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MAKING AMERICA'S STREETS SAFER: THE FUTURE OF THE COPS PROGRAM

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME AND DRUGS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

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MAKING AMERICA'S STREETS SAFER: THE FUTURE OF THE COPS PROGRAM

WEDNESDAY, DECEMBER 5, 2001

UNITED STATES SENATE,
SUBCOMMITTEE ON CRIME AND DRUGS,
COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The Subcommittee met, pursuant to notice, at 1:35 p.m., in Room SD–226, Dirksen Senate Office Building, Hon. Joseph R. Biden, Chairman of the Subcommittee, presiding.

Present: Senators Biden and Grassley.

OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR., A U.S. SENATOR FROM THE STATE OF DELAWARE

Chairman BIDEN. I think we will begin. Some of my colleagues will be coming in. There is a lot going on today.

The most important event in Washington today is Strom Thurmond's ninety-ninth birthday. God love him. We just had a little party for him. Can you imagine that?

Mr. DINH. No, sir, I cannot.

Chairman BIDEN. I think it is astounding, and he is an incredible guy.

For years and years, we shared this room, shifting in this seat, him as chairman of the full Committee sitting here and me here or me as chairman and him sitting here. That does one of two things. It makes you very close friends or serious enemies, and it has made us very close friends.

Studs Terkel said, "Who would want to live to age 99?" and the response—well, he actually said 90, and his own response was anybody who is 89.

[Laughter.]

Chairman BIDEN. I hear people saying, "Gosh, I do not know whether I would want to live to be 99." Well, let me tell you, Strom Thurmond, God willing—and as my grandfather would say, the creek not rising—will be the only Senator in the history of America ever to serve here—well, he has already broken the record, but at age 100, that is his goal and, God love him, I hope he makes it.

Welcome to spring in Washington, D.C., speaking of young people. We are going to get started here, and I imagine some of my colleagues will be coming in and out.

I might note for the record, this is the first Subcommittee hearing of the old—it is kind of like where I started. I used to be the chairman of the Criminal Law Subcommittee, and here I have come full circle. I am back to being chairman of the Criminal Law

Subcommittee, although some wag suggested that when I was chairman of the full Committee, all this was, was a criminal laws Committee, which I am kind of proud of, actually.

At any rate, I would like to welcome you all to the first hearing of the Crime and Drugs Subcommittee, which is its technical name. It is no accident that this inaugural hearing of the Subcommittee is on "Making America's Streets Safer: The Future of the COPS program."

I have long maintained the view, one shared by most of the witnesses today, particularly my county executive and his number-one assistant both having been former colonels of the New Castle County Police Department—in my State, the second-largest police department—I have long maintained the view shared by them and many of you that our communities—our first responsibility as Government is to make our streets safe. It comes before everything. It comes before everything, including things I strongly support, education and a whole range of other things. If you cannot walk out in the street, all the rest of your civil liberties are somewhat diminished. Also, they share our commitment to put cops on the streets, as that being one of the most effective means of stopping crime.

I used to say back in 1994 when Colonel Gordon, now County Executive Gordon, was helping me write the crime bill, and many of you in this room as well, and I do not know how many times you had to hear me say that the only thing we know for certain about crime is if there are four corners at an intersection with three cops on three of the four corners and there is going to be a crime committed, it will be committed on the corner where there is no cop. Cops make a difference. Cops prevent crime, Presence prevents crime.

This afternoon's hearing is on the future of the COPS program; that is, the Community Oriented Policing Services program.

We have very distinguished panels of witnesses with us today, and I am eager to hear your testimony. When I called this first hearing—and I want to be straight up with you all because most of the police officers in here are my friends and we have worked together a long time—I had two reasons for calling this hearing. I want to have no ulterior motive. I want my motive straight out front so everybody understands. First of all, I want to have a hearing on what has been, from The Heritage Foundation and other places, criticism that the COPS program does not work. I want to make the case because I think the studies show it works.

I want to examine the COPS program and hear from local officials, sheriffs, chiefs, and criminologists on their views of the program. It was 7 years ago, we passed the Biden crime bill, and 100,000 new cops, more prisons and smart prevention. These were part of the equation that I thought, and many of you in the audience thought, would make our streets safer.

In creating the COPS program, I had two primary purposes in mind; one, to encourage police departments to make a fundamental and critical shift in their philosophy by embracing the notion of community policing, something we all take for granted now—but back then in 1985, '6, '7, '8, and '9, up until 1994, it was not the norm—and, secondly, to deliver needed dollars to our police depart-

ments, our local police departments so they could beef up their forces.

There are some things we have known about crime, as I said, that where there is a cop, crimes are not committed. This is not rocket science. Crimes are prevented by the presence of cops as well as the arrests that follow when one is committed, and where we are, 7 years later, I think is proof that what we had in mind made sense and worked.

Crime is down 22 percent from the date the crime bill was signed. The percentage of cops who are community police officers went from 4 to 21 percent in just 3 years, and one of our witnesses today, a criminologist, will testify about the results of the first conference of academic analysis of the COPS program and its effects on crime in America. It was a 5-year study that looked at 6,100 municipalities, covering 145 million Americans, this study being released by the University of Nebraska, and our first witness today found unequivocally that more cops on the street result in significantly less crime.

Specifically, the study found that for every dollar, for every one dollar we spent per person in a city with a population of 100,000 or more, it resulted in a decrease of over five violent crimes and a decrease in almost 22 property crimes in that jurisdiction. For every dollar per citizen we spent, it resulted in that change, and the numbers are even higher for targeted COPS program grants, which we will talk about later. There, a drop of 13 violent crimes and 45 property crimes occurred when we spent a dollar per citizen.

It is the crime drop that everybody has been heralding, but is the crime drop attributed solely to the COPS program? The answer clearly to me is, no, it is not solely because of the COPS program, but to think that this increased police presence has not made a difference or, to put it another way, that we would have had these reductions in crime had we not passed the crime bill, I think is equally as foolish.

Any police chief in the country will tell you that the best way to deter crime before it starts is to have a visible presence of officers in the community. You do not have to take my word for it. Let's ask police chiefs and sheriffs and county executives and criminologists on whether the COPS program has had an impact on the crime rate.

But I call this hearing for a second reason, and I am not suggesting my reasons are shared by or the reason that my friend from Iowa is here. He may or may not agree with me on these. I am speaking only for myself. The second reason for calling this hearing is that this Nation is now in a very difficult time, engaged in a war against terrorism, and three developments have made me greatly concerned about the potential loss of valuable ground we have gained in our struggle against crime, a fight we have been winning now for almost a decade.

First, I am very concerned that the administration may propose, as rumor has it, the elimination of the COPS program for the next budget cycle.

Secondly, the FBI, necessarily, at this moment, has announced a massive and potentially permanent redeployment of their agents

away from street crime investigations, thereby creating an enormous gap which State and local law enforcement will now have to fill if that occurs. I am not criticizing their judgment. They are now being redirected to counter-terrorism. Unless we significantly beef up their capability, which I happen to support, there is going to be the necessity for them to pull away from bank robberies, auto thefts across State lines, all the things they are involved in now relating to local crime.

The third concern that I have is the economic downturn is squeezing localities who will be forced to cut essential services, and I predict the first among them to go will be law enforcement personnel. They will have trouble finding the money to maintain existing police, let alone being able to hire new police to fill the gap left by the redeployed FBI agents.

So there are three very interesting things happening out there, just as the crime rate has begun to get in the groove of continuing to come down, just as we have begun to learn how to walk and chew gum at the same time from a policy perspective. What are we thinking about? We are thinking about cutting or eliminating the very program that the Federal Government provides local money to maintain cops and cop-related programs. We are, necessarily and at least temporarily and possibly permanently, redeploying the FBI and Federal agencies away from local jurisdictional responsibilities they have taken on, adding the burden to local police agencies.

Thirdly, a point I did not mention, the incredible drain of local resources to help in the counter-terrorism fight, to aid the FBI, has taken local law enforcement people off of the local crime beat to deal with the more urgent, immediate threat, and on top of it all, on top of all of this, we have a budget crisis that is going to, mark my words, get more extreme for every county executive, I say to my friend from Delaware, to every mayor, to every governor. That is going to pinch resources for maintaining even the present size of law enforcement agencies.

Wouldn't it be ironic if our war on terrorism unwittingly undercut the successful fight against crime in the United States? Yet, some have, incredibly, actually suggested in the administration that we raid the COPS program to pay for the war on terrorism. We have to win both of these wars, and we are winning both of these wars. Indeed, it is time, in my view, to spend more money, not less money—more money, not less money—on cops. Why penalize what has worked?

You know, it is sort of like cutting grass. We in Government—and those of you in public service, police officers—we get penalized for our successes. When, in fact, things are going really bad, we can get all the money in the world we need at certain junctures to hire more cops, take certain actions, and act. Then, guess what? You all go out and put your lives on the line. You organize in a way that you are able to get it done. The crime rate actually drops. And what do we say? Hey, we got it down. We can now stop funding it, or fund it less.

Professor, I would, respectfully, suggest that it is like cutting grass. I can cut my grass on a beautiful day in late May, and it looks magnificent, but it would be somewhat stupid of me then to turn around and say, "My grass looks so good, I am selling my

lawn mower. I do not need it anymore." It is literally like cutting grass. If you do not keep at it, the crime rate will rise. It will rise again.

So where are we? Well, I have a proposal with 52 co-sponsors we have not acted on yet—events internationally have overtaken it—52 sponsors, as I introduced several months ago, that funds enough money to hire 50,000 additional—more police officers, including money for new technology so law enforcement can have access to the highest-technology, crime-fighting equipment to keep pace with today's sophisticated criminals, and 52 of my colleagues have signed onto that.

When police officers, chiefs, sheriffs, and mayors come to me today, as they did 7 years ago, and ask for a program to help them grow and modernize their police departments, I got all of them around my conference table, literally, not figuratively, their representatives, and asked them what they needed. It is time we did that again. It is time we listen to law enforcement again. They want more flexibility in their programs. They want more funds for school resource officers. They want more capability.

I want to know where the administration is on COPS. I hope the rumors are not true. I hope we can make community policing a bipartisan issue, as it has been the last several years. Sometimes I feel like my friends on the other side of the aisle do not like COPS because it was not invented there. Well, a lot of Republicans did invent it. A lot of Republicans supported this being done. If that is the case, let's change the name of it. Let's call it the Bush crime bill. Let's call it the Republican crime bill. Let's call it whatever it takes to call it, if that is part of the problem, to keep the bill going.

As a famous New York mayor put it over a half-a-century ago, there is no Democratic way or Republican way to clean the city streets. Likewise, there is no Democratic or Republican way to clean our streets of crime. The COPS program has a track record of success, and I say let's stick with it and expand it.

[The prepared statement of Senator Biden follows.]

STATEMENT OF HON. JOSEPH R. BIDEN, JR., A U.S. SENATOR FROM THE STATE OF DELAWARE

I would like to welcome all of you to the first hearing of the new Crime and Drug Subcommittee. It's been a long time since there has been a subcommittee focused solely on these issues—I look forward to working with Senator Grassley on this panel.

It is no accident that the inaugural hearing of this Subcommittee is on "Making America's Streets Safer: The Future of the COPS Program." I have long maintained the view—one shared by most of our witnesses today—that our commitment to put more cops on the street is one of the most effective means of stopping crime before it can occur.

This afternoon's hearing is on the future of the COPS program—that is the "Communty Oriented Policing Services" Program. We have a very distinguished panel of witnesses here with us, and I am eager to hear their testimony.

I called this hearing for two simple reasons:

First, I want to find out whether the COPS program has worked? Let's examine COPS and hear from local officials, sheriffs, chiefs and criminologists on their views of the program.

Seven years ago, we passed the Biden Crime Bill. 100,000 new cops. More prisons. Smart prevention. These were part of the equation that I thought would make our streets safer.

In creating the COPS program, I had two primary purposes in mind: (1) to encourage police departments to make a fundamental and critical shift in philosophy

by embracing community policing; and (2) to deliver needed dollars to our police departments so they could beef up their forces.

There are some things we know about crime, I said at the time. We know that if there are two street corners in the same city, one has a cop standing on the corner and one does not have a cop, the chances of a crime being committed where one has a cop is less than the one where there is not a cop. This isn't rocket science. Cops prevent crime as well as arrest perpetrators of crime.

And where are we, seven years later? Seventy three thousand new police officers are out on patrol. Crime is down 22% from the date the Crime Bill was signed. The percentage of cops who are community police officers went from 4 to 21 percent in just the last three years.

And one of our witnesses today, a criminologist, will testify about the results of the first comprehensive academic analysis of the COPS program and its effect on crime in America. It was a 5 year study that looked at 6,100 municipalities covering 145 million Americans. This study—being released by the University of Nebraska—found unequivocally that more cops on the street means "significantly" less crime.

Specifically, the study found that for every dollar spent per person in a city with a population of 100,000 resulted in decrease of over 5 violent crimes and a decrease in almost 22 property crimes. And the numbers are even higher for targeted COPS grants—a drop of 13 violent crimes and a drop in 45 property crimes.

Is the crime drop attributable solely to COPS? Certainly not. But to think that this increased police presence has not made a difference shows a complete lack of understanding about fighting crime. Any police chief in the country will tell you that the best way to deter crime before it starts is to have a visible presence of officers in the community.

You don't have to take my word for it. Let's ask police chiefs and sheriffs and county executives and criminologists on whether COPS has had an impact on the crime rate.

But I called this hearing today for a second reason as well. This nation is now in a difficult time, engaged in a war against terrorism. And three developments have me greatly concerned about the potential to loose valuable ground in our struggle against crime—a fight we've been winning for almost a decade: (1) I am concerned that the Administration may propose the elimination of the COPS program for the next budget cycle; (2) the FBI has announced a massive, potentially permanent "redeployment" of their agents away from street crime investigations, thereby creating an enormous "gap" which state and local law enforcement will have to fill; and (3) the economic downturn is squeezing localities, who will forced to cut essential services—including law enforcement personnel. They will have trouble funding their existing police, let alone being able to hire new ones to "fill the gap" left by redeployed FBI agents.

Wouldn't it be ironic if our war on terrorism unwittingly undercut our successful fight against crime? Yet some have—incredibly—actually suggested that we raid the COPS fund to pay for the war on terrorism. We must do both. Indeed, this is the time to spend MORE on the COPS program, not less. Why penalize what has worked? It is sort of like cutting the grass. . . .

The time to extend COPS, with full funding, is now. I introduced a bill a few months ago that will send more funds out to police departments—enough to hire up to 50,000 more cops. It includes money for new technologies, so law enforcement can have access to the latest high-tech crime fighting equipment to keep pace with today's sophisticated criminals. Fifty two senators support this plan—It's time to take action and reauthorize COPS.

When police officers, chiefs, sheriffs and mayors came to me seven years ago and asked for a program to help them grow and modernize their police departments, I got all of them around my conference table and asked them what they needed. It's time to listen to law enforcement again who want more flexibility in the program and more funds for school resource officers. My bill provides these things.

I want to know where the Administration is on COPS. I hope the rumors aren't true. I hope we can make community policing a bipartisan issue. Sometimes I feel like my friends on the other side of the aisle don't like COPS because they didn't think of it. If that's the case, let's change the name, let's call it something else. I don't really care who gets the credit for this program—I just don't want to see it wither on the vine.

As a famous New York City mayor put it over a half century ago: "there is no Democratic way or Republican way to clean the city's streets." Likewise, there is no Democratic way or Republican way to clear our streets of crime. COPS has a track record of success. I say let's stick with what works.

With that, let me turn to Senator Grassley for any comments he may have.

With that, let me turn to my colleague, Senator Grassley, for any opening statement he may have, and then we will go to our witnesses.

STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S. SENATOR FROM THE STATE OF IOWA

Senator GRASSLEY. I thank you, Mr. Chairman, for holding this hearing and for my being able to serve with you as leaders of this Subcommittee on crime.

I think if we look over the long haul of the COPS program that it has had almost unanimous support in the Congress of the United States. If there has been a difference between Republicans and Democrats, at least later on, it has been that Democrats tended to feel that the money ought to go more directly to the hiring of people as police officers. Whereas, Republicans have felt that maybe in this country that is so geographically vast and our population is so heterogeneous, that Washington does not always know exactly how every city, even its police departments, should be helped. So we would, in turn, have given much more discretion to State and local governments and whether the money would be spent on personnel or whether it would be spent on other things that local people feel are necessary for law enforcement, but the amount of money and the desire to help from the Federal level was backed by both parties.

Before we dive too much into a discussion of the future of this program—and I think the future division is still going to be there for a great extent, as I just described it—I think we should take a look at the program's past performance because by analyzing the program's successes as well as flaws, we can better discuss its future.

As I am sure representatives of law enforcement will testify, the COPS program has played an essential role in encouraging local police and sheriff departments to engage in community policing. It is also helpful to many communities to bridge the money gap until they could raise the funds to keep the additional officers on the payroll without Federal assistance. This has resulted in an increase in officers engaged in community policing, larger than would have occurred without the program.

Having said all that, we must also look at the program's mistakes so that they can be corrected. The previous administration created the COPS program with two goals, I believe, that 100,000 officers would be put on the street and that as a result violent crime rates would go down. Although the COPS program did a number of good things, it did not entirely succeed in accomplishing these goals or, maybe in the case of one, even be totally responsible for that goal.

David Muhlhausen of The Heritage Foundation Center for Data Analysis, who is here testifying, has consulted a study on the effectiveness of the COPS program. His research indicates that the COPS program did not single handedly cause the decrease in violent crimes that we now enjoy, and I think the chairman made inference to maybe that being not the total reason as well.

There were many factors that played a role in the recent reduction of crime, not the least of which were social and economic. The

study by Mr. Muhlhausen also shows that the national drop in crime began in 1991, a full 3 years before the COPS program had come into existence.

When community policing is a part of a targeted approach to fighting crime, it can have an impact on crime. Community police, when deployed to areas of high-crime intensity during hours in which violent crimes are most likely to occur, it has had a significant effect on crime prevent. This type of targeted approach was missing from the original COPS program.

As to the 100,000 new officers, the COPS program did not deliver on this promise either. An August 2000 report of the Office of Justice Programs, the "National Evaluation of the COPS Program" as the title, found that the program would peak at a maximum of 57,175 additional officers in the year 2001.

I have concerns about two additional problems with the program. First, the program lacks the flexibility necessary to adequately meet the needs of local law enforcement, and I have expressed that that is a difference that has existed for several years between the two parties, not every member of every party being divided that way, but at least a major difference.

Many rural localities would have benefitted, in my opinion, from grants for training and equipment for their current officers than they did from grants for brand-new officers. Those at the local level really do know best about what works in the fight against crime in their neighborhoods, and the Federal Government should be helping, but not necessarily dictating.

Second, the COPS program suffers from a serious lack of oversight. The COPS office has failed to generate effective internal controls which could have detected abuse, misuse, and supplanting of COPS funds.

I have heard from Iowa sheriffs that the only follow-up taken by the COPS office by grants received was a phone call checking to see if these offices had freed up an officer to do community policing. Because sheriffs for the most part are honorable men—I know the ones I have talked to have been—they tell the truth. However, they would not have been caught if they had lied because no one at the COPS office was corroborating proper application of the funds. As we now begin to look at the future of the COPS program, I hope the administration will shed some light on their plans for the oversight of the reformed COPS program.

In spite of these faults with the program, it can still be a useful tool in forming a Federal/local partnership for fighting crime. The aim of the Federal grant program of that nature should be to assist State and local law enforcement agencies in carrying out their duties and responsibilities more efficiently and more effectively. Merely adding additional officer positions without the necessary equipment and training is futile.

The ideal Federal assistance program should have a simple application process and be flexible enough to address the different needs of State and local departments across the country, including hiring, retention, education and training, communications equipment, computers, the purchase of safety equipment and firearms, and the funding of outreach programs. Local law enforcement knows their needs best. So the Federal Government should be

striving to meet the needs that they have identified and not imposing some arbitrary program on them.

So I look forward to working with our chairman as we review this program, as we consider what the administration might suggest, and as I am even going to consider the legislation that my friend, Senator Biden, has put in as a comprehensive approach to seeing what we should do as we move on into the next year.

Thank you, Mr. Chairman.

Chairman BIDEN. Thank you, Senator.

I am pleased to welcome Viet Dihn to the Subcommittee. Mr. Dihn, am I pronouncing that correctly?

Mr. DINH. Yes, sir, it is.

Senator GRASSLEY. I have Senator Hatch's statement.

Chairman BIDEN. Oh, please do, Senator.

Senator GRASSLEY. I ask unanimous consent that Senator Hatch has a statement to be put in the record.

