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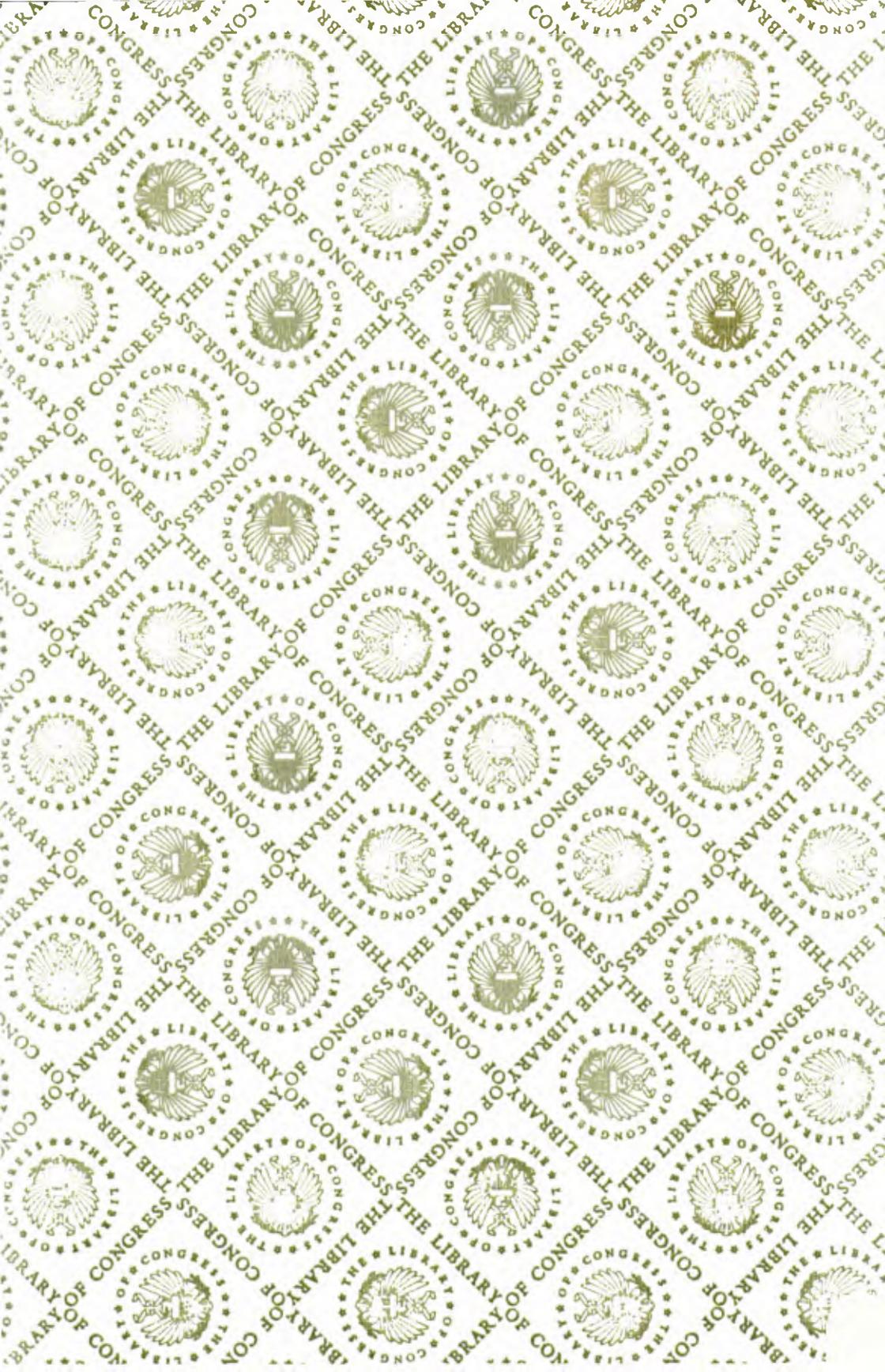
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**COMMUNITY ORIENTED POLICING SERVICES
(COPS) PROGRAM**



HEARING
BEFORE THE
SUBCOMMITTEE ON CRIME
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTH CONGRESS
FIRST SESSION

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OCTOBER 28, 1999
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Serial No. 37



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COMMUNITY ORIENTED POLICING SERVICES (COPS) PROGRAM

THURSDAY, OCTOBER 28, 1999

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to call, at 9:34 a.m., in Room 2141, Rayburn House Office Building, Mr. Bill McCollum [chairman of the subcommittee] presiding.

Present: Representatives Steve Chabot, Bob Barr, George W. Gekas, Howard Coble, Lamar S. Smith, Charles T. Canady, Asa Hutchinson, Edward A. Pease, Robert C. Scott, Martin T. Meehan, Steven R. Rothman, Anthony D. Weiner, and Sheila Jackson Lee.

Staff present: Daniel J. Bryant, Chief Counsel; Glenn R. Schmitt, Chief Counsel; Bobby Vassar, Minority Counsel; and Veronica L. Eligan, Staff Assistant.

OPENING STATEMENT OF CHAIRMAN MCCOLLUM

Mr. MCCOLLUM. The subcommittee will come to order. I want to welcome everybody here this morning. We have a very important hearing, but before I commence to discuss the subject matter briefly and then yield to my Ranking Member, Mr. Scott, I want to make the comment that this is Red Ribbon Week.

This is something that really got started after the death of Enrique "Kiki" Camarena, the DEA agent who died February 7, 1985. Agent Camarena gave his life, as we all know, very tragically for the cause of fighting drugs and trying to protect our kids. And the National Federation of Parents for Drug Free Youth adopted the red ribbon as a symbol. That created an annual occasion for a week for us to show our intolerance for drugs in schools, in the workplace, and everywhere else in our communities. This is the middle of that week, which is October 23 to 31.

We want to see dialogue in all of our communities, and I think that it is only appropriate that the Crime Subcommittee acknowledge the tragic memory of DEA Agent Kiki Camarena and the fact that we are in the midst of Red Ribbon Week. And we certainly do want as many communities as possible to honor Kiki's death by being much more involved in drug awareness and drug prevention programs. And so I bring that to your attention.

This morning's hearing provides us with an important opportunity to examine the COPS Program. It is no secret that the President has long made the COPS Program the centerpiece of his crime agenda. He has referred to it repeatedly in speeches as one

of the main reasons the crime rate has dropped. And his veto on Monday of the Commerce Justice State Appropriations Bill was motivated, in significant part, because of his insistence that there be much more funding in the bill for the COPS Program.

It is also no secret that the COPS Program has been the subject of considerable bipartisan criticism. A number of reports and audits have raised important questions about whether the program has met its desired goals, the effectiveness of the program, and insufficient financial controls regarding the grants that it makes.

The subcommittee is a strong advocate of community policing. The innovative community policing practices that have spread throughout the country represent an extremely positive step in the way that law enforcement seeks to displace, disrupt, and prevent street crime, adding new protections for our children, families, and neighborhoods.

In reality, community policing simply represents a return to common sense. It emphasizes putting more cops on the beat rather than sitting behind desks, encouraging patrol officers to develop street smarts about their beats, and focusing special attention on the crime hot spots while not neglecting the quality of life issues that if left unaddressed invite more serious criminal activity.

Community policing just plain makes good sense. So I want to be sure that there is no misunderstanding regarding the strong support that I have for community policing and this subcommittee has for community policing. And I also want it to be understood that this chairman, and the subcommittee, and this Congress are 100 percent committed to supporting State and local law enforcement.

The track record of the last 5 years is clearly one of congressional support for State and local law enforcement. The Truth in Sentencing Program, the Local Law Enforcement Block Grant Act, the Prison Litigation Reform Act, the Habeas Corpus Reform Act, the Juvenile Accountability Block Grant Program, and the Local Law Enforcement Technology Program, just to name a few, are all evidence of the increased Federal commitment to partner with State and local law enforcement to prevent and combat crime.

But the issue has always been, and remains, given the finite resources of the Federal Government, what should the Federal support look like? It seems to me that it is not enough to simply put a dollar amount as our evidence of commitment. Rather, the challenge for Congress is to provide resources to State and local law enforcement in a fiscally responsible way so as to maximize results.

That is why a majority of the House of Representatives has repeatedly sought to replace the COPS Program with a Law Enforcement Block Grant Program. I am convinced that if we took all of the COPS funding each year and turned it into flexible block grants for local governments to fight crime as they see fit, and distributed on the basis of crime rates, we would be doing more to actually reduce crime than the COPS Program in this present construction.

Each city and county around the country has its own crime problems, its own law enforcement priorities, its own solutions, and the block grant approach recognizes that fact. I am concerned that the COPS Program, on the other hand, represents a Washington knows

best way of doing business. I am all for more cops on the beat wherever they are needed throughout the country, but not all communities identify more cops as their primary crime fighting need.

And in those communities where COPS grants have been made, the question remains, has the program actually resulted in safer streets. One of the program's biggest weaknesses is that the COPS grants are not distributed on the basis of crime rates. Instead, they are distributed on the basis of the Attorney General's discretion.

Yes, the COPS Program has funded additional police officers on the beat. But if Congress is to take its oversight responsibility seriously, we have to ask, has it met the goals the President established for it? Has it done so in a fiscally efficient manner? Has it done so in a way to maximize the prospect of reducing crime? And has it done so while ensuring adequate financial controls over the billions of taxpayers' dollars involved?

According to the U.S. Justice Department's own independent review done by the Inspector General's Office, the answer to these questions appears to be no. Consider some of the findings of the Inspector General's Audit Report. By the President's own measure of success, it has failed to measure up, far from putting the promised 100,000 new police officers on the street by 2000. The number will be less than 60,000.

The COPS MORE Program, designed to get police out from behind desks and redeployed to the streets, ended up accounting for more than one-third of the total COPS funding, yet it could not be determined if this program actually resulted in any additional police being redeployed to the streets.

Almost 60 percent of police agencies that have accepted the 3-year COPS grants have not developed plans to retain officers once Federal funding dries up, as is ostensibly required and expected to receive a grant. More than 7,000 law enforcement agencies have chosen not to apply, and nearly 650 agencies have turned down funds awarded to them primarily because they couldn't afford them.

And over the last 5 years, more and more press accounts have revealed troubling activities funded under the Program, including speed traps, coral reef patrols, and cutting down corn stalks. The U.S. Attorney in Chicago is now investigating allegations that thousands of dollars of COPS money helped bankroll a gambling excursion to a dog track, golf fees, and trips to Florida and Arizona.

In view of all of these concerns, not concerns that I have expressed but concerns Inspector Generals expressed, I believe today's oversight hearing of this \$8.8 billion program is timely and important.

In closing, I want to state that the men and women who serve as law enforcement officers throughout America today are heroes. They put on their uniforms every day with the full knowledge that any day might be their last day. Indeed, nearly three officers a day are killed in the line of duty. They enforce our laws and preserve our liberties. They protect our children, they protect our communities, they help make our cities livable. And too often they don't receive the recognition they deserve for their indispensable service.

So while there may be concerns about the COPS Program that need to be addressed, it seems to be clearly understood, and needs

to be by everybody here, that any criticism being directed against this program is directed against the program and not against the outstanding men and women who serve in the police departments of this Nation.

It seems to me the most meaningful way Congress can express its gratitude to police officers around the country is to ensure that our support of State and local law enforcement is effective, and that is why we are having this hearing today.

So I would now like to turn to Mr. Scott and yield to you for whatever opening comments you would like.

Mr. SCOTT. Thank you, Mr. Chairman. I am pleased to join you in opening this hearing on the Community Oriented Policing Services, or the COPS Program. The COPS Program has been well received by communities across the country and is considered by these communities to be a valuable addition to their local crime fighting program.

Much of the popularity of the COPS Program is based on the simple belief that crime is prevented by having police close by. And indeed, I am aware of many communities that offer police officers discounts on housing just to have them in the community.

The goal of the program is to put police on the beat where they cannot only quickly address incidences of crime, but even more so, to put them in a position to prevent crime before it happens. By putting police officers on the beats so that they are in the position to interact with the citizens, to get to know them, and to build relationships of mutual respect and trust with them, the COPS Program helps to prevent crimes from occurring in the first place.

It also builds trust in the community, which will make it much more likely that members of the community will actually help in solving crimes after they have occurred. I expect that we will be hearing a lot about the numbers of officers the program has or has not put on the beat, and the quality of its monitoring and reporting activities. So as we review this information, I want to make sure that we do not lose sight of what is important about the COPS Program to the local communities and their crime fighting efforts.

As we review the numbers of the actual cops on the beat, we ought to remember that there is an average lag time between identifying the funding for the police officer and actually getting the officer on the beat, because you have to recruit, hire, train, equip a person before they can actually be put on the beat. And that time lag can be 18 months on average.

There is room for disagreement on whether or how close the COPS Program got to putting 100,000 more police officers on the beat in 5 years. There is no dispute that tens of thousands more police officers have been placed on the beat across the country. I would therefore hope that we would focus on how the Federal investment in local police forces has affected prevention and prosecution of crime. And I agree with you, Mr. Chairman, that we should also look on whether our funds have been properly targeted.

So Mr. Chairman, I believe that we have a good selection of witnesses from whom we can learn a lot about the COPS Program, and I have several letters of support and commendations for the program from organizations that are familiar with its operations, which I would like to offer into the record at the appropriate time.

Mr. McCOLLUM. You may offer it now, and if you do, I would certainly ask unanimous consent that they be admitted to the record.

Mr. SCOTT. I would ask unanimous consent, Mr. Chairman.

Mr. McCOLLUM. Without objection, so ordered.

Mr. SCOTT. Mr. Chairman, could I just indicate who they are from?

Mr. McCOLLUM. Certainly.

Mr. SCOTT. The United States Conference of Mayors, the Fraternal Order of Police, International Union of Police Associations, AFL-CIO, the Police Research—the Police Executive Research Forum, the National Association of Police Organizations, Incorporated.

Mr. McCOLLUM. Without objection, they are all admitted for the record.

Mr. SCOTT. Thank you.

Mr. McCOLLUM. Thank you. Mr. Chabot, do you have any opening remarks?

Mr. SCOTT. Mr. Chairman, I would ask you now that the gentleman from New York be allowed to make an opening statement. I know that is a little out of order, but he is the chief sponsor of the legislation to reauthorize the COPS Program, and I would appreciate it if he could be recognized for 5 minutes.

Mr. McCOLLUM. Well, the gentleman is a member of the Full Committee, though not a member of the subcommittee, and he certainly will be recognized. But the way we have done it traditionally is to go through the subcommittee members who are present first, whichever side of the aisle. So let me see if there is anybody here who is a member of the subcommittee who would like to make an opening—

Mr. SCOTT. Mr. Chairman, I think he—

Mr. McCOLLUM. You are a member of the subcommittee. That is right. I guess the problem with that is that you were asking special recognition for him, and you confused me Mr. Scott. You are recognized.

Mr. WEINER. Well, Mr. Chairman, I thank you and I am glad to see in my first eleven months here I have made such an impression upon this subcommittee. But I do want to thank you, Mr. Chairman, for calling this hearing today, and Mr. Scott as well.

Mr. Chairman, 7 years ago the conventional wisdom held that crime rates would always be on the rise. Our headlines and nightly news broadcasts would always be filled with news of drive-by shootings, of violent carjackings, of random rapes. But this Congress and this Administration came into office determined to change that. It came into office armed with a new crime-fighting philosophy, one that was born as it should be, not in Washington, but on the streets, and in the neighborhoods, and towns, and cities all across this country.

Community policing, it was called. My own city of New York pioneered some of these efforts, and it has taken off across the land. In 1994, the two parties came together to pass landmark anti-crime legislation and included a bill that would put up to 100,000 new officers on our streets.

Today, Mr. Chairman, the crime tide has clearly turned. Five years into the life the COPS Program, over 100,000 officers have

been funded. Over 55,000 new officers are on the streets today. And within the next 3 years, when hiring, training, and deploying cycles that all local police departments must go through is completed, over 100,000 officers will be patrolling our streets.

Are these officers having an effect? Well, if you talk to any police chief in any of our districts, or any beat cop, and you will get your answer. But you don't have to take their word for it. We are blessed to live in a time of unprecedented drops in crime.

A few weeks ago the Justice Department released statistics showing that serious crime had declined for the seventh year in a row. Today the crime rate is at a 26 year low. The murder rate is at a 31 year low. More cops means less crime. But now, the question becomes what to do next. Without an act of Congress, the COPS Program will cease to exist next September. Is that really what we want?

Do we want to abandon the most successful crime fighting strategy of our generation? I, Mr. Chairman, say no. That is why over 100 members of this body have joined with me, Congresswoman Debbie Stabenow of Michigan, Mr. Scott, and others, in introducing COPS 2000. COPS 2000 will give cities and town across this country the resources necessary to add up to another 50,000 police officers to our streets.

My constituents feel safer with more cops on the beat, and continuing good news from crime statistics is no reason to let up the fight. But this bill will do more than just put more cops on the streets. It will provide police departments with the resources that they need to do crime mapping, so that they can target their resources to most troubled areas of the community.

It lets them do more DNA analysis so rapists can be stopped before they attack again. The New York Times reported recently that we have a huge backlog of DNA rape kits that are yet to be analyzed because the funding for police departments simply isn't there.

And the new bill also makes sure that cops have the communication equipment they need so they can talk to each other in an emergency. And the bill also provides funding for a new community prosecution program so local prosecutors can engage directly with residents and community leaders to prioritize community anti-crime and prosecutorial needs. It is working in Brooklyn and it can work across the country.

And perhaps most importantly, the COPS 2000 Program will address something that the chairman has correctly pointed out might have been a weakness in the original bill, by allowing the new funds to be used by police departments to retain officers that were hired under the COPS 2000 Program.

Mr. Chairman, we are here today to discuss the successes of the COPS Program to date and to address the questions that have arisen. But I would argue that the time would be better spent continuing legislation to move the COPS Program to the next millennium. COPS 2000 will expand and extend the COPS Program for another 5 years. We can afford it, it would make a real difference, and we owe it to our constituents to keep the crime rates dropping.

Thank you very much, Mr. Chairman. I look forward to today's hearing and working with you to reauthorize the COPS Program.

Mr. MCCOLLUM. Thank you, Mr. Weiner, for those comments. Mr. Coble?

Mr. COBLE. Mr. Chairman, I have no formal opening statement, but I want to associate myself, generally, with the comments that you made in your opening statement. I have another hearing simultaneously going on now, so I am going to probably play musical chairs back and forth. But I am glad you and Mr. Scott saw fit to have this hearing conducted today.

Mr. MCCOLLUM. We will be glad to have you back over here when the music stops. Mr. Canady?

Mr. CANADY. Thank you, Mr. Chairman. I want to thank you for conducting this hearing and make just a couple of comments. I think that based on the information I have seen, a very strong case can be made that community policing, that general concept, is a very important concept, and it works. And I think, hopefully, we could have agreement on that.

I also come to this, perhaps unique on the subcommittee on this side of the aisle, as being a member who supported the legislation in 1994 that the House passed that established the COPS Program. But I do think we have a responsibility to look at how this particular program, which is designed to encourage community-oriented policing, has worked, and the pitfalls that have been experienced with this program. And I am not convinced that we got it exactly right in that program.

I think that more flexibility for local jurisdictions would have been in order. It may be that the—I haven't looked carefully at the legislation that the gentleman from New York has made reference to, but it sounds like he—the gentleman from New York, himself, is sensitive to some of the shortcomings of the program. So I look forward to hearing the testimony from the witnesses here today, and I want to thank the chairman for giving the members of the subcommittee this opportunity.

Mr. MCCOLLUM. Thank you very much, Mr. Canady. Mr. Meehan, you are recognized.

Mr. MEEHAN. Thank you, Mr. Chairman, for calling this important hearing and giving us an opportunity to analyze the success of the COPS Program. I would also like to thank Chief Ed Davis from my home town of Lowell, Massachusetts for testifying here today. And Chief Davis is overseeing a decrease in the crime rate in the city of Lowell to levels that, frankly, we never thought possible.

Violent crimes are down from a high of 3,937 in 1995 to 1,090 last year. Property crimes are down from a high of 7,331 in 1993 to under 3,000 last year. Reported Part I Crimes; that is homicide, rape, assault, robbery, burglary, vehicle theft, arson, are down from a high of 9,981 in 1993 to 4,055 last year.

There are many factors that contribute to this, but I believe that Chief Davis will outline just how critical the COPS Program has been in combatting crime in Lowell. Since 1994, Lowell has received 333 officers, including technology grants, at a value of over \$21 million.

I had worked with the Lowell Police Department as a First Assistant District Attorney in Middlesex County before getting elected to Congress, but I can tell members of this committee that the

presence—the Federal presence of police officer in Lowell has had a dramatic effect in that community. Not only that, but the implementation of the community policing and the philosophy behind it has been critical in making sure that the police department plays a critical role in the development of the neighborhood.

So I am glad that you called this hearing, Mr. Chairman. I look forward to looking at the tremendous successes of this program throughout the country.

Mr. MCCOLLUM. Mr. Hutchinson?

Mr. HUTCHINSON. Thank you, Mr. Chairman, and I am grateful for this hearing. I want to identify myself with the remarks of my friend from Florida, Mr. Canady, who commented about the community policing and how well that works. And I agree with that completely. I think we can agree on the merits of community policing. Second, I think we can also agree that this program is popular. I have contact with a lot of my local law enforcement police departments, and they like the COPS Program, obviously, because they receive money by which they can hire officers. And third, we can agree that the crime rate is down.

But I think the importance of this hearing is whether there a nexus, is there a connection between this program and the crime rate going down. And secondly, is this program the best means by which we can support local law enforcement. And I appreciate the approach of the chairman, that perhaps a flexible mechanism would be helpful, where this could be one of many means by which local law enforcement can use Federal funds to support their activities.

The chairman mentioned tying it to the crime rate, and I think that should be one criteria. I don't think it should be the only criteria. I think we ought to reward success and not just fund areas where there are problems. And so I think there probably should be some discretion in awarding not just this type of grant, but all grants, where it is not simply tied to the crime rate. I know in a lot of my areas we are fighting crime, but we ought to be rewarded when there has been success and ought to have access to Federal support for good and consistent law enforcement efforts.

So I am really grateful for this hearing. I think these are all very important questions and I look forward to the testimony, Mr. Chairman.

Mr. MCCOLLUM. Thank you very much, Mr. Hutchinson. I want to welcome our first panel and introduce them this morning to you. Our first witness is Mr. Thomas Frazier. Mr. Frazier was selected as the Director of the COPS Program in September of this year.

Prior to his selection, Mr. Frazier served as the Commissioner of the Baltimore Police Department from 1994 to 1999. Prior to that he was with the San Jose Police Department. He served as a decorated member in the U.S. Army Intelligence during Vietnam and has served on the Board of Directors of the Police Executive Forum and the Maryland Council on Criminal and Juvenile Justice. We welcome you.

Our second witness is Mr. Robert Ashbaugh. Mr. Ashbaugh served as Deputy Inspector General for the Department of Justice for the past 10 years, and since August has served as the Acting Inspector General. He is responsible for the day-to-day activities of

overseeing Inspector General Offices, various programs and personnel.

Mr. Ashbaugh has held various senior positions in the Department of Justice and was honored by President Reagan in 1985 for outstanding service by a Federal employee in the fight against waste, fraud, and abuse.

