



Department of Justice

STATEMENT OF

**THOMAS PERRELLI
ASSOCIATE ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE**

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**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

HEARING ENTITLED

“HELPING STATE AND LOCAL LAW ENFORCEMENT”

PRESENTED

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Mr. Chairman, Ranking Member Sessions and distinguished Members of the Committee, thank you for the opportunity to discuss the Department of Justice's (the Department) support for state, local and tribal law enforcement and how we are working in partnership to address our most pressing public safety needs. We appreciate this Committee's continued interest in federal support for state, local and tribal law enforcement and investing in our communities to help keep them safe. This Administration is deeply committed to restoring a robust partnership with state, local and tribal communities to ensure that together we are bringing safety to America's communities.

The timing of today's hearing is appropriate as we commemorate Peace Officer's Memorial Day on May 15th and National Police Week. In every American community, committed law enforcement officers watch over our neighborhoods and work to make our Nation a safer, more secure place, and we must honor that commitment. This week pays special recognition to law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. We also recognize the service and sacrifice of U.S. law enforcement and their families. This week would not be possible without our partners in the public safety community, such as the National Law Enforcement Officers Memorial Fund, the Fraternal Order of Police/Fraternal Order of Police Auxiliary, and the Concerns of Police Survivors. Their dedication to honoring America's law enforcement is to be commended.

Today, Mr. Chairman, I would like to highlight the Administration's promise to restore a strong partnership with state, local and tribal law enforcement agencies and organizations, the Department's support for state, local and tribal law enforcement through the execution of the American Recovery and Reinvestment Act of 2009, Fiscal Year (FY) 2009 and FY 2010 grant programs and finally our support for state, local, and tribal law enforcement through research and evaluation.

Restoring Partnerships with State, Local and Tribal Law Enforcement

Communities across this country are facing challenges of crime, not only in large urban areas, but also in small towns and rural areas -- It may be gang violence; it may be property crime fueled by the downturn in the economy; it may be crime committed by very young teens. At the same time, law enforcement is facing severe challenges. Many departments have fewer officers than they had on September 11, 2001. In addition, many are facing harsh reductions in municipal budgets. And all state and local law enforcement have had added duties in the post-9/11 world. A downturn in the economy combined with all of these challenges can threaten public safety and place the rule of law at risk. Now, more than ever, it is essential to strengthen our partnerships with state, local and tribal law enforcement. This is a guiding principle for the Administration, and we believe that, together, we can protect our citizens, create jobs, and bring safety to America's communities.

One way in which we have recognized that partnership has been in strengthening the ongoing relationship between the Department and state and local law enforcement leaders. Last month, Attorney General Holder hosted a “Law Enforcement Summit” that brought together more than 75 state and local police chiefs, sheriffs, and other law enforcement leaders. The Attorney General met with our partners in his conference room to begin an ongoing dialogue on ways in which we can work more collaboratively together. He and other officials in the Department spent time in a “listening session” with the law enforcement officials, and afterwards – to hear their concerns from the field.

Another way in which we have recognized the value of our partnership, of course, is in this Administration’s efforts to restore needed funding to the “front lines” of the law enforcement community. We are meeting this goal with the help of strong bipartisan support from the Congress.

The American Recovery and Reinvestment Act of 2009

The American Recovery and Reinvestment Act (Recovery Act), signed into law in February, is not only helping jurisdictions across this country save and create jobs, it is assisting the Nation’s communities in advancing public safety.

The Recovery Act will inject billions of dollars into the economy, providing jobs and much needed resources for states and local and tribal communities. Among these resources is more than \$4 billion for state, local and tribal law enforcement and other

criminal and juvenile justice activities. The offices within the Department responsible for administering this funding are the Office of Justice Programs (OJP), the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW). Since enactment of the Recovery Act, these Offices have been participating in conferences and workshops as well as meetings with mayors, chiefs, sheriffs, city council members and other partners to communicate the resources available and how to apply for funding. I would like to highlight how the Department is focused on supporting state, local, and tribal law enforcement during these challenging economic times.

Office of Justice Programs

OJP, which provides federal leadership in developing the Nation's capacity to prevent and control crime, administer justice, and assist victims, is responsible for carrying-out more than \$2.7 billion of Recovery Act grants. Recovery Act funds are available through initiatives such as the Byrne Justice Assistance Grant (JAG) Program, the Byrne Competitive Grant Program, Assistance to Rural Law Enforcement to Combat Crime and Drugs, Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States, grants for Internet Crimes Against Children (ICAC) Task Forces, and grants for victim compensation and assistance, among others which are described in further detail on the Department's Recovery Act Web site.