[The prepared statement of Senator Hatch follows:]

STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM THE STATE OF UTAH

Mr. Chairman, I want to first thank you for your leadership on criminal law and drug policy issues over the years. I have enjoyed working with you and look forward to our continued partnership on so many issues important to our communities. I also want to commend you for this timely oversight of the Community Oriented Policing Services (COPS) program. This program was initiated in 1994 as a 6 year, $9 billion effort with the stated goal of putting more police officers on the streets. I understand that you have introduced a measure designed to reauthorize and expand this program. I believe that before we take that step, it is wise for us to first appraise the effectiveness of the COPS program to date and determine whether we should continue in the direction of providing additional police officers to the local communities or whether different state and local governments may find other means of assistance more useful and effective in addressing the needs of their particular communities.

Like you, I believe that a federal-state partnership to help make our neighborhoods safer is a wise public policy. I would also think that such partnership should be functioning in a way that takes into consideration the differing needs of states, cities, and towns that almost certainly have differing crime statistics, economic situations, and demographics, so that we can best help the communities we seek to benefit. We have heard concerns that while a great many states have received grants through the COPS program, the program may not be operating in the most efficient or effective manner. Furthermore, I am concerned that the current distribution of the grants is not being done on an equitable basis, and I am particularly concerned about reports that this year my home state of Utah has been seriously disadvantaged under the present system.

Again, I want to thank you Mr. Chairman and Senator Grassley. This is an important hearing, and I look forward to the testimony of our witnesses today.

Chairman BIDEN. He is the Assistant Attorney General for the Office of Legal Policy. He is a graduate, a magnum cum laude graduate, from Harvard Law School, and went on to clerk with Judge Lawrence Silverman of the U.S. Court of Appeals of the D.C. Circuit and then the U.S. Supreme Court for Justice Sandra Day O'Connor.

Mr. Dihn served as associate special counsel to the Senate Whitewater Committee—there is a name from the past, and thank God I do not hear that anymore—not you, sir—and as counsel to Senator Pete Domenici in the impeachment trial before being confirmed as Assistant Attorney General for the Office of Legal Policy.

Mr. Dihn was a professor of law and deputy director of Asian Law and Policy Studies at Georgetown University Law Center.

Mr. Dihn, welcome, and please proceed in any way you would like.

STATEMENT OF VIET DINH, ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGAL POLICY, DEPARTMENT OF JUSTICE

Mr. DINH. Thank you very much, Mr. Chairman, Mr. Ranking Member. Thank you for the opportunity to be here. It is an honor to be here.

And, Mr. Chairman, you are correct that, thank God, we are winning both of these wars, the war against terrorism and the war against crime. We would not be in the position where we are today without your help and support, the support of Congress with respect to our activities in combatting terrorism and your support specifically, Mr. Chairman, and also with respect to the war on crime.

I do not think that anybody would dispute that all of the measures that have been effected within the past decade did not contribute in some way to the current state of crime reduction that we have today.

I am confident that we will continue to work together to provide efficient and effective resources to our men and women in blue in order to continue the progress of both of these wars.

One thing that I have learned since coming to the Department is the critical role that State and local law enforcement authorities play in partnership with the Department in carrying out our joint mission of protecting freedom through the law. We value this partnership, but, more than that, we need this partnership to discharge our responsibility to protect America against future threats of terrorism and against threats of common criminals.

I know that this Committee cares about our Federal Government's relationship with State and local law enforcement officers. The administration shares that concern and believes that the Department of Justice must do all that we can to ensure an effective partnership with State and local law enforcement officers and their agencies. It is because of this strong support that we believe it is important to provide resources, such as those provided through the COPS program, responsibly and effectively to our men and women in blue.

Since the inception of COPS in 1994, $8.6 billion has been used through COPS grants to add officers to our streets, enhance technologies, support crime prevention, and advance community policing. All of these efforts have been undertaken with the objective of creating and maintaining an effective partnership with State and local law enforcement. Like you, the Department recognizes the benefits to be derived from a Federal partnership with local law enforcement and strongly advocates community policing.

It is not enough, however, simply to put a dollar amount or a certain number of officers on the street. Rather, the challenge is to provide resources to State and local law enforcement agencies in a fiscally responsible way, so as to address the most pressing needs of law enforcement and to maximize the results. This is our overriding objective for the COPS program.

As you know, the President, through his budget proposals, has indicated a shift of funding priorities from the previous administra-

tion for COPS. This shift is one away from federally funded hiring of officers and toward the provision of adequate equipment and technology to State and local law enforcement agencies, which agencies consistently cite technology as one of their most critical needs, but let me repeat, the objective remains the same. We want to create, maintain, and cement an effective partnership with State and local law enforcement through programs like COPS.

Particularly, in this new war on terrorism, it has been demonstrated that having up-to-date technology is crucial for the successful investigation and sharing information that is desperately needed among law enforcement agencies at all levels.

Technology is the key to successful law enforcement, and the proper equipment enhances the efficiency, effectiveness, and, most importantly, from my and the Department's perspective, the safety of officers on the streets.

Consistent with the goals of COPS, the provision of technologies that offer police departments more efficiency leads to officers spending more time away from their desk or at the station house and actually being on the street.

We seek to shift resources to provide the flexibility to police departments that was missing in the initial hiring grants available through COPS in this funding priority shift.

In addition to the clear need to shift our resources to where they will be most useful, I must be honest and acknowledge that the grants provided through COPS for hiring additional officers have not been as effective as we had hoped and, indeed, have been difficult to monitor, as the Ranking Member has highlighted. The COPS program has provided significant resources in the past, but with well-documented flaws that were identified, for example, in the 1999 Inspector General's audit report of COPS and also earlier in the GAO report.

The President and the Department do not believe anyone supports the use of COPS dollars for inappropriate activities. While such abuses have occurred in a very small fraction of the total COPS grants awarded, the Department and COPS office are, and have been, striving to prevent future abuses. Our focus is to improve these programs, to support community policing. We are committed to making COPS a more effective grant-making organization.

As new problems confront law enforcement in our country, COPS will be an intricate part of combatting these problems. The Department remains committed to community policing and looks forward to continued success in our fight against crime, a fight in which COPS is clearly a part.

As you know, the Attorney General designated Mr. Carl Peed to head the COPS office earlier this year, in early September I believe, and he has a strong background in State and local law enforcement. We think that Mr. Peed will bring the right emphasis to the program, and I have previously submitted a more lengthy written statement which I ask to be submitted to the record, but in the interest of time, I will be happy to answer any questions you may have.

[The prepared statement of Mr. Dinh follows.]

STATEMENT OF VIET DINH, ASSISTANT ATTORNEY GENERAL FOR LEGAL POLICY, DEPARTMENT OF JUSTICE

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to appear before you. It is an honor. Chairman Biden, the Administration and the Department acknowledge and appreciate your continued friendship with and support of state and local law enforcement. We value your efforts in this area. The Department was pleased to work with you, and to support, your amendment to S. 1, the Better Education for Students and Teachers Act, which reauthorized school resource officers as part of the COPS Program I am confident that we will continue to work together to provide efficient and effective resources to our men and women in blue.

One thing I have learned since coming to the Department is the critical role state and local law enforcement authorities play in partnership with the Department in carrying out our joint mission of protecting freedom through law. The bonds of this partnership have been strengthened in our common endeavor to protect the safety and security of Americans against the current threat of terror. In this war, the Department depends on the 18,000 state and local police agencies to help us prevent future attacks. We value this partnership, but more than that, we need this partnership to fully discharge our responsibility to protect America against future threats. The COPS office is one very tangible way the Department has maintained its partnership with state and local law enforcement agencies by assisting those agencies in their policing efforts.

I know that you have scheduled this hearing because the members of this Committee care about our federal government's relationship with state and local law enforcement officers. The President and the Attorney General share that concern and believe that the Department of Justice must do all it can to ensure an effective partnership with the state and local law enforcement officers who protect us on the front lines within the United States. It is because of the Department's strong support for the men and women in blue that we believe it is important to provide resources, such as those provided through the COPS program, responsibly and efficiently.

Since the inception of COPS in 1994, $8.6 billion has been used through COPS grants to add officers to our streets, enhance technology, support crime prevention, and advance community policing. All of these efforts have been undertaken with the objective of creating and maintaining an effective partnership with state and local law enforcement. Like you, the Department recognizes the benefits to be derived from a federal partnership with local law enforcement, and strongly advocates community policing. Community policing disrupts, displaces and ultimately prevents street crime. The Department and the Administration are committed to a beneficial local/federal law enforcement partnership, but it is not enough to simply put a dollar amount or a certain number of officers on the street as evidence of our commitment. Rather, the challenge is to provide resources to state and local law enforcement in a fiscally responsible way so as to address the most pressing needs of law enforcement and to maximize the results. This requires a willingness to improve grant programs like those provided through COPS, to ensure that limited funds are well spent and provided in the most effective and useful way to those local agencies that need assistance.

The President, through his budget proposals, has indicated a shift of priorities from the previous Administration. This shift is one away from federally funded hiring of officers and toward the provision of adequate equipment and technology to state and local law enforcement agencies which often go without necessary law enforcement technology. In fact, law enforcement agencies consistently cite technology as one of their most critical needs. Particularly in this new war on terrorism, it has been demonstrated that having up-to-date technology is crucial for successful investigations and for the information sharing that is desperately needed among law enforcement agencies at all levels. The partnership between the Department of Justice and state and local law enforcement is of the highest importance in our war on terrorism, in which these local officers are on the front lines every day. We rely on state and local agencies and thus, must be committed to using our resources in the most efficient manner to support them. Technology is the key to successful law enforcement.

In addition, investigations require current equipment and technologies, comparable to the very equipment and technologies to which terrorists and other criminals have access. Information sharing among law enforcement agencies is incomplete if agencies lack the 'necessary equipment and technology to record, store, and retrieve such information. For example, state and local law enforcement agencies must have adequate equipment to fully use existing federal resources such as RISS, the Regional Information Sharing System. And, consistent with the goals of COPS,

the provision of technologies that offer police departments more efficiency leads to officers spending more time on the streets and less time in the office. Unfortunately, recent appropriations for COPS have extensively earmarked our technology assistance funds, removing much of our flexibility for working with state and local law enforcement agencies.

Although this shift from hiring to technology was made prior to September 11th, the events of that day only reinforce the need for this shift in priorities. .Having already well exceeded the previous Administration's goal of funding an additional 100,000 officers on the street, we need not set new artificial goals in terms of the number of officers. Instead, we seek to shift resources while retaining the availability of hiring grants that will provide the flexibility to police departments that was missing in the initial hiring grants available through COPS. I also would like to note that COPS continues to pursue a strong training and technical assistance program in support of community policing.

In addition to the clear need to shift our resources to where they will be most useful, it must also be recognized that the grants provided through COPS for hiring additional officers have not been as effective as hoped, and have indeed been difficult to monitor. The COPS program has provided significant resources in the past, but with well-documented flaws that were identified in the 1999 Inspector Generals Audit Report of COPS. The President and the Department do not believe anyone supports continued use of COPS dollars for inappropriate activities. While such abuses have occurred in a very small fraction of the total COPS grants awarded, the Department and the COPS Office are striving to prevent any future abuses. Our focus is to improve these programs to support the community policing purpose of COPS. We are committed to making COPS a more effective grant-making organization.

It should be recognized that the grants provided through COPS have been difficult to monitor. However, in response to the critical report issued by the Inspector General, the COPS Office has implemented a comprehensive and multi-faceted approach to monitor more than 32,700 grants. This approach includes annual progress reports submitted by grantees and more intensive monitoring of high-risk grantees, including Inspector General audits of those grantees. The COPS Office thoroughly investigates all allegations of grant misuse which come to their attention through the media, citizen complaints, union or officer complaints and grantees themselves. The Office also conducts site visits and desk reviews. By focusing grant funds on local law enforcement needs and monitoring grants after they have been awarded, the Department believes the COPS program will be able to provide even better support to local law enforcement agencies.

Just as we are accountable to this Committee and the American people for the responsible administration of COPS, we must demand that these grant programs be accountable to the men and women in blue, whom these programs are intended to support. The Department seeks to improve the COPS grant programs by making them more user friendly, effective, and accountable for any failings. We want to see progress as a result of the dollars spent and we need to see police departments provided the resources they actually need. In short, the Department is committed to improving the COPS Program, not maintaining the status quo.

When the Attorney General appointed Carl Peed as the Director of COPS, he clearly demonstrated his commitment to the COPS program as part of a larger commitment to responsibly providing assistance to police departments. This is a commitment the President shares wholeheartedly. Carl Peed has been involved in state and local law enforcement for nearly 30 years and brings with him the experience and perspective necessary to provide law enforcement agencies with the best resources. The Department has complete confidence in Director Peed's ability to carry out these policies through effective and flexible programs.

As new problems confront law enforcement in our country, COPS will be an intricate part of combating these problems. The Department remains committed to community policing and looks forward to continued success in our fight against crime, a fight in which COPS is clearly a part.

Again, I thank you for the opportunity to be here today and would be happy to answer any questions.

Chairman BIDEN. Without objection, the entire statement will be placed in the record. Thank you for your testimony.

Let me ask you. Are you talking about spending the same amount of total dollars, just allocating them differently to local law enforcement?

Mr. DINH. As you know, Mr. Chairman, the President's budget request in fiscal year 02 differ from that which Congress appropriated to the COPS program in fiscal year 02. So there are two sets of different numbers from which your question may be derived upon.

At this point, we are still in the budgeting process within the executive branch, and we still continue conversations between the Department of Justice and the Office of Management and Budget. The discussions are sufficiently preliminary or not sufficiently final that I am not confident enough to give you a definitive answer to that question.

Chairman BIDEN. Thank you. Now, in light of your—

Senator GRASSLEY. Well, you ought to be able to tell us what the Department has requested of the Office of Management and Budget for the program. You may be negotiating with them on a final figure, but what are you requesting compared to, well, along the lines of his question?

Mr. DINH. I think my answer will have to be the same. The process is continuing. We are formally in those numbers in a joint effort, and it would not be appropriate for me to—

Senator GRASSLEY. So you were told not to tell us.

Mr. DINH. Like any—

Chairman BIDEN. In other words, it is less.

Mr. DINH. No. Like any deliberations within the executive branch, even on budgeting issues, I think we would like to have those deliberations in a concerted manner before we present them to you or to the public.

Chairman BIDEN. I thank you for your try, Senator.

Since I left the chairmanship of this full Committee, I have been chairman of the Foreign Relations Committee. Are you sure you are not with the State Department? It sounds like a State Department answer. I am used to the cops being straight, not that you are not straight, but I mean in giving very frank answers.

So my first question is, A, are you going to spend as many total dollars and we are going to find that out, B, you are going to change the nature of your assistance to local law enforcement, and you are putting great emphasis on technology and supporting community policing both. Correct?

Mr. DINH. We are supporting community policing, yes, and police agencies through a myriad of programs, but specifically for COPS, we are putting our emphasis on providing technologies to the police agencies consistent with the fiscal year 02 budget request that the President sent up.

Chairman BIDEN. Are there any of the programs that you would, if you are able to or so inclined, list as Federal assistance to local enforcement? Are there any of those programs that, in fact, condition their support on the maintenance of a community policing operation at the local level?

Mr. DINH. I do not know the specifics of the condition in authorizing language of the specific programs, but let me make it clear. We believe in community policing. I, myself, believe in community policing, and we will do everything through the COPS program and through other programs of the Department of Justice to not only help State and local law enforcement agencies, but to press as

much as possible to support community policing. Whether or not it is through a conditionality of funding or through other proactive efforts, I cannot speak to in specific.

Chairman BIDEN. Are you aware that community policing costs the locality more money than when they do not have community policing? Are you aware of that?

Mr. DINH. No, sir, I am not.

Chairman BIDEN. I assure you, it is true, and the reason it is true is you have to take police and put them out on the street. It requires you to cover more territory in addition to covering what you have in-house.

The reason, I might add, if you would take a piece of unsolicited advice or information—

Mr. DINH. I am taking notes, sir.

Chairman BIDEN. The reason why I wrote the community policing requirement into the law, as many of the chiefs here will tell you, sheriffs and executives will tell you, local police agencies did not want to go to community policing, and the reason they did not want to go to community policing was, first of all, it was a method that was still being debated. I am not trying to be solicitous. Not everyone was where Colonel Gordon was at the time, who had already moved that way. A lot of folks thought it is not the best way, that you do not get the biggest bang for the buck by having community policing.

But, secondly, it costs more money to do it, and it required more people. So what I found was unless we tied in the requirement that in order to get a cop, your whole department has to be into community policing, we would have never transformed the country as radically as the police agencies did by going from, I think, 2 or 3 or 4 percent of all police departments in the Nation being in community policing to a multiple of 10 to 12 times that greater impact, and that is the reason we did it, but I am sure in your deliberations you will take a look at that and make that judgment on your own.

A third question I have, and not attempting to be confrontational here, if you give direct grants to the mayors, county executives, governors, local officials for technology alone and not the police hiring part of it, do you believe or have any reason to believe that they will maintain the size of their police forces as they exist?

Mr. DINH. Senator, that is a very good question, and I thank you also for your advice and observation. The two, I think, go hand in hand.

I think it is undoubted that more police officers on the street deter more crime, and, therefore, it would have a lessen of social cost to the local communities and our overall society.

Where we sit right now at this stage is that, having met the funding priorities of putting the targeted numbers of police positions and officer positions on the street, how then do we best get the bang for our buck in this investment? Do we try to give the police officers the tools that they need now that they are on the street in order to increase their efficiency, effectiveness, and their safety, or do we continue funding more officers? That is the core of our deliberations. These are the conversations and the consultations that this process is in.

With respect to the maintenance of the strength in force of existing State and local agencies, I know that maintenance of the officer positions, those funded by the COPS program was a subject that is of inquiry and interest to the GAO report and also to the Inspector General. I do not have any definitive conclusions as to where we are on that as a sociological and management matter for the State and local agencies, but I can say this. Whatever happens to the grants or additional grants or no grants in the future, those that are in the pipeline, that is, those that have been granted, will not be affected. The officer positions that are currently being funded by COPS are based on grants that have 3-year commitments, except, of course, of the MORE program, 3-year commitments which commitments were funded at the year of the award. So whatever transition there may be, existing officer positions will not be affected in that transition.

Chairman BIDEN. Are you aware of—and this is not an exam here.

Mr. DINH. Thank you, sir.

Chairman BIDEN. Obviously, from your resume, you do incredibly well on exams. Are you aware of the number of requests that have come in from localities this year that have—

Mr. DINH. Yes, sir. I am. We have outstanding solicitations, not specifically for fiscal year 02, but for the COPS in School program, we have 1,191 pending applications for the universal hiring program. We have 1,950 pending applications and approximately 2,000 departments on a COPS waiting list should we come out with another solicitation in fiscal year 02, and we have 1,220 pending applications in the MORE program. Based upon the availability of funds and the pending applications, we may come out with a further solicitation for fiscal year 02 in COPS.

Chairman BIDEN. Lastly, since my time is up in this round, if, in fact, the increase in monies for technology resulted—if it did—resulted in fewer total number of police officers on the street locally, would you consider your program a success, or does it need to be—you made the statement, your objective now—I might note, parenthetically, my COPS–2 bill provides for over a third of a billion dollars for technology assistance, but direct technology assistance, and $600 million for COPS allows them to maintain existing cops. It provides the flexibility to take the cops they already have on under the COPS program and extend the men overtime hours, but that is a different issue.

You indicated that cops on the street matter, and now you want to give them the tools, additional, more modern tools to deal with crime on the street, the technology grants. Would your purpose be met if there were a significant reduction in the total number of cops on the street, not withstanding the fact that you had technology grants?

Mr. DINH. Sir, that is a great hypothetical, and I take it in the spirit that this is not an exam, but your question—

Chairman BIDEN. With the permission of my colleague, if I can go over just a minute, I really am not playing a game with you. Maybe I have been here too long. I got here in 1973 as a local official who had moved to vastly expand the police department in the jurisdiction which I was a local official, the county. We had a thing

called the LEAA program, which sounds vaguely similar to your philosophy, which was lets give the local guys what they need and what they say they need, and since we do not know what it is, we will do that.

Secondly, we said we had a lot of programs that when I became a Senator that I helped pass and draft that gave money to governors and mayors for law enforcement purposes, and we found two things. I think knowing how schooled you are on the academic side of this question, you will go back and be able to check it out. Two things happened. We found with the additional monies prior to 1994 we gave for law enforcement, local officials decided that it was a lot easier to hire, with Federal money, public defenders and pay for judges' salaries with the money and not hire cops because they did not want to be responsible for hiring public defenders because they knew they were susceptible to criticism. "You took my tax dollar. The guy I am running against took my tax dollar and hired those public defenders to hire to defend those criminals." So they took the Federal money that was meant for COPS, and they hired public defenders. They took the Federal money that was intended for COPS, and they made—it was law enforcement-related—put up traffic lights. They did everything but hire cops because, guess what, county executives mostly, governors mostly, and mayors mostly are just like CEOs. They do not want to hire people because when they hire people they have to pay pensions. They have other costs that are attached to it. So, when you give them money, guess what? They will do everything but what the money was intended for, to hire cops.

