

OVERDUE OVERSIGHT OF THE CAPITAL CITY:
PART I

HEARING
BEFORE THE
COMMITTEE ON
OVERSIGHT AND ACCOUNTABILITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

MARCH 29, 2023

Serial No. 118-16

Printed for the use of the Committee on Oversight and Accountability



Available on: *govinfo.gov*,
oversight.house.gov or
docs.house.gov

U.S. GOVERNMENT PUBLISHING OFFICE

51-721 PDF

WASHINGTON : 2023

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Wednesday, March 29, 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,
Washington, D.C.

The Committee met, pursuant to notice, at 10:04 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Jordan, Turner, Gosar, Foxx, Grothman, Palmer, Higgins, Sessions, Biggs, Mace, Fallon, Donalds, Perry, Timmons, Burchett, Greene, Boebert, Fry, Luna, Langworthy, Burlison, Raskin, Norton, Connolly, Krishnamoorthi, Mfume, Porter, Brown, Garcia, Frost, Balint, Lee, Casar, Crockett, Goldman, and Moskowitz.

Also present: Representative Clyde.

Chairman COMER. The Committee on Oversight and Accountability will come to order, and I want to welcome everyone.

Without objection, the Chair may declare a recess at any time.

The Committee welcomes the public to this very important meeting. While you are here, I want to point out to the Members and the audience today that House Rule XI provides that the Chairman of the Committee may punish breaches of order and decorum, including exclusion from the hearing. All participants will be required to avoid unruly behavior and inappropriate language. Expressions of support or opposition are not in order. I expect all parties to these proceedings to conduct themselves in a manner that reflects properly of the U.S. House of Representatives.

I recognize myself for the purpose of making an opening statement.

For the first time since 2019, this Committee is holding an oversight hearing examining the District of Columbia. Since that time, our Nation's Capital has deteriorated and declined, crime has risen dramatically, education levels have plummeted, and the city's finances are in disarray. D.C. officials have not carried out the responsibility to serve their citizens. Therefore, our Committee must fulfill its responsibility to conduct oversight of the District of Columbia.

We have a tall task today examining D.C.'s failures. The crime statistics alone are shocking. According to the D.C. Metropolitan Police Department, carjackings in the District have increased 105 percent compared to this time last year. Fifty-six percent of these

carjackings are committed by juveniles. Total property crime is up 28 percent. Homicides are up 37 percent since 2019. Just days ago, 14 men were shot in 10 separate incidents within a 27-hour span in Washington, D.C. D.C. clearly has a crime crisis.

The D.C. Council saw these rising crime trends, but rather than support policies to protect the residents, it did the opposite. On November 15, 2022, the D.C. Council passed the Revised Criminal Code Act of 2022. It contains several soft-on-crime measures that would escalate D.C.'s crime. The Revised Criminal Code Act eliminated almost all mandatory minimum sentencing requirements for violent crimes, and it drastically reduced the maximum penalties for many violent crimes. These and other changes further embolden criminals to run rampant throughout the Nation's Capital.

Mayor Muriel Bowser vetoed this legislation last December, yet the Council persisted in pushing its soft-on-crime agenda and voted to override Mayor Bowser's veto. Thankfully, my friend from Georgia, Mr. Clyde, a former Member of this Committee introduced the House Joint Resolution 26 of Disapproval. This resolution rejects the D.C. Council's revised Criminal Code Act. Some blasted this effort as a partisan attack on the District, including many of my Democratic colleagues in this room, but this resolution passed Congress under bipartisan support and was signed by President Biden earlier this month on March 20. Hopefully D.C. officials took notice and are reconsidering its soft-on-crime approach.

Today, we are fortunate to have two witnesses from the D.C. Council to answer how they plan to move forward in reducing the crime plaguing our capital. The Council must work with our men and women in uniform to craft legislation and policies that support the Metropolitan Police Department in thoughtful ways to ensure public safety.