The lion's share of the funding, \$2 billion, is available to local governments and states through the Byrne JAG formula grant program. This program supports a wide range of criminal justice activities, including drug and gang task forces, courts and corrections activities, and treatment, prevention, and victim services. Funds can also be used to support personnel, training, equipment, police vehicles, technology and information systems, as well as research and evaluation. As of Monday, May 11th, OJP has awarded over \$537.6 million in state and local Byrne JAG awards.

The Department is also committed to finding ways to help law enforcement agencies improve their effectiveness and spurring technological advances that support law enforcement activities. As a result, we have carved out of the Byrne JAG formula money \$10 million for the development and demonstration of more effective and efficient law enforcement technologies. We understand that departments are grappling with tight budgets, and we believe that technology is key to maximizing efficiency. With this funding, OJP's National Institute of Justice (NIJ) will support projects that address things such as officer safety, public safety, interoperability, communications and decision-making, information sharing, electronic crime, less lethal devices, and concealed weapons detection. These projects, both through their implementation and impact, are also targeted to help preserve and create high quality jobs, both within the law enforcement community and within industries that provide tools and technologies for the law enforcement community.

OJP is also administering a \$225 million Byrne Competitive Grant Program. Byrne Competitive Grants are similar to Byrne JAG in that they are focused on ensuring job growth and job retention. However, instead of providing grants based on a formula, the Department administers these funds based on a competitive application process. These grants help state, local and tribal communities improve the capacity of local justice systems and may be used for national efforts such as training and technical assistance.

We will be looking at programs that are evidence-based, and we will also have an emphasis on community prevention and initiatives focused on neighborhood-based probation and parole, forensics, mortgage fraud, victim assistance, and problem-solving courts. I also want to mention that one particular area of focus is the hiring of civilian staff in law enforcement agencies. This includes crime analysts, intelligence analysts, dispatchers, and training staff, all of whom are critical to law enforcement operations. Since the COPS money can be only used to hire sworn officers, this Byrne Competitive Program is a way to complement the COPS Hiring Program. This funding announcement closed on April 27, and OJP has received over 3,500 applications for funding under the Byrne Competitive program. We plan on awarding money to selected applicants by September 2009.

The Recovery Act appropriated \$50 million for the ICAC Task Force Program. Regional ICAC task forces foster an important partnership among local, state, and federal law enforcement agencies. It is a national network of 59 coordinated task forces that help state and local law enforcement agencies develop an effective response to cyber

enticement and child pornography cases. The task forces encompass forensic and investigative components, training and technical assistance, victim services, and community education. Because evidence-based approaches are a priority for the Department, OJP's NIJ also has a solicitation out for an evaluation of Internet child safety materials used by ICAC task forces. Applications for that program are due May 18th.

The Recovery Act also provided OJP with funds to help rural state and local law enforcement agencies fight crime, particularly drug-related crime, and set aside funding for law enforcement agencies along the southern border and in High-Intensity Drug Trafficking Areas to combat narcotics trafficking. This is in response to the concerns regarding Mexican drug activities and violence seeping over the border. And finally, grants are also available for construction of jail facilities on tribal lands. We are also making available, through NIJ, almost \$4 million to support research and evaluation projects to further our commitment to using sound research to inform criminal justice policy.

Law Enforcement Information Sharing Program (LEISP)

The Department continues to work diligently to ensure that our state, local and tribal information sharing partners have access to the best information possible. From our participation and sponsorship of the Global Justice Information Sharing Initiative Advisory Committee, to our push to establish standards such as the National Information

Exchange Model, which began as a Department initiative, we have been able to make significant advances in information sharing.

Today we are beginning to reap the benefit of those initiatives. The Department has implemented a number of programs such as OneDOJ and the Federal Bureau of Investigation's (FBI) National Data Exchange System (NDEx). These programs provide federal, state, local and tribal law enforcement officers with the tools necessary to search and analyze data using powerful automated capabilities, helping to connect the dots between people, places, and events. All Department law enforcement components – the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Bureau of Prisons, the Drug Enforcement Administration, FBI, and the U.S. Marshals Service - are using NDex to share information under consistent policy and technical standards. Information shared includes open and closed case documents, investigative reports, witness interviews, criminal event data, criminal history and incarceration information, and identifying information about individual offenders.

These are just a few example of the Departments commitment to our Law Enforcement Information Strategy. These systems, along with a number of other initiatives, are providing our state, local and tribal information sharing partners with access to more information then ever before to help ensure that we are providing our citizens with the most secure communities possible.

