cleanup, and cannabis eradication efforts; 3) promoting and enhancing law enforcement information sharing efforts through improved and more accurate criminal history records; 4) improving the capacity of State and local law enforcement and justice system personnel to make use of forensic evidence and reducing DNA evidence and analysis backlogs; 5) addressing domestic trafficking in persons; 6) improving and expanding prisoner re-entry initiatives; and 7) improving services to victims of crime to facilitate their

participation in the legal process. In addition to state, local, and tribal governments, non-government entities will also be eligible for funding under this program.

Another priority of the Department that fits into fighting violent crime is the prevention, investigation, and prosecution of terrorist activities against U.S. citizens and interests. The Department plans to support these efforts through the Regional Information Sharing System (RISS). This year the President has requested \$34.2 million in total funding for this important initiative. This funding will be used to provide increased intelligence and forensic services for state and local law enforcement. RISS is comprised of six regional intelligence centers operating in mutually exclusive geographic regions that include all 50 States, the District of Columbia, and U.S. Territories. These regional centers facilitate and encourage information sharing and communications to support member agencies' investigative and prosecution efforts by providing state-of-the-art investigative support and training, analytical services, specialized equipment, secure information sharing technology, and secure encrypted e-mail and communication capabilities to over 6,000 municipal, county, state, and federal law enforcement agencies nationwide. RISS' ATIX (Anti-terrorism Information Exchange) is designed to provide limited access to RISS.net to non-traditional groups of users in order to secure interagency communication, information sharing, and dissemination of threat information.

The Department of Justice is committed to addressing violent crime. But we must understand that crime is not evenly distributed across the United States. Rather, some regions, counties, cities, and towns experience more crime than others. Further, crime is not evenly distributed across those communities with high crime rates. The challenge is to most effectively target resources to make the biggest difference in those communities.

This concludes my statement Mr. Chairman. Thank you again for the opportunity to testify before the Subcommittee on this important subject. I am happy to answer any questions you or other Members may have. Thank you.