



STATEMENT

OF

**LAURIE ROBINSON
DIRECTOR, MASTERS' IN CRIMINOLOGY PROGRAM
UNIVERSITY OF PENNSYLVANIA**

BEFORE THE

**SUBCOMMITTEE ON CRIME, TERRORISM AND HOMELAND SECURITY
COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES**

ON

**TUESDAY, APRIL 24, 2007
WASHINGTON, D.C.**

Mr. Chairman and Members of the Subcommittee:

My name is Laurie Robinson. I served from 1993 to 2000 as Assistant Attorney General for the Office of Justice Programs (OJP) in the U.S. Department of Justice, overseeing an annual budget of more than \$4 billion to work in partnership with states and localities in addressing crime. During my last year at OJP, the agency was administering some 42,000 grants. I currently direct the Criminology Master of Science Program at the University of Pennsylvania.

I appreciate the invitation to appear before you today to talk about the recent increase in violent crime nationally -- and why it is crucial that the federal government provide support to states and localities struggling to combat the problem.

WHY FEDERAL LEADERSHIP – AND SUPPORT – IS IMPORTANT RIGHT NOW IN ADDRESSING CRIME

While crime is largely a state and local responsibility, federal leadership and federal support is necessary – especially at a time, like today, when violent crime is on the rise – to ensure citizen confidence in public safety and the fair administration of justice. No one local jurisdiction, no one state can address these problems alone.

After a decade in which it was on the decline, violent crime is now increasing in many cities across the country: The FBI tells us that crime in the U.S. increased in the first half of 2006 by 3.7% (compared with the previous year) – including a 1.4% increase in murder and 9.7% increase in robbery.¹ A report released by the Police Executive Research Forum (PERF) last month found dramatic increases in violent crime among 56 jurisdictions surveyed – increases of 12.27% in robberies and 10.21% in homicides.²

¹ Preliminary Semiannual Uniform Crime Reports, Federal Bureau of Investigation. See <http://www.fbi.gov/ucr/prelim06/table3.htm>

² Chief Concerns: Violent Crime in America: Alarming Trends, Police Executive Research Forum, Washington, D.C., March, 2007, at 2.

And after years when crime was not a major national issue, it is again squarely in the center of public concern. As voters are going to the polls this May in Dallas to elect a new mayor, crime is cited as the top issue facing the city in recent polls.³ And in Philadelphia, where I spend much of my time, the central issue in the upcoming mayoral race this spring is violence on the city's streets. We have suffered *more homicides* so far this year than the far larger cities of New York, Los Angeles and Chicago.

As I talk to thoughtful leaders in law enforcement and criminal justice around the country, many are struggling. With lessons learned from years of federally supported research, they know a great deal about how to deal with crime – that comprehensive approaches involving prevention, treatment and community engagement are critical, along with enforcement and punishment, to ensure public safety. But they are confronting problems of gangs, drugs, and violence (some of it committed by very young teenagers) that are difficult to address. They are stymied by working with fewer officers, reduced budgets, and the burden of added homeland security responsibilities. Anti-terrorism duties have, in fact, drawn attention and resources away from day-to-day crime fighting, while none of those longtime problems have gone away.

Indeed, some of the high profile “glamour” of the terrorism focus frustrates local cops. I asked a former student of mine, who is high up in the ranks of the Philadelphia Police Department, whether his colleagues had used federal Department of Homeland Security funds to conduct training on suicide bombers. He looked at me somewhat scornfully and said, “Laurie, we’ll get around to that *if we ever have a suicide bombing in Philadelphia*. Right now, we’re just busy trying to keep up with the shootings we see out here every day.”

The fact is – as the National Criminal Justice Association has aptly put it – that federal funding for homeland security and for state and local criminal justice should not be an

³ “Poll: Crime tops election issues,” [The Dallas Morning News](#), Mon., March 12, 2007.

“either/or” proposition.⁴ Safe streets, safe neighborhoods and safe cities are the predicate for a secure homeland, in both a conceptual and a practical sense. One can’t neglect the former and expect the latter to exist. And – at the end of the day – we need to recognize that both rely on the same public safety infrastructure.