If you go back and look at the criticism in the LEAA program, the criticism was it was not spent, and I was a local official in with this. We used to sit in a county council meeting. My colleague will appreciate this. We used to have an executive meeting where, before the open meeting, the councilmen would all sit down in a room and go over the agenda, and the president of the council would say, "Well, we have this new program," and I would say, as a 27-year-old kid, "Well, how much will it cost?" The following response would come, and it was a Republican county executive. It would have come from a Democratic county executive, the following phrase, and you have heard it in your earlier career, "Oh, it is Federal money."

Senator GRASSLEY. Yes, it is free.

Chairman BIDEN. It is free. Seriously, it is not a joke. It is Federal money.

And do you know what we found out with the LEAA program when we gave the local officials total discretion on meeting their needs? They laid off in my community 10 or 12 percent of the local fire department, 10 or 12 percent of the local police department, and then they took the Federal money for COPS and rehired those people with the Federal dollars. They went back to their constituents and said, "We did not raise your taxes. Those big spenders in Washington did, and by the way, we have not reduced your services," but they did not add a single cop, did not put one additional uniform on the street in many of these locations. So I hope when you are looking at this, you will look at the record.

I will end by saying there was one of my favorite poets, who you may like as well, actually more of an essayist, Ralph Waldo Emerson. He once said, "Society is like a wave. The wave moves on, but the particles remain the same." I promise you, you give total flexibility, I am willing to bet you my career there will be significantly fewer people with a badge working for local officials in the United States of America.

At any rate, having said that, let me yield to my colleague.

Senator GRASSLEY. My response to that was the first sentence of my opening statement.

Chairman BIDEN. I know that.

Senator GRASSLEY. So I will not respond further.

I want to make an assertion and then ask you if it is valid. It seems to me that setting up the COPS office under the purview of the Office of Justice Programs would have been logical and consistent with other grant programs administered by the Justice Department to aid State and local law enforcement agencies. It would have eliminated duplicative bureaucracy and made more sense in terms of accountability and information-sharing, shielding the COPS office from OJP oversight and establish administer procedures and policies, make it appear that the office functions at the pleasure of the Deputy Attorney General and the administration without traditional program accountability. And you heard in my opening statement my concern about accountability.

Mr. DINH. Senator, thank you. I cannot answer that question with a simple yes or no. If you permit me one or two sentences, you know the 1994 Crime Act gave the Attorney General the flexibility of using existing components or establishing new components in order to house the COPS program. The Attorney General chose to establish a freestanding office, the COPS office, that is outside of the Office of Justice Programs and outside the purview of Deborah Daniels, the Assistant Attorney General for Justice Programs.

I think that reflects the priority that the community policing had in the previous administration, a priority that obviously as I in my statement said we shared. So keeping it a freestanding office outside of the Office of Justice Programs has that symbolic and some other practical effects of maintaining an autonomous, if you will, semi-autonomous program from the Office of Justice Programs.

By the same token, by your premise, I think everyone recognizes that the COPS program and the Office of Justice Programs served many of the same functions of grant-making. For example, actually, the two offices shared a joint financial system for disbursement of the grants, and some of the line items that go under community-oriented policing services are actually administered by the Office of Justice Programs. So there is an operational recognition that the overlap can be eliminated with the Office of Justice Programs.

With respect to where we go from there, because I expect that will be your next question, if not the chairman's next question—

Senator GRASSLEY. That is my next question.

Mr. DINH. Where we go from there—

Senator GRASSLEY. I hope you would agree that whether you have a separate program, a new one established, or use OJP, you

still got the same American tax dollars, and we ought to have the same certainty of accountability.

Mr. DINH. No question, Senator, and this goes back to answering the chairman's last remarks regarding accountability. That is the overriding objective of our reorganization plan, the Department of Justice reorganization plan, and our 5-year strategic management plan that the Attorney General unveiled on November 8th, and that is to make the grant-making programs more accountable and to direct the monies where they are best used and to make the money count and work toward our objectives. So, wherever they are, they will have to be subject to the same level of accountability. The accountability within the OJP program may make some more sense. The autonomy of the program for operational reasons may also make sense. These are the questions that we are evaluating as we finalize the Attorney General's reorganization plan pursuant to his strategic management plan that we announced on November 8th.

Senator GRASSLEY. Well, then following along in the same vein, and this will be my last question, but it is a little more specific, I refer to the Office of Inspector General's July 1999 report called "Management and Administration of the Community Oriented Policing Services Grant Program." The Inspector General gave several examples of instances where recipients of COPS grants engaged in supplanting. You know what that is.

The report includes examples of how grant recipients would engage in supplanting such as, one, when a department with a vacant position at the start of a grant period or at any time thereafter hires no new officers other than COPS grant-funded hires or, two, when no timely hiring other than COPS grant-funded hiring is done by the department to replace vacancies created by attrition existing at or beginning at the—or after the beginning of the grant program and, lastly, when the grant funds are used to replace or to allow the reallocation of funds already committed in the local budget for law enforcement purposes.

So what actions have been taken or what do you anticipate taking to address these problems, and what further accountability measures will the COPS office be implementing to prevent abuses like this, if you consider them abuses? And I do, at least to the intent of the law.

Mr. DINH. Yes, sir, they are abuses because they are in contravention of the original mandate of the 1994 act which requires that COPS grants be used to augment and not to replace existing personnel. So we take those obligations very seriously at the Department to follow the letter and the spirit of the law, but, more importantly, just as a good management and good housekeeping matter, we want to know that the money that we send out in our grant program actually goes to the objective that we set up for that grant program.

After the 1999 report, I understand that the COPS program instituted a number of review procedures that I have outlined in more specific details in my opening statement. I think they are a first good step, but as I said, we are looking at not just the COPS program, but all of our grant-making programs with the overriding goal of meeting one of the key objectives, one of the eight objectives

of the strategic management plan, which is to ensure that our grant-making programs are efficient and effective in carrying out the objectives of the grants as set forth by the Congress and as envisioned by the administration where there is discretion.

Senator GRASSLEY. I thank you very much.

Mr. Chairman, I am going to leave because I have got to go to a meeting of the stimulus package conference.

Chairman BIDEN. I would like you to take care of that so we can have a Christmas. If you would go ahead and do that, I would appreciate it. I appreciate the chairman of the Finance Committee—the Ranking Member now of the Finance Committee has probably the fullest plate of anybody here, and I appreciate you being here.

As my friend is packing up to leave to take care of the stimulus package, I would say if he thinks he has seen supplanting now, he ain't seen nothing yet. If you go over the COPS program without it mandated by law to be spent on cops, you ain't seen nothing yet.

I will submit for the record, without taking the time of the Committee, what I believe to be the legitimate critique of the GAO report in terms of their criticism of the COPS program, which I think has been taken out of context.

Now let me ask you a question, and maybe my problem has been I have been hanging around cops so long now, I am beginning to think like one, I think.

Mr. DINH. That is not a problem. It is a bonus.

Chairman BIDEN. Well, it is a problem in the sense that I think the difference between—maybe not the difference. I think—well, let me just speak for myself, and I am being serious. I think I think like a cop in the sense that they look through all of the regulations and all of the minutia of what we tell them and all of the theory, and they want to know—and they do know from their experience—certain practical things that work.

For example, if you do not have the COPS program sitting out there separately, it ain't going to get the same attention. They know if you are hired by the chief to be his or her primary assistant and you get an office in another building, you may have the title, but you ain't going to have any impact. They know the person who is most going to impact on what their decisions are as the person who is in the office next door because that is the way crises work. A crisis works and you turn and say, "Charlie, what do you think," and if Charlie is two buildings away. They could make good State Department people. That is why they know National Security Advisors tend to become more influential with Presidents than Secretaries of State because they are in a different building, because that is not the way human nature works. Human nature works, you deal with the crisis at the moment. At that second, you turn to the person who is there, and that is how they think and I think they are right.

The reason I say that, that is the reason we modeled this COPS program the way we did, and when I say "we"—I do not want to blame anybody else—me and the cops. The reason we did is we found out that where you are in line, where you sit determines what you get. This is the first program ever that I am aware of, you could apply directly as a cop. The department could apply. You got to get signed off by your immediate boss, but it does not have

to go through the State legislature. It does not have to go through anybody. It does not go to the Governor. It can go as a one-page application, bang, you are getting the deal.

So one of the questions I have for you relates to the redeployment issue, and I will let you go after this question.

This morning's Washington Post ran an interesting article entitled the "FBI's Focus on Terrorism Sidelines Other Categories of Crime." It notes that with thousands of FBI agents concentrating on terrorism, the FBI's field offices have put aside a wide array of other matters such as undercover drug investigations, pursuit of nonviolent fugitives, and the mix of cases involving white-collar crime. The Post notes, "The FBI has been forced to rely on State and local police departments and other Federal law enforcement agencies to fill the gaps creates by the massive redeployment of FBI agents after the September 11th terrorist attack in New York City and Washington. FBI agents and Federal prosecutors said that the FBI continues to transform itself into more of a counterterrorism organization. Those agencies, i.e., State and local departments, will be asked to take on added responsibilities for drug enforcement and investigations of street crime. Moreover, Director Mueller has acknowledged this shift in focus. Just this week, he stated that some non-terror cases have been set aside, and the Bureau will decide soon whether to permanently pass off investigations to State and locals, including drug probes, bank robberies, and other forms of street crime, the very ones which State and local will be called upon to handle. Director Mueller stated, 'Are there areas where we will be doing less, and if so, who will take up the slack? When you don't do something, you have to fill the gap.' Filling the gap"—and this is a very new reality—"Filling the gap left by redeployment of Federal agents on the war on terrorism is going to be filled by local law enforcement officials."

So that we will, I am confident, fight over—in my view, it will be the most important fight I engage in next year—whether or not we have a COPS program and how big it is and whether it is cut, but we are also going to have a fight over—hopefully, we will not have a fight over it—total allocation of resources.

Does the Department acknowledge that if we did not change a single thing other than the redeployment of FBI agents away from street crimes that there is going to be more of a burden placed upon local law enforcement agencies next year than there was last year?

Mr. DINH. Mr. Chairman, short answer, yes, but let me amplify that in one sentence. We all know that September 11th was a wake-up call to America and law enforcement agencies, Federal, State, and local, have bore the brunt of the burden of that response. The FBI, as you noted, and the entire Department of Justice has shifted its priority to where our overriding objective now is to prevent and disrupt terrorist activities, so that the threat of a same catastrophic event will not happen again.

Our partners in State and local government have been essential in this fight. We have a force multiplier of 18,000 State and local agencies that we have called upon during this fight, and they have answered that call very, very quickly and very valiantly and very

usefully. We will continue to call upon them in the fight against terrorism.

At the same time, we recognize that, obviously, resources are limited, but crime does not stop. So we will be focusing these efforts at working with our State and local partners, talking with the men and women in blue through organizations like the Fraternal Order of Police so that we can continue to not only redeploy our cases, but also redeploy the resources to where they are most needed in order to jointly fight crime and fight terrorism.

Chairman BIDEN. Well, I hope—and I know you cannot answer—you can, you are capable of, but you are not in the position to be able to answer some of these questions. I hope your Department will have made, and has made, a study of the additional cost, out-of-pocket cost to local budgets of assisting you and me at the Federal level in that fight on terrorism, just that alone, nothing else, not even picking up the additional street crime requirements that they are going to have to pick up, just the mere cost in overtime, not just in New York City and Los Angeles and Houston. Every time, God bless him, the Attorney General comes out with an unspecific alert and it is debatable and arguable whether it should or should not be done—and I recognize there is not clear-cut answer, but every time that happens, our police departments all across the country go on overtime. They go on alert. More people stay out. It drains the budgets.

Now, they are not complaining. They are not saying we are not Americans and we should not do that, but I sure hope that you all recognize when you are doing your total calculation here that they are going into debt. With the economy changing as drastically as it is, unemployment increasing, lower tax revenues forecasted, they are in addition being asked to pick up, which they are willing to do, a Federal responsibility—a Federal responsibility—at the very time, it seems to me—

My mom has an expression, God love her. When I would say, "Can I go down and hang out"—I came from a little town called Claymont—"down on the corner by Buffington's with the guys?," she would say, "No. You are going to get in trouble down there. Those guys are trouble." I said, "Mom, I will not get into trouble," and she said, "Joey, if it looks like a duck and it quacks like a duck and it walks like a duck, it is probably a duck." I kind of new what she meant. It did not matter whether I got in trouble or not. If I was standing down on the corner with the guys getting in trouble, I would be perceived to be in trouble. So, when the cops ousted us, I would be with them. It would not matter.

Well, I may be wrong, but I think I see a duck in you guys, a duck in administrative clothing which says that, "Hey, we really want to help these guys, but, you know, I cannot tell you whether we are going to have a total amount of more money for law enforcement for them." I am willing to bet you your job and mine, my job versus yours—and I am up for reelection—I will bet you somehow you come out with the total number to assist local enforcement that is less than the total number for last year. I will make you a bet. I will make you a bet. And if that is true, it kind of looks like a duck to me because they are already hurting, their budgets are being crunched. They are being asked to do now Federal require-

ments. They have jurisdiction to do them, but they are basically a Federal responsibility like street crime is basically a local responsibility. Terrorism is basically a Federal responsibility. Less input in drug efforts, less input on a lot of things, and then I am going to be very interested to see whether you come along and say we recognize that.

So, even though we are jiggering this COPS program, which I hope you do not do, but I know you will, instead of spending one dollar next year like we did last year, we are going to spend $1.47 because we realize the added expense. My guess is you are going to spend 87 cents, but I hope I am wrong. I am sure we will get a chance to have this again once the review is done, and I invite you to make any closing comments you would like to make because I do not want to end it by my having painted a picture that you might not want to be associated with.

Mr. DINH. No, sir. I do appreciate the fact that we all recognize that we are living in a world of limited resources, and resources have been much more limited since March of this year—or actually since last week when everybody says we have been in recession since March of this year. So I think that the question as to how we deploy those resources will be a critical one as we go through this budgeting process and also the manner through which we assist our State and local partners will be one that we are currently deliberating and I am sure we will have a chance to visit again on that matter.

One thing I would like to say is to thank you for your continuing leadership in these matters and in the fight against terrorism, and we look forward to working with you in this process and in the future.

Chairman BIDEN. Well, I look forward to working with you, and I know these are going to be hard calls. That is why I am not pressing you too hard today, but as your colleagues—on the political side of this equation in the Justice Department, that is good, not bad. I am not being critical about that—make the case to you that we should spend less, remind them that these are the guys who spend a whole life talking about unfunded mandates. We basically have, necessarily, an unfunded mandate going on out there, and that is, everyone from the New Castle County Police Department to the State Police, of the sheriffs in Virginia to the State police in Montana, we are saying to them help us fight terrorism, help us deal with borders, help us deal with a thousand other things, which are Federal responsibilities. I hope we recognize we have to help them out.

At any rate, thank you very much. I appreciate it. I will submit some questions in writing, with your permission, in the next week or two, and if you are able to respond, I would appreciate it.

Mr. DINH. Thank you, sir. I will do it before Christmas.

Chairman BIDEN. Thanks an awful lot. I do not want to slow up. If you do not have them done by Christmas, wait until New Year's. I do not want to ruin your Christmas.

Mr. DINH. Thank you.

Chairman BIDEN. Thank you very much.

The next panel are a group of very distinguished local officials who have had some national reach. The first is, I have to admit to

you, one of my good friends and closest allies, but, most importantly, a close personal friend for over 30 years, Thomas P. Gordon, the County Executive of New Castle County in the State of Delaware.

Tom, why don't you come up and sit in the middle there or wherever they put your name down.

Tom spent more than two decades in New Castle County Police Department, including 7 years as chief. He brought it through a transition period that was literally astounding. It is recognized as—and I realize I am parochial—one of the finest police agencies in the country and clearly one of the finest county police agencies in the country. During his tenure as police chief, he made New Castle County Police Department into this nationally recognized model for community policing.

By my count, New Castle County has received over 60 officers through the COPS program, and crime is down by one-third since 1996 in the county, thanks much to the tutelage of their then-chief who was then handed over to a woman sitting behind the county executive who succeeded him as chief of that department and continued the same exact tenure with the same results.

Next, we will hear from Colonel Lonnie Westphal, chief of the Colorado State Patrol. Colonel Westphal is the fifth vice president of the International Association of Chiefs of Police. I am told your president is currently a night law student. I wish him the best of law in his exams, which I understand precluded his attendance here today.

Colonel Westphal became chief of the Colorado State Police in 1995. He holds a master of arts degree in public administration at the University of Denver and is a graduate of both the National Executive Institute of the FBI and the John F. Kennedy School of Government for Senior Executives at Harvard. I thank you for being with us this afternoon.

Steve Young is the president of the Fraternal Order of Police. The FOP is the largest law enforcement union in the Nation, with more than 299,000 members.

I am sure he was happy to hear our previous witness, Mr. Dihn, say they are going to be consulted. Let me know how the consultation goes.

Mr. Young is a lieutenant in the Marion City Police Department in Ohio and a graduate of the FBI's National Academy.

Mike Brown is a sheriff of Bedford County, Virginia. He has held the position since 1996 and is here today representing the views of the National Sheriffs' Association.

Sheriff Brown has been a staff support specialist with the CIA, a senior special agent with the Bureau of Alcohol, Tobacco, and Firearms, and he is a veteran of the U.S. Army. Sheriff Brown holds degrees in police administration and the administration of justice from American University.

Dr. Solomon Zhao, am I pronouncing that correctly?

Mr. ZHAO. Right, yes.

Chairman BIDEN. Dr. Zhao is the assistant professor of Criminal Justice, the University of Nebraska in Omaha. Dr. Zhao received his Ph.D. at Washington State University in 1994 and joined the faculty of Nebraska in 1995. His research focuses on evaluation of

criminal justice innovation and organizational changes, particularly as they relate to community policing.

Dr. Zhao is the co-author of a new study measuring the effects the COPS grants have on the crime rate, and it is a pleasure to have him here with us today.

Finally, David—please pronounce it.

Mr. MUHLHAUSEN. Muhlhausen.

Chairman BIDEN. Muhlhausen. That is what I thought. I am getting blind as well, David, as getting old.

David Muhlhausen is the policy assistant of The Heritage Foundation. He holds a master's degree in policy science from the University of Maryland, and I understand that before joining The Heritage Foundation, he served as a staff member to this Committee.

I apologize for not remembering that, David. I am sorry. Thank you for being here today, and welcome back.

Mr. MUHLHAUSEN. I am glad to be here.

Chairman BIDEN. We will now proceed with 5-minute opening statements from each of the witnesses, starting with you, Tom, if you are willing.

STATEMENT OF THOMAS P. GORDON, COUNTY EXECUTIVE, NEW CASTLE COUNTY, DELAWARE

Mr. GORDON. Good afternoon, Subcommittee Chairman Biden. I am Tom Gordon. I am currently serving as the County Executive for New Castle County, Delaware, which is the proud hometown of Senator Joe Biden.

Although I am somewhat new as an elected official, my career prior to public service, public office, was in law enforcement. My background in law enforcement began in 1975 when I was sworn in as a police officer. Throughout my career, I have served as a detective, sergeant, commander of investigations, white collar corruption unit, co-commander of a murder task force, commander of serial task force investigation, and many other diverse positions, and to ultimately being promoted to the rank of chief of police.

Until my experience as chief of police, however, nothing in my entire career taught me the most critical component of successful policing, not the long hours of surveillance, not the murder convictions, nor the arrest of rapists and child molesters, not the innovative police training, weapons or tactics. None of these were most critical, while in itself virtually important to success of policing.

My 8 years as chief of police taught me that the most critical component of successful American policing is money. Moreover, not until I became responsible for a multimillion-dollar budget, local government budget, and billions of dollars, capital projects, did I likewise learn the critical component of successful local governance money.

I imagine that many of you remember serving in somewhat lesser positions prior to your current honored seats. Perhaps some of you even served in local governments where every tax dollar is publicly scrutinized, every referendum is voted down, and every bid goes to the lowest bidder.

In most of America, law enforcement is the responsibility of local government, all of which has competing demands upon very limited financial resources. American law enforcement needs financial help

to continue to improve its performance. The continued reliance upon the sole source of local tax revenue only dictates the resultant public policy of local policing at low bid. Most local police departments cannot afford much else.

When law enforcement competes for the same local tax dollars that other lobbyists and special interest group coveted, law enforcement seldom wins. You see, there are really few proponents for more money for law enforcement. The daily customers of police, if you will, are criminals who generally are not active lobbyists for more police officers on our street.