Our third witness on the panel today is Mr. Richard Stana. Mr. Stana is the Associate Director for the Administration of Justice Issues at the General Accounting Office. He has been with GAO for over 23 years and has served in various capacities at headquarters, the field and overseas offices. His management work for GAO has included law enforcement, drug control, immigration, and court administration issues.

Again, I want to welcome all three of you here today, and all of your statements will be admitted into the record without objection in their entirety, and I hear none, and it is so ordered. And you may feel free to summarize as you see fit, Mr. Frazier. I open with you. You may proceed.

STATEMENT OF THOMAS C. FRAZIER, DIRECTOR, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), UNITED STATES DEPARTMENT OF JUSTICE

Mr. FRAZIER. Thank you very much, Mr. Chairman and Mr. Scott.

Mr. MCCOLLUM. We need a mike on. There is a switch right at the bottom of it, please, sir.

Mr. FRAZIER. Thank you, Mr. Chairman, Mr. Scott, and members of the subcommittee. I am pleased to appear before you representing the Office of Community Oriented Policing Services. Today I would like to update you on the progress of the COPS Office, some of the challenges currently facing the Office, and, of course, answer your questions with what knowledge I have acquired in my one month on the job at COPS.

I recently hung up my uniform after almost 33 years in local law enforcement to become the Director of the COPS Office. Prior to coming to COPS, I was the Baltimore City Police Commissioner for nearly 6 years. And before that, 27 years with the San Jose, California Police Department.

When I arrived in Baltimore, it was a city caught in the worst of urban catch 22's. As crime went up, the economy deteriorated. As the economy deteriorated, crime went up even more. In Baltimore, the \$39 million we received from the COPS Program to fund 480 additional officers, as well as valuable technology, helped us break this vicious cycle.

Baltimore's story is not unique. Crime is dropping in every region of the country. Last week the FBI reported that crime has now declined for an unprecedented seven consecutive years. The recent shift to community policing has been a major factor in this success.

Not too long ago, community policing strategies were being used by only a handful of police chiefs and sheriffs around the Nation. Today, thanks in large part to the additional officers, technology, and training provided by the COPS Program, community policing is the Nation's primary weapon in the fight against crime.

To date, we have awarded more than \$6 billion to fund the addition of 103,000 police officers. Already more than 55,000 of those officers are on the street working to fight crime. As you may know, it can take a local law enforcement agency up to 18 months to recruit, train, and hire qualified candidates. This is, however, a necessary delay, ensuring that carefully selected and well-trained police officers are in our neighborhoods. This is an unprecedented level of support for local law enforcement, and the impact of this support is felt every day in cities and towns around the country.

We have come here today, in part, to address some issues raised in the Inspector General's report. Let me begin by thanking the Inspector General's Office for the important role they play in helping us improve program management and our comprehensive monitoring strategy.

The Inspector General's audit contains a number of valuable recommendations. Many of those have been implemented and we are already seeing very positive results. I agree with the Inspector General when he says that the COPS Office has already taken essential first steps to address identified weaknesses in grant program management and administration.

As members of the subcommittee may know, the COPS Office and the Inspector General do have some genuine disagreement about some of the report's conclusions. The Department of Justice is currently in the process of resolving this disagreement, but this report should not obscure the bigger picture. The COPS Program works and we will meet our goal of adding 100,000 officers to the street.

One of the things law enforcement officials truly appreciate about the COPS Program is its flexibility. In this country there are a wide array of crime problems affecting communities of all sizes and shapes. The COPS Program has the flexibility to meet the public safety needs of big cities, small towns, and everything in between. Local chiefs and mayors get police officers to implement programs they deem necessary in their cities.

The COPS Program is unique in the sense that it is not, nor was it ever intended to be, an entitlement program. Instead, these grants are a temporary injection of Federal assistance to help communities develop long-term local solutions to crime. That is why COPS grants contain a retention requirement. The overwhelming majority of COPS grantees intend to retain their COPS funded officers.

The Inspector General's own random survey of 191 COPS grantees confirmed that 96 percent of those surveyed intend to retain their additional COPS officers with State or local resources. Many of these officers will spend 20 or more years on the force fighting and preventing crime—a great return on a \$75,000 investment.

Some communities will encounter unforeseen fiscal distress during the length of their grant. COPS works with these agencies to help them develop retention strategies.

As I am sure the members of the subcommittee know, authorization for the COPS Program will expire next year. Although crime is down significantly in recent years, we cannot let the brightness of this moment in time blind us to the possibilities of the future. Our work is not yet done.

If we cannot walk the streets at night without looking over our shoulders, crime is still too high. If we cannot send our children to school every day without fearing for their safety, crime is still too high. If the fabric of our communities is still being torn apart because of fear to emerge from behind locked doors, crime is still too high.

I am genuinely concerned that we will turn our attention elsewhere and fail to build upon this success. Not continuing this important program would be another case of one step forward, two steps back. I am not alone in this concern. That is why every major law enforcement group, the U.S. Conference of Mayors, and the County Executives of America all support the continuation of the COPS Program.

On behalf of the COPS Office, I would like to thank you for the opportunity to testify about this very important program. I would ask that the text of my written comment be included into the hearing record, and I would be pleased to answer any questions. Thank you.

[The prepared statement of Mr. Frazier follows:]

PREPARED STATEMENT OF THOMAS C. FRAZIER, DIRECTOR, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), UNITED STATES DEPARTMENT OF JUSTICE

Mr. Chairman and members of the subcommittee:

I am very pleased to appear before you today representing the Office of Community Oriented Policing Services—or the COPS Office as we have become known most Americans.

It has been nearly four years since a representative from our office has appeared before your subcommittee. Today, I would like to update you on the progress of the COPS Office, some of the challenges currently facing the office, and, of course, answer your questions with what knowledge I have acquired in my one month on the job at COPS.

I recently hung up my uniform for the first time in almost 33 years to become the Director of the COPS Office. Prior to coming to COPS, I was the Commissioner of the Baltimore City Police Department for nearly six years. And before that, I spent 27 years coming up through the ranks of the San Jose, California, Police Department. In addition, until my Federal appointment, I was the President of the Police Executive Research Forum, an organization of executives from the largest city, state, and county law enforcement agencies, and I am a long time member of the Major Cities Chiefs, an organization of police chiefs from the fifty largest cities in America.

During my law enforcement career, I have served in virtually every assignment available—I have walked the beat, worked undercover, led a major city police department, and everything in between. That experience has proven that community policing is the best way to fight crime.

It wasn't too long ago that community policing strategies were being used by only a handful of police chiefs and sheriffs around the nation. In fact as recently as 1993, US News & World Report opined "if community policing can't deliver quantifiable results quickly, it will end up on the scrap heap of innovation."

Only a few years later, through the COPS Office, more than 11,300 law enforcement agencies have committed to community oriented policing and approximately 87 percent of the American population is now served by a policing agency that practices community policing.

It is not an overstatement to say that community policing is now America's predominant crime fighting strategy. It is also not an overstatement to say that community policing will not and should not see that "scrap heap" anytime soon.

And that strategy is working. Crime is dropping in every region of the country. Just last week the FBI reported that crime has now declined for an unprecedented seven consecutive years. The crime rate is now lower than it has been in more than a generation, and the murder rate is at a 31 year low. This drop in crime is certainly historic. And make no mistake, we could never have achieved so much without the COPS program.

A few weeks ago the COPS Office celebrated its five-year anniversary. To date, we have awarded more than \$6 billion in grants to 11,300 law enforcement agencies nationwide to fund the addition of more than 103,000 officers. Already more than 55,000 of those officers are on the street working with their communities to fight crime. These officers are patrolling big cities and small towns. They are working in our schools and neighborhoods. And they are making a very real difference in the quality of life in our communities. Just last week, the National Association of Police Organizations awarded their "Top Cops" awards to the nation's top law enforcement officers. These are officers who have shown remarkable courage in the face of great danger. This year, five of the 32 award winners were hired with COPS grants.

COPS also provides funding for critical training, valuable technology, and innovative community policing partnerships, all of which serve to support and enhance community policing in communities across America.

The COPS-funded Regional Community Policing Institutes and Community Policing Consortium have trained more than 77,000 law enforcement officers and community members. Through the Making Officer Redeployment Effective (MORE), COPS has provided more than \$700 million to fund crime-fighting technologies. In addition, COPS also funds innovative community policing strategies to combat school violence, methamphetamine use and production, and domestic violence. This is an unprecedented level of support for local law enforcement and the impact of this support is felt everyday in cities and towns around the country.

I have been on the frontlines in the fight against crime and have witnessed the tremendous benefits of the COPS program. And I believe very strongly that nothing has done more to advance the cause of community policing than COPS. This funding has been a catalyst for the revolutionary shift in law enforcement toward community policing. There is no question that the policing community could not have come so far so fast without the major influx of federal resources provided by the COPS program.

I am here before you today as the former chief of police in a community that has benefited tremendously from the COPS program. When I arrived in Baltimore in 1994, it was a city with a tremendous narcotics problem, a shrinking population, and a diminishing tax base. It was a city that was caught in the worst of urban "catch 22's." As crime goes up, business and residents flee the city and the economy deteriorates. As the economy deteriorates, the city cannot afford to spend money on police and crime goes up even more. In Baltimore, the COPS program helped us break this vicious cycle.

The \$34 million in grants we applied for and received from COPS provided a tremendous boost and allowed the department—and the city—to get back on its feet. The additional 480 officers funded by these grants gave us what we needed to provide the citizens of Baltimore with the police protection they need and deserve, as well as allowed us to implement innovative community policing strategies to fight crime. We partnered with the community and other service providers to provide comprehensive solutions to crime problems. We flooded open-air drug markets with police to take back the city block by block. And when we discovered that the city's community centers were closing at three in the afternoon and kids were being put on the street during the most crime ridden hours of the day, we started the Police Athletic League to provide safe places, positive activities, and good role models for kids. These strategies worked—we were able to turn the tide against crime and violence in the city. I am happy to report crime in Baltimore dropped for four years in a row and is at its lowest point in a decade.

By funding additional officers quickly and efficiently, the COPS program meets the needs of American police chiefs, sheriffs, mayors, and rank-and-file law enforcement. The COPS program is driving the tremendous increase in the number of officers working the beat in America—more than 9 percent since 1992 according to a recent study.

The last time the COPS Office appeared before your subcommittee, we had funded more than 25,000 additional community policing officers. On May 12, the COPS Office funded the 100,000th officer—less than five years after the office opened its doors for business. As I mentioned, 55,000 of those officers are already on the street. As you may know, it can take a local law enforcement agency up to 18 months to recruit qualified candidates, conduct thorough testing procedures and background checks, and cycle officer candidates through training academies and field training programs. In Baltimore, 93 percent of candidates were eliminated in the application process. Given these tough standards it is easy to understand the lag time in hiring an officer. In addition, academy training alone can take six to eight months.

As a former police chief, I know how dangerous and foolish it is to rush unprepared officers into service. The public would not be well served if we encouraged grantees to compromise their recruiting, hiring, or training procedures for new offi-

cers simply to demonstrate that the COPS program could result in officers on the street overnight.

I understand there is some concern—based on the recent Inspector General's report—about our ability to add 100,000 officers to the street. We have already achieved the critical first step of funding 100,000 officers. With more than 55,000 officers already on the street and the rest in the pipeline, I am confident that we will meet our goal.

We have come here today, in part, to address some issues raised in that report. Let me begin by thanking the Inspector General's Office for the very important role they play in helping us improve program management and our comprehensive monitoring strategy.

The Inspector General's Programmatic Audit of the COPS Office contains a number of valuable recommendations. Many of those have been implemented and we are already seeing very positive results. I am confident that we are addressing the issues raised in the report and I agree with the Inspector General when he says that the COPS Office has already taken "essential first steps to address identified weaknesses in grant program management and administration."

As members of the subcommittee may know, the COPS Office and the Inspector General have some genuine disagreement about the findings and conclusions from the report. The Department of Justice is currently in the process of resolving this disagreement. However, the COPS Office looks forward to continuing to work with the Inspector General in a positive and mutually beneficial relationship.

This report should not obscure the bigger picture: the COPS program works. Crime is down, the number of cops walking the beat is up, and more departments than ever are practicing community policing. The numbers are important, but the best way to comprehend the very real impact of this program is to look at the thousands of individual success stories from around the country.

Until recently, the town of Lyford, Texas did not have one of the staples of local government—a police department. However in 1997, thanks to a COPS grant, Lyford was able to establish its own police department. This three-person department is patrolling the streets, partnering with the community, and working in local schools. They have also established a citizen police academy, and soon a bike patrol will bring the department even closer to the people they serve. Since the Lyford Police Department opened its doors drug use, truancy, and domestic violence are all down.

And in Rome, New York, the COPS program helped fight back an increase in crime at a very difficult time for the city. Five years ago, crime was on the rise in Rome. To make a bad situation worse, Griffiss Air Force Base realigned and Rome lost 30 percent of its economy. COPS funding allowed Rome to start new public safety initiatives and implement community policing. Today, the crime rate is going down and Rome is a much safer place to live.

Examples like these, along with my experience in Baltimore, demonstrate in very human terms the success and importance of the COPS program.

This program is markedly different than many law enforcement assistance programs. It was created, in part, with the experience of those programs in mind. Therefore, COPS does not distribute funds based strictly on a community's crime rate. Our authorizing legislation—the 1994 Crime Act—created the COPS program to be a discretionary grant program that would be flexible enough to meet the public safety needs of communities of all shapes and sizes. Since 1994, COPS grants have been used to create more than 300 new police departments. These jurisdictions, like Lyford, would not have a police department without the COPS program. These towns do not necessarily have very high violent crime and murder rates, but their residents do deserve the safety and peace of mind that comes from knowing that local men and women in blue are patrolling the streets.

Although the statute provides COPS with valuable flexibility, this does not mean that the areas hardest hit by crime are being cut out of the funding. A 1995 General Accounting Office Audit of the COPS program, found that "the higher the crime rate, the more likely that a jurisdiction was to apply for a COPS grant."

We are also aware that there are some communities that may not be able to afford the 25 percent local match requirement. That is why we offer a waiver of the local match for economically distressed communities. COPS also awarded \$106 million to 18 communities that faced some of the nation's highest levels of crime and economic distress through the Distressed Neighborhoods Initiative. The 25 percent local match requirement was waived for these cities to ensure that they were able to participate in the program.

COPS is committed to continuing to place these officers in the areas where they are needed most, without losing the flexibility to help every community add police to the beat and implement innovative community policing strategies. I would cer-

tainly welcome the opportunity to work with the subcommittee to develop programs similar to the Distressed Neighborhoods initiative. As I am sure many of you know, the Administration has made the targeting of crime hotspots a focal point of the 21st Century Policing Initiative.

I have also heard members of the subcommittee raise some concerns about the requirement that communities retain their officers after the expiration of the grant. Let me first put this requirement in context. The COPS program is not, nor was it ever intended to be, a federal entitlement program for local law enforcement. Instead, it is a temporary injection of federal assistance to help communities develop long-term, local solutions to problems of crime and violence. In this respect, the COPS program is a unique public policy endeavor. The three-year grant period gives jurisdictions sufficient time to develop a plan for local funding, while the declining federal share over the life of the grant eases the transition to local funding.

The evidence indicates that the overwhelming majority of COPS grantees intend to retain their COPS-funded officers. The Inspector General's own random survey of 191 COPS grantees confirmed that 96 percent of those surveyed intend to retain their additional COPS officers with state or local resources. Even more telling, though retention was not a specific requirement of the COPS Phase I program, 96 percent of Phase I grantees whose grant periods have ended confirmed on their final grant status reports that they had requested local funding to retain their COPS officers.

The fact of the matter is that these community police officers are making a difference in the communities they serve. The police chief, the mayor, business community, and the public all want these officers to remain on the beat and they are working together to develop strategies for long-term retention. This is exactly how the program was intended to work. For example, Hillside, New Jersey, is using its State-sponsored Urban Enterprise Zone and Economic Development programs to provide retention funding. Mesquite, Nevada used long-term planning, collaboration with the city council, new burglar alarm permit fees, and higher revenues from Southwestern Bell to fund its COPS-funded officers.

Most of our grants have not yet expired, but the early signs are overwhelmingly positive. My experience in policing leads me to believe that at the end of the day, the overwhelming majority of agencies will retain their officers long beyond the life of the grant. Many of these officers will spend twenty or more years on the force fighting and preventing crime. When you consider the number of crimes they will prevent, the offenders they will arrest, and the kids they will point in the right direction, that is a great return on a \$75,000 investment.

There will of course be some communities who encounter unforeseen fiscal distress during the life of their grant—perhaps the closing of a major employer. In these cases, COPS works with these agencies to help them develop retention strategies. However, in some cases retention may be impossible.

The COPS program is more than a federal program—it is an effective partnership between the Federal government and local law enforcement. The COPS program is the only federal agency that is dedicated solely to serving the unique needs of local law enforcement. This partnership has helped advance community policing, cut crime, and increase the number of officers on the street. While over the last five years, we have been tremendously successful in all of these endeavors, we cannot let the brightness of this moment in time blind us to the possibilities of the future.

If we cannot walk the streets at night without looking over our shoulders—crime is still too high. If we cannot send our children to school everyday without fearing for their safety—crime is still too high. And if the fabric of our community is still being torn apart because we are afraid to emerge from behind locked doors—crime is still too high. It was not too long ago that it seemed that crime would never go down. The current decrease runs counter to the experience of the last couple of decades, but it is not an aberration. With community policing we have found the key to reducing crime to levels never before seen. I am genuinely concerned given the recent drop in crime, we will turn our attention elsewhere and fail to build upon this success. The COPS program has been critical to the development, advancement, and institutionalization of community policing. Anything short of fully supporting this important program would be just another case of "one step forward, two steps back."—something that until recently, those of us in law enforcement have been all too familiar with.

I am not alone in this fear. That is why the International Association of Chiefs of Police, International Brotherhood of Police Officers, the Fraternal Order of Police, National Sheriffs' Association, National Troopers Coalition, the International Union of Police Associations, and the Federal Law Enforcement Officers Association, the National Association of Police Organizations, the National Organization of Black Law Enforcement Officials, the Police Executive Research Forum, the Police Foun-

dation, the Major Cities Chiefs, the U.S. Conference of Mayors, and the County Executives of America oppose any move to eliminate or underfund the COPS program.

I look forward to working with the members of the subcommittee in the future to continue the tremendous support that you have provided local law enforcement in recent years.

On behalf of the COPS Office, the Department of Justice, and the entire law enforcement community, I would like thank you for the opportunity to testify about this very important program in which I and thousands of police chiefs and sheriffs around the country believe so strongly.

I would be pleased to answer any questions.

Mr. MCCOLLUM. Thank you very much. Mr. Ashbaugh, welcome, and you may proceed with your testimony.

**STATEMENT OF ROBERT L. ASHBAUGH, ACTING INSPECTOR
GENERAL, UNITED STATES DEPARTMENT OF JUSTICE**

Mr. ASHBAUGH. Thank you, Mr. Chairman, members of the subcommittee. I am pleased to have an opportunity to talk about the activities of my office, the Office of the Inspector General, regarding the oversight into the COPS Program at the Department of Justice.

My prepared statement—

Mr. MCCOLLUM. Could you pull a little closer to the mike, please, sir, just a little bit. Thank you.

Mr. ASHBAUGH. My prepared statement reports in detail on several audit initiatives undertaken by my office. I wanted to use this opportunity to make a few additional comments.

First, my office began its inquiries into the COPS Program almost immediately after the passage of the 1994 Violent Crime Control Act. We worked with the COPS Office to develop the application materials, and we conducted some of the pre-award screening of some of the early applicants. When the grants began to mature and became auditable, which occurred roughly in October 1996, we began our more formal oversight work.

Throughout this period, however, I would characterize our relationship with COPS as being collegial and as being an excellent example of how an OIG and program managers can work to foster an improved program and to provide some fiscal security to the way the program is operated.

Much has been made of the claim that we have sometimes heard that the COPS Program would put 100,000 officers on the street by the year 2000. This scorecard is inaccurate. While COPS may have approved grant applications totally 100,000 officers, in fact, as we now know, approximately 60,000 will be on the street by the end of the year 2000.

Moreover, because some of the early grants are going to be expiring, and therefore the obligation to retain the officers will expire, there is some concern that we will never have 100,000 officers on the street at the same time. But this is a scorecard issue. It really does not provide insight into the management and the effectiveness of the program.

It is a scorecard issue that as an Inspector General it is important for us to try to correct. I think it is a scorecard issue that could have been and should have been prevented with more careful and fuller disclosure to the public with respect to what was being claimed.

But our job as an Office of the Inspector General is to try to find the kinds of problems in the program that can be corrected to make it stronger. And it is to those that I would like to turn my attention.

When examining the claim that there were 100,000 officers that were going to be funded under the COPS Program, we found errors that are more than scorecard issues. Our July 1999 audit found roughly \$600 million worth of grants where COPS had not informed the police department that its grant had been approved, where the police department had not formally accepted the grant, or the grantee had later withdrawn from the program.

Of this \$600 million, there was approximately \$485 million in grants where the city or the municipality had not accepted the grant even though an average of a year had passed since COPS had notified the entity of the approval of the grant. All of these grants were counted toward the 100,000 goal, but they should not have been.

More importantly though, from an OIG perspective, they suggested tardy processing of grants, an absence of grant tracking or monitoring, and of follow-up by COPS. And these are issues that COPS has already begun to address. They have gone out and they have surveyed, and polled, and attempted to have the communications with these entities that will clean up the books so that we will know which grants are live and which grants are dormant or terminated. But it is this kind of grant management that is of continuing concern to my office.

My final point in terms of these remarks concerns one of the goals that COPS has set for itself. One-third of the COPS total depends on whether it obtains 35,000 community officers under MORE grants. MORE stands for Making Officer Redeployment Effective, and arises from the proposition that grant funds can be invested in equipment and infrastructure or spent on civilian personnel so as to free up or to redeploy uniformed officers for community oriented policing.

The program applies a formula. Basically, one COPS officer is to be redeployed for every \$25,000 in grant monies awarded. On its face it appears problematic. Our audit experience confirms this doubt and shows that most grantees, 52 out of the 67 that we audited, could not demonstrate that the MORE funds resulted in the redeployment of the sworn officers for community policing and had not provided us a way to track future redeployments, sometimes even several years after the grant had been awarded.

Since our April and July reports, we have issued an additional 54 final audits and sent another 34 audits to COPS in draft. There continues to be ambiguity regarding what activities qualified for community policing funding, problems with retention, and concerns over supplanting.

COPS has completed additional guidance that will inform the grantees of their obligations under this program. It has moved to strengthen monitoring activities, although monitoring continues to remain an area of concern to the OIG, and it has improved its requirements regarding the development of retention plans. It has been very supportive of the OIG's treatment of instances in which we have found unallowable or overestimated cost issues.

We look forward to working with Director Frazier and his staff at COPS to improve the program integrity and the fiscal security of this, the largest grant program in the Department's history. Thank you.

[The prepared statement of Mr. Ashbaugh follows:]

PREPARED STATEMENT OF ROBERT L. ASHBAUGH, ACTING INSPECTOR GENERAL,
UNITED STATES DEPARTMENT OF JUSTICE

SUMMARY

The Office of the Inspector General (OIG) audited 149 recipients of COPS hiring and redeployment grants in fiscal years 1997-98. These 149 grantees received a total of \$511 million or 10 percent of the funds COPS had obligated for the program up to that point. In April 1999, we issued a report summarizing the findings and recommendations from our first two years of COPS audits. For the 149 grant audits, we identified about \$52 million in questioned costs and about \$71 million in funds that could be better used. Our dollar-related findings amount to 24 percent of the total funds awarded to the 149 grantees.