REFLECTING ON HISTORY

It is helpful to look at the history of the federal criminal justice assistance program when thinking about the appropriate federal role in reducing crime – and what is needed *and can be most effective* today.

Criminal justice in the United States has historically been, and still remains today, largely a state and local enterprise. According to the Bureau of Justice Statistics, of all the adults who went through the justice system in 2002, 94% were convicted in *state* court – not the federal system. Our justice system is also more decentralized than almost any other in the world. With 18,000 separate law enforcement agencies in the U.S., something as simple as training police in a new counterterrorism procedure becomes very complicated. By contrast, in the United Kingdom, an order could simply be issued from the Home Office and sent to the mere 45 police agencies throughout Great Britain.

The federal role in addressing crime was first defined in a document that is still very timely today – 40 years later – “The Challenge of Crime in a Free Society,” the report of President Lyndon Johnson’s Crime Commission in the 1960s. Chaired by former Attorney General Nicholas Katzenbach (someone I’ve had the pleasure to get to know over the past two years), the Commission has had a profound influence on criminal justice in this country.

⁴ “The Role of the Federal Government in Law Enforcement and the Administration of Justice,” March 2005, See <http://www.ncja.org/Content/NavigationMenu/GovernmentAffairs/FederalGovernmentandJusticeAdministrationWhitePaper/default.htm>

It called for a federal role in

- research
- fostering innovation in criminal justice
- gathering statistics and
- improving criminal justice.

It also called for establishment of a small federal office to fund state and local innovations in criminal justice – the seed that led in later years to the creation of the Law Enforcement Assistance Administration (LEAA) and to the Office of Justice Programs in the U.S. Department of Justice. Many of the core federal functions that I describe in this statement had their origins in the Katzenbach Commission’s report.

These recommendations did not reflect partisan politics. They were re-affirmed in the Reagan Administration’s report of the Attorney General’s Task Force on Violent Crime (1981), which stressed the unique role of the federal government in demonstrating and promoting what works in crime prevention.⁵

WHAT ARE THE KEY FEDERAL ROLES IN REDUCING CRIME?

There are six core ways in which the federal government can – and should – assist state and local government in addressing crime. It is important to underscore that five of these six roles do not entail large investments of federal dollars.

1. Developing knowledge is a central federal role in public safety

Just as research and experimental trials have led to better ways to prevent and treat heart disease, the same has been true for crime over the past four decades. We now know a great deal more about how to deal with crime than we did in the 1960s. Two key

⁵ Attorney General’s Task Force on Violent Crime, Final Report, U.S. Department of Justice, Washington, D.C. (1981).

differences between medicine and crime, however, are that, first, there are no business investors (like pharmaceutical companies in medicine) funding research relating to public safety and, second, the federal dollars devoted to crime research are in the low millions – not in the billions (as at NIH).

But the federal government, in fact, has a *crucial role* to play in supporting social science research and evaluation to learn “what works” in addressing crime. Aside from an occasional private foundation, no one else pays for this work to get done. Nor is it realistic to think local jurisdictions can afford to do this themselves.

Why is this knowledge so important? The answer is that, particularly at a time of tight budgets, we need to be investing in *evidence-based* approaches that can actually help reduce crime and we need to stop funding programs that don’t work, even when they have great popular appeal.

Research also leads to the next breakthroughs – such as data-mining that is identifying the most likely murderers in the phalanx of 52,000 probationers in Philadelphia. Or the survey that tells us how law enforcement is really using closed circuit television in different cities. Or the randomized controlled experiment that demonstrates whether an in-prison treatment for pedophiles can be effective in reducing future offending.

Research and development for new technologies to serve and support criminal justice agencies has also been an important role of LEAA and OJP. The Science & Technology Office within the National Institute of Justice has made enormous contributions to the field – including its network of National Law Enforcement &

Corrections Technology Centers that conducts demonstration projects and provides invaluable assistance to law enforcement to help it assimilate new technologies.

