

Testimony of
Mr. David Muhlhausen

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Mr. Chairman, my name is David Muhlhausen. I am a policy analyst at the Heritage Foundation specializing in program evaluation. In beginning my testimony I must stress that the views I express are entirely my own, and should not be construed as representing any official position of The Heritage Foundation. With that understanding, I am honored to be asked by the Committee on the Judiciary, Subcommittee on Crime and Drugs, to testify today on the Community Oriented Policing Services grant program.

Misplaced Priorities: The Failure of the COPS Program

The September 11 terrorist attacks at the World Trade Center and the Pentagon have quickly reshaped Washington's priorities, particularly regarding the Department of Justice (DOJ), to efforts that will strengthen the government's ability to protect Americans. Even in the best of times, common sense dictates sound budgeting of government's resources. Today, with our nation at war, the Administration and Congress should redouble its efforts to shift dollars away from programs that are wasteful, unproven, or demonstrably ineffective, and instead fund those that are central to the federal government's core mission.

A detailed study by The Heritage Foundation shows that after eight years and about \$9 billion, the Office of Community Oriented Policing Services qualifies as a program that is wasteful, ineffective, and is not providing services that are the responsibility of the federal government. As I will show in greater detail in my testimony, the COPS program has done little to reduce violent crime, and it will likely never add 100,000 additional officers as promised. With new and urgent national priorities, responsible budgeting requires the elimination of the COPS program and a transfer of its funds to more critical Department of Justice activities.

Failure to Reduce Violent Crime. Some observers claim that the COPS program is a proven success because crime has declined every year since the program's creation.¹ This assertion is very misleading. The nation's violent crime rate began to decline in 1991--three years before the program was created. Not only did COPS not start the national drop in crime, but publicly available research by the Heritage Foundation Center for Data Analysis indicates that since its inception, COPS has done little to reduce crime.

The crime policy arena is filled with assertions about what is or is not effective in reducing crime. Many of these assertions are based solely on anecdotal evidence, since all too often there is a lack of empirical research with which to judge the accuracy of specific claims. For instance, when a city receives COPS funding and crime simultaneously declines, it is easy to assert that COPS caused the decline.

Observing that the crime rates dropped when COPS grants flowed to a particular community is not conclusive evidence that the grants helped to decrease crime. As the Congressional Budget Office has noted, socioeconomic factors need to be considered in understanding why crime rates change.²

Assertions about the effectiveness of COPS grants are therefore not credible if factors that

influence crime are ignored in the analysis. Anecdotal examples of decreasing crime rates in a community that received the COPS grants could be offset by other examples of communities that received COPS grants and experienced increases in crime. For example, from 1994 to 1998, Delaware received almost \$20 million in COPS grants, and, according to the Federal Bureau of Investigation, its violent crime rate increased by 35.9 percent.³

One should not conclude that COPS grants caused the increase in crime, without accounting for other factors that can affect crime. The statistical approach used by The Heritage Foundation's Center for Data Analysis (CDA) includes control variables and allows for the inclusion of many cases in order to test competing hypotheses. CDA Analysts examined the effects of COPS grants on violent crime rates in 752 counties from 1995 to 1998.⁴ I am submitting a copy of this report to the subcommittee for the record. After accounting for socioeconomic factors, the COPS hiring and redeployment grants--its primary components--failed to show a statistically measurable effect in reducing violent crime rates at the county level. The CDA analysis suggests that simply continuing funding for the COPS program will be ineffective in reducing violent crime. Previous research indicates that there are at least two reasons for this:

Merely paying for the operational expenses of law enforcement agencies without a clear crime-fighting objective will continue to be ineffective in reducing violent crime,

The actual number of officers funded by these grants and added to the street will be substantially less than the funding level would indicate, and

The current program fails to give law enforcement agencies the flexibility to decide how funds should be spend.

Promoting Effective Crime-Fighting Strategies. In contrast to hiring and redeployment grants, which were not shown to be effective, the CDA analysis found that COPS grants which were targeted on reducing specific problems--like domestic violence, youth firearm violence, and gangs--were somewhat effective in reducing violent crime.⁵ Narrowly focused COPS grants are intended to help law enforcement agencies tackle specific problems, while COPS hiring and redeployment grants are intended simply to pay for operational costs and thus are less likely to target specific problems.

According to a 1997 Justice Department review of crime-fighting programs, entitled *Preventing Crime: What Works, What Doesn't, What's Promising*, community policing with no clear strategy for targeting crime-risk factors has been ineffective in reducing crime.⁶ Research indicates that targeting crime-risk factors --such as high-crime "hot spots" and arresting serious repeat offenders-- enables the police to reduce crime.⁷ "While the COPS Program language has stressed a community policing approach," the report states, "there is no evidence that community policing per se reduces crime without a clear focus on a crime risk factor objective."⁸

Jersey City, New Jersey and Boston, Massachusetts provide us with examples where developing a clear plan that targets crime-risk factors can have a positive impact. A 1999 randomized study headed by Anthony Braga at Harvard University found that in Jersey City neighborhoods where specific plans were developed to reduce crime, such as aggressive order maintenance and changes to the physical environment, these neighborhoods experienced significant reductions in crime.⁹

A 2001 study by Anthony Braga and his colleagues found that Operation Ceasefire could be credited for the dramatic drop in the number of Boston's youth homicides.¹⁰ Operation Ceasefire successfully reduced youth homicides by targeting a small number of chronically offending youth gang members. Working with probation and parole officers and community groups, law

enforcement identified violent gang members and told them that violence would no longer be tolerated. Gang members were promised that if they continued their violence, then their action would provoke an immediate and intense response, often ending in a prison term. After gang members were caught and prosecuted, the task force returned to the gangs and said "this gang did violence, we responded with the following actions and here is how to prevent anything similar from happening to you."¹¹ The message stuck and youth homicides dropped.