The COPS office counts 35,852 officers under the "Making Officer Redeployment Effective" program towards the President's goal of adding 100,000 additional officers. However, 52 of the 67 grantees that we audited (78 percent) either could not demonstrate that they redeployed officers or could not demonstrate that they had a system in place to track the redeployment of officers into community policing. We believe that this redeployment program—comprising one-third of the total program goal—is the highest-risk COPS grant program. Our audits of individual grantees also raised concerns about whether federal grant funds were being used to supplant rather than supplement state and local funds. Finally, we questioned the ability of many grantees to retain the COPS-funded officers after the grants ended.

In addition, the OIG issued a program audit in July 1999 that assessed the COPS Office's administration of the \$8.8 billion community policing grant program. We found that COPS has not been consistent with respect to when the 100,000 additional community policing officers will be "on the street." COPS officials state that their goal is to *fund*—i.e., to have approved grant applications for—100,000 new officers by the end of FY 2000. COPS disclaimed a goal of having the 100,000 new officers hired and actually deployed to the streets by the end of FY 2000, even though this goal has been stated by COPS Office publications and in speeches by government officials.

Clearly, the COPS grants will not result in 100,000 additional officers on the streets by the end of FY 2000. Based on projections by the COPS Office, only 59,765 of the additional officers will be deployed by the end of FY 2000. COPS counts an officer as funded when it approves the grantees' application for award of the grant instead of when the grantee actually accepts the grant. While COPS projects that it will fund 107,019 additional officers by FY 2000, our audit findings raised serious questions about whether several thousands of these "funded" officers that were counted toward COPS' goal will ever materialize.

In addition, grantees will not be required to retain through FY 2000 at least 31,091 of the total funded officer positions because COPS only requires the grantees to retain the positions for a minimum of one budget cycle after the budget cycle in which the grants expire.

STATEMENT

Mr. Chairman, Congressman Scott, and Members of the Subcommittee on Crime: I appreciate the opportunity to appear before the Subcommittee to discuss the work of the Office of the Inspector General (OIG) with respect to oversight of the \$8.8 billion Community Oriented Policing Services grant program. Specifically, I am here today to discuss two reports issued by the OIG within the last six months: 1) a summary report of findings and recommendations from our first 149 audits of grant recipients; and 2) a program audit that examined the Office of Community Oriented Policing Services' (COPS) and Office of Justice Programs' (OJP) administration of the grant program. I will address these reports in turn after providing brief background information on the OIG's involvement in overseeing the COPS program.

I. Background

In 1994, the President pledged to put 100,000 additional police officers on America's streets to promote community participation in the fight against crime. He sub-

sequently signed the Violent Crime Control and Law Enforcement Act of 1994 (Crime Act), authorizing the Attorney General to implement over six years an \$8.8 billion grant program for state and local law enforcement agencies to hire or redeploy 100,000 additional officers to perform community policing.

The Attorney General established the COPS Office to administer the grant programs and to advance community policing across the country. The COPS Office is responsible for: (1) developing and announcing grant programs; (2) receiving and reviewing applications; (3) deciding which grants to award; and (4) monitoring programmatic issues related to grants. OJP is responsible for financial management of the COPS program.

In order to meet the President's goal of putting 100,000 additional police officers on the street, COPS developed six primary hiring and redeployment grant programs for state and local law enforcement agencies.¹ Hiring grants fund the hiring of additional police officers and generally last for three years.

Redeployment grants are generally one-year grants that fund the cost of equipment, technology, and support resources—including civilian personnel—to free existing officers from administrative duties and redeploy them to the streets to perform community policing. At the end of the grant period, the state or local entity is expected to continue funding the new positions or continue the time savings that resulted from the equipment or technology purchases using its own funds.

The primary hiring and redeployment grants for the COPS program are:

- 1) *Phase I*. In October 1994, the COPS Office awarded its first \$200 million in grant funds, as directed by Congress, to applicants not funded under the PHS program. The COPS Office awarded Phase I grants to 392 state, municipal, county, and tribal law enforcement agencies. These grants made it possible for agencies to hire about 2,600 additional officers and deputies. Grants are no longer awarded under this program.
- 2) *Accelerated Hiring, Education, and Deployment (AHEAD)*. This program, developed in 1994, provided funds to law enforcement agencies serving populations of 50,000 or more. COPS AHEAD permitted agencies to begin recruiting and hiring new officers immediately in anticipation of subsequent COPS grant funding. Applicants were required to submit a "Letter of Intent to Participate" to COPS. Under COPS AHEAD, about \$283 million in grants were awarded to policing agencies to fund the hiring of about 4,000 additional community policing officers. Grants are no longer awarded under this program.
- 3) *Funding Accelerated for Smaller Towns (FAST)*. This program was developed by COPS in 1994 to simplify the application process for jurisdictions serving populations of less than 50,000. Law enforcement agencies in these smaller jurisdictions were only required to submit a one-page, fill-in-the-blank application form to apply for a grant. Under COPS FAST, about \$394 million in grants were awarded to policing agencies to fund the hiring of more than 6,000 officers and deputies. Grants are no longer awarded under this program.
- 4) *Universal Hiring Program (UHP)*. This program is open to all law enforcement agencies, regardless of the jurisdictions' population. All hiring grants awarded after FY 1995 are made under this program. Only agencies that have not received another COPS hiring grant are required to submit the UHP application. Under the UHP, recipients of COPS FAST and COPS AHEAD grants are required to submit only a UHP Officer Hiring Request form and revised budget information to be considered for a grant. According to COPS, as of February 1999 more than \$3 billion in UHP grants had been awarded to fund the hiring of about 42,000 officers and deputies. Grants are still awarded under this program.
- 5) *Making Officer Redeployment Effective (MORE)*. The COPS MORE grant program is designed to expand the time available for community policing by current law enforcement officers, rather than fund the hiring of additional officers. This program is open to all law enforcement agencies, regardless of the

¹In 1993, prior to the passage of the Crime Act, Congress provided funds for the Police Hiring Supplement program (PHS), a competitive program awarding grants directly to law enforcement jurisdictions to hire additional officers. This program, administered by OJP, provided almost \$150 million as a "down payment" towards deploying 100,000 additional police officers on the street. One-half of the PHS funds were designated for jurisdictions with populations of 150,000 or less and one-half for jurisdictions with populations above 150,000. These grants made it possible for jurisdictions to hire a total of about 2,000 officers and deputies. The positions are counted toward the 100,000 officer goal. Grants are no longer awarded under this program.

jurisdictions' population. Grants are awarded for up to 75 percent of the cost of equipment and technology, support resources (including civilian personnel), or to pay overtime. For each \$25,000 in federal funds received, agencies must redeploy the equivalent of one full-time sworn officer to community policing. The first grants were awarded in FY 1995. According to COPS, as of February 1999, about \$967 million in grants were awarded under the MORE program to fund the redeployment of 35,852 officer full-time equivalents. Grants are still being awarded under this program.

Although not a hiring or redeployment grant, the Small Community Grant Program is open to communities with a population of less than 50,000. These grants supplement Phase I, FAST, or UHP grants and help to pay for a portion of the fourth-year salaries and benefits of existing COPS-funded officers. These one-time grants are specifically for the retention of previously funded COPS grant police officer positions and are not counted toward the President's 100,000 additional-officer goal.

The OIG has been involved with the COPS program in various advisory and oversight capacities since its inception. In 1994, we worked with OJP and later with COPS to review program announcements and application kits. Our focus at the time was on applicant eligibility and accountability issues. From 1994 to 1996 we performed pre-award reviews of 40 grant applicants. Because funds had yet to be disbursed, our work concentrated on whether information contained in grant applications was supported adequately and whether community groups and public/private agencies were consulted in formulating grant applications. Once COPS funds began to be dispersed, we audited as many grant recipients as our resources would permit.

During fieldwork for our July 1999 program audit of the COPS Office, COPS and OJP said that as of February 1999 they had awarded approximately \$5 billion in grants to fund the hiring or redeployment of more than 92,000 officers, of which 50,139 officers had been hired and deployed to the streets. COPS obtains its "on the street" officer count by contacting grantees periodically by telephone. To our knowledge, the numbers obtained from these telephone calls are not further verified.

II. Overview of Findings: April 1999 Summary Report

From October 1996 through September 1998, the OIG audited 149 recipients of COPS and OJP hiring and redeployment grants totaling \$511 million, or 10 percent of the funds COPS has obligated for the program up to that point. We continue to perform grant audits as our resources permit and have issued an additional 54 COPS grantee audits—with 38 more audits at COPS and OJP for comment—that are not included in the summary report.

In April 1999, we issued a report summarizing the findings and recommendations from our first two years of COPS audits (*Police Hiring and Redeployment Grants: Summary of Audit Findings and Recommendations, October 1996–September 1998*). Our audits of individual grant recipients focused on: (1) the allowability of grant expenditures; (2) whether local matching funds were previously budgeted for law enforcement; (3) the implementation or enhancement of community policing activities; (4) hiring efforts to fill vacant sworn officer positions; (5) plans to retain officer positions at grant completion; (6) grantee reporting; and (7) analyses of supplanting issues. For the 149 grant audits, we identified about \$52 million in questioned costs and about \$71 million in funds that could be better used. Our dollar-related findings amount to 24 percent of the total funds awarded to the 149 grantees.

Several caveats about the individual audit reports are appropriate before considering our April Summary Report:

- a) The audits are "snapshots" as of the grant report's issuance date. Subsequent communication between the auditee and COPS/OJP may result in correction to, or elimination of, the issues noted during our audit; and
- b) the audits may not be representative of the overall universe of grantees because, as a matter of policy, COPS has referred to us for review what it believes to be its riskiest grantees. During FY 1998, we began supplementing COPS requests for audits by selecting about one-half of the grantees ourselves. In some instances, we also targeted suspected problem grantees. Of the 149 audits we performed through September 30, 1998, COPS or OJP referred 103 to us. While we selected only 46 of the 149 audits summarized in this report, our results to date do not differ markedly from the results in the COPS/OJP referred audits.

It also should be noted that COPS and OJP do not always agree with our findings and recommendations and they may conclude that, upon further review and follow-up, in their judgment a grant violation did not occur.²

Since our April 1999 Summary Report, COPS has appealed our findings to the Department's Audit Resolution Committee (ARC), which is chaired by the Deputy Attorney General and exists to resolve disputes between OIG reports and auditees. COPS now disputes our findings in the areas of supplanting, retention, community policing, and redeployment. The ARC process is ongoing.

That said, highlights of our findings in the April Summary Report include:

- The COPS office counts 35,852 officers under the MORE program towards the President's goal of adding 100,000 additional officers. Fifty-two of the 67 grantees that we audited (78 percent) either could not demonstrate that they redeployed officers or could not demonstrate that they had a system in place to track the redeployment of officers into community policing. We believe that this redeployment program—comprising one-third of the total program goal—is the highest-risk COPS grant program.
- 60 of the 147 grantees that we audited (41 percent) showed indicators of using federal funds to supplant local funding instead of using grant funds to supplement local funding. When grantees use grant funds to replace local funds rather than to hire new officers, additional officers are not added to the nation's streets to perform community policing. Instead, federal funds are used to pay for existing police officers. The findings included budgeting for decreases in local positions after receiving COPS grants, using COPS funds to pay for local officers already on board, not filling vacancies promptly, and not meeting the requirements of providing matching funds.
- 83 of the 144 grantees we audited (58 percent) either did not develop a good faith plan to retain officer positions or said they would not retain the officer positions at the conclusion of the grant. If COPS positions are not retained beyond the conclusion of the grant, then COPS will have been a short-lived phenomena, rather than helping to launch a lasting change in policing.³ This is an increasingly important issue because many grants are expiring.
- 33 of the 146 grantees that we audited (23 percent) either did not adequately enhance community policing in accordance with their plans or were unable to adequately distinguish COPS activities from their pre-grant mode of operations. The findings suggest a need for COPS to refine its definition of the practices that constitute community policing as well as those that do not.
- 106 of the 140 grantees that we audited (76 percent) either failed to submit COPS initial reports, annual reports, or officer progress reports, or submitted these reports late. The reports are critical for COPS to monitor key grant conditions such as supplanting and retention.
- 137 of the 146 grantees that we audited (94 percent) did not submit all required Financial Status Reports to OJP or submitted them late. Without these reports, OJP cannot monitor implementation of important grant requirements.

²After we issue our grant reports, COPS, OJP, and the grantee are responsible for ensuring that corrective action is taken. By agreement with COPS, OJP is our primary point of contact on follow-up activity for the grants, although COPS works with OJP to address our audit findings and recommendations, particularly those that indicate supplanting has occurred. The options available to COPS and OJP to resolve our dollar-related findings and recommendations include: (1) collection or offset of funds, (2) withholding funds from grantees, (3) bringing the grantee into compliance with grant terms, or (4) concluding that our recommendations cannot or should not be implemented. To address our non dollar-related findings and recommendations, COPS and OJP can, in addition to other options, bring the grantee into compliance with grant requirements or waive certain grant requirements. When OJP submits documentation to us showing that it has addressed our recommendations, the audit report is closed.

³The COPS AHEAD, FAST, UHP, and all MORE grants required applicants to plan in "good-faith" for continuation of the program following the conclusion of federal support; however, the retention period was not specified. In our judgment, however, the intent of the COPS grant program appears to be that all officer positions funded should be retained. In August 1998, COPS established a policy that grantees are required only to maintain the COPS-funded officer positions for a minimum of "one budget cycle" after the budget cycle in which COPS funding ends (i.e., usually one additional year). In mid-1998, we believe in response to our audit findings, COPS began requiring grantees to develop written retention plans as part of the grant application.

III. Overview of Findings: Audit of COPS Office

This program audit, issued in July 1999, reviewed the COPS Office's and OJP's administration of the community policing grant program. During our review we examined three major areas: 1) COPS' ability to meet the President's goal to put 100,000 additional police officers on the street by 2000; 2) COPS' and OJP's monitoring of grantees; and 3) the quality of guidance provided to grantees to assist them in implementing essential grant requirements.

The first objective of our audit was to assess COPS' progress in achieving its stated goal. We found that COPS has not been consistent with respect to when the 100,000 additional officers funded by the Crime Act will be "on the street." COPS officials state that their goal is to *fund*—i.e., to have approved grant applications for—100,000 new officers by the end of FY 2000. COPS disclaimed a goal of having the 100,000 new officers hired and actually deployed to the streets by the end of FY 2000, even though this goal has been stated by COPS Office publications and Department reports, and in speeches by Administration officials.

Clearly, the COPS grants will not result in 100,000 additional officers on the streets by the end of FY 2000. Based on projections by the COPS Office, only 59,765 of the additional officers will be deployed by the end of FY 2000. COPS counts an officer as funded when it approves the grantees' application for award of the grant instead of when the grantee actually accepts the grant. While COPS projects that it will fund 107,019 additional officers by FY 2000, our audit findings raise serious questions about whether several thousands of these "funded" officers that are currently counted toward COPS' goal will ever materialize.

In addition to the findings mentioned above about redeployment, retention, supplanting, and community policing—all important issues towards achieving the goal of 100,000 new community policing officers on the street—we made the following specific findings regarding COPS ability to meet their stated objective:

- Law enforcement agencies had not accepted approximately \$485 million in grant funds offered by COPS within the designated acceptance period. Nonetheless, COPS counts the 7,722 officers that could be funded by these grants towards its goal. At the time of our audit, these grants had not been accepted even though an average of more than one year had passed since they were awarded. In addition, COPS also counted prematurely another 2,526 officers towards its goal of 100,000 new officers, even though the 741 award documents for these officers had not been provided to the grantee for acceptance. These grants accounted for another \$96 million.
- Grantees had terminated at least 500 grants for 1,300 officer positions during the first four years of the COPS program and additional grants may be terminated during the remainder of the program. COPS had not deobligated 127 of the 500 grants totaling about \$15.1 million. Moreover, the 373 grants that were deobligated were not deobligated promptly. Failure to promptly deobligate terminated grants could give the appearance that COPS is further towards meeting the 100,000 goal than in fact is the case.
- Grantees will not be required to retain through FY 2000 at least 31,091 of the total funded officer positions because COPS only requires the grantees to retain the positions for a minimum of one budget cycle after the budget cycle in which the grants expire.

The second objective of our audit was to assess COPS' and OJP's controls over monitoring of grantees. A variety of regulations require that recipients of federal funds be monitored to ensure proper use of the funds. To this end, the COPS Office and OJP require each grantee to file periodically various progress reports that are important to help monitor compliance with grant conditions.

We determined that many grantees did not submit the required program and financial reports to COPS and OJP.⁴ These reports are critical for COPS to monitor key grant conditions, such as supplanting and retention of officers. Given the significant number of grantees that had not submitted the required reports, we recommended that COPS increase its monitoring efforts to ensure that reports are submitted. The COPS Office has increased its efforts to monitor grantees by creating a Grant Monitoring Division to conduct site visit reviews of selected grantees and has revised its site visit protocol to address the shortcomings identified in our audit.

⁴We reviewed the grant files and OJP's financial tracking system records for 200 randomly selected grants. For the 200 grants, 2,074 quarterly financial reports should have been submitted to OJP from the beginning of the grants to the quarter ending December 31, 1997. However, the grantees had not submitted 649 (31 percent) of the required reports. Moreover, the grantees submitted 493 (35 percent) of the remaining 1,425 reports late.

In addition, COPS has hired a Financial Officer to improve the financial controls over the grants.

Finally, our findings suggest that, in addition to better monitoring by both the COPS Office and OJP, COPS' guidance to grantees could be improved to ensure that critical grant requirements are understood and met. Specifically, we found that COPS needs to better define its requirements for non-supplanting, allowable and unallowable costs, redeployment, officer retention, community policing, and progress reporting. The COPS Office has recognized these weaknesses and has developed additional guidance to grantees about these critical issues.

IV. Financial Statement Audit Findings

Finally, the OIG oversees a yearly independent audit of all Department components in accordance with the Government Management Reform Act of 1994. For purposes of this financial statement audit, the COPS Office is included in the Department's Offices, Boards and Divisions (OBDs) reporting component. For fiscal year 1998, the OBDs received a "disclaimer of an opinion" on its financial statements because the auditors were unable to obtain sufficient evidence as to the validity of various accounts in the financial statements and, thus, the scope of their work was not sufficient to express an opinion. Shortcomings in COPS' financial controls were one of the major reasons the OBDs received such a disclaimer.

Specifically, the independent auditors cited problems in calculating advances and accrued expenditures for grants provided under the COPS program as one of the disclaimer issues. These and other issues involving COPS' financial controls were reported as a material weakness in the Report on Internal Controls. The auditors stressed the importance of having properly operating controls to ensure that funds are disbursed in accordance with COPS policies and procedures and accounted for correctly in accordance with federal accounting standards.

In performing the FY 1998 audit of COPS, the independent auditors also reported errors and inconsistencies in the calculation of the accrual for grant disbursements, data integrity issues in the grant accounting system, and non-compliance with COPS' policies and procedures. With respect to the non-compliance issues, the auditors concluded that:

- documentation was not available to support COPS' determination that an effort would be made to retain officers at the conclusion of the grant period;
- reports used by COPS to determine that federal grants were not being used to supplant state or local funds were not always evident, thus raising the question of how COPS could make this determination; and
- information was not complete enough to determine whether other program requirements were being met.

This completes my summary of the activities of my office with respect to the COPS program. I would be pleased to answer any questions you may have.

Mr. MCCOLLUM. Thank you, Mr. Ashbaugh. Mr. Stana, you are recognized.

STATEMENT OF RICHARD STANA, ASSOCIATE DIRECTOR, ADMINISTRATION OF JUSTICE ISSUES, UNITED STATES GENERAL ACCOUNTING OFFICE

Mr. STANA. Thank you. Mr. Chairman and members of the subcommittee, I am pleased to be here today to discuss the implementation of the Community Policing Act and COPS grants. The Community Policing Act authorized \$8.8 billion to be used from fiscal years 1995 through fiscal year 2000 to enhance public safety. The goals were to add 100,000 officer positions funded by grants to the streets of communities nationwide and to promote community policing.

My statement today is based primarily on our September 3, 1997 report on the design, operation, and management of the COPS Program. At that time, the COPS grant program was about midway through its 6-year authorization period. This information should be helpful in understanding the progress and problems associated with COPS Program implementation.

Our prepared statement and underlying reports discuss in more detail the implementation of the COPS Program and progress toward meeting program goals. In my oral statement I would like to focus on three main points.

First, to receive a grant, State and local agencies are required to meet COPS Program criteria by demonstrating a public safety need and an inability to address this need without a grant. The Act does not target grants to law enforcement agencies on the basis of which agency has the greatest need for assistance.

Nevertheless, our work showed that the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant. The primary reasons jurisdictions we contacted chose not to apply for a COPS grant were the uncertainty about being able to continue officer funding after the grant expired and the inability to provide the required 25 percent match. Community groups and local government representatives we interviewed generally supported community policing in their neighborhood.

My second point is the COPS Office provided limited monitoring to assure compliance with the Act during the period we reviewed. Monitoring guidelines were not prepared, site visits and telephone monitoring did not systematically take place, and information on activities and accomplishments was not consistently collected or reviewed. According to COPS officials, this was due to a lack of grant advisor staff and an early program focus on processing applications to get officers on the street.

At the conclusion of our review, COPS officials told us they were recruiting more than 30 staff positions exclusively devoted to increasing the level of monitoring. According to the IG report, perhaps not all that was hoped for occurred with the new hires in that area. Monitoring grantee operations is important for assuring that laws and regulations pertaining to program implementation, use of funds, and supplanting are adhered to. It is also important for measuring progress against meeting program goals.

My third point is that small communities were awarded the most grants, but large cities received the larger awards. For example, 83 percent of the grants were awarded to agencies serving populations of fewer than 50,000. And while communities with populations of over one million were awarded less than 1 percent of the grants, they were awarded over 23 percent of the grant dollars.

Overall, as required by the Community Policing Act, about 50 percent of the grants funds were awarded to law enforcement agencies serving populations of 150,000 or less, and about 50 percent of the grant funds were awarded to law enforcement agencies serving populations exceeding 150,000.

In closing, at the time of our review the program had reached about one-third of its goal of placing 100,000 new officers on the street, and it was too early to tell whether they would meet the goal of hiring the 100,000 officers. In estimating the number of new officers, as the IG's Office has pointed out, the COPS Office counted officers hired through the grants as well as officers redeployed to community policing as a result of the COPS MORE Program. It also counted 2,000 positions funded by a program which was in place before the grant program was established.

That concludes my oral statement. I would be pleased to answer any questions you or other members of the subcommittee may have.

[The prepared statement of Mr. Stana follows:]

PREPARED STATEMENT OF RICHARD STANA, ASSOCIATE DIRECTOR, ADMINISTRATION
OF JUSTICE ISSUES, UNITED STATES GENERAL ACCOUNTING OFFICE

SUMMARY

The Public Safety Partnership and Community Policing Act of 1994 (Public Law 103-322) authorizes \$8.8 billion to be used from fiscal years 1995 to 2000 to enhance public safety. It has the goals of adding 100,000 officer positions, funded by grants, to the streets of communities nationwide and of promoting community policing. Among other things, the act required that half the grants go to law enforcement agencies serving populations of 150,000 or less. The act also required that grantees not supplant state and local funding, but rather use the federal funds for additional law enforcement beyond what would have been available without a grant. The Attorney General created the Office of Community Oriented Policing Services (COPS) to administer community policing grants.