Compare, for example, the activists who lobby government for the precious limited dollars to build more libraries, to operate more parks, or construct more sewer lines. Local elected officials need local campaign contributions and popular support to win elections. Therefore, they listen to the builders, to developers, to business groups, the lobbyists, and activists who are generally silent about the allocation of tax dollars for police instead of their preferred projects of sewer, roads, and building projects. No doubt about it, policing is costly.

Quality policing is even more expensive. American policing should not be relegated to shoestring budgets already strapped with demands from local government services. American policing needs the continued investment of Federal dollars.

The COPS program and Federal funding has benefitted local law enforcement and local communities with astonishing results. Let me illustrate some of the successes attained in New Castle County by the COPS program.

New Castle County has a population of just over 500,000. It comprises an area of 440 square miles. The county encompasses 1,200 distinct communities, 13 incorporated areas, and is categorized as an urban/suburban mix, and it is true that, much of the Nation in the past 20 years, we have experienced extraordinary growth that has put a strain on our resources and resulted in the need to continually add officers just to keep up with the growing population.

In addition to this challenge, the 1980's saw a steady increase in calls to the 911 center. Using a traditional approach to crime of policing, we were complaint-driven. Demands for services were increasing at a rate of about 7 percent per year, growing faster than our ability to respond. Each incident was treated as a singular event outside the context of pertinent historical data. There were no systematic effort to determine implications for the future. The police process was reactive and cyclical. A complaint was received; an officer was dispatched. Upon apprehending a suspect, he or she was put through the court's process and hopefully, eventually, incarcerated. After a few months, a few years, this same person went back on the streets, and the cycle began again.

Until the COPS program, we partnered with the Harvard University experts from the Kennedy School of Government, Mark More. Dr. More's guidance instituted community policing, first and foremost. We pattern our police force after the best examples of private industry by instituting philosophy of citizen accountability. We tailored our services to fit community policing, and it is labor intensive because we take officers and locate them in the communities to be served. On foot, on bikes, on horseback, on motorcycle, the of-

ficers go into our neighborhoods, not only to respond to the community, but to become familiar with the presence in our community, to be identified as a partner.

Our officers talk to citizens. They encourage the formation of the active role of civic associations, and they have earned the trust of those that they serve. Community policing, however, is more important than just putting officers on a street and in a neighborhood. It also provides a wide range of opportunities for citizens to be involved in public safety.

We divided the county into four geographic areas and formed citizen advisory councils in each of those areas. We offer citizen police academies. We have now graduated 13 classes to help our interesting citizens better understand police work. And for the younger people, we have instituted youth police academies. All of these efforts take live bodies.

Since 1993, 47 officers and 12 civilians have been hired by New Castle County Police, utilizing the COPS program. It is important to note the value of hiring civilians.

Those employees took over many administrative responsibilities and freed officers who required more specialized training and were generally more highly compensated so that they could get out on the street.

What is the net effect? Well, since 1996, the crime rate has dropped 32 percent county-wide. Crime rates have been cut almost by one-third.

Let's look at some other specifics. One of the greatest challenges and frustrations in law enforcement is domestic violence. Victims often recant their complaints. Traditionally, the huge percentage of homicides has been linked to domestic violence. Utilizing COPS funding, we produced two training videos regarding the problems of domestic violence to be used both by law enforcement personnel as well as in the community. We purchased pocket tape recorders and instant cameras for all patrol officers. Officer tape their interviews with victims immediately, thereby strengthening the case for prosecution. We hired a civilian to track all cases of domestic violence and identify problem residents immediately for early intervention.

The results tell the story. There has been a 24-percent increase in successful prosecution of domestic violence cases. Even more dramatic, the percentage of homicides that are domestic-related has dropped from 86 percent to 18 percent.

Let's look at specific communities. The neighborhood of Brookmont Farms in New Castle County has long been a poor stepchild. While the county-wide poverty rate is 7 percent, the census track including Brookmont Farms was 24 percent. All of the worst elements that can be found in an impoverished community exist in Brookmont Farms.

Drugs were bought and sold in an open-air market. Shootings were common. Housing was not maintained, and over three-quarters of the properties were rental units. When we first set up a trailer to be used for community policing, it was burned to the ground. I publicly talked about bulldozing the entire community.

Utilizing the COPS funding through the advanced community policing grant, we put all of the elements of community policing to

work in Brookmont Farms. We sent out walking and bike patrols. We formed innovative partnerships and worked to increase community involvement and enlisted their assistance in lowering the crime rates.

The numbers are impressive. Calls for service are down by 1,500. Assaults have dramatically declined, a 70-percent drop. Burglaries have dropped 66 percent. Thefts are down by 60 percent. Even incidents of disorderly conduct registered a 65-percent drop. That is what it takes to turn communities around, to provide law-abiding citizens with a safe environment where their children can play and wait for school buses without placing themselves in harm's way. That is what money buys you.

Yes, crime is down across this country. Yes, violence is decreasing across our country. Yet, quality of life in our cities and our suburbs is improving. This is no time to decrease funding for local law enforcement.

Historically, when the economy turns down, there is a predictable rise in crime. Our economy is staggering with slim hopes of rapid return to an economic boom. The law enforcement community is aware that layoffs and downsizing and the bankruptcies and the homelessness and the plight of the newly impoverished families will spawn a rise in crime. Domestic violence, car thefts, home burglaries will increase. The drug business will track more entrepreneurs seeking any employment opportunity. More drugs means more addicts. It means more criminals. Law enforcement needs to continue the support of Federal dollars.

In recognition of our time constraints, I would like to thank you for the opportunity to address this country's esteemed subgroup of the Judiciary Committee. Please allow me to thank you as representatives of our Federal Government for the past financial support of law enforcement. We in government and we in the ranks of police appreciate your help.

You know, like most of you, I am sure I remember exactly what I was doing on September 11th as it unfolded. I was huddled in the county executive's office with the colonel and chief of police along with other key staff members. In horror, we watched the news channel to see the disaster unfold before our eyes.

As the shock set in, we simulated the possible ramifications in our lives. Our first act was to place the police department on full alert. Ultimately, they were deployed for hundreds of hours and readiness in support of citizens in responding to an immeasurable amount of suspicious reports.

I turned to the police department not because I was county executive and not because I was a former chief, but because I needed help immediately. I needed the best protection for our local community. That is what police officers are. They protect our peace, our property, our children, and our lives. Our American police are modern-day Knights of the Round Table. Whenever the unthinkable happens, our police officers are called upon to solve it.

From street crimes to civil unrest, from terrorism to homelessness, from riots to a lost child, our police officers are the first line of protection and our best line of protection. American policing needs the continued financial support from our Federal Govern-

ment. The COPS program has been one of the most successful Federal programs in the history of policing.

Across the Nation, there are tangible results and real success stories. It is an ironic twist that the funding could disappear for the very heroes all Americans are thanking since September 11th.

We hope we can continue to rely on your support, and thank you, Senator Biden.

[The prepared statement of Mr. Gordon follows.]

STATEMENT OF THOMAS P. GORDON, COUNTY EXECUTIVE, NEW CASTLE COUNTY, DELAWARE

Good afternoon, Subcommittee Chairman Biden, Ranking Member Grassley, and distinguished members of the Senate Judiciary Committee, Subcommittee on Crime and Drugs. My name is Tom Gordon; I currently serve as the County Executive for New Castle County, Delaware, which is the proud hometown of Senator Joe Biden. Although I am somewhat new to elected office, in comparison to Senator Biden, my entire career, prior to public office, was in law enforcement. My background in law enforcement began in 1975, when I was sworn in as a police officer. Throughout my career, I have served as a detective, sergeant, commander of investigations, and white collar corruption, co-commander of murder task force, commander of serial rape investigations, and many other diverse positions, until ultimately being promoted to Chief of Police.

Until my experience as Chief of Police, however, nothing in my entire career taught me the most critical component of successful policing. Not the long hours of surveillance, not the murder convictions, not the arrests of rapists and child molesters, not the innovations in police training, weapons or tactics-none of these is the most critical; while each is, in itself, vitally important to successful policing.

My eight years as Chief of Police taught me that the most critical component of successful American policing is money. Moreover, not until I became responsible for multi-million dollar, local-government budgets, and billion dollar, capital-projects did I, likewise, learn the most critical component of successful local governance-money. I imagine that many of you remember serving in somewhat lesser positions, prior to your current honored seat. Perhaps some of you even served in local government, where every tax dollar is publicly scrutinized, every referendum is voted down, every bid goes to lowest bidder.

In most of America, law enforcement is the responsibility of local government, all of which have competing demands, upon very limited financial resources. American law enforcement needs financial help to continue to improve its performance. The continued reliance upon the sole source of local tax revenue only dictates the resultant public policy of local policing at low bid. Most local police departments cannot afford much else.

When law enforcement competes for the same local tax dollars that other lobbyists and special interest groups covet, law enforcement seldom wins. You see, there are really few proponents for more money for law enforcement. The daily "customers" of police, if you will, are criminals. . . .who are generally not active lobbyists for more police officers on our streets. Compare, for example, the activists who lobby local government for precious, limited dollars to build more libraries, operate more parks, or construct more sewer lines. Local elected officials need local campaign contributions and popular support to win elections; therefore they listen to the builders, developers, business groups, lobbyists, and activists who are generally silent about allocation of tax dollars to police, instead of their preferred projects of sewers, roads, building projects, etc.

No doubt about it: policing is costly. Quality policing is even more expensive. American policing should not be relegated to shoe-string budgets, already strapped with demands for other local government services. American policing needs the continued investment of federal dollars. The COPS Program and Federal funding has benefited local law enforcement and local communities with astonishing results. Let me illustrate some of the successes attained in New Castle County because of the COPS program.

New Castle County has a population of just over 500,000 and comprises an area of 440 square miles. The County encompasses over 1200 distinct communities, 13 incorporated areas and is categorized as urban/suburban mix.

As is true in much of the nation, in the past 20 years we have experienced extraordinary growth that has put a strain on our resources and resulted in the need to continually add officers just to keep pace with a growing population.

In addition to this challenge, the 1980s saw steady increases in calls to the 911 Center. Using the traditional approach to crime and policing, we were complaint-driven. Demands for service were increasing at a rate of 7 percent per year, growing at a rate faster than our ability to respond. Each incident was treated as a singular event outside the context of pertinent historical data. There were no systematic efforts to determine implications for the future. The police process was reactive and cyclical. A complaint was received, an officer dispatched. Upon apprehending a suspect, he or she was put through the court process and, hopefully, eventually incarcerated. After a few months, or a few years, the same person was back on the streets and the cycle began again.

Utilizing COPS dollars, we instituted Community Policing. First and foremost, we patterned our police force after the best examples of private industry by instituting a philosophy of citizen accountability. We tailor our services to fit our citizens' needs.

Community Policing is labor-intensive because we take officers and locate them in the communities to be served. On foot, on bikes, horses or motorcycles, the officers go out into the neighborhoods—not only to respond to complaints, but to become a familiar presence in the community, to be identified as a partner. Our officers talk to citizens, they encourage the formation and active role of civic organizations and they earn the trust of those they serve.

Community Policing, however, is more than just putting officers on the streets and into neighborhoods. It is also providing a range of opportunities for citizen involvement in public safety. We have divided the County into four geographic areas and formed citizen advisory councils in each of those areas. We offer Citizens Police Academies—we have now graduated 13 classes—to help interested citizens better understand police work and, for young people, Youth Police Academies.

All these efforts take live bodies. Since 1993, 47 officers and 12 civilians have been hired in New Castle County utilizing COPS funding. It's important to note the value of hiring civilians. Those employees took over many administrative responsibilities and freed officers—who require more specialized training and who are generally more highly compensated—to get out on the streets.

What's the net effect? Well, since 1996, crime rates have dropped 32 percent countywide—crime rates cut by almost one-third.

Let's look at some specifics. One of the greatest challenges and frustrations in law enforcement is domestic violence. Victims often recant their complaints. Traditionally, a huge percentage of homicides have been linked to domestic violence. Utilizing COPS funding, we produced two training videos regarding the problem of domestic violence, to be used for both law enforcement personnel and in the community. We purchased pocket tape recorders and instant cameras for all patrol officers. Officers tape their interviews with victims immediately, thereby strengthening the cases for prosecution. We hired a civilian to track all cases of domestic violence and identify problem residences immediately for early intervention.

The results tell the story. There has been a 24 percent increase in successful prosecutions of domestic violence cases. Even more dramatic, the percentage of homicides that are domestic-related has dropped from 86 percent to 18 percent.

Let's look at a specific community. The neighborhood of Brookmont Farms has long been New Castle County's poor stepchild. While the countywide poverty rate is 7 percent, in the census tract including Brookmont, it was 24 percent. All the worst elements that can be found in an impoverished community existed in Brookmont. Drugs were bought and sold in open-air drug markets. Shootings were common. Housing was not maintained and over a third of the properties were rental units. When we first set up a trailer to use for Community Policing, it was burned to the ground. I publicly talked about simply bulldozing the community down.

Utilizing COPS funding through the Advanced Community Policing grant, we put all the elements of Community Policing to work in Brookmont. We sent out walking and bike patrols, we formed innovative partnerships and worked to increase community involvement and enlist their assistance in lowering the crime rate. The numbers are impressive. Calls for service are down by 1500. Assaults have dramatically declined—a 70 percent drop. Burglaries have dropped 66 percent. Thefts are down by 50 percent. Even incidents of disorderly conduct register a 65 percent drop.

That's what it takes to turn a community around and to provide law-abiding citizens with a safe environment where their children can play and wait for the school bus without placing themselves in harms way. That's what money buys you.

CONCLUSION

Yes, crime is down across our country. Yes, violence has decreased across our country. Yes, quality of life in our cities and in our suburbs is improving. This is no time to decrease funding for law enforcement.

Historically, when the economy turns down, there is a predictable rise in crime. Our economy is still sagging, with slim hopes of a rapid return to an economic boom. The law enforcement community is aware that the lay offs, the downsizing, the bankruptcies, the homelessness, and the plights of newly impoverished families will all spawn a rise in crime.

Domestic violence, car thefts, and home burglaries will increase. The drug business will attract more entrepreneurs seeking any employment opportunity. More drugs means more addicts, which means more criminals. Law enforcement needs the continued support of our federal dollars.

In recognition of our time constraints, I would like to thank you for the opportunity to address our country's esteemed subcommittee of the Senate Judiciary. Please allow me to thank you, as representatives of our federal government, for the past financial support of law enforcement. We, in local government, and we in the ranks of police, appreciate your help.

You know, like most of you I'm sure, I remember exactly where I was when the events of September 11, 2001 unfolded,. I was huddled in our Executive Offices with Colonel Cunningham, the current Chief of Police and other key staff members. In horror, we watched the news channel to see the disaster unfold before the eyes of all America. As the shock set in, we assimilated what the possible ramifications in our lives. Our first act was to place the police department on full alert. Unfortunately they were deployed for hundreds of hours in readiness, in support of citizens and responding to immeasurable suspicious reports.

Not because I am County Executive, and not because I was Chief of Police, but because I needed immediate help. I needed the best protection for our local communities. That's what police officers are. They protect our peace, our property, our children, our lives. Our American police are modern day knights of the roundtable. Whenever the unthinkable happens, our police officers are called upon to solve it.

From street crime to civil unrest, from terrorism to homelessness, from a riot to a lost child, our police officers are our first line of protection and our best line of protection.

American policing needs the continued financial support from our federal government. The COPS Program has been one of the most successful federal programs in the history of policing. Across the nation, there are tangible results, and real successes. It is a ironic twist that funding could disappear for the very heroes all Americans are thanking daily since September 11th.

We hope we can continue to rely on your support.

Chairman BIDEN. Tom, thank you for taking this appearance so seriously and for your statement.

Colonel?

STATEMENT OF COLONEL LONNIE WESTPHAL, CHIEF, COLORADO STATE PATROL, AND VICE PRESIDENT, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Mr. WESTPHAL. Thank you, Mr. Chairman. As you said, I am Colonel Lonnie Westphal, chief of the State Patrol of Colorado. I am also the fifth vice president for IACP, and after 28 years in the State Patrol, I, too, think like a cop.

Chairman BIDEN. You have good reason to.

Mr. WESTPHAL. I am very pleased to be here today on behalf of the International Association of Chiefs of Police. As you may know, the IACP is the world's oldest and largest police organization, founded in 1893, with the current membership exceeding 18,000 law enforcement executives.

The IACP has been, and continues to be, a strong supporter of the COPS program and the COPS office. Since its inception in 1994, the COPS program and the community policing philosophy it fosters has been very successful in helping law enforcement agen-

cies throughout the Nation reduce crime rates and maintain safer communities.

During the last decade, communities throughout the Nation have witnessed the remarkable decline in the rate of crime. America today is a far safer place than America of 1991. Years of innovative and effective efforts by Federal, State, and local law enforcement agencies have transformed our neighborhoods from havens of fear to safer, more secure communities.

Our success in reducing the level of crime can be traced to several factors. In 2001, the police officers are better trained, better educated, and better equipped than their predecessors. In addition, advances in communication and information technologies have allowed law enforcement administrators to develop comprehensive, integrated crime reduction strategies.

However, one of the most significant factors in the reduction in crime levels has been the partnership between law enforcement agencies and the communities they serve. By embracing the philosophy of community policing, law enforcement agencies have been able to work with citizens to create safer towns and cities. We have learned that to be effective, police cannot operate alone. They must have the active support and assistance of citizens and the communities.

It is the IACP's belief that the COPS program has played an integral role in achieving this success. By providing law enforcement agencies with the necessary resources, training, and assistance, the COPS program has become an invaluable ally to State and local law enforcement agencies.

The numbers speak for themselves. Since 1994, the COPS office has invested more than $8.5 billion to assist State and local law enforcement agencies in hiring officers, acquiring vital crime-fighting technology, and assisting agencies in receiving training and other technical assistance.

In addition, because it is dedicated only to meeting the needs of the Nation's law enforcement agencies, the COPS office has become a key component in the Federal, State, and local law enforcement partnership. In fact, because of its focus on law enforcement issues, the COPS office is often the first place that State and local law enforcement agencies turn when they need financial assistance to meet emerging public safety needs.

The success of the COPS program, however, is not solely due to the amount of Federal assistance funds that have been made available to State and local law enforcement agencies, but also to the manner in which the program has operated. The key to the success of the COPS program is that it works with the individuals who best understand the needs of their States and communities, State and local law enforcement executives. By adopting this approach, the COPS office ensures that the right funds are being provided to the correct agencies to address the appropriate needs.

At this critical time, it is vital for the Federal Government to ensure that it has an efficient and effective means of providing State and local law enforcement agencies with the assistance they require. For the last 7 years, the COPS office has demonstrated that it is the agency to accomplish this task. It is because of its unique role in serving the needs of State and local law enforcement that

the IACP strongly believes that the COPS office must remain an independent component within the Department of Justice.

It is also important to note that the COPS program is not entirely about hiring officers or providing law enforcement agencies with new equipment. The program also serves as a catalyst for the innovative policing programs that address urgent law enforcement issues and develop policies, programs, training, and technical assistance to help law enforcement solve those issues. As I appear before you today, combating terrorism looms at the most urgent issue facing our members and the communities they serve.

Although the primary mission of law enforcement agencies has always been to ensure public safety, the events of September 11th have dramatically and significantly changed the focus of law enforcement operations. Suddenly, agencies and officers who have been trained and equipped to deal with traditional crimes are now focused on apprehending individuals operating with different motivations, who have different objectives, and who use much deadlier weapons than traditional criminals. As a result, law enforcement agencies and officers will need new training and new equipment to meet this new threat.

As agencies prepare to meet this challenge, the IACP believes that the COPS office can play a vital role in assuring that the necessary resources are made available to State and local law enforcement agencies. In particular, the IACP believes that the COPS office would be the logical agency to provide assistance funds to State and local law enforcement agencies so that they may purchase necessary safety equipment for their officers, provide terrorism-related training programs, and to meet the increased manpower demands placed on agencies since September 11th.

It is the IACP's hope that at this difficult time for our Nation's law enforcement agencies, the COPS office will continue to provide them with the assistance and the support they have enjoyed over the last 7 years.

Mr. Chairman, this concludes my statement, and I would be glad to answer any questions you may have.

[The prepared statement of Mr. Westphal follows:]

STATEMENT OF COLONEL LONNIE WESTPHAL, VICE PRESIDENT OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Good Afternoon, Mr. Chairman, Senator Grassley, and Members of the Committee:

I am pleased to be here today on behalf of the International Association of Chiefs of Police. As you may know, the IACP is the world's and largest police organization, founded in 1893, and with a current membership exceeding 18,000 law enforcement executives.