What we have learned from Boston and Jersey City is that the police can make a difference. Research indicates that developing a clear plan to target resources at a problem can reduce crime. Simply spending more federal dollars to put more officers on the streets will be less effective, than targeting resources wisely.

Now, I turn to the COPS program's hiring objective.

Less Than 100,000 New COPS Officers. Despite recent claims, the COPS program has not put 100,000 additional officers on America's streets since it began in 1994. A 2000 study by The Heritage Foundation found that by 1998, only 39,617 officers were added to the streets above the historical hiring trend from 1975 to 1993.¹² A copy of this report is included with my testimony. Even in 1999, the U.S. Department of Justice's own Office of Inspector General doubted that the goal could be reached; it estimated that, at most, only 59,765 additional officers would be added by the end of FY 2000.¹³ In its 2000 National Evaluation of the COPS Program, a report funded by the COPS Office and published by the Justice Department, the Urban Institute estimated under an optimistic scenario that the number of officers added to the street by COPS would peak at 57,175 by 2001.¹⁴

The Justice Department's Office of Inspector General found in 1999 that the program had counted officers as COPS-funded even when the law enforcement agencies receiving the grants had rejected the grants or had failed to hire all of the officers funded.¹⁵ For example, COPS officials claim that the Spokane Police Department had hired 56 new officers based on three COPS grants worth \$4.2 million, but the Spokane Police Department said that it had hired only 25 officers.¹⁶ Nevertheless, COPS officials counted the 31 "missing" officers in the total number of additional officers it supposedly put on the streets.

Making Officer Redeployment Effective (MORE) grants provide technology and civilian salaries to move officers from administrative assignments to patrolling the streets. The Justice Department's Office of Inspector General has found that some MORE grant recipients have been unable to demonstrate that the grants lead to the redeployment of officers to the streets.¹⁷ For instance, when the inspector general asked the Metropolitan Police Department of the District of Columbia to provide a list of the officers redeployed to the street with almost \$11 million in COPS funding, one officer was deceased, 10 officers were retired, and 13 were no longer working for the department.¹⁸

Failure to Provide Flexibility. While the Heritage Foundation research has not specifically addressed the issue of flexibility, Congress must recognize that problems in Des Moines, Iowa and Wilmington, Delaware can be very different from problems in large urban cities.

Communities may not need to hire additional officers or purchase technology. Instead, training officers on how to replicate successful tactics used by other police departments may be more effective. Localities need the ability to decide what actions need to be implemented to address their problems.

Reforming COPS: What To Do.

If Congress insists on keeping COPS, the program needs to be radically transformed to hold localities accountable to the taxpayer, while boosting flexibility, which the current program lacks. First, before COPS grants are awarded, applicants must be required to develop a clear plan on how they intend to use the funds to prevent crime. The COPS program should give the grantee the flexibility to decide how the grant funds should be used. Second, a system to measure and evaluate the effectiveness of COPS grants must be in place before the awarding of funds. Third, after the funds have been spent, the COPS funded activities must be evaluated for their effectiveness in reducing crime.

To summarize these steps: Devise a plan that includes measuring the outcomes of the plan. Implement the plan. Then evaluate the program. Plan. Implement. Evaluate. If grantees cannot take these responsible steps, then they should be barred from federal funding.

Congressional reform to foster accountability should begin with the application process. The ease with which the COPS program has distributed grants has created a lack of accountability. The current system allows grantees to gain easy access to cash, but they are not required to deploy officers in activities that have been empirically demonstrated to reduce crime.

To demonstrate my point, all you have to do is look at the application forms. An application form used for 2000 UHP grants is only four pages long.¹⁹ Nowhere on the form does the grantee have to explain how the officer is going to be used effectively. Other grant forms contain multiple choice checklists for how the grants will be used.²⁰ Checking boxes is no substitute for a clear and focused plan to reduce crime.

In conclusion, I will focus on reform efforts before Congress.

Conclusion.

Based on the Heritage Foundation study of the COPS program and similar efforts, Senator Biden's bill to reauthorize the COPS program, S. 924, will do little to improve the program. There are no provisions in the bill to increase accountability and flexibility. Under the bill, up to 50 percent of hiring funds will be reserved for grantees whose original grants have expired. The bill creates a new federal obligation to fund local officers' salaries--tantamount to establishing a new federal entitlement for localities.

If agencies cannot retain COPS funded officers as required by their original grants, then this problem clearly indicates that the grantees failed to develop a plan for officer retention. COPS was originally intended to be a helping hand, not an everlasting funding source. If grantees fail to follow the rules of the grants, then they should not be allowed to permanently drain funds from taxpayers.

For these reasons, S. 924 will fail to improve upon the COPS program's already limited ability to be an effective crime-fighting strategy.

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