At the end of fiscal year 1997—when the community policing grant program was midway through its 6-year authorization period—GAO reported on the Department of Justice's (DOJ) implementation of the act and progress toward achieving program goals. We found that grants were not targeted to law enforcement agencies on the basis of which agency had the greatest need for assistance, but rather to agencies that met COPS program criteria. Previous work had shown that overall, the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant. The primary reasons contacted jurisdictions chose not to apply for a grant were cost related. Specifically, these jurisdictions expressed uncertainty about being able to continue to offer funding after the grant expired and about their ability to provide the required 25-percent match.

GAO reported that the COPS Office provided limited monitoring to assure compliance with the act during the period reviewed. Monitoring guidelines were not prepared, site visits and telephone monitoring did not systematically take place, and information on activities and accomplishments was not consistently collected or reviewed. COPS officials said they were taking steps to increase the level of monitoring. Monitoring grantee operations is important for assuring that program regulations pertaining to implementation, use of funds, and supplanting are adhered to.

The majority of the 13,396 COPS grants awarded in fiscal years 1995 and 1996 went to law enforcement agencies serving populations of fewer than 50,000. Almost 50 percent of the grants were awarded to agencies serving populations of fewer than 10,000, and 83 percent of the grants were awarded to agencies serving populations of fewer than 50,000.

Communities with populations of over 1 million were awarded less than 1 percent of the grants, although they were awarded over 23 percent of the total grant dollars. About 50 percent of the grant funds were awarded to law enforcement agencies serving populations of 150,000 or less, and about 50 percent of the grant funds were awarded to law enforcement agencies serving populations exceeding 150,000, as the Community Policing Act required. Special law enforcement agencies were awarded 329 community policing hiring grants in fiscal years 1995 and 1996—less than 3 percent of the total hiring grants awarded.

To calculate its progress toward achieving the goal of 100,000 new community policing officers on the street as a result of its grants, the COPS Office did telephone surveys of grantees. As of June 1997, the COPS Office estimated that a total of 30,155 law enforcement officer positions funded by COPS grants were on the street. The COPS Office counted in this estimate new officers on the street as a result of hiring grants, as well as existing officers who were redeployed to community policing as a result of time savings achieved by other program grants. It also counted 2,000 positions funded by the Police Hiring Supplement Program, a Justice component established before the COPS grant program.

STATEMENT

I am pleased to be here today to discuss the implementation of the Community Policing Act with special attention to statutory requirements for implementing the Community Oriented Policing Services (COPS) grants. The Community Policing Act authorized \$8.8 billion to be used from fiscal years 1995 to 2000 to enhance public

safety. Its goals are to add 100,000 officer positions, funded by grants, to the streets of communities nationwide and to promote community policing.

This statement is based primarily on our September 3, 1997, report¹ on the design, operation, and management of the COPS grant program. At that time, the COPS grant program was midway through its 6-year authorization period. Thus, the information contained in this statement should be considered as a status report at that time rather than a reflection of current operations. My statement makes the following points.

- COPS grants were not targeted on the basis of greatest need for assistance. However, the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant.
- COPS office grant monitoring was limited. Monitoring guidelines were not prepared, site visits and telephone monitoring did not systematically take place, and information on activities and accomplishments was not consistently collected or reviewed.
- Small communities were awarded most COPS office grants, but large cities received larger awards. In accordance with the act, about half the funds were awarded to agencies serving populations less than 150,000.
- As of June 1997, a total of 30,155 law enforcement positions funded by COPS grants were estimated by the COPS office to be on the street.

Background

Community policing is a philosophy under which local police departments develop strategies to address the causes of and reduce the fear of crime through problem solving tactics and community-police partnerships. Community policing emphasizes the importance of police-citizen partnerships and cooperation to control crime, maintain order, and improve the quality of life in communities.

The enactment of the Public Safety Partnership and Community Policing Act of 1994,² Title I of the Violent Crime Control and Law Enforcement Act, established what officials described as the largest grant program ever administered by the Department of Justice (Justice). Under the Community Policing Act, the Attorney General had discretion to decide which Justice component would administer community policing grants. Justice officials believed that a new, efficient customer-oriented organization was needed to process the record number of grants. The result was the creation of the new Office of Community Oriented Policing Services (COPS).

The Community Policing Act requires that grantees contribute 25 percent of the costs of the program, project, or activity funded by the grant, unless the Attorney General waives the matching requirement. According to Justice officials, the basis for waiver of the matching requirements is extraordinary local fiscal hardship. The act also requires that grants be used to supplement, not supplant, state and local funds. To prevent supplanting, grantees must devote resources to law enforcement beyond those resources that would have been available without a COPS grant. In general, grantees are expected to use the hiring grants to increase the number of funded sworn officers above the number on board in October 1994, when the program began. Grantees are required to have plans to assume a progressively larger share of the cost over time, looking toward keeping the increased number of officers by using state and local funds after the expiration of the federal grant program at the end of fiscal year 2000.

Cops Grants Not Targeted to Specific Law Enforcement Agencies

The Community Policing Act does not target grants to law enforcement agencies on the basis of which agency has the greatest need for assistance, but rather to agencies that meet COPS program criteria. In one of our previous reports,³ among other things, we reviewed alternative strategies for targeting grants. We noted that federal grants have been established to achieve a variety of goals. For example, if the desired goal is to target fiscal relief to areas experiencing greater fiscal stress, grant allocation formulas could be changed to include a combination of factors that allocate a larger share of federal aid to those states with relatively greater program needs and fewer resources.

¹ *Community Policing: Issues Related to the Design, Operation, and Management of the Grant Program* (GAO/GGD-97-167, September 3, 1997).

² Public Law 103-322.

³ *Federal Grants: Design Improvements Could Help Federal Resources Go Further* (GAO/AIMD-97-7, Dec. 18, 1996).

We noted in our 1995 Community Policing report⁴ that, overall, the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant. In addition, the primary reasons jurisdictions we contacted chose not to apply for COPS grants were cost related. Specifically, these jurisdictions expressed uncertainty about being able to continue officer funding after the grant expired and about their ability to provide the required 25-percent match. However, community groups and local government representatives we interviewed generally supported community policing in their neighborhoods.

Cops Office Grant Monitoring Was Limited

Monitoring is an important tool for Justice to use in ensuring that law enforcement jurisdictions funded by COPS grants comply with federal program requirements. The Community Policing Act requires that each COPS Office program, project, or activity contain a monitoring component developed pursuant to guidelines established by the Attorney General. In addition, the COPS program regulations specify that each grant is to contain a monitoring component, including periodic financial and programmatic reporting and, in appropriate circumstances, on-site reviews. The regulations state that the guidelines for monitoring are to be issued by the COPS Office.

COPS Office grant-monitoring activities during the first 2½ years of the program were limited. Final COPS Office monitoring guidance had not been issued as of June 1997. Information on activities and accomplishments for COPS-funded programs was not consistently collected or reviewed. Site visits and telephone monitoring by grant advisers did not systematically take place.

COPS Office officials said that monitoring efforts were limited due to a lack of grant adviser staff and an early program focus on processing applications to get officers on the street. According to a COPS Office official, as of July 1997, the COPS Office had about 155 total staff positions, up from about 130 positions that it had when the office was established. Seventy of these positions were for grant administration, including processing grant applications, responding to questions from grantees, and monitoring grantee performance. The remaining positions were for staff who worked in various other areas, including training; technical assistance; administration; and public, intergovernmental, and congressional liaison.

According to the COPS Office, in January 1997, it began taking steps to increase the level of its monitoring. It developed monitoring guidelines, revised reporting forms, piloted on-site monitoring visits, and initiated telephone monitoring of grantees' activities.

As of July 1997, a COPS Office official said that the office had funding authorization to increase its staff to 186 positions, and it was in the process of hiring up to this level. In commenting on our draft report, COPS officials also noted that they were recruiting for more than 30 staff positions in a new monitoring component to be exclusively devoted to overseeing grant compliance activities.

COPS Office officials also said that some efforts were under way to review compliance with requirements of the Community Policing Act that grants be used to supplement, not supplant, local funding. In previous work,⁵ we reported that enforcing such provisions of grant programs was difficult for federal agencies due to problems in ascertaining state and local spending intentions. According to the COPS Office Assistant Director of Grant Administration, the COPS Office's approach to achieving compliance with the nonsupplantation provision was to receive accounts of potential violations from grantees or other sources and then to work with grantees to bring them into compliance, not to abruptly terminate grants or otherwise penalize grantees. COPS Office grant advisers attempted to work with grantees to develop mutually acceptable plans for corrective actions.

Also, in our 1997 report on grant design,⁶ our synthesis of literature on the fiscal impact of grants suggested that each additional federal grant dollar resulted in about 40 cents of added spending on the aided activity. This means that the fiscal impact of the remaining 60 cents was to free up state or local funds that otherwise would have been spent on that activity for other programs or tax relief.⁷ In April 1997, COPS Office officials said that they were discussing ways to encourage grantees to sustain hiring levels achieved under the grants, in light of the language of

⁴ *Community Policing: Information on the "COPS on the Beat" Grant Programs* (GAO/GGD-96-4, October 25, 1995).

⁵ *Proposed Changes in Federal Matching and Maintenance of Effort Requirements for State and Local Governments* (GAO/GGD-81-7, Dec. 23, 1980).

⁶ GAO/GGD-97-167.

⁷ The studies we reviewed generally looked at the fiscal impact of grants in the aggregate or for broad categories of grants. Like the COPS grant, some of the grants studied incorporated nonsupplant requirements. Others did not incorporate such requirements.

the Community Policing Act regarding the continuation of these increased hiring levels after the conclusion of federal support.

Small Communities Were Awarded Most Cops Office Grants, but Large Cities Received Larger Awards

Law enforcement agencies in small communities were awarded most of the COPS grants for fiscal years 1995 and 1996. Our work showed that 6,588 grants—49 percent of the total 13,396 grants awarded—were awarded to law enforcement agencies serving communities with populations of fewer than 10,000. Eighty-three percent—11,173 grants—of the total grants awarded went to agencies serving populations of fewer than 50,000.

Large cities—with populations of over 1 million—were awarded about 1 percent of the grants, but these grants made up over 23 percent—about \$612 million—of the total grant dollars awarded. About 50 percent of the grant funds were awarded to law enforcement agencies serving populations of 150,000 or less, and about 50 percent of the grant funds were awarded to law enforcement agencies serving populations exceeding 150,000, as the Community Policing Act required.

In commenting on our draft report, the COPS Office noted that these distributions were not surprising given that the vast majority of police departments nationwide are also relatively small. The COPS Office also noted that the Community Policing Act requires that the level of assistance given to large and small agencies be equal.

Of the grants awarded in fiscal years 1995 and 1996, special law enforcement agencies, such as those serving Native American communities, universities and colleges, and mass transit passengers, were awarded 329 hiring grants. This number was less than 3 percent of the 11,434 hiring grants awarded during the 2-year period.

As of the end of fiscal year 1996, after 2 years of operation, the COPS Office had issued award letters to 8,803 communities for 13,396 grants totaling about \$2.6 billion. Eighty-six percent of these grant dollars were to be used to hire additional law enforcement officers. Other grant funds were to be used to buy new technology and equipment; hire support personnel; and/or pay law enforcement officers overtime, train officers in community policing, and develop innovative prevention programs, including domestic violence prevention, youth firearms reduction, and antigang initiatives.

New Officers and Redeployments to Community Policing Count Toward the Goal of 100,000 New Officers on the Street

As of June 1997, a total of 30,155 law enforcement officer positions funded by COPS grants were estimated by the COPS Office to be on the street. COPS Office estimates of the numbers of new community policing officers on the street were based on three funding sources: (1) officers on board as a result of COPS hiring grants; (2) officers redeployed to community policing as a result of time savings achieved through technology and equipment purchases, hiring of civilian personnel, and/or law enforcement officers' overtime; and (3) officers funded under the Police Hiring Supplement Program,⁸ which was in place before the COPS grant program.

According to COPS Office officials, the office's first systematic attempt to estimate the progress toward the goal of 100,000 new community policing officers on the street was a telephone survey of grantees done between September and December, 1996. COPS Office staff contacted 8,360 grantees to inquire about their progress in hiring officers and getting them on the street.

According to a COPS Office official, a follow-up survey, which estimated 30,155 law enforcement officer positions to be on the street, was done between late March and June, 1997. The official said that this survey was contracted out because the earlier in-house survey had been extremely time consuming. The official said that, as of May 1997, the office was in the process of selecting a contractor to do three additional surveys during fiscal year 1998.

Mr. Chairman, this concludes my prepared statement. Again, I wish to emphasize that my statement is based primarily on a report issued at about the mid-point of the COPS program implementation, and that facts and circumstances relating to the program would likely have changed since then. I would be pleased to answer any questions that you or other members of the Subcommittee may have.

⁸The COPS Office counted toward the 100,000-officers goal, 2,000 positions funded under the Police Hiring Supplement Program, which was administered by a Justice component before the COPS grant program was established. An official said that a policy decision had been made early in the establishment of the COPS Office to include these positions in the count.

Contacts and Acknowledgment

For future contacts regarding this testimony, please contact Richard M. Stana at (202) 512-8777. Individuals making key contributions to this testimony included Weldon McPhail and Dennise R. Stickley.

Mr. MCCOLLUM. Thank you very much, Mr. Stana, and thank all the witnesses for being here today. I am going to go to the 5-minute rule, and I will recognize myself for 5 minutes of questions first.

Mr. Frazier, you have heard some of the testimony this morning, and I know you have read the report of the Inspector General. Particularly, the point I want to raise with you is the one where the COPS Program is found by the Inspector General to have deployed only 59,765 additional officers, approximately 60,000, by the end of fiscal year 2000; not the 100,000 claimed by the President. And I am curious how you account for this discrepancy.

Mr. FRAZIER. Mr. Chairman, I think it is clear that the COPS Office has funded the 103,000 officers, and I think the difficulty after that point, after the grant awards have been made and sent to local agencies, is one of implementation. Once that award has been made and it is at the local level, a number of things occur.

It is a very difficult hiring market at this point in time. For a local department to recruit, background check, field train, and deploy a police officer takes an average of 18 months. The historical look at this MORE grants, the technology grants that free up police officer time, indicates to us that it takes 26 months for local agencies—and I think many local agencies who have not had sophisticated law enforcement technology before did not realize the complexity of request for proposals, and purchasing, and actual implementation of all of the things that it takes to get a computer system running.

I think the problem is in the implementation of the grants once the grants gets out the door of the COPS Office.

Mr. MCCOLLUM. But you acknowledge that there are not 100,000 cops actually on the street today as opposed to being funded?

Mr. FRAZIER. There are—there will be roughly 60,000 by the end of the year.

Mr. MCCOLLUM. What I am disturbed by is the fact that every type of publication that the COPS Program Office has put out, and every statement that I have heard, has said that the goal was to put 100,000 community policing officers on the streets, and we haven't—by the year 2000—and we haven't done that, and we are not going to do that by the end of the year 2000.

But perhaps even more disturbing—and I don't know if you are aware of it—the President and the Vice President continue to claim the program has actually placed 100,000 cops on the streets. And that is just not what the facts are. And it is just plain disturbing to hear those, but I know that is not your concern today.

Your concern is with compliance and what these rules ought to be and making sure that people actually put those cops on the streets.

The MORE Program that Mr. Ashbaugh referred to, he talked about 52 of 67 of those agencies surveyed, the local police agencies could not confirm or demonstrate they had actually redeployed. Is this not disturbing to you?

Mr. FRAZIER. That problem has been recognized by the COPS Office and a number of steps have been taken to, I think, assist local agencies in their ability to not only purchase, install, and implement the technological advances that they have desired for so long, but also to assist them in the ability to track and to calculate the full-time equivalencies of the officers that technology provides them.

Mr. MCCOLLUM. But we still don't have the records that are quite where they ought to be. You are working at it, but the point is that that has been a major deficiency in the program prior to this point in time.

Let me ask you about a particular grant that to me, as a Floridian, was really upsetting at the time I read about it. And it occurred before your watch, but are you aware the Florida Department of Environmental Protection was awarded a grant for 30 officers under the COPS Program for patrolling coral reefs? Are you aware of that grant?

Mr. FRAZIER. I am not, sir.

Mr. MCCOLLUM. Well, it was a fact. It did occur. And it doesn't strike me that that is what this COPS Program was designed for. Would you concur that that sounds like it is not what this program was designed for?

Mr. FRAZIER. I think it would be very difficult for me to concur with a grant proposal that was submitted by a local agency without, I think, reading it and seeing if I could determine the intent of it.

Mr. MCCOLLUM. But that is the type of criticism that comes as a result of what has happened in the past with some of the program, again, prior to your watch, but still the program has had a lot of deficiencies like that. The program requires a number of things, but I see my time has expired, and I will let other people ask some questions. Mr. Scott?

Mr. SCOTT. Thank you, Mr. Chairman. Just following up on that last question, Mr. Frazier, if a State deployed officers as indicated by the gentleman—the chairman from Florida, would that situation be more or less likely if it had been a block grant rather than a COPS grant?

Mr. FRAZIER. I think it is probably more likely—I think probably less likely under a COPS grant, because the program that will be implemented through a COPS grant, and the number of officers that it will take to implement that program, have been reviewed prior to the grant being awarded by the COPS Office.

Mr. SCOTT. So if some of these things tend to slip through, it would be more likely that you would have abuses like that if you had a block grant where people could do more of whatever they wanted to do. Is that right?

Mr. FRAZIER. The block grants would not have been reviewed at the grant making level.

Mr. SCOTT. Could you say a word, Mr. Frazier, about the application process, how complicated it is, and how much money you spend in administering the program compared to how much money gets put out to the police departments?

Mr. FRAZIER. One of the things that makes the COPS Program—I think I heard the word popular earlier—was the ease in terms

of application. The program was designed to be and continues to be a very straight forward program. The issues which local mayors and chiefs choose to address are forwarded to the COPS Office in the form of a grant request where it is reviewed and it is a very straight forward process. You know exactly what you are going to get, what it will do and for how long. Our administrative cost is about 3 percent of the grants we administer.

Mr. SCOTT. The question had been raised about some police officers dropping the police that had been funded by COPS when the money ran out and not keeping them. Can you say again what your findings were on the likelihood that the police officers would stay on the beat and not be dropped?

Mr. FRAZIER. That was actually the Inspector General's survey found that 96 percent of the agencies surveyed intended to retain their COPS funded officers.

Mr. SCOTT. Now, you said you had been in this job for 1 month.

Mr. FRAZIER. That is correct.

Mr. SCOTT. What did you do before?

Mr. FRAZIER. I was police chief in Baltimore, Maryland.

Mr. SCOTT. And could you tell us whether or not you had COPS funded in that police department when you were chief of police?

Mr. FRAZIER. Yes, I did.

Mr. SCOTT. And could you say a word about whether or not they did any good in Baltimore?

Mr. FRAZIER. I had 480 officers funded through COPS. And frankly, I think that the officers that I got through COPS, the technology that I got through COPS, allowed that police department to achieve the decreases in crime that we did. They were across the board, every crime type in every police precinct, obviously rolling up into decreases across the board for the city over the past several years. And I think COPS is clearly what allowed us to do that.

Mr. SCOTT. Well, what did they do that resulted in a reduction of crime?

Mr. FRAZIER. I think what they did was perhaps a little bit different in every neighborhood. We did have nine police precincts. We didn't necessarily do the same thing in every place. The community oriented policing methodology is to work with your community, your business leadership, your faith leadership, and determine what will work there, and to implement those programs. But it does take real police officers to do it, and I think all of those things together were responsible for our success.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. MCCOLLUM. Thank you, Mr. Scott. Mr. Chabot?

Mr. CHABOT. Thank you, Mr. Chairman. I want to thank you for holding this very important hearing. I would rather see our tax dollars spent on more police officers than many other things. Clearly, here in Washington, you know, we spend money on subsidizing agriculture. We spend it on corporate welfare, actually pay for corporations to advertise their products overseas.

We waste money, in my view, here on other things, like the National Endowment of Arts. I think the Arts is great, but I don't think that we ought to be funding them at the Federal level. We spend far more than I think we ought to in areas of foreign aid. So I think funding police officers is very important.

What I struggle with, philosophically, is whether the dollars can be more effectively monitored and determined how much they want to spend locally as opposed to here in Washington, you know. I, philosophically, feel that it would probably be better for the local communities to keep those tax dollars right there and determine how many police officers, or the appropriate number, and to monitor the police activities there rather than the money to come up here to Washington, get eaten up in the bureaucracy, and then we send those dollars back.

And I do believe that there is probably waste in the administration in this program as there is in all the other Federal programs that we oversee here in Washington. But I am sure that there are some success stories as there also have been some problems like the one the chairman mentioned. And there have been a number of others that have been brought to our attention.

The thing I wanted to ask of all three witnesses, if you could address this, is the success of the COPS Program I believe rests on the assumption that grantees will use COPS money to supplement its police budget, not to supplant existing funding. Both the GAO and the IG reports note that monitoring this is difficult.

How are you certain that grantees are using their COPS funds to add officers to their forces rather than shifting existing funds to other purposes? And I would ask each of the gentleman in whatever order is appropriate to respond.

Mr. FRAZIER. I think I might begin, sir. The process of monitoring and the actual creating of a grants monitoring division was strengthened in a major way in 1997 inside the COPS Office. The fiscal monitoring of grantees is accomplished through internal processes at COPS, also, through the Office of the Comptroller. The Inspector General's Office has been most helpful in, I think, their suggestions to us. And I believe that the process as it stands now is an effective one.

Mr. CHABOT. Mr. Ashbaugh?

Mr. ASHBAUGH. The supplanting is probably the most difficult technical issue that we have encountered. It takes far longer for us and for COPS to sort through the budgetary issues and material that we get from grantees to try to find out whether there is supplanting or whether they have truly supplemented.

We found indications—and I want to emphasize that they are indications—of supplanting in over 40 percent of the reviews that were done thus far. You can't project that number across the entire COPS universe, but it is, I think, an indication of a very strong problem.

And the assurance that you want depends upon the vigor with which the COPS people oversee and respond to these indications. Our auditors go out, we find warning signals, we find indications of a problem. We bring the information back to COPS, and we depend upon COPS as the eventual authority on this to address it and to resolve it.

Mr. STANA. It is difficult to determine how much supplanting actually takes place, because you don't know what would have happened if the funds weren't there. Some years ago, GAO did a study of grant programs in general—some of the grant programs had nonsupplanting requirements, others didn't have nonsupplanting

requirements. But what we found in that survey was for every Federal dollar that went in these grant programs, about 40 cents of it really added to the activity. About 60 cents either was supplanted or it went to tax relief in a local jurisdiction.

Mr. CHABOT. Okay. Thank you very much.

Mr. MCCOLLUM. Thank you very much, Mr. Chabot. Mr. Meehan, you are recognized for 5 minutes.

Mr. MEEHAN. Thank you, Mr. Chairman. Mr. Frazier, this whole issue of 100,000 cops on the streets funded, does it disturb you if the President or Vice President say that there are 100,000 police officers that are on the streets when, really, I guess they should be saying that they are funded and are in the process of going on the streets? Is that what the distinction is?