The Council also needs to focus on the District's children who have been placed last in priority the past few years. Four schools shut down during the pandemic, led to huge drops in math and language scores for students across all grades. This has also led to record-level truancy. In 2022, 48 percent of D.C. students qualified as chronically absent—48 percent. Almost half D.C. students are not consistently going to school, and now D.C. students' long-term prospects are sinking. Experts are projecting an over 40 percent decline in students seeking advanced education after high school. In 2022, D.C. ranked 4th from last in high school graduation rates among U.S. cities. Something needs to be done to turn this around. I hope to hear some solutions today.

The District must also take steps to address financial concerns outlined by one of today's witnesses, Chief Financial Officer Glen Lee. In his February 28 report, Mr. Lee determined that D.C. is in a weaker financial position in 2023 than it was in 2022. Some of those reasons include the loss of tax revenue from commercial properties and expanded telework. It seems the D.C. Council wants to ignore this poor fiscal outlook and is pushing expensive progressive policies and programs. One of these programs is free busing, but free busing is not free. Taxpayers still have to pay for it, and, unfortunately, D.C. is losing taxpayers as businesses and residents are fleeing at a record pace. D.C. must prioritize policies that promote economic growth, not find ways to spend money it does not

have. I look forward to hearing from our witnesses about ways that D.C. intends to spur growth and encourage business. One idea is simply protecting your residents and small business owners. That will go a long way in promoting economic growth.

This Congress, this Committee, has and will continue to conduct oversight of the District of Columbia. We must for its residents, our constituents who visit from across the country, and those who work in this city. They deserve a safe and prosperous city. I look forward to working with my colleagues and the District leaders to achieve that ideal.

I now recognize Ranking Member Raskin for his opening remarks.

Mr. RASKIN. Mr. Chairman, thank you very much. Good morning, everyone. There are two problems in America that we could solve today and that would unify the American people. The first is the problem of gun violence and related forms of criminal violence, and second is the problem of disenfranchisement and unresolved struggles for political democracy and equal rights in the country. No one is in favor of lethal gun violence, and everyone should be in favor of full democratic inclusion and participation, and yet, rather than working together to solve these two problems, which we could easily do, our GOP colleagues would simply use the existence of one problem to block the solution of the other, while doing nothing to address either of them.

When a mass shooter guns down three children and three adults, as happened on Monday in Nashville, or a mass murderer assassinates 10 people at a supermarket in Buffalo, where a racist killer massacres 23 people and wounds 22 others at a Walmart in El Paso, Texas, or a gunman murders a D.C. Metro transit employee trying to protect riders from the armed attacker as happened in Washington last month, these acts of deranged criminal violence should be a spur to immediate nationwide bipartisan action to pass a universal violent criminal background check on the sale of all firearms in the United States of America, a measure supported by more than 90 percent of the American people. And it should be a spur to ban military-style weapons of war on the streets of America, in the schools and churches, and in the supermarkets and shopping malls.

And this will work, and how do we know it will work? Well, America has the loosest, most permissive and liberal gun laws in the world, and we have a rate of gun violence unseen in the rest of the industrialized world. Firearm homicide rates are 22 times greater here than in Europe. We are the only industrialized Nation where gun violence is the leading cause of death for children. If we took the actions that our counterparts have taken from Canada to Japan to Australia, we would dramatically lower the rates of gun death in America.

The states with the strictest gun laws today have the lowest rates of gun homicide, and the states with the loosest gun laws have the highest rates of gun homicide, but alas, our GOP colleagues throw up their hands. They bewail and bemoan the existence of evil in the world as if we were cloistered theologians rather than responsible public officials, and they say there is nothing, just nothing, that we can do to stop criminal gun violence. Our dear col-

league, Congressman Tim Burchett, is a genuinely decent and beloved man around here, and even he just gave voice to this pervasive and shocking sense of capitulation and surrender among our colleagues to the monstrous problem of criminal gun violence. After Monday's mass shooting at a Christian school in Nashville, he said, "It is a horrible, horrible situation, and we are not going to fix it." He said, "Criminals are going to be criminals."