2. The federal government should collect and disseminate independent and credible national statistics on crime

The highly respected National Crime Victimization Survey (NCVS) reported by BJS since 1973 has provided what the FBI's Uniform Crime Reports has never attempted to produce: a count of crime that includes serious offenses, like rape, that may never be reported to police. This past year, however, BJS was threatened by budget shortages for its crime victims' survey. While this year's survey is going forward, the threat to a three-decade data series is a reflection of the limited funding that has been made available for this central federal function.

Too often, BJS – despite its irreplaceable role – has been the “poor stepsister” of the OJP agencies. In fact, at a time of rising crime, BJS should be charged by Congress with a *broadened role* in helping in our understanding of victimization. BJS should be mandated to measure crime on a *state-by-state basis*, even to the level of large cities, and provided with appropriate funds to support this mission. At present, the survey cannot provide this level of information.

The integrity of crime statistics is crucial to ensuring their credibility. No one questions Bureau of Labor Statistics reports because no one would dare to “mess” with its products. Yet a political appointee of the current Administration did try to rewrite the press release describing the findings of a key BJS report on racial profiling several years ago. After BJS's Director objected to this political interference, he was fired by the White House. For that reason, I urge this Subcommittee to consider legislation to give BJS

explicit authority to issue its statistical reports and explanatory press releases independent of any outside clearance.

3. Federal dollars should support the innovation that localities cannot fund on their own

Supporting pilot projects through discretionary grants has been a central feature of the federal criminal justice assistance program from its earliest years – as the 1967 President’s Crime Commission recommended. Funding of this kind allows jurisdictions to implement programs that have been proven effective or to undertake experimentation. Local jurisdictions can rarely free up money to undertake these kinds of initiatives. Once established and shown to be successful in local settings, however, city councils or other budgetary officials will frequently buy into their continuation. Drug courts are a good example of this phenomenon.

But probably the best illustration of this is the work of the COPS Office – which has literally changed the face of policing across the United States since it was established in 1994. What is telling is that it is not just the hiring grants that caused this revolution to occur. Perhaps more important was the change in the culture of policing – and police/community relationships – that occurred as a result of a myriad of COPS innovation grants, conferences, and other initiatives.

Other examples of LEAA/OJP-supported innovations include:

- Problem-oriented and hot spots policing
- Problem-solving courts (drug courts, mental health courts, domestic violence courts, etc.)
- Victim/witness programs
- Career criminal prosecution units
- Bulletproof vests
- Forensic applications of DNA technology
- Drug testing programs
- Less-than-lethal weapons

4. There is no more central federal role than diffusion of knowledge

As I stated before, we already know a great deal about what can be done to prevent and control crime. For example, we know that, correctly used, drug treatment in the criminal justice system can play a powerful role in helping change offender behavior and reduce post-incarceration recidivism.⁶ We also understand that, beyond a certain level, increasing rates of incarceration (while adding a staggering burden to state budgets) may not be as effective in reducing crime as other strategies (such as increasing numbers of police and reducing unemployment).⁷

But we have done a poor job – especially at the federal level – in getting information out. While I take credit for many things accomplished in the seven years I headed OJP, this is an area where I did not do enough to advance the ball.

A strong recommendation I have therefore made to the House Appropriations Subcommittee on Commerce, Justice, Science is to mandate that OJP fund a “What Works Clearinghouse” that summarizes – in brief, layperson’s language – what is known from research about evidence-based approaches to addressing crime. Although it’s hard to believe, no such resource now exists. A clearinghouse of this kind should provide information written in succinct, non-scientific language that is easily accessible to criminal and juvenile justice practitioners. Information for busy legislators and policymakers could be distilled into one-page summaries – something their staffs will do for them in any event.

⁶ See http://www.nida.nih.gov/PODAT_CJ/faqs/faqs1.html#3 and <http://www.evidencebasedprograms.org/Default.aspx?tabid=150>, for example.

⁷ See, for example, Reconsidering Incarceration: New Directions for Reducing Crime by Don Stemen, Director of Research, Center on Sentencing and Corrections, Vera Institute of Justice, January 2007.