Mr. FRAZIER. That is the distinction. It is absolutely clear that the officers have been funded. There are probably 2,000 in training at any time. As computer technology comes on line and full time equivalencies are calculated, that number is always going up, but that is the distinction.

Mr. MEEHAN. I am shocked that public officials from Washington would portray a program that they support in the best light. I mean, I never hear anyone do that here on the hill. But in any event, going back to your experience as a police chief in Baltimore, what was the direct result in terms of the crime rate? What specifically did you see in terms of the crime rate and the types of crime in Baltimore, and to what extent can you attribute that to the implementation of the COPS Program?

Mr. FRAZIER. I saw crime go down in every category in every police precinct. We used the officers that were funded through COPS funding to do very specific programs that dealt with the issues in our city. And I think that is one of the keys, the flexibility for a local chief and a local mayor to say this is the issue I need to address, these are the officers that I need to do it, and to be certain that you will have a 3-year funding cycle to do that. It was a very direct correlation.

Mr. MEEHAN. Did you get expertise from the Justice Department in terms of what kind of data we have in the country to know what are the best techniques in fighting crime? Did you get any of that type of expertise?

Mr. FRAZIER. There is a tremendous amount of data available. The other thing that happens among police chiefs is we talk to each other. And a program that is successful in Boston may be adaptable to a program that would be successful in Baltimore. We all borrow from one another, and if a program is applicable in our jurisdiction it could be applicable in many others. The ability to implement a program through COPS funding was instrumental in the crime decrease in my experience.

Mr. MEEHAN. From my vantage point, I know when I was in a district attorney's office working with 33 different police departments, to the extent that we could provide training to those police departments, to the extent that we could provide whatever the cutting edge law enforcement techniques that were available, I always felt that it was important—an important role for us to play, or if the State government could play it, or if the Federal Government

could play it, to make sure you keep these police officers on the cutting edge of law enforcement, and what works, and what doesn't.

And it seems to me, that is part of what the COPS Program is to do, is to not only provide the police officers, but also provide the expertise and the data that is available around the country. It is one of the reasons why you don't just take a pile of money and send it out to all the police departments all over the country and say, you all know what is best. Do whatever you want with it. See you later. I hope it works.

And then when you get—when the audits come back from those types of programs, we find where in some instances the police departments have used monies to buy extra cars, or extra transportation, or things that maybe wasn't based on the data was available for what we should be spending to reduce crime.

Mr. FRAZIER. The COPS Office funds 28 regional community policing institutes. Those are located all across America. The purpose of the RCPI's is to provide training in best practices to all of the police departments in the country simultaneously. The community policing consortium has trained 77,000 police officers and community members in these very same practices. Training is very much a part of what the COPS Office does.

Mr. MEEHAN. One last question. Obviously, there has been an Inspector General's report. We had one on how the Members of Congress, how they keep records within our own offices, and there were all kinds of changes that were recommended that were put into place.

What do the COPS Program intend to do to change or correct problems with regard to deobligated funds, supplemental problems that any agency would see at any auditing report that was ever submitted and put public? What are the plans to make adjustments?

Mr. FRAZIER. Deobligated funds were an area of Inspector General interest and, I think, good advice. We have changed our internal procedures. If a grant is not accepted within 90 days, a very specific deobligation process begins. The officers are backed out of the count and the money goes back into the funding pool to fund an agency we were unable to fund previously.

Mr. MCCOLLUM. Thank you, Mr. Meehan. Mr. Coble, you are recognized for 5 minutes.

Mr. COBLE. Thank you, Mr. Chairman. Mr. Frazier, in response to Mr. Scott's question regarding the coral reef watch, you said you thought it would be less likely to have occurred under COPS as opposed to block. Block grants are tied directly to crime rates. It seems to me it would be less likely to have occurred under the block grant approach. What am I missing?

Mr. FRAZIER. Without seeing the actual grant application, it is very difficult for me to comment on a specific grant or how much of that funding was for that particular purpose. I have no context for it. My experience with a formula grant program is that unless you are in that top level of violent crime cities, formula grants tend to leave you out. The COPS Office has funded 11,300 police departments and programs at the request of local chiefs and local elected officials. I think it is a far more inclusive bottoms up approach.

Mr. COBLE. Okay. Let me revert to your days in Baltimore. I am reading from a June 1, 1999 U.S. Today article. The dateline was Baltimore, and the article reads, "Police Commissioner Thomas Frazier is warning that he might lay off 110 civilian workers and move street officers to desk jobs because of the city's projected \$153 million budget deficit. The city got an extra 250 officers and Federal COPS grants totaling \$12 million over the past 5 years. Now, the city must pay the full cost for the officers. Salary, uniforms, guns, and other costs for the 250 officers would total \$11.2 billion this year and could grow to \$19 million by 2003, officials say."

Now, Mr. Frazier, if that sort of fiscal nightmare is imposed upon Baltimore, surely, it must be felt by other municipalities around the country. Well, strike that. Is what I read accurate?

Mr. FRAZIER. Those were very early budget projections coming out of the budget office. The question was would we lay off non-sworn personnel and return police officers from the street to the headquarters. None of those things occurred. That was a part of an ongoing local budget discussion.

Mr. COBLE. Well, I guess my question would be how do you resolve this sort of disparity, or is there disparity, financial disparity, when you are imposed with costs that perhaps have terminated under the COPS grant? Is that a problem that needs to be addressed fully?

Mr. FRAZIER. My recollection of the early years of the COPS funding is that it was intentionally structured so that local agencies were subject to a match requirement. I think that was to prove that the COPS Program was serious about the retention issue.

If an agency accepts an out year, year four and year five budget projection change, you may be in that situation. Baltimore was a city of decreasing population and historically based tax decrease projections. Now, I am not sure that I would agree with that with all of the new development that is going on downtown, but that was a historical trend that came out of the budget office.

If you fund in another way and you anticipate Federal funding every year, I believe you have really created an entitlement program, which was not the intent of that legislation as I understood it.

Mr. COBLE. Mr. Ashbaugh and Mr. Stana, my time is about to expire. Did your research determine what methodology was used by the COPS Office to award grants? And if so, elaborate on that.

Mr. STANA. Well, our work was done at about the midpoint of the COPS Program implementation. And at that point there were three programs in operation. There was COPS Phase I, in which grants were awarded competitively. Under COPS FAST and COPS AHEAD, there were noncompetitive awards and a two-tier process.

As far as, you know, we didn't look very carefully whether every step of the process was followed, but it seemed to be reasonably followed. In noncompetitive grants about 92 percent of the jurisdictions that applied for a grant received one.

Mr. COBLE. Mr. Stana—did you want to add to that, Mr. Ashbaugh?

Mr. ASHBAUGH. Simply to comment that I agree with Mr. Stana's last observation. I believe most of the applicants were approved. And the criteria was whether there was some demonstration of a

community oriented policing intent and plan coupled with the various recitations of an intent to comply with the criteria.

Mr. COBLE. I see the red light is on, Mr. Chairman. I yield back.

Mr. MCCOLLUM. Thank you, Mr. Coble. Mr. Weiner, you are recognized for 5 minutes.

Mr. WEINER. Thank you, Mr. Chairman. Permit me to review here. The crime rate is at a 26-year low, 60,000 new police officers are on the street as we speak, approximately. Over 100,000 police have been funded and are in the stream somewhere, and they are being hired as quickly as they can. Yet, still some on this panel and perhaps some in the public would criticize this program for its minor failings. To do that would be, I would say, akin to criticizing the Yankees today because Chuck Knoblauch had an error in the second game.

Frankly, this program has been an overwhelming success, and much of the criticism that has been mentioned here revolves around the Inspector General's report, which I had the opportunity to read. My understanding is that of the 149 programs that were audited, 103 of them were referred by the COPS Program or the Office of Justice Programs. Forty-six were selected because they had specific criteria that made them more likely to provide failing grades on one level of audit or another, for a total of 149 programs that were part of the audited report, which provided, I think, some very important materials for both the COPS Program and this subcommittee to look at.

But to keep it in perspective, there are, I understand, about 11,000 grants that are out there. So this audit reviewed 149, not top secret things that no one wanted you to find, that were given to you in many cases—self-selected because they were risky programs. And now we are hanging our criticism of the program on that report.

While I happen to agree, I think, with all three members of the panel, that the information provided in the Inspector General's report is valuable, and I think that the COPS Program deserves some credit for pursuing it even though it is based on a minuscule self-selected very risky universe of programs.

But I do want to address a criticism and a critique that I think the chairman has made, and some members on both sides of the aisle have made, that I think deserves a response. And that is that the program does not provide great enough flexibility for police departments when they get the grant and what they use it for.

I have found in researching COPS II, which we have introduced, that in fact there is a wide array of different ways that police departments can use the COPS money. Mr. Frazier, can you touch on that for a moment, because much of this whole debate about block grants versus targeted I think misses the point. That, in fact, the existing COPS Program, if you look at police departments all around this country, has been used in some fairly innovative ways that you guys have tried to encourage. Can you speak to that for a moment?

Mr. FRAZIER. I think the key to a COPS grant application is the mayor and the police chiefs relationships with their cities and towns, and sheriffs with their counties. Chiefs, and mayors, and sheriffs, and county executives are in communities all the time.

There is a very clear sense of what different communities need to do to address their issues.

Once that realization has been articulated, and the chief and the mayor sign a grant application, it is a very direct process to take the grant request, and the officers or the technology that is embodied in that request, and give it directly to that agency to solve that problem. It is very bottoms up, it is very flexible. If it is agreed with the community, and the mayor, and the police chief, that this is what we need in this place, that is what is funded.

Mr. WEINER. And if a police department in Daytona or Mississippi says we don't need, perhaps, five officers. We instead would rather have computer terminals in the cars so we can do background checks and the like. Do they have the flexibility to use the COPS money to go do that?

Mr. FRAZIER. Yes, they do. And I think our best example of this is probably Denver, where technology cut a warrant check from 20 or 25 minutes to 5 minutes. Every time you save 20 minutes times the number of instances that you do it per shift, times the number of shifts per year, is how that equivalency is calculated. It allows Denver police officers to do things that they couldn't and wouldn't do before. It is a very big piece of officer safety as well.

Mr. WEINER. Thank you, Mr. Chairman.

Mr. MCCOLLUM. Mr. Canady, you are recognized.

Mr. CANADY. Thank you, Mr. Chairman. I will yield my 5 minutes to you.

Mr. MCCOLLUM. Well, thank you very much. I want to follow up on one question and ask Mr. Ashbaugh to clarify something for us at this point in time. We have had a big debate this morning over 100,000 cops on the streets versus 100,000 cops funded. You say 60,000 will be on the streets by the end of fiscal year 2000 in your report. Maybe an additional 40 are in the pipeline is the implication here.

My impression from reading your report is that there are not going to be 40,000 more cops in the pipeline and, therefore, on the streets at the end of the fiscal year 2000. That in fact, your report says that there will be approximately 60,000 on the streets at the end of the year 2000, whatever the funding is. Can you elaborate and clarify this for us, Mr. Ashbaugh?

Mr. ASHBAUGH. The analysis that we have done shows that there will not be 100,000 officers on the street by the end of the year 2000. The projection actually comes from the COPS Office, not from our audit per se. But it is that there will only be 60,000 on the streets by the year 2000.

Mr. MCCOLLUM. As simple as that. And the point about funding in the pipeline seems to be pretty clear, too. You fund something, but they are far from being there by the end of the year 2000. The pipeline must be a lot longer is my point.

Mr. Frazier, even if the grantees retained officers for the time required by the COPS Program, the funding for more than 41,000 officers would have ended before the end of fiscal year 1999, with the possibility that over 26,000 officers would no longer be on the beat as of today. What does your office intend to do to ensure these officers are still working, that they are still there at the end of that time that the 3-year funding is gone?

Mr. FRAZIER. I think that was a part of the Inspector General's issue and finding as well. And it was their survey that determined that 96 percent of the agencies surveyed intended to retain their COPS funded officers. It is certainly, after it is all said and done, a local issue. The COPS Office has provided the funding to get programs running. The requirement is that a 1-year retention cycle is mandatory. Clearly, most agencies intend to retain the officers longer than that. And I think my opening comment about a \$75,000 investment that brings an officer into police service for 20 years is a good one indeed.

Mr. MCCOLLUM. Well, Mr. Frazier, the actual statement from the Inspector General's report in its context says, in addition, while 183, or 96 percent of the 191 grantees who responded to our random survey during the audit indicated they would retain the grant positions, 43 percent of the 183 grantees had not developed a good faith plan to retain the position.

In fact, 9 percent of them flat out said they wouldn't retain them under any circumstances, and that bothers me that they don't have a plan to do this, which makes it highly improbable that they will retain them. And maybe you are not aware, but your predecessor, Director Joe Brann, admitted in October 1998 that many cities and counties were taking advantage of the COPS grants without having any means for retaining the officers after the Federal money expires.

Are you not concerned with the conclusion of the Inspector General's report that 43 percent of these grantees don't even have a plan? And aren't you concerned they don't have the means to do this, whatever their intent may be?

Mr. FRAZIER. I think part of the issue with the retention plan is that the Phase I grant awardees were not required to have a plan. And a department can have every intention, and we actually have cases where departments have retained even though they didn't have a formal retention plan on file.

Mr. MCCOLLUM. But why don't you require them to have a plan?

Mr. FRAZIER. We now do. That was a Phase I grant—and the absence of that condition was a mistake.

Mr. MCCOLLUM. That was a Phase I grant and that was a mistake. Does the COPS Office award grants on the basis of crime rates?

Mr. FRAZIER. I think that the GAO's analysis of agencies with higher crime rates tend to request COPS funding more frequently, I think is accurate.

Mr. MCCOLLUM. But you don't have a criteria that says we are going to award these on the basis of crime rates? That is a problem I have had with this program from the beginning. I think there is a dispute over how these things ought to be done, but that is a fundamental problem in my view with this program all the way through.

You have testified that the COPS Program will have funded more than 103,000 officers by the end of the year fiscal 2000. But I want to come back to this, and I know that is the funding question again, but the Inspector General found that 7,722 officer positions were funded with money never claimed by grantees, in some cases more than one or 2 years past the date of the award. Why

do you continue to count those positions as part of the total funding?

Mr. FRAZIER. We do not, sir. Those numbers have been removed from the totals. That current number of grant award officers which have gone past 90 days is 1,075. And as I have said earlier, as we get into the 110-day range, that funding will be revoked and the funds reallocated.

Mr. MCCOLLUM. Well, I am glad you have corrected that mistake and several of the others. And I know you are new to this watch, so I am not sitting here giving you a hard time personally for all of these things, but it strikes me as we conclude this hearing that what we are here about is to review the program and to properly and constructively criticize it. And that is why we have listened so intently to the reports that are here and asked you the questions.

And I am still very disturbed by the fact that the claim is being made every day, that the President and the Vice President are saying that we have 100,000 cops on the beat, or we will have by the end of the fiscal year 2000. And that just isn't so, but that is the way it is.

And we have got a vote on the Floor of the House, and we will be in recess. We have exhausted our questions, so this panel is released. And when we come back, we will call the second panel. We thank you very, very much for being with us today. And we are in recess until after this vote.

[Recess]

Mr. MCCOLLUM. The Subcommittee on Crime will come to order. We have our second panel today and we are very pleased to have all of you here today. I know Mr. Pease wants to introduce one of our witnesses, and I think he is on his way, and I will refrain from that for the moment. But I have quite a few distinguished people to introduce, and I am going to do any or all of it as needed here.

Our first witness I am going to introduce today is Dr. Lawrence Sherman. Since beginning his career as a civilian research analyst for the New York Police Department, Dr. Sherman has collaborated with over 30 police agencies around the world, evaluating policies covering every aspect of criminal law.

Furthermore, he has written numerous books and articles, and received awards for distinguished scholarship from noted criminological organizations, including the American Society of Criminology. Currently, he is the Albert M. Greenfield Professor of Human Relations at the University of Pennsylvania.

The next witness on this panel is Mr. Edward Davis. Mr. Davis became the Police Superintendent for the Lowell, Massachusetts Police Department in 1994. He is considered a pioneer of community policing, and under his direction the department was recognized by Attorney General Reno as a model for community policing in 1995.

Lowell is the first department in the State of Massachusetts to use community policing in its new officer training programs, and we welcome you here today.

Our next witness on this panel is Mr. Martin Pfeifer. Sergeant Pfeifer is currently the Managing Criminal Investigation Coordinator for the First District Detective Office, the largest detective of-

vice in the Metropolitan Police Department in Washington, D.C. His office handles approximately 14,000 criminal cases a year.

Mr. Pfeifer has held several positions of leadership within the Fraternal Order of Police and serves as the chairman of the District's Retirement Board. We welcome you here.

Now, it gives me pleasure to call on my colleague, Mr. Pease, to introduce our first witness on this list that I jumped over, Mr. Joseph Newport. Mr. Pease?

Mr. PEASE. Thank you, Mr. Chairman and Mr. Scott. It is my pleasure to introduce the Chief of Police for Terre Haute, Indiana, my home town, Mr. Joseph Newport. Joe has been the police chief there since 1996, but he is a 20-year law enforcement professional, having served with that department since 1976. Prior to becoming Chief, he served in the Criminal Investigation Unit from 1979 to 1988, and was the Chief of Detectives from 1990 to 1995.

The Chief has been very, very successful, largely due to his willingness to innovate. He established strong partnerships with State and Federal law enforcement agencies to mobilize more resources to fight crime. He used the community policing approach to address a part of the community where crime had been a particular problem.

He has been accompanied on this trip by the Mayor of the City of Terre Haute, the Honorable Jim Jenkins, who was himself the Sheriff of Vigo County, Indiana, where Terre Haute is located, a very successful sheriff, a very strong law enforcement professional. We are fortunate to have them both here. Thank you, Mr. Chairman.

Mr. MCCOLLUM. Thank you very much, Mr. Pease, and thank all the witnesses for being here. Now, I am going to begin with Chief Newport. All of your written statements will be admitted into the record without objection and in their entirety. I hear no objection and it is so ordered. And you may summarize as you please. Chief Newport, please give us your testimony.

**STATEMENT OF JOSEPH M. NEWPORT, CHIEF OF POLICE,
TERRE HAUTE POLICE DEPARTMENT, TERRE HAUTE, IN**

Mr. NEWPORT. Thank you, Mr. Chairman.

Mr. MCCOLLUM. Move up and turn it on. There you go. Thank you.

Mr. NEWPORT. Thank you. Thank you, Congressman Pease. Mr. Chairman, members of the subcommittee, thank you for the opportunity to allow me to share my thoughts on Federal funding to local law enforcement units. My name is Joe Newport and I am Chief of the Terre Haute, Indiana Police Department. I have been with the department for 23 years and have held a number of positions. It is my home town, I grew up there, and decided to stay there and raise my family.

Since 1996, I have served as Chief of Police. Our department employs a sworn staff of 119 sworn officers and serves a community of approximately 60,000 persons. Fortunately, our department has received nearly a half a million dollars in community block grants and COPS AHEAD funding since I have been chief. I can tell you firsthand, the funds are much appreciated and needed by our city.

The funding from the COPS AHEAD Program has increased the number of officers on the department by three positions. In our case, this additional manpower has meant greater flexibility in scheduling of our employees. Officers have more options on when they can take their vacations and days off. And also, forced overtime is reduced with the additional officers. These features create a better work environment and improved morale for our employees, and this accommodates the officers, but doesn't necessarily put more police officers in the streets in cities like Terre Haute.

The Local Law Enforcement Block Grant is more appealing simply because it allows the flexibility on how the money is spent. Overtime programs can be tailored to the needs of the department and the community. Drug activity, school safety issues, young people creating problems in neighborhoods all generate citizen complaints. These concerns and others can be remedied by allowing administrators to direct funding to projects that encourage our most productive officers to work toward eliminating problems.

Generally speaking, officers who sign up for special details are exactly the employees we have the greatest confidence in simply because they want to be there. This, in effect, truly does give us more officers on the street when and where they are needed.

We have a number of overtime projects. These have been well received and successful programs in our city, and could not have been created had it not been for the funding that we received from COPS AHEAD, not allowed—I am sorry—by block grant and not allowed by COPS AHEAD.

Additionally, wise equipment purchases are valued by the public and the department. Community Block Grants have allowed us to furnish and equip a full service police substation that we located in a struggling inner city neighborhood.

Our department's partnership with the local Housing Authority has enabled us to be a major part of renovating a rundown strip mall where crime was common. As a result, we have an attractive, well lit addition to a neighborhood where people gather because we have created a safe environment. This project would not have been completed had we only received COPS AHEAD money.

Like most departments, we have officers who are assigned front desk duties at our police stations. These officers handle walk-in complaints and information requests from our citizens. Our department has hired two enthusiastic, but retired, Terre Haute police officers to staff these positions. This change has allowed us to put active officers in the cars and into the districts. While the COPS MORE Program would have funded this idea, we applied, we didn't get it.

Community Block Grant funds are crucial when unexpected problems arise. A computer change in our department created such a backlog in data entry that it affected the submission of our Uniform Crime reports. This money allowed us to hire personnel immediately to get the system back on track. Had it not been available, it is unknown when we would have been able to recover. COPS money would not have been readily available for this project.

I have learned in conversations with other police managers that once city councils know that they will have COPS AHEAD dollars coming in for salaries, the temptation to use city funds for other

projects seems to be far too great. Eventually, attrition occurs and the resources needed to continue to fund these positions on many occasions will be encumbered outside of law enforcement.

Police executives are reluctant to publicly state the advantages of Block Grant monies over COPS AHEAD for fear of sounding ungrateful or maybe losing Federal money. It just makes sense though that greater flexibility be given to the people who are held accountable in their cities for local law enforcement issues. Since we are given the responsibility to protect on a local level, I encourage this body to support those decisions on crime fighting programs that must be made locally to best serve the needs of each community.

Thank you.

[The prepared statement of Mr. Newport follows:]

PREPARED STATEMENT OF JOSEPH M. NEWPORT, CHIEF OF POLICE, TERRE HAUTE
POLICE DEPARTMENT, TERRE HAUTE, IN

Mr. Chairman, Members of the Subcommittee. Thank you for the opportunity to allow me to share my thoughts on federal funding to local law enforcement units. My name is Joe Newport. I am Chief of the Terre Haute, Indiana Police Department. For 23 years, I have worked for the department as a patrol officer, criminal investigator, and a drug unit supervisor. I held the position of Chief of Detectives for five years. Since 1996, I have served as Chief of Police. The department employs a sworn staff of 119 police officers and serves a community of approximately 60,000 persons. Fortunately, our department received over \$200,000 in Cops Ahead funding and nearly \$235,000 in Community Block Grants since I became Chief. I can tell you first hand, the funds are much appreciated and needed by the City of Terre Haute.

The funding from the Cops Ahead program has increased the number of officers on the department by three positions. In our case, this additional manpower has meant greater scheduling flexibility for the employees; officers have more options on when they can take their vacations and personal days. Also, forced overtime is reduced with the additional officers. These features create a better work environment and improve morale for our employees. This accommodates officers but, does not necessarily put more police officers on the street.

