

Testimony of
Congressman William Jefferson
before the
Crime Subcommittee, House Judiciary Committee

It is a pleasure to welcome Chairman Bobby Scott and the members of the Crime Subcommittee of the House Judiciary Committee to New Orleans. Following the devastation caused by the breach of the levees, our City has struggled to get its Criminal Justice System functioning at an acceptable level.

There is a tendency for those concerned about criminal justice and crime prevention to seek to assess blame for the state of our criminal justice system finds. And, while we acknowledge a responsibility on the part of our criminal justice officials for the return of the system to its functioning capacity, it is important to remember the effect the flooding of our city had on our criminal justice system and the attendant difficulty of its recovery. As examples, the flooding of the basement of our Criminal Court Building and of the evidence laboratory of the New Orleans Police Department, destroyed and damaged valuable records including historical information on those engaged in violent criminal behavior, and evidence they currently needed to prosecute crimes. And, our entire city was evacuated, and some prosecutors and indigent defenders, along with hundreds of former police officers, relocated to other cities and took other jobs.

The stream of revenues that funds much of our criminal justice system was interrupted due to the post storm downturn in business activity and the inability of homeowners to pay sales and property taxes. Many areas are sparsely populated and hard to police.

But, it is plain that the rebuilding of our city depends, in part, on rebuilding confidence in a fair and effective criminal justice system that respects and enforces the law. At present, our city's and state's system leaves much to be desired in these respects. Criminal defendants remain in prison for too long a period of time before they are brought to trial. The Indigent Defender Program, according to our city's own Criminal Court Judge Arthur Hunter, effectively denies some defendants their Constitutional right to counsel. In addition, crime, especially violent crime, is a true tragedy in New Orleans, with certain neighborhoods of our city ravaged by murders and other crimes, and with hundreds of families each year made to suffer the loss of loved ones.

It is important that the federal government assist the City of New Orleans in overcoming the problems with its criminal justice system. After all, it was federal government-designed-and-built levees, under the jurisdiction of the United States Army Corps of Engineers that broke, flooding the city and severely damaging the physical infrastructure and workings of the criminal justice system. It is time to talk about solutions.

During the 1990's, President Bill Clinton and Congress appropriated funding to support the Community Oriented Policing Squad Program or COPS program. The federal government supported then the addition of 100,000 policemen to the ranks of our municipalities and states and to the use of technology to prevent crime and create networks among the law enforcement communities. Here in New Orleans, the COPS program at its height provided \$20 million annually that allowed our police department to train and put to work in high crime areas many policemen who used neighborhood beats, foot patrols, and special crime prevention methods to combat crime in certain neighborhoods. The program worked, resulting here in New Orleans in a significant reduction in our crime rate and especially with regard to the murder rate.

Unfortunately, the COPS program was meant to be temporary. The funding was cut after a period of time under the Bush Administration. I encourage the Crime Subcommittee to seek funding to renew the program here in New Orleans, again, on a temporary basis to tide us through our current crisis.

There is sufficient evidence that the problem of violent crime in New Orleans is also a problem of drug use resulting in criminal activity. Some statistics show that over 60% of those arrested for criminal activity in New Orleans test positive for illegal drug use. Police report that the vast majority of murders in our city are connected to drug use and to drug-related turf wars. It is clear that the problem of drug use and abuse in our city must be addressed if we are to curb violent crime in New Orleans.

There is much that the federal government can do. The Drug Enforcement Administration (DEA) has resources and programs designed to promote drug prevention. These programs must be employed to a greater extent here in New Orleans. I encourage the Crime Subcommittee to ask the DEA what is being done here in New Orleans, with one of the highest violent crime rates in our country, to stop the flow and use of illegal drugs. To what extent is the DEA investing additional resources in drug use prevention programs in this city that was so devastated by the flood?

I encourage the Committee to insist on more creative drug prevention intervention by the DEA. Use New Orleans as a test case. Conduct more meetings at schools, provide greater access to information for parents, and otherwise institute an emergency program to combat drug use in New Orleans.

And, what of the effectiveness of drug importation laws; none of the drugs on our street are grown in the backyards or farms of Americans; almost all of it comes from sources outside of America. Should we employ new strategies to deal with this problem, since the old ones are not working? I hope the committee will tackle this problem. And, what of drug consumption? The few drug treatment facilities that existed before the storm are for the most part still out of business, including one called BASIC that was doing exciting and wonderful things with a community-based drug program. Are there ways that the Committee can support more drug education to stem consumption?

Victims and witnesses to violent crime in New Orleans are often afraid to participate in our system of criminal justice. The threats to their lives and property are viewed as too great to support their risking all, even if it means the potential to make their neighborhood a safer place to live. On occasion, those who choose to serve as witnesses to violent crimes have become themselves victims of retaliatory and threatening acts.

This country's system of criminal justice depends on the willingness of eye witnesses to crimes to feel free to tell their story. I encourage the Crime Subcommittee to work closely with the State of Louisiana to encourage the full funding of a Victim Witness Program that works in New Orleans.

The percentage of incidents of unsolved and even uncontested crimes, especially murder, in New Orleans is a shame and a danger to every law-abiding citizen in our city. Providing support to citizens who choose to put themselves on the line in support of justice for victims of crime must be a priority of this country and of the City of New Orleans. I encourage the District Attorney of Orleans Parish to work closely with State officials to secure during this session of the Louisiana legislature sufficient funding for a Victim and Witness Assistance Program that works, in conjunction with federal support.

The federal government has provided the State of Louisiana with Community Development Block Grant (CDBG) program funding that can be used to support the criminal justice system of our state and city. It and additional federal resources can support the rebuilding of the Victim/Witness Program.

We were pleased to see the re-establishment of the crime lab at the University of New Orleans and with recent programs of cooperation between the DA's office and the NOPD. We need to strengthen and support their efforts on the federal level. It has never been more important to rebuild the criminal justice system of New Orleans. President George Bush pledged to the citizens of our nation that we would rebuild a New Orleans that is better than before. This cannot take place if there are thousands of citizens of our city who delay their return because of a perception and the reality of violent crime and its affects on everyday life.

The eyes of the nation are on the federal government and its response to the needs of the people of New Orleans following the flooding of the city. Enhanced support for drug prevention efforts, support for witness participants in our criminal justice system, and support for the enhanced training and deployment of policemen to our city's violent crime hotspots and rapid restoration of these physical infrastructures of the criminal justice institutions is something that the federal government can do now to make the city safer.

Once again, I thank the members of the Crime Subcommittee for their support of New Orleans recovering criminal justice system. Your presence in New Orleans during the time of Congressional recess is greatly appreciated and shows your commitment to making the necessary changes and rebuilding of our City. I challenge committee members to view the problems of the city's violent crime rate and criminal justice system as one of the top concerns of this nation.