This is an ideal role for the OJP agencies to undertake – in fact, it’s hard to think of a more central federal role than this one. Three important resources here are:

- Evidence-Based Crime Prevention, edited by Lawrence W. Sherman, David Farrington, Brandon Welsh, and Doris MacKenzie (Routledge, 2002). This is an update of a Congressionally-mandated report which OJP commissioned and published in 1997 entitled, “Crime Prevention: What Works, What Doesn’t, What’s Promising.”
- The Coalition for Evidence-Based Policy, a project of the Council for Excellence in Government in Washington, D.C.⁸
- The Campbell Collaboration – an international non-profit organization that prepares systematic reviews of effects of interventions, among others, in the area of crime and justice.⁹

5. Technical assistance and training are two of the most effective federal public safety investments

During the years I spent at the Department of Justice I don’t think I saw a better expenditure of federal dollars (other than on research) than those spent on technical assistance. Helping practitioners do their jobs better – on the front lines – is the ultimate way that the federal government can assist in conveying evidence-based best practices. It’s one of the most cost efficient ways federal money is spent. And it’s not about spreading the wisdom of high-priced Washington consultants; the best T.A. I saw provided was “peer-to-peer”: Having drug court judges from Portland, for example, host teams from other jurisdictions. Judges trust what other judges tell them. So we’d provide training for courts to serve as “mentors” and fund travel so others could visit.

Another good example of successfully integrated technical assistance and training are the Regional Community Policing Institutes (RCPIs). I’ve been a fan of these since their creation by the COPS Office in the late 1990s. They provide high quality but low

⁸ See <http://coex.gov.securesites.net/index.php?keyword=a432fbc34d71c7> and <http://www.evidencebasedprograms.org/>

⁹ See <http://www.campbellcollaboration.org/index.asp> and <http://www.campbellcollaboration.org/CCJG/index.asp>

cost (or free) training for law enforcement agencies on topics ranging from community policing and gangs to school safety and meth labs. The RCPIs have provided a *national* presence with access to *local* practitioners, but they are about to be a victim of the dramatic cuts at COPS – a perfect example of a wonderful (but low profile) investment of federal money that has built infrastructure and credibility in the field, but now may be dismantled.

Yet another illustration of the federal government's central role has been in encouraging better information sharing. The Justice Information Sharing Initiative enables agencies to get the information they need to be effective within and across jurisdictions.

6. Larger federal grant programs – like JAG/Byrne and COPS – play a vitally important role

None of the core federal criminal justice assistance functions are expensive. Research, statistics, information sharing, technical assistance and training, innovative pilot programs – these are minimal investments in the scheme of the federal budget. While each could surely use more money, none requires substantial appropriations. The same, of course, is not true of the large block grant programs, or large discretionary grant programs like COPS, which have been a mainstay of the LEAA/OJP program since the passage of the 1968 Safe Streets Act.

The COPS program, in particular, has been distinctive. Even those who have questioned the value of federal subsidies of local police salaries have acknowledged that the COPS Office has helped dramatically to spread the concept of community policing and has reinvented the way a federal grant agency can relate to its constituents.

Continuation – and strengthening – of the COPS program is something I strongly support

(and passage, therefore, of legislation like H.R. 1700, the COPS Improvement Act of 2007, makes good sense).

In general, it is extremely difficult, if not impossible, to measure in any *scientific* way the impact of large programs like the Byrne Justice Assistance Grant (JAG) program, for which spending is invested in an almost limitless number of locally chosen programs. **Despite that, however, I come down in strong support of continued federal funding of COPS and of JAG/Byrne. State and local criminal justice right now is in a two-fold crisis, dealing with rising crime, on the one hand, and juggling additional responsibilities in the post-9/11 world, on the other. In the spirit of the 40-year criminal justice assistance program, federal leadership and support is vital to help states and localities deal with the challenging problems they are now facing of rising violent crime and homicide , drugs, and gangs.**

I would offer these suggestions, however, regarding these programs and the pending legislation before the Committee:

- Strongly encourage block grant program grantees to consider funding programs of proven effectiveness. Creation of a “What Works” clearinghouse would allow state and local practitioners and policymakers to find that information much more easily.
- Consider placing a four-year limit on federal funding for projects, in light of the fact that federal money should primarily be used for innovation, rather than ongoing support.
- Emphasize the strengths of programs – e.g., in COPS, to support community policing initiatives for crime prevention and crime fighting, not just putting officers on the streets (so to allow flexibility to support gang task forces, anti-meth lab activities, and other specific initiatives to target problem areas).
- Ensure and require coordination between DOJ’s efforts and those in DHS. I hear from state and local practitioners examples of *their* need to coordinate “on the ground” when the Departments of Justice and Homeland Security have not adequately collaborated from inside the Beltway. That kind of collaboration is tough in Washington. But it needs to be done better.

- Support repayment of student loans for individuals who remain employed as public prosecutors or public defenders. The John R. Justice Prosecutors and Defenders Incentive Act of 2007, H.R. 933, deserves support because of the worthy goal of encouraging young lawyers to enter public service in those areas. Too frequently, recent law graduates are saddled with such heavy loans that they have little choice but to enter large law firms in order to repay those debts. My only suggestion here is that – at some time in the future – this Committee consider extending this program to encompass those earning graduate degrees in programs such as the Masters Program in Criminology at Penn and entering positions in probation, corrections and law enforcement. Shouldn't young people in these areas of public service deserve our support as much as young lawyers do?

FINAL CRIME CONTROL RECOMMENDATION: REDUCING HOMICIDE BY FOCUSING ON PROBATION AND PAROLE POPULATIONS

I want to end with a positive suggestion regarding an area where federal investment of dollars could make a substantial difference in reducing crime. For reasons that are hard to discern, federal grant programs over the years have largely ignored probation and parole populations. There are 6 million convicted offenders on probation or parole in the nation, compared to only 2.2 million offenders or defendants behind bars. Offenders in the community clearly present the greatest risk to public safety, yet they receive little attention from the criminal justice system or from public budget allocations.

My Penn colleague Lawrence W. Sherman (Director of the Jerry Lee Center of Criminology) has pointed out that the majority of the 406 murders in Philadelphia last year were committed by – or against – individuals on probation, parole or pretrial release. He estimates that persons under the supervision of Philadelphia's Adult Probation and Parole Department (APPD) committed 22% of all homicides in the city in 2006 and made up 16% of murder victims. "This would mean that almost 4 out of ten murders involved an APPD case as victim or offender," Sherman notes.¹⁰

¹⁰ Lawrence W. Sherman, "Reducing Homicide by Enhancing High-Risk Probation and Parole: A Peer-Reviewed Grants Program," Testimony before the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, February 15, 2007.

Using statistical data-mining techniques pioneered by another Penn colleague, Dr. Richard Berk, we are now working with Philadelphia's probation department to identify the handful of offenders most likely to kill or be killed. But with caseloads of 185 probationers per probation officer, such offenders usually receive minimal oversight. A small demonstration project with just five officers whose caseloads do not exceed 15 offenders is now testing a new way to prevent homicide. On a national scale, this approach could test a wide variety of murder prevention strategies – including clinical treatment for Post Traumatic Stress Disorder, drug abuse and mental illness– to prevent violence.

If this kind of approach could be undertaken in carefully designed randomized controlled experiments under a federal grant program, using collaborations between local probation agencies and universities, there is real promise, using scientific knowledge, of reducing homicide in many violence-ridden communities around the country – a prime example of the kind of innovative federal/state/local partnerships this criminal justice assistance program has fostered over four decades.

CONCLUSION

Because of my longstanding involvement in the program, I have twice convened reunions of leaders of the LEAA/OJP agency – in 1996, as Assistant Attorney General, and again in 2006, as a private citizen. In both instances, I was struck by the support – across every era and from individuals of *both* political parties – for the federal criminal justice assistance program. The program has benefited from that passion, which has translated, I believe, into strong leadership over 40 years. For those of us who have had the chance to serve in that position, it has been an honor and a privilege to do so for a program dedicated to reducing crime and ensuring justice.

* * * *

Mr. Chairman, I appreciate the opportunity to appear before the Subcommittee, and I would be happy to answer any questions.