The IACP has been, and continues to be, a strong supporter of the COPS program and the COPS Office. Since its inception in 1994, the COPS program, and the community policing philosophy it fosters, has been very successful in helping law enforcement agencies throughout the nation reduce crime rates and maintain safer communities.

During the last decade, communities throughout the nation have witnessed a remarkable decline in the rate of crime. America today is a far safer place than the America of 1991. Years of innovative and effective efforts by federal, state and local law enforcement agencies have transformed our neighborhoods from havens of fear to safer, more secure communities.

Our success in reducing the level of crime can be traced to several factors: in 2001 the police officers are better trained, better educated and better equipped than their predecessors. In addition, advances in communication and information technologies

have allowed law enforcement administrators to develop comprehensive, integrated crime reduction strategies.

However, one of the most significant factors in the reduction in crime levels has been the partnership between law enforcement agencies and the communities they serve. By embracing the philosophy of community policing, law enforcement agencies have been able to work with citizens to create safer towns and cities. We have learned that to be effective, police can not operate alone; they must have the active support and assistance of citizens and communities.

It is the IACP's belief that the COPS program has played an integral role in achieving this success. By providing law enforcement agencies with the necessary resources, training and assistance, the COPS program has become an invaluable ally to state and local law enforcement agencies.

The numbers speak for themselves. Since 1994, the COPS Office has invested more than 8.5 billion dollars to assist state and local law enforcement agencies in hiring officers, acquiring vital crime fighting technology, and assisting agencies in receiving training and other technical assistance. In addition, because it is dedicated only to meeting the needs of the nation's law enforcement agencies, the COPS office has become a key component in the federal, state, and local law enforcement partnership. In fact, because of its focus on law enforcement issues, the COPS office is often the first place that state and local law enforcement agencies turn to when they need financial assistance to meet emerging public safety needs.

However, the success of the COPS program is not due solely to the amount of federal assistance funds that have been made available to state and local law enforcement agencies, but also to the manner in which the program has operated. The key to the success of the COPS program is that it works with the individuals who best understand the needs of their states and communities: state and local law enforcement executives. By adopting this approach, the COPS Office ensures that the right funds are being provided to the correct agencies to address appropriate needs.

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It is the IACP's hope, that at this difficult time for our nation's law enforcement agencies, the COPS office will continue to provide them with the assistance and support that have enjoyed over the last seven years.

This concludes my statement. I would be glad to answer any questions you may have.

Chairman BIDEN. Colonel, thank you. I do have questions, but I am going to hear from everyone else in the meantime, and by the way, thanks for being here. It is a big deal.

Mr. WESTPHAL. Thank you, Mr. Chairman.

Chairman BIDEN. Sheriff, welcome north.

STATEMENT OF MIKE BROWN, SHERIFF, BEDFORD COUNTY, VIRGINIA, AND NATIONAL SHERIFFS' ASSOCIATION

Mr. BROWN. Thank you. Delighted to be here. It is always great to be at the seat of government.

Mr. Chairman and members of the Committee, thank you for the opportunity to come before you today and to speak about this program called the COPS program.

Sheriffs are elected officials, like yourself, and as such, we work for the constituents, the voters. Because of this unique relationship, sheriffs are closer to the community than most, and naturally we come to know our communities very well. Community policing is a natural fit for the sheriff, and we think that has been demonstrated by the President's pick of former Sheriff Carl Peed to lead the COPS office. He is the right man for the job, and I know he has the support of the 3,088 sheriffs throughout this great Nation.

My name is Mike Brown, and I am the Sheriff of Bedford County, Virginia. Bedford County lies in the Blue Ridge Mountains, between Roanoke and Lynchburg, Virginia, and is the home of the National D–Day Memorial.

I am a retired Federal agent with 34 years in the law enforcement and intelligence community, but I am honored to have been the Sheriff for Bedford County since 1996.

Today, I am pleased to represent the National Sheriffs' Association, where I serve on the board of directors and am a member of the Congressional Affairs Committee.

At the outset, let me say that we support the COPS program, and nearly two-thirds of all sheriffs in this Nation have received a COPS grant. With this added capability that the COPS grant provides, I believe we have reduced crime, streets are safer, and honest law-abiding citizens feel more secure in their communities, but while we support the office of COPS, there are some changes that can be made that we feel would benefit sheriffs and other law enforcement officials.

As you may know, sheriffs around the Nation depend on the COPS program to supplement their law enforcement capabilities. Sheriffs need the additional funding provided so that they can better protect and serve their communities. The COPS program has been, as far as we are concerned, an overwhelming success and has had a tangible and positive impact on crime reduction.

Is it the sole reason for crime reduction? Possibly not, but that does not diminish its value to law enforcement. Many factors have contributed to crime reduction. However, COPS has played an important role, and I think it would be a mistake to say that the mission of the COPS office has been completed, therefore, the program can be eliminated.

The National Sheriffs' Association supports a flexible COPS program that allows sheriffs to determine their own needs and apply for funds accordingly. Sheriffs have overwhelming technology needs that can be addressed through the COPS technology grant programs. In that vein, we are grateful that Congress has reconsidered the need to prove the redeployment of officers as a result of

the technology. In our experience, this burden discourages sheriffs from submitting worthy programs for funding and led agencies to play games with redeployment figures.

The COPS program can help sheriffs purchase state-of-the-art technology. In this information age, it is more important than ever that we strive to achieve telecommunications and systems compatibility among criminal justice agencies, improve our forensic sciences capability at the State and local levels and encourage the use of technology to predict and prevent crime. The total package of law enforcement support that COPS provides is an integral part of crime control in America.

COPS is also a valuable ally in the fight against school violence. The COPS in Schools program provides a school resource officer for jurisdictions to better understand the unique needs of law enforcement in schools. These SROs provide a strong link between school administrators and law enforcement officials. It also provides an immediate response capability to any criminal activity on school grounds.

Beyond hiring and technology, COPS has a role to play in the national fight against terrorism. As you know and are aware, the National Sheriffs' Association directs and maintains the National Neighborhood Watch program. We believe that this program can be a way for the average American to join the fight against terrorism. Just as the program currently helps neighbors spot suspicious activity, we feel that with Federal support the program can evolve to help neighbors look out for one another and prevent terrorists from hiding deep in American society, as did those who attacked New York City and the Pentagon.

Calling all Americans "soldiers in the war against terrorism," President Bush encouraged citizens to report suspicious activity and remain "in a heightened state of alert for more terrorist attacks." In what Attorney General John Ashcroft described as "another step in what is, in effect, a national neighborhood watch," he urged Americans who may have "seen the hijackers or been in contact with them" to contact the FBI with any information they may have.

Neighborhoods across the Nation are facing a new reality since the tragic events of September the 11th. People fear continued victimization at the hands of terrorists. Our Nation cannot afford to wait until terrorists show themselves through further cowardly attacks. Terrorist must be detected before they strike again.

The experience of September the 11th has shown that current law enforcement and intelligence operations lack an early warning capability to identify terrorists before the attack. An observant and alert neighbor could have tipped, and can possibly tip, law enforcement to the presence of terrorists in the community.

In our view, COPS can take a lead role in adapting Neighborhood Watch programs for the prevention of terrorism. A Neighborhood Watch program that energizes average Americans in the fight against terrorism will greatly enhance the security of our Nation and make Americans safe in their homes, neighborhoods, and communities.

In conclusion, COPS is a program that is vital to law enforcement and to sheriffs in both rural and urban jurisdictions. We es-

pecially appreciate the fact that the COPS office is user friendly. It makes applying for grants significantly easier and much less intimidating. The direct connection that COPS has with law enforcement allows it to be effective and meet its goals.

Mr. Chairman, without COPS, I firmly believe our communities would be a little less safe and a little more dangerous. Thank you again for your commitment to reducing crime. Know that the National Sheriffs' Association will do our part in the fight against crime, and given the proper resources, we can truly make a difference.

Mr. Chairman, thank you very much for allowing me to speak this day.

[The prepared statement of Mr. Brown follows:]

STATEMENT OF MIKE BROWN, SHERIFF, BEDFORD COUNTY, VIRGINIA, AND NATIONAL SHERIFFS' ASSOCIATION

Mr. Chairman and Members of the Committee, thank you for the opportunity to come before this distinguished committee to talk about the COPS program. I like to tell people that sheriffs have been doing community policing well before that term entered our vocabulary. Sheriffs are elected officials, like yourself, and as such we work for the constituents—the voters. Because of this unique relationship, sheriffs are closer to the community than most and naturally, we come to know our communities very well. Community policing is a natural fit for sheriffs and we think that has been demonstrated by the President's pick of former Sheriff Carl Peed to lead the COPS office. We are pleased to see him working on behalf of our nation's state and local law enforcement. He's the right man for the job and I know he has the support of the 3,088 sheriffs across this great country.

My name is Mike Brown and I am the Sheriff of Bedford County, Virginia. Bedford County lies in the Blue Ridge Mountains, between Roanoke and Lynchburg, Virginia, and is home to the National D-Day Memorial. Bedford County is the third largest county (in land mass) in the state with a population of nearly 60,000 residents. I am a retired federal agent with 34 years of law enforcement and intelligence experience and it has been my honor to be the Sheriff of Bedford County since 1996. Today I am pleased to represent the National Sheriffs' Association, where I serve on the Board of Directors and am a member of the Congressional Affairs Committee.

At the outset, let me say that we support the COPS program and nearly two-thirds of all of the sheriffs in the nation have received a COPS grant. With the added capability that a COPS grant provides, I believe we have reduced crime, streets are safer and honest law-abiding people feel more secure in their communities. But while we support the office there are some changes that can be made that we feel would benefit sheriffs and other law enforcement officials.

As you may know, sheriffs around the nation depend on the COPS program to supplement their law enforcement capabilities. Sheriffs need the additional funding provided so that they can better protect and serve their communities. The COPS program has been an overwhelming success and has had a tangible and positive impact on crime reduction. Is it the sole reason that crime is down? Probably not, but that does not diminish its value to law enforcement. Many factors have contributed to crime reduction, however, COPS has played an important role and I think it would be a mistake to say that the mission of the COPS office has been completed therefore the program can be eliminated.

NSA supports a flexible COPS program that allows sheriffs to determine their own needs and apply for funds accordingly. Sheriffs have overwhelming technology needs that can be addressed through the COPS technology grant programs. In that vein, we are grateful that Congress has reconsidered the need to prove the redeployment of officers as a result of the technology.

In our experience, this burden discouraged sheriffs from submitting worthy programs for funding and led agencies to play games with redeployment figures.

The COPS program can help sheriffs purchase state-of-the-art technology. In this information age, it is more important than ever that we strive to achieve telecommunications and systems compatibility among criminal justice agencies, improve our forensic sciences capability at the state and local level and encourage the use of technologies to predict and prevent crime. The total package of law enforcement support that COPS provides is an integral part of crime control in America.

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Calling all Americans "soldiers in the war against terrorism" President Bush encouraged citizens to report suspicious activity and remain "in a heightened state of alert for more terrorist attacks." (October 30, 2001) In what Attorney General John Ashcroft described as "another step in what is, in effect, a national neighborhood watch," he urged Americans who may have "seen the hijackers or been in contact with them" to contact the FBI with any information they may have. (September 28, 2001)

Neighborhoods across the nation are facing a new reality since the tragic events of September 11th. People fear continued victimization at the hands of terrorists. Our nation cannot afford to wait until terrorists show themselves through further cowardly attacks; terrorists must be detected before they strike again. The experience of September 11 has shown that current law enforcement and intelligence operations lack an early warning capability to identify terrorist before the attack. An observant and alert neighbor could have tipped law enforcement to the presence of terrorists in the community.

In our view, COPS can take a lead role in adapting Neighborhood Watch programs for the prevention of terrorism. A Neighborhood Watch program that energizes average Americans in the fight against terrorism will greatly enhance the security our nation and make Americans safe in their homes, neighborhoods and communities.

In conclusion, COPS is a program that is vital to effective law enforcement and to sheriffs in both rural and urban jurisdictions. We especially appreciate the fact that the COPS office is user friendly. It makes applying for grants significantly easier and much less intimidating. The direct connection that COPS has with law enforcement allows it to be effective and meet its goals.

Mr. Chairman, without COPS, I firmly believe our communities would be a little less safe and a little more dangerous.

Thank you again for your commitment to reducing crime. Know that NSA will do our part in the fight against crime and given the proper resources, we can truly make a difference.Thank you, Mr. Chairman for your time this afternoon. I look forward to answering any questions the Committee may have.

Chairman BIDEN. Sheriff, thank you as well, and I might note for the record that IACP as well as the sheriffs and the next outfit really did draft this COPS bill. I mean, this goes back to 1993, sitting around that table in my office, and it literally was—I do not know. There may be other times when that has been done, but I do not think there has ever been a time where a major piece of legislation, which is part of the criticism we get, has been drafted. And I am going to come back to you, Sheriff, to give you a little heads-up, in the questioning, so you can think about it.

Just because we have a COPS program, just because it was written the way it was, it does not mean it cannot be improved. So I would like to hear from you all. I am going to give you a heads-up now. When we get to questioning, I am going to ask you about what kinds of things you think we should be doing to improve the COPS program, but, at any rate, that is just to give you time to think while you are waiting to hear other people's testimony.

Steve, fire away.

STATEMENT OF STEVE YOUNG, LIEUTENANT, MARION CITY POLICE DEPARTMENT AND NATIONAL PRESIDENT, FRATERNAL ORDER OF POLICE

Mr. YOUNG. Thank you, Senator.

Before I get into my prepared remarks, I would like to share with you that yesterday in the afternoon, I attended the medal ceremony for the New York City Police Department, and 23 of those medals were handed out posthumously. Next May 15th as we gather here on the West Lawn of the White House to honor the fallen officers across the country, we anticipate that we will be honoring about 225 officers.

I say that because I want to thank you for the effort you gave personally to increase the public safety officer's benefit, and as you see the spouses and the children and the families that have been impacted by these tragedies, our appreciation for your efforts there cannot be overstated, but at the very least, I wanted to say thank you.

Chairman BIDEN. Well, Steve, I want to thank you, but as you know, when you attend that police memorial, as I have for every year for as long as I can think of, that is all you got to do. All you got to do is just be there, just be there once, and you understand that as you look at those women and men survivors, the spouses, the mothers, the fathers, the kids, it does not take much to figure out that we did not even increase that for inflation. So me moving it to a quarter-of-a-million dollars, I appreciate the wonderful and hundreds of people who have contacted me to thank me for that, but, God, it hardly does anything.

What you all put on that memorial service and the strong support of this President and the last President for that particular ceremony is also vitally important. People see it. People feel it. All you got to do is see it. You will feel it, and you will understand what we did is the minimum—minimum we should be doing, but you are kind to recognize it.

Please go ahead with your statement.

Mr. YOUNG. Senator, as you know, my name is Steve Young, and I am the national president of the Fraternal Order of Police, the largest law enforcement labor organization in the Nation, representing more than 299,000 members.

I am here today to speak about our organization's strong support for the Office for Community Oriented Policing Services, or COPS.

The COPS program and the local law enforcement block grant program are the two most effective Federal anti-crime programs today. Both programs allow Federal resources to be focused and directed to the local level, but this year, we are faced with the grim reality that the authorization for the COPS program is close to expiring and the block grant funding was cut by more than 23 percent, which amounts to $121.8 million.

In our view, the COPS program is, and should remain, the back bone of direct Federal aid to local and State law enforcement agencies. The block grant program provides funding to the local unit of government with a great deal of latitude in the use of the money, whether it is lighting for a recreational park to reduce criminal activity at night or to purchase additional squad cars. This type of flexibility is important. However, the strength of the COPS pro-

gram is that it provides targeted funding which goes directly to the local law enforcement agency to increase the number of law enforcement officers available to patrol our streets or serve in our schools as school resource officers.

Congress, with the strong support of a united law enforcement community, made great strides in addressing crime in America by enacting the COPS program as part of the 1994 Crime Act. Today, Congress and the law enforcement community pledged to reduce crime by following the advice of law enforcement: More officers equals less crime.

This simple formula has proved enormously successful. Ahead of schedule and under budget, the COPS office has made good on the congressional pledge, enabling communities to hire or redeploy more than 100,000 law enforcement officers in more than 11,000 State and local agencies across the Nation.

My own department in Marion, Ohio, has received $825,000 from the program, allowing us to hire 11 new officers and redeploy officers into our school resource program. The State of Ohio received an aggregate of $227 million from the COPS office, adding 3,638 officers to the street. Simply put, there is no other Federal program that offers this type of direct assistance to law enforcement agencies. It has a tremendously positive impact on public safety in communities like mine in Marion, Ohio. This, Mr. Chairman, is a great testimonial to the success of the program.

Crime rates have fallen to their lowest levels in decades. A reduction in crime means that there are Americans who likely would have been crime victims had the 1994 Crime Act not been passed and the COPS program never implemented. It is important to emphasize this point: Lives and property were saved because of this program and the efforts of the dedicated men and women in the law enforcement profession.

The COPS program also represents something as equally valuable as more officers on our streets. The COPS program was the centerpiece of a plan to launch a new national law enforcement strategy, community-oriented policing. This practice, which had already proven successful in many communities, is now found in virtually all jurisdictions.

Departments were able to implement community-oriented policing because the COPS program enabled them to call upon Federal resources to get the officers needed to make the strategy work in their communities. Without these resources, law enforcement agencies will be unable to continue this successful strategy.

I cannot imagine that anyone here would want to give back the ground that we have won in the fight against crime. What we must keep in focus is that the community policing strategy has worked to reduce crime in our country. The FOP, along with the rest of the law enforcement community, clearly recognizes the value of this program.

For this reason, we will be working with members of the Senate and the House to not only continue our support of COPS, but to reauthorize the program.

We strongly support your bill, Mr. Chairman, S. 924, the Protection Act, would reauthorize the COPS program through 2007 to hire and retain police officers, pay overtime, and reimburse officers

for pursuing college and advanced degrees to enhance their job skills as well as providing Federal money for new technology.

The FOP believes this legislation builds on a solid foundation of success. We have here a Government program that works. It is inexplicable to me that we would end such a successful program.

I thank you, Mr. Chairman and Ranking Member Grassley, for inviting me to participate in this hearing today, and, of course, I would be pleased to answer any questions.

[The prepared statement of Mr. Young follows:]

STATEMENT OF STEVE YOUNG, LIEUTENANT, MARION CITY POLICE DEPARTMENT, NATIONAL PRESIDENT, FRATERNAL ORDER OF POLICE

Good morning, Mr. Chairman and distinguished Members of the Senate Subcommittee on Crime, my name is Steve Young, and I am the National President of the Fraternal Order of Police, the largest law enforcement labor organization in the nation, representing more than 299,000 members.

I am here this morning to speak about our organization's strong support for the Office for Community Oriented Policing Services, or COPS.

The COPS program and the Local Law Enforcement Block Grant (LLEBG) program are the two most effective Federal anti-crime programs today. Both programs allow Federal resources to be focused and directed to the local level, but this year we are faced with the grim reality that the authorization for the COPS program is close to expiring and the LLEBG was cut by more than twenty-three percent (23%), totaling $121.8 million.

In our view, the COPS program is and should remain the backbone of direct Federal aid to local and State law enforcement agencies. The block grant program provides funding to the local unit of government with a great deal of latitude in use of the money—whether it is lighting for a recreational park to reduce criminal activity at night, or to purchase additional squad cars.

This type of flexibility is important, however, the strength of the COPS program is that it provides targeted funding which goes directly to the local law enforcement agency to increase the number of law enforcement officers available to patrol our streets or serve in our schools as School Resource Officers.

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SImply put, there is not other Federal program that offers this type of direct assistance to law enforcement agencies. In has a tremendously positive impact on public safety in communities like Marion.

This, Mr. Chairman, is a greater testimonial to the success of this program than anything anyone here today can say for the record.

Crime rates have fallen for more than eight consecutive years now. A reduction in crime means there are Americans who could have been crime victims if the 1994 Crime Act never been passed and the COPS program never been implemented. It is important to recognize this point—lives and property were saved because of this program and the efforts of the dedicated men and women in law enforcement.

The COPS program also represents something as equally valuable as more officers on our streets; the COPS program was the centerpiece of a plan to launch a new national law enforcement strategy—"community-oriented policing." This practice, which had already proven successful at the local level, is now found in virtually all jurisdictions. Local departments were able to implement "community-oriented policing" because the COPS program enabled them to call upon Federal resources to get the manpower they needed to make the strategy work in their communities. The most important thing I believe we must keep in focus is that the community policing strategy has worked to reduce crime in our country. Community policing as a strategy was possible because of the COPS program and the Federal resources offered

to the local departments and agencies through this program. Local departments will be unable to continue this successful strategy.