The Local Law Enforcement Block Grant is more appealing because it allows flexibility in the way the money is spent. Overtime programs can be tailored to the needs of the department and the community. Drug activity, school safety issues, young people creating problems in neighborhoods all generate citizen complaints. These concerns, and others, can be remedied by allowing administrators to direct funding to projects that encourage our most productive officers to work towards eliminating problems. Generally speaking, officers who sign up for special details are exactly the employees we have the greatest confidence in simply because they have volunteered to be there. This, in effect, truly does give us more officers on the street when and where they are needed.

A sampling of our overtime projects funded with LLECBG:

- A partnership with The Indiana State University Department of Public Safety to encourage responsible and legal alcohol consumption for university students
- An annual "Kid's Day" program, in conjunction with the "National Night Out," sponsored by the National Association of Town Watch
- A project that calls for 30 officers to walk inner city children through their neighborhoods on Halloween
- School security programs that place officers at athletic events and extra curricular activities at all of the City's middle and high schools.
- Providing security at the Indianapolis Colt's Summer Training Camp, a nationally covered event

These well received and successful programs could not have been created if our only funding was from Cops Ahead.

Additionally, wise equipment purchases are valued by the public and the department. Community Block Grant funds have allowed us to furnish and equip a full service police substation that we located in a struggling inner city neighborhood.

Our department's partnership with the local Housing Authority has enabled us to be a major part of renovating a rundown strip mall where crime was common. As a result, we have an attractive, well lit addition to a neighborhood where people gather because we have created a safe environment. This project would not have been completed had we only received Cops Ahead money.

Like most departments, we have officers who are assigned front desk duties at our police stations. These officers handle walk-in complaints and information requests from our citizens. Our department hired two retired, yet enthusiastic, Terre Haute Police Officers to staff these positions. This change allowed us to put active officers in the cars and in the districts. While the Cops More program would have funded this idea, we could not get additional funding for it.

Community Block Grant Funds are crucial when unexpected problems arise. A computer change in our department created such a back log in data entry that it effected the submission of our Uniform Crime reports. This money allowed us to hire personnel to get the system back on track. Had this money not been available, it is unknown when we would have been able to recover. Cops money would not have been readily available since this was an unplanned occurrence.

I have learned in conversations with other police managers that once city councils know that they will have Cops Ahead dollars "coming in" for salaries, the temptation to use city funds for other projects is far too great. Eventually attrition occurs and the resources needed to fund these positions will on many occasions be encumbered outside of law enforcement.

Police Executives are reluctant to publicly state the advantages of Block Grant monies over Cops Ahead for fear of sounding ungrateful or losing federal money. It just makes sense though that greater flexibility be given to the people who are held accountable in their cities for local law enforcement issues. Since we are given the responsibility to protect on a local level, I encourage this body to support those decisions on crime fighting programs that must be made locally to best serve the needs of each community.

Mr. McCOLLUM. Thank you very much, Chief Newport. Mr. Sherman, you are recognized.

STATEMENT OF LAWRENCE W. SHERMAN, ALBERT M. GREENFIELD PROFESSOR OF HUMAN RELATIONS, UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA

Mr. SHERMAN. Thank you, Mr. Chairman. Like Chief Newport, I share more of a concern with the legislation than with the administration of this program. I think the legislation, while pioneering this idea, needs to be substantially improved in the reauthorization. And I would like to go right to the heart of the most common complaint about policing around the world in my experience, which is where are the police when you need them.

This concern with where and when, I believe is central to the success of this program. And I believe that in the spirit of reinventing government, we ought to be focusing more on the results of the program than on the means of government. That is, what the crime rate connection is rather than supplantation and auditing of redeployment, and all of this stuff which increases the administrative burden, wastes more money and paperwork, and auditing, I think, than is useful in terms of getting that resolved in terms of less crime.

Let me suggest, Mr. Chairman, that this entire program be reconceived as a COPS spot program. That is, trying to redirect policing to the 3 percent of addresses that produce over half of the crime in any given city. And if we get into the more serious violent crimes, we are seeing 100 percent of it occurring in about 2 percent of the addresses.

Part of the problem with the way we have structured policing, and which many of the progressive police administrators associated

with community policing have been trying to resist, is spreading the police very thinly out over an entire city when crime is very heavily concentrated in a small number of places at a small number of times.

And we could conceive of a detailed red tape ridden program that would require lots of paperwork to prove that there were more police put into high crime hot spots at high crime times, but my experience in 30 years of policing is that that is actually a pretty bad idea because of the difficulty of actually tracking where officers are at any given point in time. And short of some Orwellian technology, I don't think that is likely to happen.

What I think we can do, and in fact, with the aid of certified public accountants, can increase public confidence in, is the accounting for how much crime occurs in those high crime places at high crime times. And to create the incentives for police departments, as I believe one of your colleagues suggested, to get the results and to reward those results by tying continued funding to continued success in reducing crime in high crime hot spots at high crime times.

This would—to create a level playing field, perhaps make the money available to anybody in the first year to spend any way they want. But knowing that they couldn't get the second year funding unless they had an auditable result that crime had actually gone down in that very small number of places at the small number of times where it is most heavily concentrated.

The research literature which we reviewed for the Congress in 1997 at the direction of the Attorney General, research literature clearly shows with National Institute of Justice Experiments, that concentrating additional police patrols in high crime places at high crime times is an effective way of reducing serious crime. But the research literature and press exposes and other sources also show that there is a big problem with fraud in crime reporting in this country.

In my own city of Philadelphia, where Police Commissioner Timiny has asked me to work with the department, the experience has been under-reporting of violent crime by as much as 50 percent or more, and this is a problem that goes back a long time in that particular department.

I don't want to suggest for a moment that it is that bad all over the country, but I have suggested in the Wall Street Journal and elsewhere, that if we are really serious about performance indicators in government and we want to tie government funding to performance indicators, which makes it the equivalent of cash, then we need to start treating the auditing of performance indicators like the auditing of cash, which would be my second recommendation, that not only do you tie the funding to the results of reducing crime in high crime locations, but that you also require that there be an annual CPA external audit of the crime reporting mechanism in police departments receiving these funds.

And the finally, the third point that would make this program really rationale in terms of the crime rate in America. And that is that we would no longer fund departments equally based on population, that we would look to the absolute amount of crime. The current structure, which didn't come out in the first panel, really does not make it all that possible for an explicit targeting of high

crime cities or the cities where—there is only about 45 cities that have half the homicides in America.

The COPS Office can't concentrate the funding in those cities. That is comparable to having the same snow removal budget in Miami, if you will, and Boston. And the problems are different in different cities. So I think with those three elements, the total funding as the third element, could be driven by total violent crime that would be based secondly on the audit and then ultimately tying the funding of the program to results in high crime locations. That gets you back to what New York has pioneered with Comstat and the increased emphasis on crime analysis, which I think is a large part of what has reduced crime in this country; not just the number of police, but the fact the police are increasingly used where and when they are needed. If this program were to encourage that, I am convinced we could continue to push crime down in America. Thank you.

[The prepared statement of Mr. Sherman follows:]

PREPARED STATEMENT OF LAWRENCE W. SHERMAN, ALBERT M. GREENFIELD PROFESSOR OF HUMAN RELATIONS, UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA

Summary: The COPS Program may be responsible for our historic reduction in crime. But the program could still be run more effectively, putting more money in high crime "hot spots." We need more research to better understand and maximize this substantial investment of our tax dollars. I urge the Subcommittee to set-aside 10 percent of the COPS funding for scientifically rigorous research, evaluation, and innovation run by the National Institute of Justice, the research and development arm of the U.S. Justice Department.

Good morning, Mr. Chairman and Members of the Subcommittee.

We are all aware of declining crime rates in America, most notably in several large cities. But the causes of this remain largely unknown and widely speculated—more police, changing demographics, a growing economy, the ebbing of the violent crack epidemic—it could be some or all or none of these. While rigorous scientific evaluation is helping us understand what works to prevent crime and what doesn't, we are still too often in the dark. Federal policies and spending priorities need to be based upon evidence not anecdote, and a strong research and development effort to further refine that evidence.

The COPS Program may be responsible for our historic reduction in crime. But the program could still be run more effectively, putting more money in high crime "hot spots." The legislation as currently written has little possibility of evaluating the effectiveness of these new officers because of lack of requirements on how they should be used. To the extent that the term "community policing" is used to guide the program, it is a vague, overused term meaning different things to different people. We need more research—research that is not done after the fact, but simultaneous, ongoing research partnerships—to better understand and maximize this substantial investment of our tax dollars. I urge the Subcommittee to set-aside 10 percent of the COPS funding for scientifically rigorous research, evaluation, and innovation run by the National Institute of Justice, the research and development arm of the U.S. Justice Department.

I was the senior author of a 1997 congressionally mandated report, *Preventing Crime: What Works, What Doesn't, What's Promising* (www.preventingcrime.org). We found an ample body of scientific evidence that the more precisely patrol presence is concentrated at the "hot spots" and "hot times" of criminal activity, the less crime there will be in those places and times. Putting police at the right places and right times can make a difference. Crime in America is highly concentrated; so too should our federal efforts.

So how can the COPS program be better used to reduce crime? I will offer two broad answers this morning:

- Put money in the right places and in the right programs
- Invest in research and demonstration: Innovate and Evaluate

Put money in the right places and the right programs

Half of all homicides in the US occur in the 63 largest cities, which house only 16% of the population. Most of the homicides in those cities occur in a handful of concentrated poverty areas, which in turn may constitute some 15 to 20 percent of the populations of those cities. Our national rates of serious crime are heavily determined by what happens in our most violent census tracts. With very few exceptions, however, federal policy does not focus funding on those areas where the most violence occurs.

The mismatching of federal funds and the problem of violence is not the policy of any federal agency, but of the legislative formulas used to allocate the funding. Most of those formulas are based on population, and give zero weight to the per capita level of violence in a state or community. *The formulas put violence prevention funding where the votes are, not where the violence is.*

Even if the legislative formulas were to allocate prevention funds on the basis of FBI crime rates, there would still be a large mismatch. In the cities with the most violence, it is rare to see prevention funds concentrated in the neighborhoods with the most violence. The record suggests that only formulas identifying high-violence census tracts can reasonably assure that the funds are spent where they are needed the most. Congress should either require at least half of the federal funds be spent in census tracts with homicide rates at least 5 times the national average and/or restrict certain funds only to census tracts where a homicide occurred in the last year.

Research has shown that more police, if properly deployed, can reduce crime. But the existing body of evidence doesn't speak well for two other police efforts: the D.A.R.E. program and gun buy-backs.

When federal funding diverts police from patrol duties to teach classes on the Drug Abuse Resistance and Education (D.A.R.E.) program, they are being put in the wrong place at the wrong time. Several independent, scientifically rigorous studies have shown D.A.R.E. as commonly implemented to be ineffective in preventing future substance abuse.

D.A.R.E. is taught by police officers, who visit schools to teach primarily 5th and 6th graders over 17 lessons. This most common version of D.A.R.E. showed no impact on reducing drug use, according to several studies. A study by the prestigious Research Triangle Institute found the program's "limited effect on adolescent drug use contrasts with the program's popularity and prevalence . . . D.A.R.E. could be taking the place of other more beneficial drug education programs." While Seattle, Houston, Omaha, and Burlington, Vermont have just said no to D.A.R.E., why does it continue to be offered in 80 percent of the nation's school districts at a tune of \$750 million each year? It is a program supported by strong advocates, not strong evidence.

President Clinton's recent decision to spend \$15 million on gun buybacks for public housing projects is a step in the right direction in putting the money where the crime is. However, it is the right place but the wrong program. Several scientific studies have shown that gun buybacks do not work. It is a sellout to doing what works to make news, not public safety.

A 1995 report by the Police Executive Research Forum, a group of big city police chiefs, shows clearly that gun buybacks do not work. The report assembled the best evidence available on the impact of buyback programs. It included evaluations of major programs in St. Louis, Seattle, and other major cities. Not one of these evaluations showed any effect of the gun buybacks on the cities' homicide rates.

Advocates of the buyback programs declare them a "success" simply because they removed guns from circulation. One police chief even claimed that for every gun bought back, a life is saved. But if that were true, we would have some 200 million gun deaths a year in this country, rather than the 32,000 we actually did have in 1997, the most recent year for which complete statistics are available. Put another way, each gun in circulation, *on average*, causes a death once in every 6,000 years. With some 4 million new guns sold legally in the U.S., sold legally in the U.S., the odds are very good that the 300,000 gun bought back near public housing projects will be replaced very quickly.

If the guns bought back are older, less powerful weapons than the ones replacing them, the new program could actually increase the homicide rate. Kansas City (Mo.) police data over a 15 year period show that increases in the proportions of guns used in crime to large caliber barrels were directly linked to increases in the homicide rate. Anecdotal evidence that gun buyback cash has been used to buy such bigger guns should prompt great concern about whether to expose public housing residents to this potentially dangerous effect.

If crime prevention programs had to be approved by the Food and Drug Administration using the same standards imposed on new cancer treatments, neither

D.A.R.E. nor gun buybacks would not be deemed safe or effective. A "hot spots" strategy of policing would be.

Research and Demonstration: Innovate and Evaluate

While those evaluations only scratch the surface of what we need to know, there is a tremendous hunger among policymakers to know what works. Only the federal government has the resources to provide the necessary knowledge.

Federal funding constitutes a drop in the bucket of all state and local crime prevention expenditures, less than 4 percent of criminal justice expenditures and under 1 percent of all crime prevention funds. Yet no locality can muster the resources or expertise to conduct major program evaluations. That is why the bipartisan Reagan administration's Attorney General's Task Force on Violent Crime suggested that the most important federal role in fighting crime is testing programs—not funding them—to learn what works. Building better scientific knowledge about the bottom line of state and local expenditures will have far more impact than thousands of small federal program grants, many of which amount to little more than local "pin money."

In addition to refining the evidence of how and when to best deploy police resources, I would like to suggest two additional areas in which Congress could simultaneously use the COPS program launch bold innovation and evaluation: restorative justice and school safety.

Restoring Youth Justice

Far beneath the tip of the iceberg in Littleton and other schools lie the nonviolent 95% of the 3 million juvenile arrests each year. The vast majority of these arrests result in no action taken against the juvenile. Almost all of them leave the victim completely unheeded, and fail to confront the offender with the harm the victim suffered. This situation has long frustrated victims' advocates, police, prosecutors, and even offenders' parents.

This frustration is feeding a rapidly growing social movement in the US: restorative juvenile justice. Congress should fund pilot programs of this innovative idea. Inspired in part by recent innovations in New Zealand and Australia, this movement is diverting juvenile cases from court in order to hold conferences involving offenders and their families, victims and their families, and other concerned parties. The conferences are far more emotionally intense than court, and focus on the moral duty of offenders to repair the harm they have caused. The conferences result in a restitution agreement, the completion of which will lead to dropping charges and a clean criminal record.

Working with the Australian National University, I am conducting the Reintegrative Shaming Experiment (RISE) comparing the effects of standard court processing with the effects of a diversionary conference for four kinds of cases—drink driving (.08 blood alcohol content), juvenile property offending with personal victims, juvenile shoplifting, and youth violent crimes. The diversionary conferences consisted of a meeting between the offender and at least some of the offenders' family or friends, the victim, and a police officer to facilitate the conference. What we have found:

- Highly active repeat offenders (often heavy users of alcohol and drugs) were involved in the conferences
- Victims, who often suffered substantial harm, were treated better than in court
- Conferences differed from court through offering greater emotional intensity, procedural and restorative justice, reintegrative shaming, and more apologies, forgiveness, and discussion of substance abuse problems. The courts offered less time and effort on the part of all involved, greater retributive justice and stigmatic shaming, and more defiance.
- Both victims and offenders found the conferences fairer than courts

School Safety: Partnerships between Education and Law Enforcement

Youth violence knows no boundaries, but governments at all levels can take steps to work more closely to prevent youth violence. Confidentiality laws and turf battles often keep law enforcement and education leaders from working together. In the spirit of innovation and evaluation, I would encourage Congress to create demonstration sites where computer networks—with strong safeguards against privacy violations—be created to allow local officials to work together more closely to share information and work together toward common goals. Federal incentives attached the \$4 billion in annual federal funding for crime prevention programs would be a strong way to ensure cooperation and innovation in the area of data sharing.

I thank the Subcommittee for its attention would be glad to answer any questions.

Mr. MCCOLLUM. Thank you, Mr. Sherman. Mr. Davis?

Mr. SHERMAN. You are welcome.

Mr. MCCOLLUM. Thank you for coming.

**STATEMENT OF EDWARD F. DAVIS, III, POLICE
SUPERINTENDENT, LOWELL, MA**

Mr. DAVIS. Good morning, Mr. Chairman and members of the subcommittee. It is a pleasure to be able to discuss this issue with you this morning. By way of introduction, Lowell is an old mill city in the northern part of Massachusetts, whose 13 square miles is home to approximately 120,000 people.

Located at the confluence of two rivers, and considered the birthplace of the American Industrial Revolution, our community has long played host to diverse cultural and linguistic populations; most recently, an influx of immigrants from countries in Southeast Asia.

It is similarly diverse in its economics. The economic recession of the 1980's nearly landed our community in receivership. Yet now, not even a decade later, Lowell has experienced an economic renaissance that many say rides on the coattails of a remarkable improvement in our policing. This dramatic progress would not have been achieved without the support of the COPS Office.

Most police departments in this country can come to you today and talk about the decreases they have realized in crime and quality of life problems. The Lowell Police Department is representative of those communities, but in our area distinct, due to the marked drops in crime. Double digits since 1995, with an overall 59 percent decrease since the first COPS dollars were awarded to our community.

The addition of over 100 officers and three dozen civilian personnel to our department has allowed us to serve our citizenry in new ways. In addition to a more visible presence on the street, we can now be found in community meetings, school cafeterias, and at virtually every table where decisions are made that affect our community. Officers and staff participate in community education activities, business forums, and problem solving with our residents.

At the outset of this decade, Lowell was identified by the Department of Justice as a source city for cocaine and heroin in the northeast. I am happy to say that with the support of programs such as those provided by the COPS Office, we have eliminated and replaced that label with an All American City designation. Bestowed upon us earlier this year by the National League of Cities, the award recognized our city's policing efforts and specifically highlighted our community policing partnerships.

In 1993, when our department penned its first grant application, it consisted of 159 officers. It was a reactive 911 driven agency that not only minimized quality of life issues, but ignored them, leading to escalating crime rates and a downslide in economic and community relations. Police officers today no longer merely arrest criminals and respond to calls for help. Instead, they address issues on a larger scale and before they require handcuffs.

For example, one priority of the Lowell Police Department is to reduce truancy, believing it to be a risk factor that escalates into more serious crime. The Partners Against Chronic Truancy Team,

comprised of police, school, court, and human service representatives, has worked collaboratively to achieve a 67 percent increase in high school attendance among habitual truants.

Not only does a reduction in truancy keep kids in school, but it also helps in preventing crime. Additional COPS funding that assigned officers to school, not for security or reactive purposes, but as educators, role models, and mentors, has allowed us to create a new image and trust of police officers among our youth. This is but one of the partnerships encouraged by the COPS Office that makes a difference in Lowell.

Prior to COPS funding, partnerships and positive police interactions with the community were nearly non-existent, and those that did exist were adversarial. I am proud of the men and women of the Lowell Police Department and our community partners who have reversed that slide, due in large part to the mandates of the COPS Office. These requirements forced us to think differently about each other as partners, allowing us to share responsibility for problems, planning, and successes.

I believe that the Federal Government has a vested interest in facilitating this positive change in policing philosophy. And the COPS Office is the best vehicle to accomplish this change.

Besides adding to the ranks of our department, the COPS Programs have also required us to move beyond traditional policing responsibilities to address quality of life problems that are at the root of our crime problems. From the outset, the COPS Office has required organization change in police services. The men and women of the Lowell Police Department have shifted their mind-set about police role and revitalizing a community. They have expanded their view of citizens as the customer, and work with the commensurate with that viewpoint.

Additional officers on the street, as well as wide sweeping organizational change, has increased supervision and the accountability of all of Lowell's police officers. Managerial changes, opportunities for leadership training, and professional development, all funded by COPS, has actually decreased spending and liability for the city. Between 1990 to 1994, about 25 police brutality cases against the city and its police department resulted in nearly \$800,000 in liability payments. In the 5 years since the implementation of Lowell's community policing efforts, the city has paid out only \$125,000 in eight cases.

As part of our obligation to the Federal Government and our contract with the COPS Office, we participated in a protracted, yet necessary, audit. Prior to the COPS Program, our department had not received Federal grant funding. As a result, we made first time mistakes that impacted both long-term processes and the results of the audit. We made a fundamental error at the outset by not hiring a budget manager with a financial background, but instead tried to juggle our new responsibilities with existing support staff.

A better understanding of the audit process at its commencement would have allowed us to provide more timely and comprehensive information to the Inspector General's office, thereby warding off some of the concerns raised in the audit.

Finally, it was not until the completion of the audit that we realized that official documents available at another level of city government could have answered many of the question raised.

The people of Lowell are looking for more of the strategic planning and visions that have been promulgated by the COPS Office and embraced by our community, not less. Beyond basic funding, the COPS Office has provided the tools, the encouragement, and support for community involvement and the development of specific strategies tailored to our needs.

The continuation of the COPS Office ensures that public safety will continue to be the linchpin of both flourishing economic development and community revitalization. This is happening in my city to a degree not seen in decades, as evidenced by the inclusion of our police department in the planning of every significant development project and in matters of commerce.

Extra police officers, in and of themselves, have not made all the difference. Indeed, a favorable economy and low unemployment rates have contributed to the wellbeing of communities. But make no mistake—if a community is not safe and its members do not feel safe, all of the economic progress will be for not.

At its outset, the COPS Office offered the ability to not only fund and hire police officers, but also linked funding to smarter police styles. Additional programs throughout the life of the COPS Office have further developed policing and training unlike previous funding sources.

Numerous Federal programs have been tried, but have not made a significant contribution to real and perceived crime at the local level. The COPS Programs have. The key difference in the success of the funding is the commitment

to organizational and managerial changes. Police agencies that receive COPS funding are required to create community partnerships, address the source of police problems, not just the symptoms, and enhance officer accountability and service.

The opportunities afforded through COPS initiatives have made us a stronger organization. The audit process has made us more sophisticated in a fiscal sense. And the professionals in the COPS Office and their mandates have made us a better police department. This program has made a difference in Lowell, Massachusetts. Thank you.

[The prepared statement of Mr. Davis follows:]

PREPARED STATEMENT OF EDWARD F. DAVIS, III, POLICE SUPERINTENDENT, LOWELL,
MA

Good morning, my name is Edward Davis, the Superintendent of Police in Lowell Massachusetts. Lowell is an old mill city in the northern part of the state whose 13 square miles is home to approximately 120,000 people. Located at the confluence of two rivers, and considered the birthplace of the American Industrial Revolution, our community has long played host to diverse cultural and linguistic populations, most recently an influx of immigrants hailing from countries in South East Asia. It is similarly diverse in its economics. The economic recession of the 1980s nearly landed our community in receivership. Yet now, not even a decade later, Lowell has experienced an economic renaissance riding on the coattails of a remarkable improvement in our policing. This is dramatic progress that would not have been achieved without the support of the COPS Office.

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tinct, due to the marked drops in crime—double digits since 1995, with an overall 59% decrease since the first COPS dollars were awarded to our community.