Office of Community Oriented Policing Services (COPS Office)

The COPS Office provides grants, training, technical assistance, best practices and applied research directly to the 18,000 state, local, and tribal law enforcement agencies throughout the Nation. Since 1995, the COPS Office has provided over \$12 billion to help law enforcement advance the practice of community policing, and has enabled more than 13,200 state, local, and tribal law enforcement agencies to hire nearly 117,000 police officers and deputies through more than 38,000 grants.

This support from the COPS Office provides much-needed resources and assists in promoting proven crime fighting strategy. Community Policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, fear of crime, and social disorder.

This year, this support comes primarily in the form of grants that COPS will make to create and/or preserve law enforcement officer positions. With \$1 billion provided through the Recovery Act, the COPS Hiring Recovery Program will create or save approximately 5,500 law enforcement officer jobs which will both stimulate our economy and promote community policing by putting more officers and deputies on patrol in neighborhoods throughout the country.

Opened on March 16th, just one month after the passage of the Recovery Act, this grant program has provided the Department with a true understanding of needs of the law enforcement field. The COPS office received applications from 7,272 law enforcement agencies for \$8.3 billion in requested funds to create or save more than 39,000 law enforcement officer jobs. We plan to award money to selected applicants by September 2009.

Office on Violence Against Women

The Office on Violence Against Woman received \$225 million to support five of its existing grant programs, including the STOP Violence Against Women Formula Grant Program, the Transitional Housing Assistance Program, the Grants to Tribal Governments Program, and funds to support state and tribal Sexual Assault and Domestic Violence Coalitions. Of these programs, two support the work of state and local law enforcement: the STOP Violence Against Women Formula Grant Program and the Grants to Tribal Governments Program.

The STOP Program requires each state to allocate at least 25 percent of funds under the STOP Program for law enforcement. Activities funded include dedicated domestic violence or sexual assault officers and detectives, training for law enforcement on violence against women, victim-witness personnel within law enforcement offices, and special programs within probation, parole, and corrections offices.

The Tribal Governments Program helps to improve tribal responses to violence against women, including law enforcement response. Proposals for Recovery Act funding include using funds to hire dedicated domestic violence officers and assist tribes with Sex Offender Registration and Notification Act compliance.

The Recovery Act makes substantial resources available to communities, and most importantly funds to aid in job growth, job creation, and capacity building. Reviewing applications and awarding funds is our highest priority, and we are moving quickly. Almost all of the Recovery Act solicitations have closed. OJP, COPS, and OVW are processing applications. In addition to our JAG awards, we have awarded \$95 million in Recovery Act funds to victim assistance and compensation programs. In addition, we expect to start making discretionary awards this summer.

Supporting State, Local and Tribal Law Enforcement in Fiscal Years 2009 & 2010

The President has said that “protecting citizens is our first and most solemn duty in government.” The Department is fully committed to supporting state, local, and tribal law enforcement and criminal justice agencies. To that end, the FY 2009 Omnibus Appropriations bill includes more than \$2.9 billion for state, local and tribal law enforcement assistance, including \$546 million for Byrne JAG. This is money in addition to the Recovery Act and is critical to protecting our citizens, creating jobs, and bringing safety to America’s communities.

The COPS Office received over \$550 million in the FY 2009 appropriation for state and local law enforcement assistance. The COPS Office grants are awarded directly to state, local, and tribal law enforcement agencies to hire and train community policing professionals, acquire and deploy cutting-edge crime-fighting equipment, and develop and test innovative policing strategies.

OVW received a total of \$415 million in FY 2009. A number of OVW programs, including the STOP Violence Against Women Formula Grant Program, support state and local law enforcement through training and technical assistance for law enforcement agencies working to improve responses to domestic violence, dating violence, sexual assault, and stalking.

In FY 2009, OJP received approximately \$2 billion. Much of this funding will be used for grants, training, and other assistance to state, local, and tribal law enforcement and criminal justice agencies. This includes funding for programs such as Byrne JAG and other initiatives aimed at reducing crime and improving the overall function of the criminal and juvenile justice systems.

As you know, last week the President announced the FY 2010 Budget Request. Within the proposal, the Administration is requesting \$2.6 billion for state and local law enforcement assistance. This funding will be used for programs that establish and build on partnerships with state, local, and tribal governments, and faith-based and community organizations. These programs provide federal leadership on high-priority criminal

justice concerns such as violent crime, criminal gang activity, illegal drugs, Second Chance Act implementation, and related justice system issues. The mix of formula and discretionary grant programs coupled with robust training and technical assistance activities, assist law enforcement agencies, courts, local community partners, and other components of the criminal justice system in preventing and addressing violent crime, protecting the public, and ensuring that ex-offenders are provided the opportunity to successfully reintegrate into society.