I cannot imagine that anyone here would want to give back the ground that we have won in the fight against crime. What we must keep in focus is the community policing strategy has worked to reduce crime in our country. The F.O.P., along with the rest of the law enforcement community, clearly recognizes the value of this program.

For this reason, we will be working with Members of the House and Senate to not only continue our support of COPS, but to reauthorize the program.

We strongly support your bill, Mr. Chairman, S. 924, the "PROTECTION Act," would reauthorize the COPS program through 2007 to hire and retain police officers, pay overtime and reimburse officers pursuing college and advance degrees to enhance their job skills as well as providing Federal money for new technology.

The F.O.P. believes this legislation builds on a solid foundation of success. So few government programs work and so many do not, it is inexplicable to me that we would end a program that works! I would like to thank you, Mr. Chairman and Ranking Member Grassley for inviting me to participate in this hearing today. I would be pleased to answer any questions.

Chairman BIDEN. Thank you very much, Steve. I appreciate it. Doctor?

STATEMENT OF SOLOMON ZHAO, PROFESSOR, DEPARTMENT OF CRIMINAL JUSTICE, UNIVERSITY OF NEBRASKA AT OMAHA

Mr. ZHAO. Thanks, Mr. Chairman. My name is Solomon Zhao. I am professor of criminal justice at University of Nebraska at Omaha.

Today, I am honored to have the opportunity to share with you the major findings of a research project that my co-author, Dr. Quint Thurman, and I just recently finished.

As you know, the crime rates have dropped significantly in most large U.S. cities since the mid–1990's. While there is considerable speculation about the causes of this decline, one explanation credits the recent implementation of community-oriented policing funded principally through the Office of Community Oriented Policing Services, the COPS office, under the 1994 crime bill.

Unfortunately, on a national level, prior to this study, the extent to which this is the case was largely unknown. This is due to the fact that much of the research is designed to assess the impact of the COPS program on crimes either limited to individual programs or individual cities.

Chairman BIDEN. Let me make sure I understand that, Professor. You say the previous studies primarily focused on individual crimes or individual cities. Is that what you said?

Mr. ZHAO. Previous studies looking at the effect of COPS usually focused on one city like New York City—

Chairman BIDEN. Got you. That is what I thought you said.

Mr. ZHAO. —why it is so successful, or a few cities or one program just like domestic violence.

Chairman BIDEN. Or one program.

Mr. ZHAO. Yes.

Chairman BIDEN. Thank you. I just wanted to make sure I understood what you said.

Mr. ZHAO. So this is the national study to cover all of these.

Chairman BIDEN. Got you.

Mr. ZHAO. We examined the effect COPS office grants awarded to local law enforcement agencies between 1994 and 1998 had on the crime rates. The COPS office grants can be categorized into

three general groups: hiring grants, innovative grants, and MORE grants.

In the analysis, we looked at the relationship between the COPS office grants in 6,100 cities, accounting for a total population of over 145 million Americans between 1994 and 1999. These 6,100 cities are located in 2,680 counties, and there are only about a little bit over 3,000 counties in the United States. Two categories of crime rates are looked at. The violent crime rate include murder, rape, robbery, and aggravated assaults. The property crime rate includes burglary, larceny, and auto thefts.

The analysis indicates that in the cities with greater than 10,000 population, an increase in one dollar in grant funding per resident in the form of hiring grants lead to a corresponding decline of five violent crime incidents and about 22 property crime incidents per 100,000 residents. Regarding innovative grants, a one-dollar increase in innovative grant funding contributed to 13 fewer violent crime incidents and about 45 property crime incidents per 100,000 population between 1995 and 1999.

So here is an example. In a typical city with 100,000 residents, if you invest $100,000—that means one person, one dollar—you are going to expect, in terms of innovative grants, there will be what leads to a decrease of 13 violent crime incidents and 45 property crime incidents.

On the other side, the analysis of cities with population less than 10,000 reveals a different picture. Unlike larger cities, these findings show that the hiring grants are positively associated with violent crime reporting. That means this indicates that a one-dollar increase per resident in the form of hiring grants will lead to about one violent crime report and about nine property crime reports in these cities. So it is different between greater than 10,000 and less than 10,000.

Having said these findings, I have two primary observations. The first observation is that the crime reduction is not a unitary phenomenon in the United States. The difference between the two groups of cities is apparent with respect to their crime patterns over the 6-year period of time when national crime rates overall dropped significantly.

Cities greater than 10,000 experienced a greater decrease in crime than smaller cities. In addition, the data indicate that COPS office hiring and innovative grants have contributed significantly to decreasing crime in these U.S. cities. According to the Uniform Crime Report, approximately 89 percent of police departments in the United States serve cities with populations greater than 10,000.

Chairman BIDEN. So 89 percent, greater than 10,000.

Mr. ZHAO. Greater than 10,000.

Chairman BIDEN. And one of the reasons why the rate is more productive, if you will, in cities over 10,000—

Mr. ZHAO. Yes, 10,000.

Chairman BIDEN. —is they are the cities that take more advantage of the innovative grants as well. Is that correct?

Mr. ZHAO. Yes. Overall, innovatives have reduced 13 violent crime incidents.

Chairman BIDEN. I got that, but do the cities under 10,000 employ the innovative grant proposals as frequently as cities over 10,000 using those? Do you understand?

Mr. ZHAO. Yes. I think the cities less than 10,000, we do not find the innovative grants as significant.

Chairman BIDEN. Okay. Thank you.

Mr. ZHAO. And the second observation is that findings show that COPS hiring grants are positively correlated with the crime reporting in cities with populations less than 10,000. So there has been very limited research on how police do their business in those small cities. Literally, I searched all of the literature. I found only two books about how small police agencies do fight against crime.

One possible explanation for this relationship is that smaller cities may have fewer officers. The addition of one officer means a big percentage increase in their force. The average number of officers in those cities less than 10,000 is 9.6. So, if you add one more body, that means one officer equals a 10-percent increase. This almost equals to hire about 4,000 police officers to New York City Police.

Chairman BIDEN. Exactly.

Mr. ZHAO. So, when you have one officer increase, they may be doing community policing, and the crime reporting by the citizens might increase. That would be a reasonable speculation. We have not checked into that yet, but that is a speculation.

When I was presenting this at the Society of American Criminology, one professor came over and said it might be the case because in small communities—and when usually the sheriffs do not have graveyard shifts, it is the State police or the city police—it is the sheriff who took over on the graveyard shifts. So now you have the city police who have one more officer, and he takes the report. So the crime might increase, and she gave me that explanation. Those are the speculations.

In conclusion, this is by far the most comprehensive statistical analysis to date regarding the COPS program. It examines the greatest number of cities across the longest length of time in a way that is far superior to any previous studies.

I thank the chairman for inviting me to come here.

[The prepared statement of Mr. Zhao follows.]

STATEMENT OF SOLOMON ZHAO, PROFESSOR, DEPARTMENT OF CRIMINAL JUSTICE, UNIVERSITY OF NEBRASKA AT OMAHA

Dear Chairman Biden and Fellow Senators:

My name is Solomon Zhao, professor of Criminal Justice at University of Nebraska at Omaha. Today, I am honored to have the opportunity to share with you the major findings of a research project that my co-author, Dr. Quint Thurman, and I have recently finished.

As you all know, crime rates have dropped significantly in most large U.S. cities since the mid-1990s. While there is considerable speculation about the origins of this decline, one explanation credits the recent implementation of community oriented policing funded principally through the Office of Community Oriented Policing Services (COPS) under the 1994 Crime Bill. The direct involvement of the COPS Office in providing funding for over 100,000 community police officers may have significantly contributed to this crime decrease. Unfortunately, on a national level, prior to this study the extent to which this is the case was largely unknown. This is due to the fact that much of the research designed to assess the impact of COPS programs on crime is either limited to individual programs or to individual cities.

We examined the effect COPS Office grants awarded to local law enforcement agencies between 1994 and 1998 had on crime rates. COPS Office grants can be categorized into three general groups: hiring grants, innovative grants, and MORE

grants. Hiring grants are designed to directly assist local law enforcement in the hiring of community police offices. Innovative grants fund specialized programs targeted at specific jurisdictions and/or categories of crime. The last category of grants is the Making Officer Redeployment Effective (MORE) grant program that provides funding to law enforcement agencies to acquire new technology and civilian personnel.

In the analysis, we examine the relationship between COPS Office grants in 6,100 cities, accounting for a total population of over 145 million Americans between 1994 and 1999. These 6,100 cities are located in 2,680 counties in the United States. Two categories of crime rates are examined. The violent crime rates include murder, rape, robbery, and aggravated assault. Property crime rate includes burglary, larceny, and auto theft.

The analyses indicate that in cities with greater than 10,000 population, an increase in one dollar in grant funding per resident in the form of hiring grants resulted in a corresponding decline of 5 violent crime incidents and about 22 property crime incidents per 100,000 residents. Regarding innovative grants, a one-dollar increase in innovative grant funding contributed to 13 fewer violent crime incidents and about 45 property crime incidents per 100,000 population between 1995 and 1999.[1]

On the other side, analysis of cities with population less than 10,000 reveals a different picture. Unlike in larger cities, these findings show that hiring grants are positively associated with violent crime reporting. This indicates that a one-dollar increase per residents in the form of a hiring grant leads to an increase of about 1 violent crime reports and about 9 property crime reports in these cities.

Having highlighted the findings, I have two primary observations. The first observation is that crime reduction is not a unitary phenomenon. The difference between the two groups of cities is apparent with respect to their crime patterns over the six-year period of time when national crime rates overall dropped substantially. Cities greater than 10,000 experienced a greater decrease in crime than smaller cities. In addition, the data indicate that COPS Office hiring and innovative grants have contributed significantly to decreasing crime in these U.S. cities with populations greater than 10,000 people. According to the Uniform Crime Report, approximately 89% of police departments in the United States serve cities with populations greater than 10,000.

The second observation is that findings also show that COPS hiring grants are positively correlated with the crime reporting in cities with populations less than 10,000. There has been very limited research on how police officers in these small cities fight crime. One possible explanation for this relationship is that smaller cities have many fewer officers, therefore, the addition of even one officer can mean a substantial increase in department size that can significantly affect citizen crime reporting. The average number of sworn officers for cities between 1,000 and 10,000 was 9.6 in this sample. It is reasonable to speculate that in these smaller cities, this additional officer may be involved with a variety of community policing activities. This increased officer presence may encourage citizens to increase crime reporting which can substantially increase the crime rate in these small communities.

In conclusion, this is by far the most comprehensive statistical analysis to date regarding the COPS program. It examines the greatest number of cities across the longest length of time in a way that is far superior to any previous studies. The COPS program appears to have played an important role in the reduction in violent and property crime for the vast majority of the population of the United States.

Chairman BIDEN. Well, thank you, and thank you for your undertaking.

Mr. Muhlhauser.

STATEMENT OF DAVID MUHLHAUSEN, POLICY ANALYST, THE HERITAGE FOUNDATION, WASHINGTON, D.C.

Mr. MUHLHAUSEN. Mr. Chairman.

Chairman BIDEN. Muhlhausen. I'm sorry. You can call me "Bidden" if you want. I apologize. I mispronounced your name twice, and I apologize.

[1] For example, in a typical city with 100,000 in innovative grants (one-dollar per resident) will lead to a decrease of thirteen violent crime instances and forth-five property crime instances.

Mr. MUHLHAUSEN. Don't worry about it. I am used to having my name mispronounced.

Chairman BIDEN. No, but I do not like it when mine is.

Mr. MUHLHAUSEN. Just for the record, I would like to remind the Committee that my name is David Muhlhausen, and 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 program.

The September 11th terrorist attacks have quickly reshaped Washington's priorities to efforts that will strengthen the Government's ability to protect Americans. Congress should 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.

After 8 years and about $9 million, COPS qualifies as such a program that is ineffective, wasteful, and not providing services that are the testimony of the Federal Government. As my written testimony provides in greater detail, the COPS program has done little to reduce violent crime, and it will likely never add 100,000 additional officers, as promised.

Some observers claim that the COPS program is a proven success because crime has declined every year since the program's creation. This assertion is very misleading. The Nation's violent crime rate began to decline in 1991, 3 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 indicates that since its inception, COPS has done little to reduce crime.

We examined the effects of COPS grants on violent crime rates in 752 counties from 1995 to 1998. I am submitting a copy of this report to the community for the record.

After accounting for socioeconomic and other factors, the COPS hiring and redeployment grants, its primary components, failed to show a statistically measurable effect on reducing violent crime rates. In contrast, the Heritage analysis found that COPS hiring grants targeted on reducing specific problems, like domestic violence, youth firearm violence, and gangs, are somewhat effective in reducing violent crime. Narrowly focused COPS grants are intended to help law enforcement agencies tackle specific problems, while the COPS hiring and redeployment grants simply pay for the operational costs and, thus, less likely to target specific problems.

If Congress insists on keeping the COPS program, the program needs will be radically transformed to hold localities accountable to the taxpayer, while boosting flexibility which the current program lacks.

First, before the COPS grants are awarded, applicants must be required to develop a clear plan on how they intend to prevent crime.

Second, a system to measure and evaluate the effectiveness of COPS grants must be in place before the awarding of funds.

Third, COPS-funded activities must be evaluated for their effectiveness in reducing crime.

To summarize these steps, device a plan that includes outcome measures, implement the plan, then evaluate the plan. Plan, implement, evaluate. If grantees cannot take these responsible steps, then they should be barred from Federal funding.

To improve flexibility, Congress must recognize that problems in Des Moines, Iowa, and Wilmington, Delaware, can be very different from problems in large urban cities. Let the localities decide what actions need to be implemented to address their problems, but as a grant condition, the grantee must develop a strategic plan that targets crime-risk factors in their community. This plan must include the ability to measure the plant's success. As long grantees are not held accountable for their use of COPS funds, Federal handouts will continue to produce ineffective results.

I will conclude by offering a few comments on the strengths of the Heritage study. Our study analyzes the relationship between COPS funding and crime at the county level. The county-level analysis allows researchers to include local law enforcement efforts that help explain the change in crime. If the Heritage study included only Federal funds, then the true impact of COPS on crime would be overstated, and the all-important role of local police spending would be excluded.

Mr. Chairman, with your permission, I am submitting my written statement for the record along with two of Heritage Foundation's studies.

Thank you.

[The prepared statement of Mr. Muhlhausen follows:]

[Additional material is being retained in the Committee files.]

STATEMENT OF DAVID MUHLHAUSEN, POLICY ANALYST, HERITAGE FOUNDATION

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

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[1] Senator Joseph R. Biden, Jr., "Bush: Don't Cut COPS," *The Baltimore Sun*, April 16, 2001, p. A7.

[2] Congressional Budget Office, *Budget Options*, Appendix A, February 2001, at *http://www.cbo.gov/showdoc.cfm?index=2731&sequence=33 (April 16, 2001).*

[3] Calculations based on data from U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States* 1994 (Washington, D.C., 1995), p. 69, and *Crime in the United States 1998* (Washington, D.C., 1999), p. 75.

[4] David B. Muhlhausen, "Do Community Oriented Policing Services Grants Affect Violent Crime Rates?" Heritage Foundation *Center for Data Analysis Report* No. CDA01–05, May 25, 2002.

[5] Ibid.

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

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[6] Lawrence W. Sherman, "Policing from Crime Prevention," in Lawrence W. Sherman, Denise Gottfredson, Doris MacKenzie, John Eck, Peter Reuter, and Shawn Bushway, *Preventing Crime: What Works, What Doesn't, What's Promising; A Report to the U.S. Congress* (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, February 1997), p. 37.

[7] *Ibid.*

[8] *Ibid.*, pp. 41–42.

[9] Anthony A. Braga, David L. Weisburd, Elin J. Waring, Lorraine Green Mazerolle, William Spelman, and Francis Gajewski, "Problem-Oriented Policing in Violent Crime Places: A Randomized Controlled Experiment," *Criminology*, Vol. 37, No. 3 (1999), pp. 541–580.

[10] Anthony A. Braga, David M. Kennedy, Elin J. Waring, and Anne Morrison Piehl, "Problem-Oriented Policing, Deterrence, and Youth Violence: An Evaluation of Boston's Operation Ceasefire," *Journal of Research in Crime and Delinquency*, Vol. 38, No. 3 (2001), pp. 195–225

[11] Ibid., p. 200.

[12] Gareth Davis, David B. Muhlhausen, Dexter Ingram, Ralph Rector, "The Facts About COPS: A Performance Overview of the Community Oriented Policing Services Program," Heritage Foundation *Center for Data Analysis Report* No. CDA00–10, September 25, 2000.

[13] U.S. Department of Justice, Office of Inspector General, *Special Report: Police Hiring and Redeployment Grants, Summary of Audit Findings and Recommendations*, Report No. 99–14, April 1999.

[14] U.S. Department of Justice, Office of Justice Programs, *National Evaluation of the COPS Program,* 200, p. 163.

[15] U.S. Department of Justice, Office of Inspector General, *Special Report: Police Hiring and Redeployment Grants, Summary of Audit Findings and Recommendations.*

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 redepolyed 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 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] No where 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

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[16] U.S. Department of Justice, Community Oriented Policing Services, at http://*www.usdoj.gov/cops/foia/foia—errhtm* (October 11, 2000). See the Internet link for Washington State; and Spolkane Police Department at http://*www.spokanepolice.org/total—cops—funding.htm (October 11, 2000).*

[17] U.S. Department of Justice, Office of Inspector General, *Special Report: Police Hiring and Redeployment Grants, Summary of Audit Findings and Recommendations.*

[18] U.S. Department of Justice, Office of Inspector General, *Office of Community Oriented Policing Services Grants to the Metropolitan Police Department, District of Columbia, Executive Summary*, (GR–30–01–003), December 29, 200, at http://www.usdoj.gov/ori/copsumma/g3001003.htm (November 30, 2001).

[19] This application was obtained from http;//*www.usdoj.gov/cops/pdf/gpa/uhp/uhp—pdfs/e22k0060.pdf* (December 1, 2001).

[20] This application was obtained from http://*www.usdoj.gov/cops/pdf/toolbos/comforms/cp—information—worksheet.pdf* (December 1, 2001).

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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Chairman BIDEN. Thank you very much.

I will try to get you out of here in the next 25 minutes or so, but I do have some questions, and if any of you have planes or trains to catch, let me know and I will go to you first. Does anybody have a particular constraint at the moment?

All right. Let me begin where we just ended. I read with great interest, and this is one of those things that I guess for parochial reasons I actually do myself read these things, as the guys behind you are nodding their head they know that I have spent more time on this.

At any rate, The Heritage Foundation studies, I have two things I would like you to respond to, and then maybe, Dr. Zhao, you could respond or anyone else. You looked at counties, 752 counties, to determine whether the COPS grants had an impact on crime rates. I understand the rationale of using the counties was that COPS grants to cities would be captured in this analysis.

Mr. MUHLHAUSEN. yes, sir.

Chairman BIDEN. Yet, an awful lot of those counties—one of the criticisms of your study has been that they have an unreasonable assumption, and that is that particularly in counties where COPS funded only a small number of the cities, in some cases, as little as one city, it does not give you the reading that it is accurate.

For example, the example they give is Susquehanna County, Pennsylvania, where there are 12 law enforcement agencies that fight crime. COPS has funded one of those agencies in Montrose, Pennsylvania, with just one officer. Yet, you use Susquehanna

County to determine if COPS grants were effective in lowering the crime rate in the county as a whole.

The other criticism—and I will ask you to respond to both because I am sure you have heard them before—is that your analysis—not yours personally, but The Heritage Foundation's analysis is further flawed by its reliance on arrest data rather than crime data; that is, only listing those cases where there was an arrest made as opposed to where there was a crime committed, that it measures only crimes that result in arrest, not crimes that are known to the police, but do not result in arrest, and the crimes known to police are a better indicator of actual crime. How do you respond to those two?

Mr. MUHLHAUSEN. Senator Biden, I want to take up your second statement. Our study, the dependent variable was reported offenses by police departments. Arrests were not included in the dependent variable. So our study shows that the COPS hiring grants and redeployment grants had no impact on crime rates, official offenses reported to the police.

We did use as a variable to account for changes in crime rates, arrests, but we dropped that variable noting that there are criticisms of it, and it still did not change our results. The hiring and redeployment grants—

Chairman BIDEN. Oh, I see. I am sorry. I thought you did not change that. So you went back, in effect, based on the criticism, and reassessed your judgment based upon the actual reported crimes?

Mr. MUHLHAUSEN. Actually, the original paper started with official offenses reported to the FBI.

Chairman BIDEN. Got you.

Mr. MUHLHAUSEN. Uniform Crime Report data.

In our analysis, an entire paper, nothing has changed in the paper, nothing that I have stated. We have not changed the paper since its official publication date.