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In 1993, when our department penned its first grant application, it consisted of 159 officers. It was a 911 driven agency that not only minimized quality of life issues, but ignored them, leading to escalating crime rates and a downslide in economic and community relations. Police officers today no longer merely arrest criminals and respond to calls for help. Instead, they address issues on larger scales and before they require handcuffs. For example, one priority of the Lowell Police Department is to reduce truancy, believing it to be a risk factor that escalates into more serious crime. The Partners Against Chronic Truancy Team, comprised of police, school, court, and human service representatives, has worked collaboratively to achieve a 67% increase in high school attendance among truants. Not only does the reduction in truancy keep kids in school but it also helps in preventing crime. Additional COPS funding that assigned officers to schools, not for security or reactive purposes, but as educators, role models and resources, has allowed us to create a new image and trust of police officers among our youth. This is but one of the partnerships encouraged by the COPS Office that makes a difference in Lowell.

Prior to COPS funding, partnerships and positive police interactions with the community were nearly non-existent, and those that did exist were adversarial. I am proud that the men and women of the Lowell Police Department and our community partners have reversed that slide due in large part to the mandates of the COPS office. These requirements forced us to think differently about each other as partners, allowing us to share responsibility for problems, planning and successes. I believe that the federal government has a vested interest in facilitating this positive change in policing philosophy. The COPS Office is the best vehicle to accomplish this.

Besides adding to the ranks of our department, the COPS programs have also required us to move beyond traditional policing responsibilities to address quality of life problems that are at the root of our crime problems. From the outset, the COPS office has required organizational change in police services. The men and women of the Lowell Police Department have shifted their mindset about the police role in revitalizing a community. They have expanded their view of citizens as the customer and work with them commensurate with that point of view.

Additional officers on the street, as well as wide sweeping organizational change has increased supervision and the accountability of all of Lowell's police officers. Managerial changes, opportunities for leadership training and professional development, all funded by COPS, has actually decreased spending and liability for the city. Between 1990-1994, about 25 police brutality cases against the city and its police department resulted in nearly \$800,000 in payouts to victims. In the five years since the implementation of Lowell's community policing efforts, the city has paid out only \$125,000 in eight cases.

As part of our obligation to the federal government and our contract with the COPS Office, we participated in a protracted, yet necessary audit. Prior to the COPS program, our department had not received federal grant funding. As a result, we made first time mistakes that impacted both long-term processes and the results of the audit. We made a fundamental error at the outset by not hiring a budget manager with finance background, but instead tried to juggle our new responsibilities with existing support staff. A better understanding of the audit at its commencement would have allowed us to provide more timely and comprehensive information to the Inspector General's office, thereby warding off some of the concerns raised in the audit. Finally, it was not until the completion of the audit that we realized that official documents available at another level of city government could have answered many of the questions raised.

Retention plans required by the COPS Office have undoubtedly placed constraints on municipalities throughout the country, as it is virtually impossible for a community to guarantee long-term retention. City budgets operate from year to year and

while we cannot always secure a guarantee from the governing entity, we can strive towards a commitment. More importantly, as we have found first hand, however, the commitment we generate from our community members is perhaps more significant.

At a recent city council budget hearing the leader of our City Wide Neighborhood Council delivered an impassioned plea to our city leaders imploring them not to affect any police services by reducing funding. Barbara Palermo drove home her support of our efforts by reducing it to dollars and cents for our city council. As she saw, it the continuance of our services boiled down to approximately 175 dollars per taxpayer—a minimal amount based upon the “measurable results” provided by our department.

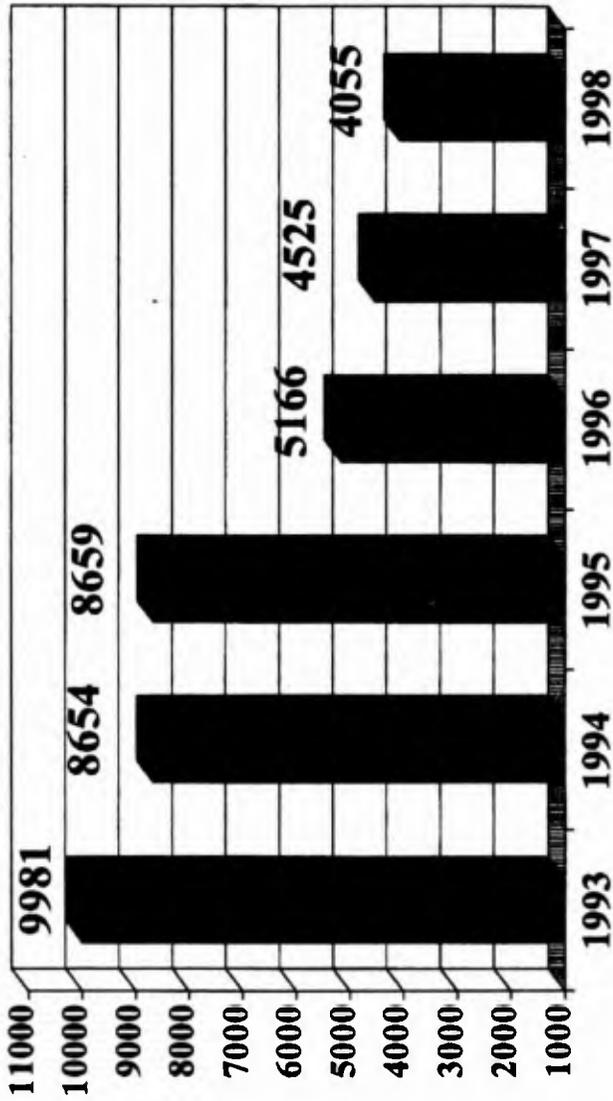
The people of Lowell are looking for *more* of the strategic planning and visions that have been promulgated by the COPS office and embraced by our community, not less. Beyond basic funding, the COPS Office has provided the tools, the encouragement, and support for community involvement and the development of specific strategies tailored to our needs. The continuation of the COPS Office ensures that public safety will continue to be the lynchpin of both flourishing economic development and community revitalization. This is happening in my city to a degree not seen in decades as evidenced by the inclusion of our police department in the planning of every significant development project and in matters of commerce.

Extra police officers in and of themselves have not made all the difference. Indeed, a favorable economy and low unemployment rates have contributed to the well being of communities. But, make no mistake; if a community is not safe and its members do not feel safe, all of the economic progress will be for naught. At its outset, the COPS Office offered the ability to not only fund and hire police officers, but it also linked funding to smarter police styles. Additional programs, throughout the life of the COPS Office, have further developed policing and training, unlike previous funding sources.

Block grants have been distributed for decades, but have not made a significant contribution to real and perceived crime at the local level—the COPS programs have. The key difference in the success of the funding is the commitment to organizational and managerial changes. Police agencies that receive COPS funding are required to create community partnerships, address the source of police problems not just the symptoms, and enhance officer accountability and service.

The opportunities afforded through COPS initiatives have made us a stronger organization. The audit process has made us more sophisticated in a fiscal sense and the professionals in the COPS Office, through their mandates have made us a better police department. This program has made the difference in Lowell Massachusetts.

**Lowell Police Department
Reported Part I Crimes
1993-1998**



Mr. McCOLLUM. Thank you very much, Mr. Davis. Sergeant Pfeifer, you are recognized.

STATEMENT OF MARTIN L. PFEIFER, SERGEANT, WASHINGTON, DC METROPOLITAN POLICE DEPARTMENT, SECRETARY, FRATERNAL ORDER OF POLICE

Mr. PFEIFER. Thank you, Mr. Chairman. And good morning, Mr. Chairman, Ranking Member Scott, and distinguished members of the House Subcommittee on Crime. My name is Sergeant Marty Pfeifer, and I am a 27 year veteran with the Metropolitan Police Department in Washington, D.C. I currently serve as the elected Trustee from the District of Columbia on the National Board of Directors for the Fraternal Order of Police, which is the largest organization of law enforcement professionals in the Nation, representing over 283,000 members.

I am here this morning at the request of FOP National President Gilbert Gallegos to speak about our organization's strong support for the Office for Community Oriented Policing, commonly known as COPS.

The Local Law Enforcement Block Grant (LLEBG) Program, authored by you, Mr. Chairman, and the COPS Program are the two most effective Federal anti-crime programs today. Together, these two programs allow Federal resources to be focused and directed to the local level. The block grant program provides funding to the local unit of government with a great deal of latitude in the use of the money, be it for lighting a recreational park to reduce criminal activity at night or to purchase additional squad cars.

The COPS grants, however, provide targeted funding, which goes directly to the law enforcement agency to increase the number of law enforcement officers on the street. Congress, with the strong support of a united law enforcement community, made great strides in addressing crime in American by enacting the COPS Program as part of the 1994 Crime Act. Together, Congress pledged to reduce crime by following the advice of law enforcement—more officers means less crime.

The 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 police officers is more than 11,000 State and local agencies across the Nation. My own department has received millions of dollars from the program, which will allow us hire or redeploy hundreds of officers on the streets of our Nation's capital.

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

I say this because the reduction in crime means there are Americans who could have been crime victims in the 1994 Crime Act had never been passed and the COPS Program never implemented. It is important to recognize this—lives and property were saved because of this program and the efforts of dedicated men and women in law enforcement.

The COPS Program places more officers on our streets and was the centerpiece of a plan to launch a new national law enforcement strategy—community oriented policing. This strategy, which has al-

ready proven successful at the local level, is now found in virtually all jurisdictions. Local departments were able to implement community oriented policing because of the COPS Program, which enabled them to call upon Federal resources to get the manpower they needed to make the strategy work in their communities.

I would also like to touch on some of the issues raised by the Inspector General in his testimony during the first panel. In the first place, I believe the subcommittee must take into account that the Department of Justice has convened an Audit Resolution Committee to address and resolve factual inaccuracies with respect to the IG's report.

For example, within the sample selected by the IG, the grant conditions were misapplied in 50 percent of the redeployment findings, 70 percent of the community policing findings, 90 percent of the retention findings, and 100 percent of the supplanting findings. Without the findings from the Audit Resolution Committee, the FOP views the conclusions of the IG's report as premature, inconclusive, and potentially inaccurate.

While the IG's report does contain positive suggestions for improving an already highly successful program, suggestions which have been or are being implemented, the report reaches some conclusions that the FOP believes bear serious scrutiny.

For example, the report maintains that grantees will not be required to retain through the year 2000 approximately 31,000 officer positions, and that 70 percent of the 131 grantees had not developed a good faith plan to retain these officers. And yet, this same report finds that 96 percent of the surveyed grantees intend to retain their COPS funded officers.

Similarly, 96 percent of over 300 COPS Phase I grantees whose grant periods have ended indicated on their final grant status reports that they had requested funding to retain their COPS officer positions beyond the life of the grant even though retention was not part of the Phase I program.

I also want to address the reliance of the IG's report on a field of grantees that had already been identified as potential problems by the COPS Office itself. Of the 149 audits conducted by the IG for the report, 103—more than two-thirds—were referred to the IG by the COPS Office because of potential problems. The other 46 sites were selected based on specific criteria, including identified signs of noncompliance with the terms of the grant.

Quite frankly, Mr. Chairman, it is wrong and unfair to judge the work of the COPS Office on the basis of auditing less than 1 percent of the grantees and identifying that 1 percent on the basis of noncompliance and potential problems.

Mr. Chairman, I am a police officer and not an accountant. Many of the numbers, to me, seem opaque and miss the point. The IG's report questions whether or not the goals of 100,000 police officers on the street will be realized if the COPS Office does not take into account deobligated grantees, redeployment under the MORE Program, or supplanting.

What I can tell you as a National Trustee of the Fraternal Order of Police is this today, that additional police officers on our streets have and continue to make a critical and substantial impact in reducing crime. And I can tell you without knowing who are what

was deobligated or whether these officers were hired by COPS or redeployed through the COPS MORE Program.

The 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 is a strategy which is 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 strategy and its positive results without the COPS Office resources. I don't believe anyone here would want to give back the ground that we have won in the fight against crime.

Crime is down to its lowest level in decades—and I go back to when we started the war on crime in the early '70s—because of this strategy and this program. 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 the members of the House and Senate to not only continue our support of COPS but to reauthorize the program.

Earlier this week, Congressman Weiner introduced H.R.3144, the COPS 2000 Bill, which the FOP strongly supports. I would like to thank him for his leadership on this important issue.

I would also like to thank you, Mr. Chairman, Ranking Member Scott, and the other distinguished members of the committee, for inviting me to participate in the oversight hearing today. I would be pleased to answer any questions.

[The prepared statement of Mr. Pfeifer follows:]

PREPARED STATEMENT OF MARTIN L. PFEIFER, SERGEANT, WASHINGTON, DC
METROPOLITAN POLICE DEPARTMENT, SECRETARY, FRATERNAL ORDER OF POLICE

Good morning, Mr. Chairman and distinguished Members of the House Subcommittee on Crime. My name is Sergeant Marty Pfeifer and I am a 27 year veteran with the Metropolitan Police Department in Washington, D.C. I currently serve as the elected Trustee from the District of Columbia on the National Board of Directors for the Fraternal Order of Police, which is the largest organization of law enforcement professionals in the nation, representing over 283,000 members.

I am here this morning at the request of F.O.P. National President Gilbert G. Gallegos to speak about our organization's strong support for the Office for Community Oriented Policing Services, or COPS.

The Local Law Enforcement Block Grant (LLEBG) program authored by you, Mr. Chairman, and the COPS program are the two most effective Federal anti-crime programs today. Together, these two programs allow Federal resources to be focused and directed to the local level. The block grant program provides funding to the local unit of government with a great deal of latitude in use of the money—be it lighting for a recreational park to reduce criminal activity at night, or to purchase additional squad cars.

COPS grants, however, provide targeted funding which goes directly to the local law enforcement agency to increase the number of law enforcement officers on the street. 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. Together, Congress 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 has received more than \$28.5 million from the program, which will allow us to hire or redeploy 728 officers on the streets of our nations capital. Washington, D.C., once plagued with violent crime, has mirrored the overall national decline in crime—a decline that now spans seven years.

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

I say this because 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—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.

I would also like to touch on some of the issues raised by the Inspector General in his testimony on the first panel.

In the first place, I believe the Subcommittee must take into account that the Department of Justice has convened an Audit Resolution Committee to address and resolve factual inaccuracies with respect to the IG's report. For example, within the sample selected by the IG, the grant conditions were misapplied in fifty percent (50%) of the redeployment findings, seventy percent (70%) of the community policing findings, ninety percent (90%) of the retention findings; and 100% of the supplanting findings. Without the findings from the Audit Resolution Committee, the F.O.P. views the conclusions of the IG's report as premature, inconclusive and potentially inaccurate.

While the IG's report does contain positive suggestions for improving an already highly successful program—suggestions which have been or are being implemented—the report reaches some conclusions that the F.O.P. believes bear serious scrutiny.

For example, the report maintains that grantees will not be required to retain, through the year 2000, approximately 31,000 officers positions and that seventy percent (70%) of 131 grantees had not developed a good faith plan to retain these officers.

And yet this same report finds that ninety-six percent (96%) of the surveyed grantees intend to retain their COPS-funded officers. Similarly, ninety-six percent (96%) of over three hundred COPS Phase I grantees, whose grant periods have ended, indicated on their final grant status reports that they had requested funding to retain their COPS officer positions beyond the life of the grant even though retention was not a part of the Phase I program.

I also want to address the reliance of the IG's report on a field of grantees that had already been identified as potential problems by the COPS office itself. Of the 149 audits conducted by the IG for the report, 103—more than two-thirds—were referred to the IG by the COPS office because of potential problems. The other 46 sites were selected based on specific criteria, including identified signs of noncompliance with the terms of the grant.

Quite frankly, Mr. Chairman, it is wrong and unfair to judge the work of the COPS office on the basis of auditing less than one percent (*149 out of 11,300*) of grantees and identifying that one percent on the basis of noncompliance and potential problems.

Mr. Chairman, I am a police officer and not an accountant. Many of the numbers, to me, seem opaque and miss the point. The IG's report questions whether or not the goals of 100,000 officers on the street will be realized if the COPS office does not take into account "deobligated grantees," redeployment under the MORE program or "supplanting."

What I can tell you as a National Trustee for the Fraternal Order of Police is that today, there are additional officers on our streets who have made and continue to make a critical and substantial impact in reducing crime. And I can tell you that without knowing who or what was "deobligated" or whether these officers were hired by COPS or redeployed through the COPS MORE program.

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 strategy and its positive results without the COPS office resource.

I don't believe anyone here would want to give back the ground that we have won in the fight against crime.

Crime is down to its lowest level in decades because of this strategy and this program. 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 Mem-

bers of the House and Senate to not only continue our support of COPS, but to reauthorize the program. Earlier this week, Congressman Weiner introduced H.R. 3144, the "PROTECTION Act," which the F.O.P. strongly supports. I'd like to thank him for his leadership on this important issue.

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

Mr. MCCOLLUM. Thank you. I want to thank all of you for being here today.

Sergeant Pfeifer, you just testified that the D.C. Metropolitan Police Department wouldn't be able to continue using their community policing strategy without the COPS Program. Don't you really mean that they wouldn't be able to continue to do that unless you had Federal funding that could be used for community policing of some sort?

In other words, my point is the specifics of the program aren't as important as your getting the money that can be used for community policing.

Mr. PFEIFER. Well, certainly, Mr. McCollum—the money, Mr. Chairman, is very important to this police department and other police departments across the country. But what I believe the COPS Program does is it targets the money and requires the department to put that money into the people, the cops that go on the street.

It also provides assistance in technology to buy computers, to buy cell phones, to buy cars, to buy things which will enhance the performance of the people you put on the street to do the job.

Mr. MCCOLLUM. But at the same time, you would not favor the President's position which would abolish the Local Law Enforcement Block Grant Program. You know, that is one of the things that is so much an anomaly in this debate. I think everyone of us, including the President and me, support community policing. But we have this huge dispute over how you dispense funds that somehow obscures this.

In his budget, as you probably are fully aware, he allocates absolutely no money for the Local Law Enforcement Block Grant Program that you endorsed in the very opening of your statement. And at the same time, he wants to take all the money that might be available for any kind of policing and put them into the COPS Program. I assume that you don't embrace that portion of what he advocates. You would like to see the Local Law Enforcement Block Grant Program to continue even though you and I might dispute how the COPS monies are gotten there. Am I not correct?

Mr. PFEIFER. That is correct, Mr. Chairman. I think we need both programs. I think we need the COPS Program. I think that police chiefs and mayors, other government officials need the latitude and discretion to have block grants to assist them with specific needs in their own jurisdiction.

Mr. MCCOLLUM. Let me turn to Chief Newport for some of the reasons that I think he has that I am sympathetic to, why I have so much trouble with the COPS Program as opposed to the Local Law Enforcement Block Grant Program. You did, as I recall, say that the COPS funds you received increased the number of officers on your force. Am I correct you did say that?

Mr. NEWPORT. Yes.

Mr. MCCOLLUM. But did this increase in the number translate into more officers on the street?

Mr. NEWPORT. It did not.

Mr. MCCOLLUM. And were you able to maintain the increased numbers of officers on your force after the COPS money ran out?

Mr. NEWPORT. We are still in the process of having this—you know, we started late, and so we are still in the midst of receiving some monies. I am not certain how it is going to be funded with city funds after we are not receiving Federal funds through the COPS AHEAD Program.

Mr. MCCOLLUM. But it is a significant problem at the local government level to come up with the funds to be able to continue these programs. I know I have heard that from others, and I assume that is what you are telling us today, too.

Mr. NEWPORT. You know, it is. And part of that is because the police chief and the mayor sign off on this program, but sometimes our budget people are not—are other than those two groups—those two persons. And what eventually happens is that high crime is not the priority it was four or 5 years ago now, and these views change. And so now there are other priorities that are taking their place. And in the meantime, COPS AHEAD funding is expiring.

Mr. MCCOLLUM. And are you aware of other small communities in your area that have had similar experiences as yours where they have gotten COPS money but that hasn't translated to more cops on the street, and where they are having trouble getting others to go along with the funding after the program expires?

Mr. NEWPORT. Yes. You know, I can't speak on behalf of Baltimore and Washington, where 300 or 400 officers come on board, but I can talk about midwestern medium-size cities where a lot of this money is headed towards. And the basics of it is that officers are just given more opportunities to have a better working environment, you know. They are able to take their days off. Once we fill our districts and our city, what is remaining, that gives the latitude for the supervisors to allow people to have nights off. We fill our districts, and at that point there is just some leeway.

Mr. MCCOLLUM. Well, the bottom line is it is not translating into more cops on the streets. And you would rather have the block grant money than the COPS money to do the job that you want to do if you had the choice because it gives you more flexibility. That is what you testified to if I am not mistaken.

Mr. NEWPORT. That is exactly right.

Mr. MCCOLLUM. Thank you very much, Chief Newport. Mr. Scott?

Mr. SCOTT. Thank you, Mr. Chairman. Mr. Sherman, you indicated that there is reporting fraud in reporting the crime statistics. Is that right?

Mr. SHERMAN. This has been documented in just about every region in the country on a continuing basis, probably a lot less now than 30 or 40 years ago, but the FBI, I think, would agree that there is an ongoing issue concerning compliance with the uniform crime reporting program.

Mr. SCOTT. What about the accuracy of reporting murders?

Mr. SHERMAN. Murder is, as we said in our 1997 report, clearly the most reliable basis for allocation of funds. In fact, we rec-

commend in that report that Local Law Enforcement Block Grant funding be tied not to the total violent crime rate, which includes more fraud-prone offenses, such as aggravated assault, or even just error-prone, but the homicide be the criterion for the allocation of funds. And I think that would do the most to fight crime in America.

Mr. SCOTT. Now, just looking at murders, you said that—you mentioned the idea of funding snow removal at the same rate in Boston and Miami. Can you give us—do you have any numbers that would give us an idea of what we are funding for murder in, say, Vermont, as opposed to the amount of money per murder in one of those 40-some cities you mentioned?

Mr. SHERMAN. Yes. It certainly is quite striking that the State of Vermont is getting—in terms of total Federal funding for crime prevention, Vermont, North Dakota, these States are getting about \$1 million per murder. And West Philadelphia, where I live, we are getting about \$5,000 per murder. And this is simply a result of allocating the anti-crime money based on population rather than basing it on crime, which is certainly a virtue of the Local Law Enforcement Block Grant Program, and not something that is found in COPS.

Mr. SCOTT. Well, let's see what we are doing—you have written a report on what works and what doesn't. How did cops on the beat fair in that analysis?

Mr. SHERMAN. Well, the research suggests that anything that increases the number of police officers has some affect on crime. But the biggest effect from each additional officer is found by putting the officers where and when the crime occurs. And that is what, I think, none of the programs that have yet been legislated have successfully been able to do. That is, they haven't focused not just on the high crime jurisdictions, but within high crime jurisdictions on high crime locations and high crime times, and that is why you switch back to the result

Mr. SCOTT. If you put officers in those hot spots, it would make a difference?

Mr. SHERMAN. Yes, although, I don't think you should try to audit that. I think we can audit the results. That is what we should be focusing on is honest crime reporting and good crime analysis, which if you had flexible money, you could support more police computers to do.

Mr. SCOTT. Well, there is a question of whether you are reducing crime or just moving crime around. Do you have a response to that?

Mr. SHERMAN. Yes. The evidence is very strong that the reasons crime is concentrated in those places are not very movable. The bars that are open late at night, the shopping centers that attract the activity—there is all kinds of reasons why crime occurs in a small number of places. And if you can stop it in those places, very little of it seems to go some place else.