As part of the request, \$761 million is included for the COPS Office, of which \$298 million is for COPS to continue its hiring program. This funding will be used to support the Administration's goal of adding an additional 50,000 police officers throughout the country. COPS Hiring grants will directly assist state, local and tribal governments in hiring additional law enforcement officers for deployment in community policing, and will encourage agencies to increase their community policing capacity to improve public safety.

The Department will continue to rebuild and strengthen our partnerships through additional listening sessions and workshops, as well as teleconference calls to listen to the needs of the law enforcement community and assist agencies in applying for grants. I cannot emphasize enough how our communications are instrumental in getting the word out about available funding for the criminal justice community and the "front lines" of law enforcement, as well as restoring confidence among our state, local and tribal partners.

Research and Evaluation

While we acknowledge that public safety is a major challenge in this country, we need to focus also on the importance of what we know from research about how to address crime. In addition to providing support through grants at the state, local and tribal levels, it is critical we support new and innovative approaches to addressing crime that are supported by evidence-based practices. The President recently visited the National Academy of Sciences and remarked, “Science is more essential for our prosperity, our security, our health, our environment, and our quality of life than it has ever been before.” This President believes that our approach to fighting crime, like other important issues of our day, should be backed by sound science.

At the Department, we are following through on this commitment by working to re-establish the connection between research and practice, and giving the field the latest information about what works in the field of criminal and juvenile justice. This effort is one of our top priorities, and is helping to restore the integrity of science at the Department.

We also believe research should be integrated into, not separate from, our programmatic activities. Police chiefs know that evidence-based approaches like “hot spot policing” can really work to reduce crime – and that it doesn’t simply move it to adjacent neighborhoods. These kinds of “smart on crime” strategies can make a difference in how law enforcement resources are allocated and what impact they have on

crime. OJP has started a series of internal working groups to figure out how we can share information with the field about evidence-based approaches to fighting crime. In many cases, the knowledge is already out there in the field and it is our job to facilitate the horizontal transfer of that information and advance programs and practices that are supported by evidence of effectiveness. Through these working groups, we are coming up with a strategy for strengthening the evidence-based nature of our programs and working to build a more solid research foundation for the work that we do.

It is also our job within the Department to evaluate the programs that we do fund. A perfect example of this is the DNA and Property Crimes field experiment funded by NIJ. We funded five sites to gather biological evidence from property crimes, and then examined the results. Each site examined one set of cases using traditional methods and another set of similar cases using both traditional methods and DNA analysis. Researchers found that twice as many suspects were identified and arrested when DNA was analyzed, and that twice as many cases were accepted for prosecution. Since these offenders often commit violent offenses as well, the study results have potentially important implications for crime prevention. In addition, burglary has a very low clearance rate and the use of this powerful new tool means that many more burglary cases could be solved.

Research has also shown confidence in the COPS Office and that its grants do have the potential to significantly impact the communities where they are awarded. In its final report on the effectiveness of COPS Office grants, the GAO found that for every

dollar in COPS hiring grant expenditures per capita there was a reduction of almost 30 index crimes per 100,000 persons. In 2006, economists at Yale and Georgetown Universities examined the existing research pertaining to the COPS program and calculated that “each dollar devoted to COPS is likely to generate at least \$6 to \$12 in benefits to society....that adding \$1.4 billion in funding for the COPS program would thus avert between \$6 and \$12 in victimization costs to the American people, making COPS a very cost-effective approach to reducing crime.”

These are just a couple of examples of how research and evaluation can inform practice, and it is that connection between research and practice that will help strengthen the criminal justice community and our state, local and federal partnership. In addition, the continued dialogue with our state, local and tribal partners is all part of the process of having an open and informed discussion with those most involved in the field.

Conclusion

If our partnership with state, local and tribal law enforcement is to endure, federal financial support cannot be a one time occurrence. This country is facing prolonged problems that require steadfast commitment and long-term cooperation. The Recovery Act gives us the traction and the opportunity to address immediate needs, but we also need to look beyond the horizon and inform our decisions with sound policy research and proven practices. At the Department of Justice we are committed to working with our partners at the state, local and tribal level in every way we can to address public safety.

This concludes my statement Mr. Chairman. Thank you for the opportunity to testify before the Committee today. I would be pleased to answer any questions you or other Members may have.