We ran an analysis and we found that, actually, when you control for the percentage of people or the percentage of offenses that ended in an arrest, it was effective in reducing crime.

What some people say were methodological reasons, you cannot include that as a variable, not as a dependent variable, as an independent variable. So, later on in the record, what is in the report, we dropped that variable, and the findings still do not change.

Chairman BIDEN. Okay.

Mr. MUHLHAUSEN. The hiring grants and the MORE grants were ineffective.

Chairman BIDEN. Okay. How about the first one, the choice of counties?

Mr. MUHLHAUSEN. When we got together a while ago and decided to do this study, we had to look at the data and what was available, and we wanted to look at two questions. We wanted to evaluate the COPS program, its success, but we also wanted to know what impact, what role does local law enforcement expenditures play in law enforcement. So the only data that we knew of that we could find that controlled for, that we could include that accounted for local law enforcement expenditures was on the county level. So we aggregated the COPS funding data to the county

level and did the analysis because we want to control for factors that influence crime and, a very important measure, a way to control or account for what affects crime is looking at State and local law enforcement expenditures. We just did not want to depend on the Federal Government.

Chairman BIDEN. Now, the State and local law enforcement expenditures, did they account for reductions in crime at all?

Mr. MUHLHAUSEN. Yes, they did.

Chairman BIDEN. They did.

Again, I am thinking like a cop. Did you ever think that maybe the States would not have increased their local law enforcement expenditures had the Federal Government not put the money up? Have you looked at the past experience where when we did not, they did not?

Mr. MUHLHAUSEN. Well, from reports of the GAO and the Inspector General's office, there are not cases where law enforcement agencies used COPS funding to supplant. So, instead of hiring—

Chairman BIDEN. No, that is not what I am talking about. By the way, they took 1.1 percent of the most egregious places, or 1.5. Plus, they acknowledged that it was in the first 3 years of the program and a lot of other things, but let's stipulate that that is correct.

Move beyond that. I am asking the broader question. Is there any correlation between the amount of money that the Federal Government has put into local law enforcement efforts through the COPS program and the willingness of the local agencies to increase local funding for law enforcement?

Mr. MUHLHAUSEN. I am not aware of any studies.

Chairman BIDEN. Okay. I do not have a study, but just as a practitioner of the process, I have found that there is very seldom a case where many police departments in the country and local law enforcement agencies—and I have no data to support this under the anecdotal—has made a significant increase in the allocation of local tax dollars to law enforcement, absent a circumstance where the Federal Government has come in and made a commitment and effectively prime the pump to be able to do that, in large part, because this is fungible money, but also it sets the stage.

For example, one of the reasons we set—and you can comment on this, and I have no data for this. My instinct told me—and your study would suggest I am wrong—in 1994 that the reason why we made this conditional and made it available by having the law enforcement agencies being able to apply is—again, thinking like a cop—most chiefs of police were more popular than mayors. When the chief comes in and says to the city council, "By the way, there is Federal money out here. If you put up two dollars, they will put up one dollar," it makes it awful hard when the public wants something done about crime for the mayor to say, "No, no. We are not going to do that."

Conversely, if you come in and there is either just flat Federal money or no Federal money, it makes it very much harder for the chief to make the case to the mayor or the county executive that, "By the way, we need more cops, and the way to do it without raising taxes a lot is cut the money for parks or cut the money for pub-

lic health or cut the money for prisons or cut the money for whatever."

So I would be interested in just your instinct, but, also, maybe somebody will do a study some day that ought to be able to have control variables here to determine whether when the Federal money has gone in, has there been an impact on local officials making the decision to put more local money in, or, conversely, when there is no Federal money in, do local officials come forward and increase spending.

My recollection is, prior to the passage of this bill, the largest 20 municipalities in the United States of America, although the crime rate went up multi-fold, there was a total increase of only 1.1 percent in the total number of police officers in those 20 cities over the previous 10 years. Yet, when we, in fact, came in with the crime bill in the COPS program, those cities—and I do not have hard data. It would be easy to assemble it. But those cities, in addition to the COPS money that came in, put a larger percentage of their local budgets into local law enforcement as well, but I may be wrong about that. It would be interesting for someone at Heritage or somewhere else to take a look at that to see if that is correct.

Mr. MUHLHAUSEN. We could meet at a later date, and our staff—we can discuss it and maybe we could do something for you.

Chairman BIDEN. And maybe you could, for the record, submit something. Again, I am not being a wise guy here. If I am wrong about this, the one thing I do not want to do is to be wasting money. If I am wrong about it, there are other ways we can deal with law enforcement, if I am wrong.

Doctor, would you comment on the assertions? I mean, how could your study be so different than the Heritage study?

Mr. ZHAO. I think the major difference is that we are looking at the cities and they are looking at the counties, but, actually, the COPS funding goes to the city. It does not go to the county.

What I am concerned about here is that only 60 percent of the cities in the counties, at the county level in The Heritage Foundation, actually received COPS funding. The other 40 percent are non-funded agencies.

I am more concerned about that 40 percent for two reasons. The first reason is those are small agencies, not bigger ones, usually. In our analysis, we noticed the crime drop in America, a difference from greater than 10,000 and less than 10,000. So, for greater than 10,000, there is a 22-percent drop of violent crime from 1994 to 1999, but when you look at less than 10,000, actually, the crime drops from 1994 to 1996 and then it leveled off, an increase a little bit, then level. So it is a different pattern. So, when you include those small agencies in the analysis, it is not accurate in that way.

Second, particularly, the problem for those less than, in our analysis, we looked at the greater-than–10,000, 1,000, less than 10,000, that group. We have a reason. There is a city called Lakeview, Colorado. At first, one would look at the data and we would say we can look from New York City, 7 million, to Lakeview, Colorado, 12 residents. It is a city. I did not find it on the map.

Chairman BIDEN. Did you say 12 residents?

Mr. ZHAO. I said 12 residents—11 residents.

Chairman BIDEN. And want a new cop.

Mr. ZHAO. Yes, in Lakeview.

So we were excited. We said that it almost covered the whole range, all the cities. In 1996, they did not report any crime. In 1997, they reported 12. Okay. Think about that 12. When we talk about crime rates, we talk about incidents per 100,000. So, 12 divided by 11, it is 1.1, times 100,000.

Chairman BIDEN. That is a lot of crime.

Mr. ZHAO. It is 87 percent—87 times more than New York City.

Chairman BIDEN. Well, I will tell you what, I do not want to live in that small town in Colorado.

Mr. ZHAO. It could be an error.

Chairman BIDEN. I do not want to raise my kids in that town.

Mr. ZHAO. It could be an error. It could be a reporting error.

Chairman BIDEN. No, no. I understand your point.

Mr. ZHAO. Yes.

Chairman BIDEN. I think the point is well taken.

Mr. ZHAO. So the data estimation is inflated.

Chairman BIDEN. Yes.

Mr. ZHAO. So that is why we decided to get rid of any city less than 1,000 because it is just not accurate. Just remember that for cities. If you have 20 residents in a city, one crime rate, you surpass New York.

Chairman BIDEN. One crime.

Mr. ZHAO. One crime.

Chairman BIDEN. One crime, you surpass New York.

Mr. ZHAO. You surpass New York. It would be 1 out of 20.

Chairman BIDEN. Let me ask you—and then I want to get to the officers here, or the policemen. Mr. Muhlhausen, do you think The Heritage Foundation study would have concluded—and it may not. It may be an unfair question to ask, and if it is, do not answer it and tell me.

Mr. MUHLHAUSEN. I can answer it.

Chairman BIDEN. Do you think that if you just took the top, the 50 largest cities in America, and did the same study that you would reach the same result, that it would be that there was no impact, positive impact by the COPS program?

Mr. MUHLHAUSEN. As my biography has not been discussed, I am a Ph.D. student at the University of Maryland–Baltimore County, and I am doing my dissertation on almost 60 large cities across the United States. I am going to look into that question, and I am going to let the numbers fall where they be.

Chairman BIDEN. So you do not know. The straightforward answer is you do not have enough data to know the answer.

Mr. MUHLHAUSEN. I had the data. I just have not been able to analyze it.

Chairman BIDEN. That is what I meant.

Mr. MUHLHAUSEN. I am in the process.

Chairman BIDEN. I am not trying to play a game with you. At any rate, I got it.

Let me proceed with some of the questions I have for my colleagues. Let me go back to you, Sheriff. You indicated to me that there were some improvements that you would like to see that could be made in the COPS program that would help you the most.

By the way, before I forget, one of the assertions made, generally, when there are criticisms of the COP program is—and The Heritage Foundation and some others have made it as well, I think. I think Heritage has. That where the money goes is not where it is most needed. It does not necessarily relate to the money for the COPS program, whether it is technology or a badge. It may go to a place where it could be better used going someplace else.

One of the things I found interesting was—and that criticism has been brought up a number of times by some of my colleagues to me as well—is that—correct me if I am wrong, staff. I cannot find it now. But my recollection tells me that where the cities—the 1 percent of the cities and municipalities that had the highest murder rate and the highest rate of violent crime got something like 30-some percent of all of the COPS money.

Now, I will submit that for the record, to be precise, but one might answer, well, why, when I wrote this bill, did I include localities as small as 12 to be able to apply for a COPS grant, and it is for the same reason that we insisted everybody be in the Social Security system, which bothers The Heritage Foundation as well. You have got to get 51 votes. That is a very basic simple reason. If everybody ain't in the deal, no one wants to be in the deal.

As a very practical matter, I think it does have positive impact, but the truth of the matter is that you need to gain consensus. It is the same reason why when we do not send money, when I was chairman, anyway, we do not send money to the governors to distribute because, when the governors distribute the money, what they do is they have to deal with the legislature, and every legislator of the 42 members of the House in Delaware, unless the governor gives them all a piece of it, they are not going to get it passed. They are not going to get it through. So these are practical political considerations that—not political—partisan, Democrat, Republican, practical governance problems.

But having said that, what is it that we could most help you, Sheriff, and your folks in changing the COPS program in some way? I know you strongly support the program, but how could we make it better from your perspective?

Mr. BROWN. I do, Mr. Chairman. In fact, depending on what side of the issue you are on, you may or may not want to hear my comments because I have had nothing but positive results with the COPS program.

I came in as sheriff in 1996, had to get involved with the COPS program as soon as I came in. I applied for the COPS grant, got two COPS positions. We got two more later on. We have now funded them through the Sheriff's Department in Bedford County, and Bedford County is a small- to medium-size department. We have 84 sworn officers in the county. It is a very large county, the third-largest in the State. But I have had nothing but positive feedback from other—

Speaking on behalf of the National Sheriffs' Association, most recently at the national convention in Florida in June, I heard nothing but positive comments in reference to the COPS program.

Me,, personally, Bedford County, we have had nothing but positive action there.

What I think would help us some would be—I would like to see—and this came from my grant administrator within the department before I left. She said, "See if you cannot get them to put the COPS application online." I do not know since she last filled one, if they have gone online. I do not know.

Chairman BIDEN. I do not know the answer to that, but it is not a bad idea.

I should tell you, the day after we passed the crime bill, 2 days later, the Attorney General came in to see me in 1994, to thank me. I said, "General, I would like you to stick around a while." She said, "Why?" I said, "I want to help you write the grant application program." She said, "Well, we are working on that." "I just want to make it clear to you. It better be one page. It better be one page. I do not want to hear anything about"—and she said, "I thought the role of a legislator was to pass the law and let the administrators administrate the application." I said, "No, no. I have got too much invested in this one. I want to make sure it gets simplified."

So, to the extent that if we still have this program we can simplify it by putting in online, it makes some sense. I do not know whether it is online or not. It is not online.

Mr. BROWN. It is not. Well, that was certainly her request when I came, in the route up here.

Chairman BIDEN. Colonel, how about you? I mean, is there anything you would like to see? For example, here is what I hear. I hear—and I think it is correct—I hear from elected officials as well as—mostly, quite frankly, more from elected officials than I hear from the officers that we would like to be able to be in a position to use COPS money to retain cops. In other words, "The new COPS bill, if you get it passed, Joe, we want to be able to, for example, use it for overtime. We want be able to use it for the ability to keep a sworn officer. The 3 years of funding has run out, and we do not have the money to keep that person going. Can we use part of the money to retain a cop that we have already gotten in the COPS program? We need more money for technology." So the new COPS bill calls for $600 million on the hiring side—correct me if I am wrong, guys—$375 million for technology grants, and also $100 million for more prosecutors, local prosecutors, because we found we were having backlogs. We were finding you guys were doing such a good job, we were not able to get them through the system, and local prosecutors were in dire trouble.

So there are some of the kinds of things I have been urged to change, assuming we can keep this going. Do you have any input on that? Are there things we can do to help it?

Mr. WESTPHAL. Mr. Chairman, let me respond in a few ways on that particular question. I do hear that, that there are certainly decision-makers that do not support retaining the officers after the 3-year period that they have been funded, but you were talking about that a little bit ago as far as priming the pump, and I wanted to share with you a success story from my particular agency where the COPS grant that we got back in 1996, it was a COPS MORE grant, and it was for technology. It was for 100 mobile data computers, which we were implementing that process to try and make officers more effective, more efficient, and, in turn, put more offi-

cers back on the street as opposed to sitting around doing reports and so on and so forth.

That has been a very effective program, and our State legislature has followed up by the funding of an additional 350 mobile data computers. We now have mobile data computers in all of our cars, and it has created an additional 20 officers on the street that we have been able to redeploy to do other things with a grant that only amounted to about a half-a-million dollars and it was a pump-priming grant.

Chairman BIDEN. You needed that data equipment earlier, and you were not getting it until you got it through the Federal level.

Mr. WESTPHAL. That is exactly right, Mr. Chairman.

Chairman BIDEN. I do not know how we study that, and, again, the two academics—I am not being critical. I am being serious. When I take a look at studies on this and many other issues, I find it hard to figure out—and there may be a way to have a control variable as to knowing whether or not you can measure that, for lack of a better phrase, psychological impact on things going. I do not know. I mean, is there a way to do that, or is this anecdotal information just that, anecdotal? Is there any way to measure whether or not when the Federal Government steps up to the ball and says we are going to do something and they start something, it puts pressure, political or otherwise, on localities to then do what they were not doing?

Tom, we got a lot of money for those computers in your officers' cars. Talk to me about that. What was the effect of that? Was that just more hype?

Mr. GORDON. No. That has been very effective, and it is certainly the future. It is not a toy. It does a couple of things. It first gave them the ability to be able to do criminal checks. So, when a police officer is out there at night, they would normally have to call the 911 center, wait for the frequencies to clear to check a car. So the safety factor is immediate where they can run a check of a tag, even before they pull it over, and find out that is a very dangerous criminal, that is a very dangerous car. The effects of this are just exponential in terms of officer safety. We could not have afforded that without the siphon. You cannot as a local government get that million dollars.

You can maintain it. We can maintain it now, never need the Federal Government, but we have been years away for getting this technology, which should have been done immediately upon its discovery to be able to give these officers such a safety factor, to be able to now communicate. Instead of traveling the airwaves, waiting for a dispatch, they can now dispatch right over their radio. So, immediately, they are getting dispatches. All of their cars are watching the same dispatches. They are not relying on a single frequency which, when now you see what we have, looked to be a very dangerous system before we realized how systematic and how safe it could be.

This is one of the greatest abilities of the Federal Government to come down and allow—I think every police department in this country will have this ability. They must have this ability as the danger in the roadways and the terrorism is out there. These offi-

cers have a tool because of this COPS program that is saving lives every day.

Chairman BIDEN. Now, what technology, guys? The administration indicated—they did not indicate what they would do with the COPS program, but they indicated the need for Federal investment in technology for local law enforcement, at least that is how I understood the testimony. What are the kinds of technologies? If you would rather submit this in writing, that is fine, but what are the kinds of technologies that would be most valuable for you to get help from the Federal Government now, either to entice your State government or your local government or to supplement what they are already doing that makes the life of the officer more secure and increases your ability to do the job of crime-fighting more? Are there technologies out there that are particularly useful that you would need help on?

Yes, Colonel.

Mr. WESTPHAL. Senator, one of the issues that we are certainly working on in IACP right now is figuring out how we are going to share intelligence among the Federal agencies, State agencies, local agencies, and make that a two-way sharing of information.

One of the issues in technology is how you have proper communication so that you have computer systems that share information, two-way sharing, and you also have voice communications where you can actually talk to each other when incidents occur. That is certainly one of the arenas where technology is very, very important for local law enforcement agencies.

In many States where agencies are putting in new voice communications systems, the local agencies are not able to buy into the system because they do not have the money to buy the mobile radios to put in their vehicles. So they are not really a part of this integrated system and that certainly is something that needs to be addressed in some way, and I think the Federal Government could certainly assist in that.

Chairman BIDEN. Anecdotal, but, locally, we had a particular problem in our largest city, which is a small city, our largest city, relating to murders as a consequence of firearms. Getting to the FBI the ballistic checks and, in fact, the ID was a very, very—correct me if—now, County Executive Gordon will know this better than I will. It was a time constraint, and you have got to get in line. It was a very difficult time lag between the overworked facility at the FBI and/or in some States that exist at the State level. So we got through one of the grants through to the COPS MORE. We got the technology grant to get into the City of Wilmington and New Castle County this ability to do ballistic tests that allowed them to trace very quickly where this gun—was it used in another crime and so on.

One of the other things people talked about—I am going to raise these two in here. I just want to know what the consequence is, if every police car in America had them.

What is that thing called, Tommy, where you put your thumb in and you get the automatic—

Mr. GORDON. The AFIS computer.

Chairman BIDEN. Yes. Now, if every police car in America had that available to them, what would be the impact on that, Sheriff,

for you and your law enforcement efforts in terms of the safety? I realize we are talking FOP, a lot of guys walking the street, too. So I am not suggesting it is always the automobile. What are some of the things that are there on the market that if we were able to get and train every police agency in the country that would have real impacts on, my first concern, the physical safety of the police officer and, secondly, in turn, the reduction of crime? What are some of those things?

Mr. BROWN. Mr. Chairman, if I may. Mr. Gordon and Colonel, I think hit on both of them, and that is, as far as the officer on the street, it is the on-board computers. I cannot emphasize enough the safety factor involved with having on-board computers, the mobile data terminals within the cars. We are receiving 10 as a result of the COPS MORE grant.

As Mr. Gordon and the colonel said, you can check it. The officer can check it even before the car is stopped. It is just immense safety concerns there or immense safety concerns in stopping vehicles.

The other is the compatibility of the radios. We, right now, in Bedford County consider our department pretty progressive. We have three radios in our car, one for the State police, one for the city police, and one for the county. We cannot afford to go with the 800-megahertz systems. We cannot afford it.

Chairman BIDEN. I am not trying to be critical, and I mean this sincerely, of your local governments, but one of the things that you hear from some of my colleagues, "Well, that is a local responsibility. Why isn't your mayor, your county executive, your governor coming up with that money?"

Mr. GORDON. And it probably is a local responsibility, but we are still going to go out and beat the bushes and try to get you as the Federal Government involved in this. We need help. We need it. We will take it any way we can get it.

Chairman BIDEN. Does anybody want to respond to that last question?

Mr. WESTPHAL. Senator, I will respond to that. We in Colorado are putting in an 800-megahertz system, and the State is responsible for the infrastructure and all the State agencies. Many of the local agencies are participating, but we have agencies in Colorado that they are so small, small sheriff's departments that have two or three deputies, that have a budget that is so minute that the price of one mobile radio is their operating money for the year, and they really need assistance somewhere, and the State simply is not providing it at this point in time. So I think it is an important issue.

I would also like to address the issue on the AFIS and the fingerprinting. The technology is there—and it has been available for some time—to be able to transmit fingerprints and mug shots from a car digitally and wirelessly to apprehend criminals and identify fugitives. It is the fact that the money is not available to buy that technology, and it is very expensive to be able to do that mobile and transmit photos and fingerprints.

Chairman BIDEN. It seems to me, by the way—and I realize this is a little afield, but I have got to take advantage of your expertise here. This goes beyond the COPS program. It seems to me that with the new and understandable evidence on an area that I have

worked on for 28 years in my career in counter-terrorism that this increases expedientally the need for this.

Mr. WESTPHAL. Yes.

Chairman BIDEN. I am not poor-mouthing this across the board here, and I am being honest. I hope we get into the Defense appropriations bill we are about to debate, monies that will be available for first responders, including police as well as fire services, that will supplement some of the needs that you have here to deal particularly with terror activities.

Senator Byrd has—I think it is—do not hold me to the figure, but it is over a hundred—it is $50 million, I think it is, in this bill. I think it is $50 million for first responders to deal with technologies as well as letting the localities make the decision.