Mr. SCOTT. Mr. Davis, you indicated that you are using some of your COPS funds for truancy prevention?

Mr. DAVIS. Yes, sir.

Mr. SCOTT. And you have related truancy to crime?

Mr. DAVIS. That is correct.

Mr. SCOTT. Has your reduction in truancy led to a reduction in juvenile crime?

Mr. DAVIS. Yes, sir, it has.

Mr. SCOTT. And when you bring the truants back to school, do they go back to the regular classroom or do you have alternative schools for them?

Mr. DAVIS. The school department has set up a special curriculum for the ones that we return to school, so they are put into a room and they are given special instruction for the remainder of that day.

Mr. SCOTT. There are some that are disruptive, and therefore, their presence in the classroom may be a disservice to the others. By rounding up all the truants, you are not placing all of them back in the normal classroom. Many of them will get an alternative education. Is that what I am understanding?

Mr. DAVIS. That is correct. There is an alternative school available to us in addition to a very stringent policy of suspension.

Mr. SCOTT. And what has happened to your juvenile crime rate?

Mr. DAVIS. Our juvenile crime rate has dropped, but more importantly, this program was put in place because the high school is located in the downtown area. Merchants were reporting losses of hundreds of dollars a day from very small stores in the downtown area. Those losses have been cut to almost zero because of this program.

Mr. SCOTT. Now, you indicated that part of the deal with the COPS Program is that you will change the way you police, focusing more on community policing.

Mr. DAVIS. I think that is the strength of the COPS Program, the carrot and stick approach that they use for jurisdictions across the country in changing our philosophy.

Mr. SCOTT. And has that worked?

Mr. DAVIS. It has worked in our city. It is really what opened our city up to the idea of community policing.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. MCCOLLUM. Thank you, Mr. Scott. Mr. Meehan, you are recognized.

Mr. MEEHAN. Thank you, Mr. Chairman. Chief Davis, Chairman McCollum mentioned that the audits that have taken place have indicated that there are—I forget whether it was 43 or 46 percent of the jurisdictions—didn't have a plan for retaining COPS once the grants ran out. My understanding is that Lowell was one of those communities?

Mr. DAVIS. That is correct.

Mr. MEEHAN. And further, can you tell me how many of the police that you have hired under the COPS Program have been retained? In other words, you didn't have a plan, but what has happened in terms of retention of police officers?

Mr. DAVIS. As part of the grant process, we had to make a commitment, a written commitment, that we would retain these positions after the grant ran out. Every position that was funded has been retained in the city budget.

Mr. MEEHAN. So even though you didn't have a plan, there has been 100 percent retention thus far?

Mr. DAVIS. There was some difficulty in our understanding exactly what the Inspector General's Office meant by a plan. Our planning process is essentially our budgeting process. It is done annually. And it is difficult for us to make commitments beyond the next year. So we felt that the commitment that we made at the outset of the grant and a strong desire on the part of the residents of the city to continue these programs was really the best insurance that these officers would be maintained.

Mr. MEEHAN. I think the auditors would probably wonder what our plan is for a budget. We are 29 days into the fiscal year without a budget. So I am certainly sympathetic to the notion of a lack of planning with regard to expenditures in a given year.

Given the enormous success—and I just, as somebody who has worked with the Lowell Police Department, not always a Member of Congress, but also as a prosecutor for many years, I am obviously proud of the job that the Lowell Police Department has done, and frankly, the job that you as a cutting edge police chief has done in the city. If we reauthorize this program, have you given any thought to what needs you have remaining that could be served by further grants?

Mr. DAVIS. Well, thank you, sir. I will say to you that retention of the officers who have been hired is critical. Allowing us more time to absorb those salaries is very important to us financially.

The other thing is community policing is really still in its infancy. And the Federal Government is well served by helping us move that process along. I believe everyone here believes that community policing is the way to go. But to make that happen across the country and to really change the philosophy of policing in this country, it is crucial that money be appropriated for training, for professional development, for managers, and that the Federal Government pay attention to the type of policing that is being provided to the citizens.

As we move away from the militaristic model and the control model toward the model of service and partnership with the community, the Federal Government can help us by making that happen.

Mr. MEEHAN. I almost hesitate to ask the question because as you have heard in this hearing, the suggestion has been floated about whether we should do block grants or whether we should have a COPS Program with strings attached in terms of community policing and initiatives that we know work. I mean, to ask police chiefs from around the country, would you rather have us just give you money and do whatever you want with it or would you rather we tell you what works and what we want you to do.

I hesitate in some ways to ask the question, but do you have an opinion on this issue? Obviously, it is easy for jurisdictions to say just give us the money, we will find a way to use it. I happen to believe that some flexibility is important, but when we have cutting edge policing, like community policing that works, when we know intervention programs work, we ought to get that information and make sure communities use it. Do you have an opinion as to this block grant or direct COPS grants?

Mr. DAVIS. I do have an opinion, and I believe it lies in the middle. I believe that the funding that comes to us through the Com-

munity Oriented Policing Service Office is vital in changing the philosophy of policing, and that money should be maintained, and it should be maintained at the same percentage that it is maintained right now.

However, I will tell you that the block grant money that comes through does allow us flexibility in putting into place some of the logistical means, computers, and other facilities that we need. So I like the way the program works right now. It has made a tremendous difference in the city, and I would like to see it set up exactly the same way.

Mr. MEEHAN. Thank you, Chief.

Mr. MCCOLLUM. Thank you, Mr. Meehan. Mr. Weiner, you are recognized.

Mr. WEINER. Thank you, Mr. Chairman. I want to commend you, Mr. Chairman. I think that this discussion that you have begun about whether or not we should tie the money to some level of crime rates or some other statistic, I think is helpful in allowing us to figure out ways to improve upon the COPS Program.

I think, though, it does raise myriad questions about whether or not we want—how we want the COPS Program to look at the end of the day. I am concerned that if we make it a program that seeks to target using what Mr. Sherman or maybe—I guess it was Mr. Davis—called the militaristic model, that we won't create a COPS Program that is entirely focused on big city with big crime problems.

One of the successes of the COPS Program, I believe, is that you can look at a map of the United States and find pins all across it in big cities, small towns, that have had success fighting crimes and have benefited from the COPS Program. Setting up a mechanism where you say we are only going to go to where the fires are and not go to where the embers are burning, or not go into where there is a little bit of smoke, I believe narrows the program and makes it less a program that helps small towns, suburbs, and the like.

And it also raises questions about what kind of incentives we are building into the bill. If we are saying to people, you are going to qualify for a grant if you have high crime rates, are we then going to say to those cities, well, here we are, we are ready for another round of funding. Your crime rate has dropped, so you are not going to get the funding to continue those successes that you have had. You are not going to have the funding to continue to be a deterrent force. You are not going to have the funding to build on the successes that you have.

It also overlooks the fact that in police departments large and small, there are technological needs that might not necessarily reflect their needs for new officers. For example, the cutting edge technologies that police departments all across the Nation are finding great success with involve testing DNA rape kits, and testing DNA at crime scenes, in sharing information between localities. This Congress and States all across the country have done an excellent job in recognizing the benefits of creating a DNA database.

If you say to small towns across this country, well, you are not going to qualify for COPS Program because you don't have a real crime problem, and they are then left with 10,000 or 15,000 as the

case is in New York City, rape kits that are unanalyzed because the funding doesn't continue to flow, I believe that that is a short-sighted approach.

And perhaps the advocates for that type of targeting, perhaps they don't recognize that that might limit where the funding can go. And perhaps Mr. Newport, although I apologize for missing your testimony, I would ask you if in your department you went under your leadership from a level of where you are eligible for COPS funding program to a level where you are not, would that mean that you no longer needed assistance from the Federal Government? Would that mean that you had every dollar that you needed to do the job?

Mr. NEWPORT. No, of course not. We wouldn't have every dollar. We have benefited in Terre Haute by the COPS AHEAD Program. We have also had a significant reduction in crime. I am just not certain that the COPS AHEAD Program was greatly responsible for that. I believe it is a combination of a lot of things that I am really not expert enough to explain, maybe economics, maybe a lot of different things.

But I do know that when citizens call with specific problems, if we have the latitude to put a number of officers there on, say, overtime projects, then those problems are solved. And if we have to retain those positions in those neighborhoods, we are able to do that with that flexibility.

What everybody has said here, whether you are for block grant or for COPS AHEAD, the word that has really stuck out is flexibility. You even said it earlier outside of those Yankee comments. You said earlier that there was a need for greater flexibility even in COPS AHEAD, and this is part of the proposal for what is coming up next.

But what has happened in the past is what I am speaking upon. And without question, block grants give greater flexibility to police administrators to tackle—

Mr. WEINER. I would think that that may be right. And I think that as Mr. Meehan mentioned, if we were to deliver a bag of twenty's to each police department, that would provide the ultimate in flexibility. But if you want the flexibility to hire cops, if you want the flexibility to pay for existing cops, if you want the flexibility to pay for technology, if you want the flexibility to pay for prosecutors, if you want the flexibility to pay for DNA testing, then the existing program and my reauthorization legislation would allow you to do those things.

If you want to go out and get one of these big crime-fighting tank things, maybe you can't do it. But I think we have tried to reflect those concerns in the reauthorization. And I think, frankly, in the COPS I Program, we saw that in the testimony that, you know, the agency has tried as best it can to give you all as much flexibility as possible to deal with those crime fighting needs.

I thank you, Mr. Chairman.

Mr. MCCOLLUM. Well, thank you, Mr. Weiner. And I thank all the panel here today. I think we have demonstrated through this discussion today that all of us understand the heroes that COPS police officers are on the streets every day, and that we do believe

and respect community policing as a tool. It is proven effective, it is positive, it is something we all want.

At the same time, I think while the words may be different in some people's minds and perspectives, I think we have also demonstrated Washington knows best is not always true. In fact, frequently, it is the opposite of what is best in this country for the particular communities where efforts are made to try to direct resources when we tie strings and attach things that don't allow the flexibility that Chief Newport has advocated. And that is why the debate continues.

And I truly hope that we can get some of the politics and some of the slogans out of this process so that we can get monies directed the way they should go with the maximum flexibility for the purposes of providing all the resources that our police need on the streets and in the offices themselves with the technology and the training that is required to reduce crime. That is the whole objective.

And I am just convinced as much or more today than I ever was that what is good in Massachusetts for you, Mr. Davis, and the way you proceed, is not necessarily good for Chief Newport in Indiana. And that is why the word flexibility has come up here today as a substitute in my mind for Washington does not know best.

But thank you very much for coming today. It was a good hearing. We got a chance to have some genuine understanding better of the problems of the COPS Program as well as, of course, the benefits of Federal law enforcement funding, and the need for more police on the streets, and community policing. Thank you so much. The hearing is adjourned.

[Whereupon, at 12:08 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

NATIONAL ASSOCIATION OF POLICE
ORGANIZATIONS, INC.,
Washington, DC, October 25, 1999.

Hon. BILL MCCOLLUM, *Chairman,*
Subcommittee on Crime,
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: It is my understanding that the Subcommittee on Crime will be conducting an oversight hearing of the Office of Community Oriented Policing Services (COPS) on October 28, 1999. Please be advised that the National Association of Police Organizations (NAPO) strongly supported the passage of the COPS program in the 1994 Crime bill and continues today, to support this very successful program.

NAPO is a coalition of police unions and associations from across the United States that serves in Washington, DC to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents 4,000 police organizations and 250,000 sworn law enforcement officers.

As you know, NAPO actively lobbied for the passage of the 1994 Crime Bill that established the C.O.P.S. program five years ago. The initiative to put 100,000 police officers on the street, to promote community policing and fight crime has been extremely successful in its objectives. State and local police departments throughout the country, in both urban and rural areas, have benefited from the COPS program. These benefits include increasing the number of new police officers in their departments, enhancing technological crime fighting techniques and obtaining general resources to help fight crime.

As we come upon the final year of appropriated funds for the COPS program, it is worth noting that both the public and the law enforcement community have benefited from the success of the COPS program. For the seventh straight year violent crime in this country has dropped to its lowest level in three decades. NAPO strongly believes that the precipitous decline in violent crime has been a direct result of the COPS program. Not only have we added more officers to our streets and neighborhoods, but we have also established a working partnership between law enforcement and our communities to help fight crime.

In April of 1999 the Office of the Inspector General of the Department of Justice released a report on the 'Summary of Audit Findings and Recommendations' for the COPS program. The report highlighted problems with the program, which had already been identified by the COPS office itself. NAPO finds the problematic areas outline by the Inspector General to be minimal, especially in view of the magnitude of grants disseminated by the COPS office and the overwhelming success and concrete result of hiring 100,000 officers. Furthermore, the COPS office has taken steps to rectify any inadequacies or shortcomings that may have occurred during the grant process.

NAPO will continue to support the COPS program and the reauthorization legislation that would extend the duration of this program. Specifically, NAPO supports the continuation of universal grants for hiring police officers to promote community policing. Also, the appropriation of funds to help fiscally constrained localities retain officers that have already been hired by the program and provide the needed funds to enforce contractual compliance of employing agencies. In addition, NAPO supports an increase in new technologies to state and local departments, that would enhance communications among different agencies, facilitate access to crime solving

technologies and develop comprehensive crime analysis. Finally, NAPO wholeheartedly supports the allotment of funds for scholarships for active law enforcement officers that will advance and promote higher education among our nation's finest.

I would urge members of the Subcommittee on Crime to strongly consider the benefits of the COPS program. We must continue to support our nation's police officers and continue our success in curtailing the nation's crime program. The declining crime rate in this country should not be an excuse to disband the COPS program but is an opportunity to hire more officers to further fight and decrease violent crime that still permeates our streets and neighborhoods.

Mr. Chairman, I want to thank you for your time. If you have any further questions on the COPS program or any other matter, please have your staff contact my office at (202) 842-4420.

Sincerely,

ROBERT T. SCULLY, *Executive Director.*

cc: Members of the House Subcommittee on Crime

POLICE EXECUTIVE RESEARCH FORUM,
Washington, DC, October 27, 1999.

Hon. BILL MCCOLLUM, *Chairman,*
Subcommittee on Crime,
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCOLLUM: On behalf of the members of the Police Executive Research Forum (PERF), a national organization of police professionals who serve more than 50 percent of our nation's population, I wish to express our strong support of the COPS Office and its many critical programs.

The COPS program has been a highly successful crime-fighting initiative. COPS has awarded state and local law enforcement agencies with nearly \$6 billion to fund hiring and redeployment of more than 100,000 officers. The vast majority of recipients have put those funds to unprecedented good use. With COPS funding, PERF members have purchased critical technology, implemented innovative problem-solving programs, and received valuable training and technical assistance, all of which have played an important role in advancing community policing across the country. But the COPS Office's work is far from over.

Providing the citizens in our jurisdictions with safe communities requires resources beyond local reach. The COPS program's sole mission is to respond to the needs of local law enforcement and it has delivered much-needed resources in the fight against crime. Through this partnership with the federal government, we have made tremendous advances in community policing.

Many COPS grant programs, such as the Youth Firearms Violence Initiative, Community Policing to Combat Domestic Violence, the Anti-Gang Initiative, Advancing Community Policing, School-Based Partnerships and Problem-Solving Partnerships, bring effective and innovative community policing strategies to neighborhoods across the country. These and other funded initiatives on critical current issues help law enforcement agencies advance their community policing efforts to target specific crimes, work in partnership with their communities, and develop the infrastructure to support and sustain community policing.

Thank you for considering the views of law enforcement. If you have any questions regarding these issues, please contact me or PERF's Legislative Director, Martha Plotkin at (202) 466-7820.

Sincerely,

CHUCK WEXLER, *Executive Director.*

INTERNATIONAL UNION OF
POLICE ASSOCIATIONS AFL-CIO,
Alexandria, VA, October 20, 1999.

Hon. BILL MCCOLLUM, *Chairman,*
Crime Subcommittee,
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the 80,000 members of the International Union of Police Associations, I would like to impress upon you the widespread support for the Community Oriented Policing Program (COPS).

Police officers fight a war every day on the streets to save our communities. For the past six and a half years, there has been a steady decrease in crime. This decrease is directly linked to the success of the COPS program. Now, there seems to be a political war on Capitol Hill to eliminate this highly successful partnership between the Federal government and our local communities.

Community support and involvement is vital to fighting crime. Whether a community is protected by a police department of two law enforcement officers or two thousand officers, there is not a community in this country that has not benefitted from the successful transfer of funds in the COPS programs to the local law enforcement department in our communities.

For the first time in decades our communities are stronger and safer. I urge you not to be swayed by the politics of this battle for funding and to support a reauthorization of the COPS program in order to continue its effective funding of community policing strategies. While there has been measurable successes, the fight to protect our communities is ongoing. There are constant new challenges that require community strategies, increases in technology and increased or shifting personnel requirements. The COPS Program can meet these needs and serve our police officers. To cut the funding for this program would have a detrimental effect in all police departments across the country.

Sincerely,

ARTHUR J. REDDY, *Vice President and Legislative Liaison.*

FRATERNAL ORDER OF POLICE,
NATIONAL LEGISLATIVE PROGRAM,
Washington, DC, October 26, 1999.

Hon. BILL MCCOLLUM, *Chairman,*
Subcommittee on Crime,
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the more than 283,000 members of the Fraternal Order of Police, I am writing to express our strong support of the Office of Community Oriented Policing Services (COPS). As your Subcommittee conducts oversight hearings on the program, I wanted you know that the F.O.P. considers the COPS program to be one of the most effective Federal programs for local law enforcement.

Congress made great strides in addressing crime in America by passing the 1994 Crime Act, the product of bipartisan cooperation and the strong support of the entire law enforcement community. We set a goal to place an additional 100,000 law enforcement officers on the streets and launched a national law enforcement strategy which has proven to be extremely effective on the local level—"community-oriented policing." The COPS office was the centerpiece of this national effort, enabling communities to put more police on their streets in more than 11,000 State and local agencies across the nation.

This program and these new officers are among the chief reasons that crime in America has dropped each year for the last seven years. It is my hope that this program will continue to be an invaluable resource for America's law enforcement agencies.

The COPS office continues to have the strong support of the Fraternal Order of Police and the confidence of the law enforcement community. It is our aim to see that the good work of the COPS office, begun by Congress in 1994, continues into the next millennium. If I can provide any further information about this or any other matter, please do not hesitate to contact me or Executive Director Jim Pasco through my Washington office.

Sincerely,

GILBERT G. GALLEGOS, *National President.*

Adopted at the 67th Annual Conference of Mayors
June 1999, New Orleans

REAUTHORIZATION, OF THE COPS PROGRAM

WHEREAS, the United States Congress passed, and President Clinton signed, the Public Safety Partnership and Community Policing Act, which became law on October 1, 1994, and created the Office of Community Oriented Policing Services (COPS); and

WHEREAS, the U.S. Department of Justice and the COPS Office have done a superb job of administering the COPS program so that funds are quickly and efficiently made available to local communities; and

WHEREAS, the COPS program has helped to promote the implementation of community policing in law enforcement agencies across the country, and demonstrate and evaluate the ability of agencies practicing community policing to significantly improve the quality of life by reducing the levels of violence, crime and disorder in their communities; and

WHEREAS, community policing has developed into one of the best partnership programs between public schools and local governments and can help reduce criminal activity and youth violence in and around public schools; and

WHEREAS, the partnership between the federal government and local governments through the COPS program has helped achieve major reductions in crime in cities of all sizes; and

WHEREAS, four-and-a-half years after its inception, the Administration has determined that the COPS program has achieved the stated goal of providing funding for American police agencies to hire or re-deploy more than 100,000 additional officers; and

WHEREAS, the authorization for the COPS program expires after fiscal year 2000; and

WHEREAS, the nation must remain diligent on crime prevention and control efforts to ensure that past gains are maintained and that crime rates are further reduced, especially as they relate to youth violence and crime; and

WHEREAS, the Administration has proposed in the "21st Century Law Enforcement and Public Safety Act," a five year reauthorization of the COPS program through fiscal year 2005; and

WHEREAS, in many cities, facilities and equipment are now insufficient to meet the needs for new officers, due to the hiring of additional officers under the COPS program,

NOW, THEREFORE, BE IT RESOLVED that The U.S. Conference of Mayors supports the COPS program and urges Congress to reauthorize the program beyond fiscal year 2000 to continue to promote the implementation of department-wide community policing in our cities, and to improve public safety levels in communities with continued investment by the federal government, policing agencies, communities, school districts and other state and local government agencies; and

BE IT FURTHER RESOLVED that the new COPS program contain the following elements:

- funding for the hiring or re-deployment of 30,000–50,000 additional officers, with a continued emphasis on community oriented policing in and around schools;
- significant retention funding beyond the initial three years of the program for officers where local fiscal conditions require continued support;
- much needed flexibility to pay overtime so long as it results in an increase in the number of officers deployed in community oriented policing;
- a significant increase in the per-officer funding limitation;
- significant support for crime-fighting technology equipment purchases and programs including improved public safety communications, crime mapping and related analysis programs; expansion and replacement of facilities necessitated by the hiring of additional officers under the COPS program; and crime solving technologies including crime lab improvements and DNA backlog reductions; and
- support for the criminal justice system including efforts to increase community prosecutions.

THE UNITED STATES CONFERENCE OF MAYORS,
Washington, DC, October 26, 1999.

Hon. Robert C. Scott, *Ranking Member,*
Subcommittee on Crime,
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SCOTT: On behalf of The United States Conference of Mayors, I am writing to express our strong support for the law enforcement partnership which has been established between the federal government and local governments across the nation, and to thank you for your continued commitment to this national priority.

It is our strong belief that the significant reduction in crime which has occurred in many of our nation's cities is a direct result of innovative community policing strategies. To that end, the support which we have received from the Community Oriented Policing Services (COPS) program has been critical.

Since enactment of the Violent Crime Control and Law Enforcement Act of 1994, the COPS program has helped put more than 50,000 police officers on the streets of America's cities and counties and into our nation's schools, and provided much needed technology and equipment support. The nation's mayors worked closely with Attorney General Janet Reno and the COPS office to ensure that not only was the program a success, but that governing regulations were streamlined to allow for easy accessibility to the program for communities of all sizes. The nation's mayors always cite the COPS program as a working example of what can be accomplished when red-tape is reduced to a minimum in favor of results-oriented programming.

I want to thank President Clinton and Attorney General Reno for their continued efforts to ensure that the COPS program is a success, and also this Subcommittee for its continued support for community policing. While crime rates have dropped in many communities, it is the strong belief of the nation's mayors that now is not the time to take a step backwards on our vigilant efforts to provide safe communities for all our citizens. Crime rates are still too high, and problems such as youth and school violence continue to be of major concern.

Therefore, The United States Conference of Mayors strongly supports reauthorization and continued funding of the COPS program and the COPS office to build on our success and provide increased flexibility in the use of the program to help cities best meet their criminal justice needs. A copy of our most recently enacted policy statement in support of the COPS program is attached for your review.

The nation's mayors greatly appreciate the support Congress and the Administration have shown for our efforts to provide safe living and working environments for all our citizens. Our partnership has resulted in measurable results, and working together we can and must build on this success.

Sincerely yours,

WELLINGTON E. WEBB, *Mayor of Denver,*
President.

Cc: Representative Bill McCollum





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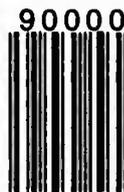


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