Training. One of you mentioned the need for additional training. When we got a problem—and I am not being facetious. When we get a problem in Delaware, we do not call the FBI. We call Colonel Freebery sitting behind you in her previous capacity or we would call the State police or we would call the local city police or we would call the town police in Frederica to respond, and they are the first ones on the scene. I do not want to paint too bleak a picture here. Hopefully, we are going to get more monies in that help localities with the added burden that has occurred as a consequence of the focus on and the realization that terror is a real deal, and it ain't going to happen other than locally when it happens.

God love them, and I am a great supporter of the FBI. There were not any FBI agents running in that building because they were not there. There were cops running into those Twin Trade Towers. The FBI would have run in if they were there. They would have run in, just like they would have. So there will be some of that.

Steve, you started to say something, I thought, and I cut you off by accident.

Mr. YOUNG. In your opening statement, you said that fundamental principle of the Government is to defend, to protect its people. I do not understand, perhaps, some of your colleagues' thinking that this is a local issue. If I am within the boundaries of this country, why should I have less protection in a small town in Ohio than I would have in Colorado Springs because of the ability of the local government to provide that protection? I mean, that strikes me as a statement of the privileged. Those folks feel that their communities have adequate protection; therefore, they do not need to be concerned with others.

Chairman BIDEN. It is called devolution of power, I think is what they call it at other places.

Mr. YOUNG. But if that is, indeed, the case, it is the Federal Government's responsibility to protect the citizens of the country and to make sure that when we exercise our freedoms to go from city to city and State to State, the protection is equal.

Chairman BIDEN. Well, Steve, I happen to agree with you, and I was being a little facetious when I called it devolution of Government. As some of my friends at some of the think-tanks, Heritage as well as many others in town, viewed from conservative to liberal, they talk about the new paradigm, and there is a new paradigm being pushed hard by the intellectual right which is the devo-

lution of power and that local thing should be handled locally and the Federal Government should not be involved.

Even if you accept that premise, which I do not fully accept, personally, there is—just to make sure, I want to make it clear, and then I will let anybody make any closing statement they want because I have gone beyond the time I told you. It is 11 after 4:00 already.

One of the reasons why I make no apologies for my pushing as hard as I do to expend Federal money for local law enforcement is because I would argue, and do argue, that a significant portion of the crime you have to deal with in a Colorado super highway or in a back crown-top road in the Blue Ridge Mountains or in a suburban area of New Castle County or in the inner city in Detroit, Michigan, relates to the fact that there has been a failure at the Federal level to deal with a significant portion of the cause of all the crime you face, and that is international and national drug policy.

You could do everything perfect in each of your jurisdictions, and you do not control the inflow of all of that cocaine from Colombia. You do not effect all of that heroin coming from Afghanistan, coming from Colombia now, and there are certain national responsibilities that relate to things that are uniquely and only able to be handled federally. You can come up with 55—well, it would be 53, but 50 States, 50 different brilliant drug strategies in your State, and you cannot cross the line from Ohio into Illinois and tell them what they are going to do there and follow the line the same way.

So I would argue that we have an overwhelming obligation, federally. I happen to agree with your basic point, why should someone in Colorado Springs get less or more protection than someone in Dagsboro, Delaware. They are American citizens, but it is the nature, and I love your phrase. It seems to be the assertion of the privileged when you are there, but I just think that there is room for legitimate debate.

I want to state for the record, even though I will be coming to each of your organizations and there are three organizations represented here of police organizations of the seven major ones, asking for the help like I always have in the past for this legislation.

I want to be clear to you. There is not a pride of authorship here in the sense that if you think something I am proposing does not work or it could work better. As your staffs will tell you, I am open. I am open. If it ain't working, I do not want to do it.

I came out of a school of thought that when I first got here as a 29-year-old kid in 1973—actually elected in 1972—that there were a lot of people—I used to be called—which will shock Mr. Muhlhausen. I used to be called an iconoclast. I was not a liberal because I thought we should have crime legislation, and I thought public housing did not work and I thought of things that were sort of sacrilegious at the time.

I came away from my formative years in politics concluding that no matter how well-conceived a program is, if it does not produce results, what will happen is you will have the entirety of the initiative lose support of the public at large and nothing will happen.

So, if you have a housing program that 70 percent works and 30 percent does not, you had better correct the 30 percent that does

not because that will be used as the club to beat the 70 percent that does work, and you will have no housing program.

That is why I say very, very frankly, I want your help if the administration concludes to consolidate, reduce, eliminate, et cetera, the impact. I am open to see. If they got a better idea than the COPS, I am open to that idea, but we need significant help at the local level.

I want to make it clear. If what we are proposing and what we have done is not working well or as well as it could, let's change it. Let's change it. I am anxious, and I am not kidding, David.

I read not with an eye of skepticism. I read with genuine interest The Heritage Foundation—you have got some of the brightest people in the country over there, including yourself—

Mr. MUHLHAUSEN. Thank you.

Chairman BIDEN. —and I mean that. We have different philosophies sometimes on how we approach it, but some of this stuff, we just got to sort of slog through and decide because I think we are all on the same page. We are all trying to figure out what works, what works, what works.

Again, I step back and think a little bit like—I am not going to repeat it—like a cop again, but I think just like most citizens thing, and a phrase that Ronald Reagan used to always use every time I would go to see him about something and as a Senator for the 8 years that I overlapped with him, of the seven Presidents I have served with, he used his phrase he loved. It was if it ain't broke, don't fix it. I do not know what it is that caused—I am not prepared to say I know for certain what caused the reduction in crime that has occurred over the last decade or more, but whatever it is, I hope the hell we keep it going.

I just know one thing, and I will end where my friend began. One of the things that is very much in vogue to say in this town by Democrats and Republicans is that money does not solve all of the problems. I agree with that, but I do not know many big problems they could solve without money. I have not figured many of them. Money does not guarantee it gets solved, but I sure do not know many that are solved without money. I do not know how we get those radios in your car. I do not know how we get those computers in the car. I do not know how we get cops on the street. I do not know how we do that without money. And that does not mean to suggest—and I mean this sincerely, and I hope I have demonstrated in my career that I do not think if it ain't working, if the money is not being used effectively, I do not want in on it because then the very thing I am trying to accomplish, I lose all credibility on it.

So I want to keep this program going, and I would offer as evidence to that the way we amended the thing I care most about of anything I have ever done, the Violence Against Women Act. We amended it. We changed it. Parts of it were not working. We got rid of the parts of it that were not working. Even though I wrote it, if it did not work, it proves to me they were not getting the bang for the buck, and we emphasized other parts. That is what I am looking forward to trying to do, and I hope the administration will either as a consequence of an independent decision they reach to try to work it that way or as a consequence of thinking of not being

able to get 51 votes they will think that way, but I hope we can get this thing worked out.

I would like to ask unanimous consent to insert a statement from Senator Kohl in the record as if he were here, and I will now yield the floor.

[The prepared statement of Senator Kohl follows:]

STATEMENT OF HON. HERBERT KOHL, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Mr. Chairman,

Thank you for calling this hearing today on the COPS program. Since1994, COPS has become an indispensable part of our ongoing fight against crime. When we ask law enforcement officers in Wisconsin how we can help them do their jobs and protect our communities, they consistently cite the COPS program as the most beneficial use of federal money. We have received countless requests for community police—from small towns with only two or three officers to the largest cities in Wisconsin. Police departments and sheriffs offices throughout the state have benefitted from the 1,340 new officers in Wisconsin since the program began.

Today, our panelists will argue whether the COPS program is responsible for the consistently lower crime rate during the last half of the 1990s. While that is an interesting academic discussion, we know what the police and sheriffs in our communities tell us—that COPS have made a tremendous difference.

Now that the authorization for the program has ended and there have been rumblings about significantly cutting COPS, we need to think about what comes next. Mr. Chairman, we must reauthorize the program for 50,000 new officers as you have proposed and many of us have supported. The law enforcement officers on the street and the citizens in our neighborhood know what a difference the program has made. There is no sense in shutting down or significantly altering a program that works. We must build upon the success of the program and guarantee its future.

The program is much more than "cops on the beat". It is also school resource officers, funds to combat the spread of methamphetamine and other drugs, and important new crime fighting technologies. For example, during the last two years, COPS technology funding has allowed the Milwaukee Police Department to upgrade an antiquated communications network. The new system is designed to coordinate the response of numerous public authorities in the event of a terrorist or bio-terrorist event.

Mr. Chairman, the COPS program may be more important now than ever. Federal law enforcement officials have very different priorities today than they did when we created this program. As a result, they will be far less able to assist states and localities in solving and preventing crime. More will be expected of state and local law enforcement, and we must continue to help them.

Thank you.

Chairman BIDEN. In the order you each testified, if anybody would want to have anything to say in closing here, I welcome any comments you may have.

Tom, anything?

Mr. GORDON. Sure. Senator, I agree with our distinguished FOP president that it is the United States constitutional right for public safety delegated to the States, and I think we have an obligation where those States are failing at some of the very basics to assist them.

I can see it working, again, both as a former chief and now I am running the government, and I certainly would not be adding police now just for the sake of adding police. I know it works, and I could do a study in my county to prove that, but I can share with you that. I did not study the numbers, but they were pretty clear.

Chairman BIDEN. Tom, for the record, roughly, how big is your county?

Mr. GORDON. It has 500,000 people.

We had a pretty consistent—as I looked at the numbers, as you said, during a 10-year period before 1991, those numbers in this country did not grow, and they stayed stagnant. Crime grew.

I can tell you that I do not know how you can measure the difference between county and State, giving money to public safety, because this is a siphon. Every time you pick up three police officers, you are funding them 2–1/2, 3 years down the road, almost immediately with some of the matching grants. So I do not know how you distinguish between exactly where the money has gone because it did encourage the locals, the States, and the counties to become more involved in public safety and they did have to step up to the plate. That is the best part of this. It was not forever. You had to get a program in. The chief had to make it work, and then he had to sell it to the body or he lost the officer. It works.

Thank you.

Chairman BIDEN. Thank you.

Colonel?

Mr. WESTPHAL. Thank you, Mr. Chairman.

On behalf of IACP, I will just say that it don't need no fixing because it ain't broke.

If we are going to do anything, we should add more money, not less money. We think it should be left as a separate office within the Department of Justice because we want an office that addresses just law enforcement issues.

I would agree with David Muhlhausen that we need to make sure that we do submit a plan and we implement it and we evaluate it. I think that is only fair, and I think that is what everybody wants here. That is what we have been talking about today is we need to make sure that we are spending money on a program that works, and I think it works. On behalf of IACP, we would like to see the program continue.

Chairman BIDEN. As our first witness, Mr. Dihn, was kind enough to acknowledge, he indicated the COPS program after that first 3-year assessment has more people on board. They realize they got to do that now. They have been doing it now, and, hopefully, it is being effective.

Mr. WESTPHAL. Absolutely. Yes, sir.

Chairman BIDEN. I do not disagree.

Sheriff?

Mr. BROWN. Mr. Chairman, again, like my distinguished colleagues, I can only echo what they have said, and on behalf of the National Sheriffs' Association, I thank you very much. And I will be delighted to come north at any time to chat with you.

Chairman BIDEN. Well, as beautiful as the county you represent is, I think we should have the next meeting in the south.

At any rate, Steve? Mr. President?

Mr. YOUNG. Mr. Chairman, I have some concern over the push for hard statistical data. Data is a snapshot of the past, though I do realize that, absent statistics, you just simply have an opinion.

Policing is not as simple as adding X and Y and coming up with Z. Predicting crime is something that no one has perfected yet. So, to insist that a program earn its way by meeting an exact criteria of statistical data is made difficult by the fact that you have a human element involved. I would hate to see us go so far that the

program is driven by those numbers and not by the practicality of what it is really intended to do, and that is the prevention of crime.

It is easy enough to measure the crimes that have been committed, but how do you measure the crimes that have been prevented? And that seems to be lost in this argument.

Chairman BIDEN. Another thing that seems to be lost in this argument we all have is the number of cops in America that did not die, the number of cops in America that were not injured, and the attitude of the cops in America about how they do their job.

I am telling you, I have been doing this for a long time. I have been in this deal for 30 years, 31 years elected working with cops from the first day, and I am telling you, two things have happened, not because of the Federal Government. Two things have happened. This ain't your father's Oldsmobile. They are a hell of a lot more professional because of the training, not their dedication, but they are hell of a lot more professional because we spent the money on training. We protracted college.

I do not know how many graduation classes I have done in my State. I do not think there has been one in God knows how many years where there has not been a college graduate going into the program, and we got a different deal here.

The second thing is the sense of security. I go back to the fight, Steve, when we were trying to get bulletproof vests. Bulletproof vests, we were trying to get, and that was, by the way, only, what, 12, 14 years ago that fight took place. So cops, I think, feel not only they are better qualified and trained by you all, but I really, truly believe they feel better equipped and, therefore, more confident in taking risks that maybe they would not take before. Who knows? How do you measure it? I guess maybe there is a way to factor that. I do not know how.

Doctor?

Mr. ZHAO. I think it might be interesting just to find out what is going on in those small cities, why there is a positive relationship between the COPS grants and the crime rates, even though those are small, but there are 3,400 cities in our data about those cities, less than 10,000 population.

Chairman BIDEN. I do not know why the Bureau of Justice Statistics and the National Institute of Justice—it may be something that we could talk to them—I could contact them to see if they would consider funding such a study to try to find that out because it is something we should know.

David?

Mr. MUHLHAUSEN. Mr. Chairman, The Heritage Foundation study received no funding from the Government to do its work. We found that hiring grants and the MORE technology grants failed to reduce crime. If Congress really wants to promote effective programs, they should abolish these programs and fund only the innovative grants which have been found to be effective.

Chairman BIDEN. Thank you very much.

Gentlemen and those in the audience who have been staffing them and helping them, thank you very, very much for your time. I warn you, it will not be the only time I will call on you and ask for your opinions, but I do appreciate your time and effort. Doctor, I appreciate you making the trek an awful lot for being here.

Thanks a million. We are now adjourned.

[Whereupon, at 4:25 p.m., the Subcommittee was adjourned.]

[Questions and answers and submissions for the record follow.]

QUESTIONS AND ANSWERS

Responses of Solomon Zhao to questions submitted by the Subcommittee

Question 1.

The COPS Office could potentially play a limited role in controlling gun crimes. I can see the potential contribution from the Office in two areas. First, the Office could provide more Innovative Grant funding for controlling gun crimes. Each police agency that requests this specific funding would need to provide a detailed plan on how the project would be executed. Second, the Office could help organize training sessions to disseminate up-to-date knowledge and research on gun crime issues.

Question 2.

I think that terrorist specialists should be available in every large police agency served in cities with greater than 150,000 population. There are about 150 police agencies across the country. Therefore, it would be feasible to train a few hundred specialists. The COPS Office certainly could play an important role in the training process. It is important to note that the criminal justice system in America is very decentralized and operates independently. The COPS Office has been a good coordinator in disseminating information and assisting local law enforcement agencies. The Office has strengthened this infrastructure of its support role over the past six years. I don't recall any other federal agency having such an extensive network with local agencies like the COPS Office.

Question 3.

I agree with the statement that, "A probation officer who is more involved with the daily life of the probationer's community is likely to do a much better job of keeping the person on the straight and narrow especially with the assistance of the eyes and ears of the community where the probation officer works." Intensive Supervision Programs (ISP) were initiated in the 1980s as a way to supervise and control probationers in the community. I don't believe that there will be fewer technical violations or crime incidents among probationers under ISP because the closer the monitoring, the more likely a probation officer would find violations. A mother with 10 children is less likely to detect that something is wrong than a mother with only one child. However, in the long run, I think ISP is beneficial for the community and probationers alike.

Question 4.

I am not familiar with the Milwaukee approach but believe that the COPS Office is capable of playing a positive role in anti-terrorist efforts.

SUBMISSIONS FOR THE RECORD

Statement of Hon. Dianne Feinstein, a U.S. Senator from the State of California

Mr. Chairman, I am pleased to offer my support for continuing and reauthorizing the COPS program. Thank you for your leadership on this important issue.

I strongly supported the creation of the COPS program in 1994 as part of that year's crime bill. And I support its reauthorization.

As you know, one of my priorities in the Senate has been combating crime. And I have long believed that one of the best ways to fight crime is to hire more policemen.

Congress enacted the COPS program as part of the 1994 Crime Bill. Since that time, the program has funded 114,000 new officers through over 30,000 grants to over 12,000 law enforcement agencies. California law enforcement has received funding for over 15,000 additional officers.

And these new officers have made a tremendous difference in helping communities battle crime.

Since COPS was created in 1994, crime has gone down every single year that the program has been in existence. In fact, according to the FBI Crime Index, the crime rate has dropped 22 percent since the date the Crime Bill was enacted.

The results have been similar in my home state of California. According to the California Crime Index, the crime rate has decreased there every year since 1994, except there was a slight increase from 1999 to 2000 in total crime due to a rise in property crime.

And these results have now been confirmed by the first-ever academic study of COPS. This study has found that the COPS program has had a "significant crime reducing effect on the vast majority of the population of the United States." I understand that one of the authors of the study, Professor Jihong Zhao, will testify today.

I was. disappointed that the Administration's first budget request proposed to zero out the COPS police hiring program and cut COPS' overall budget by 18 percent. I supported reauthorizing COPS for an additional five years and expanding and improving the program. Ultimately, COPS was funded this year for one year at a slightly higher level than last year.

Mr. Chairman, thank you for the opportunity to offer a statement on COPS. I look forward to working with you on preserving and strengthening this valuable program.

Statement of Hon. Charles E. Schumer, a U.S. Senator from the State of New York

Mr. Chairman, in 1994 the Crime Bill created the COPS on the Beat Program. As Chairman of the House Subcommittee on Crime, I helped to shepherd this program through Congress because I believed then—and I believe now—that Congress should promote the spread of policing strategies that prevent crime before it occurs, rather than simply reacting to crime.

Given the new focus on terrorism that the Department of Justice is rightfully taking as a result of the September 11th attacks, it is more important than ever that local law enforcement has the resources that it needs to address crimes in our communities.

And, it is particularly important in these tough financial times—when state and local budgets are particularly tight—that the federal government not cut back on our support of local law enforcement at the same time that federal law enforcement is turning to other pressing issues. For both of these reasons, and because of the dramatic success of the program, I believe that we must continue the COPS program and the federal government's commitment to community policing.

By the end of last year, the COPS program had awarded grants for the hiring or redeployment to the nation's streets of over 100,00 police officers and sheriff's deputies. It is estimated that by the end of this year, over 84,000 of these officers will be on the street.

The COPS partnership with state and local law enforcement has been paying big dividends. According to the 2000 Uniform Crime Reports from the FBI, the number of serious crimes is far below where it was five and ten years ago—down 14 percent from 1996 and 22 percent from 1991. In fact, the 2000 measure was the lowest since 1978.

The number of murders are also significantly lower than they were five and ten years ago—21 percent from 1996 and 37.2 percent from 1991. And, property crime rates in 2000 were lower as well—13.8 percent lower than 1996 and 21.4 percent lower than 1991.

In my home state of New York, since 1994, violent crime has dropped 40 percent. Murder is down 51 percent, aggravated assault is down nearly 29 percent and robbery is down 52 percent.

Crime is down from one end of the state to the other. The city of Albany saw a 20 percent drop in crime and Binghamton saw an 8% drop. There was a 26% drop in Buffalo, a 38% drop in New York City, a 21% drop in Rochester, and a 22.5% drop in Syracuse.

A study from the University of Nebraska has shown that the drop in the crime rate is due in no small part to the COPS program. They found a direct correlation in cities receiving COPS grants between the decline in both violent and property crimes and the receipt of COPS dollars. I am pleased that Professor Solomon Zhao from the University is here to discuss his study, and I look forward to hearing more about his findings.

The research findings are supported by the observations of the experts and everyday citizens with direct experience with the COPS program. They will tell you that enhanced community policing has played a significant role. Police officers develop an intimate knowledge of the communities they patrol, in the process discovering what community conditions give rise to criminal behavior. In turn, the community sees familiar faces patrolling their streets and ultimately develops the trust that breeds joint efforts to solve local problems.

We must continue this successful program that has done so much to eradicate crime in this nation. I am sure that many of my colleagues have heard, as I have, from police chiefs, rank-and-file officers, mayors, city councils, and town boards about how important it is to continue the COPS program. In fact, I understand that we will hear from several of these local law enforcement officers today about their successes under the COPS program.

They are the ones who have used the program to expand their police forces even in the face of increasingly tight local budgets. They are the ones who most clearly understand the link between a strong community policing presence and safe streets. In closing, I would like to thank Senator Biden for holding this hearing today to highlight this important crime prevention program. And, I would also like to note that I am a co-sponsor of S. 924, the bill that Senator Biden introduced to re-authorize this important program. The COPS program has been—and should continue to be—a significant part of our successful strategy to roll back crime