But even worse than this fatalistic surrender to criminal violence in America, is the decision today to use the stubborn pervasiveness of criminal violence everywhere in America as an excuse to deny people in one community their basic rights as Americans to participate in representative government on an equal basis, and that is what is happening in this hearing.

The more than 700,000 U.S. citizens living in Washington, D.C. pay more taxes per capita than the people of each of the 50 states. They have fought in every war from the American Revolution forward. They are draftable. They are subject to all the laws of the country, and yet they have had no voting representation in the U.S. House or the U.S. Senate since passage of the Organic Act in 1801, although they did win the right to participate in Presidential elections in 1961 with passage of the Twenty-Third Amendment. But they are disenfranchised in Congress, the only residents of a national capital on planet earth who are not represented in their own national legislature, and they are fighting a crime problem that Americans are fighting everywhere from Washington to Louisville, Kentucky to Bakersville, California.

Yet, when violent insurrectionists came to this chamber on January 6, 2021, the people of Washington as Capitol officers, as officers in the Metropolitan Police Department, as staffers, and the citizens rallied to the defense of the republic and the very Congress that they cannot participate in as voting members. If anyone had an authentic political grievance against the Union it would be them, but, no, they stood up to defend the Congress and the Vice President against a violent mob of rebels without a cause and rebels without a clue, who savagely attacked our police officers. And, now, the very same Members who have come together today to denounce crime in Washington and the response of the D.C. Government that they know very little about are astonishingly many of the same Members who visited violent criminals in the D.C. jail and praised them as heroes and political prisoners as if they were Nelson Mandela or Alexei Navalny. What an obscenity and what a disgrace to this institution.

In any event, the people of Washington never attacked our body or our officers. They are demanding change the right way. They organized a Statehood convention and a Statehood referendum in 2016, and they petitioned us for admission to the Union. The House voted in both the 116th and the 117th Congresses to grant their petition for admission to statehood. The Senate failed to act in both cases. Their petition is in the mainstream of our history. Statehood admission has been a driving force behind the growth of American democracy from a Union of 13 to a Union of 50 states. The vast majority of Members of the House, 307 of us, represent people living in states that were admitted by Congress under Article IV rather than people living in one of the original 13 states that

ratified the Constitution, who are represented by only 128 representatives. I happen to be one of those, but all of us have equal votes regardless of whether we were one of the first, or we were one of the most recent states to be admitted.

In the process of state admissions, all kinds of objections have been raised. We said Utah was too Mormon. New Mexico, too Catholic. Other candidates were thought too poor, too big, too small. Hawaii and Alaska were non-contiguous, so they were obviously too far away and unqualified. Texas was its own country, and where does it say we could admit a whole country as a state? Representatives complained that too many people in Arizona spoke Spanish, and Senator Beveridge, Chairman of the Committee on Territory, said that they were likely to be traitors and un-American. Louisiana was way too French, and one of the main criticisms leveled against almost every community has been that the people there were too wild, too criminal, and too ruffian to be admitted. And, of course, beneath the surface, there has always been the quicksand of racial, religious, and ethnic animosity and hatred.

But the amazing and redeeming fact of American history has been that ultimately all of these irrational, non-constitutional, and arbitrary objections have been swept away in favor of the great democratic imperative embodied in the first three words of the Constitution, "We the people." And the Declaration of Independence set forth the beautiful self-evident truths that have guided us as a country. All Americans born equal. All of us having unalienable rights, including the rights to life, liberty, and the pursuit of happiness, government existing only on the consent of the governed, and nobody should be governed or taxed without their own direct representation.

This hearing, called to malign the people of D.C. and their leaders for criminal violence that our colleagues will do nothing to stop, should instead be a hearing to examine and move statehood for the people of Washington, D.C. in the 118th Congress. And I know there will be lots of criticisms against this or that provision of D.C. law, this or that budgetary decision or policy decision, but all of it is quite beside the point. The people of Washington are an independent, self-governing community who want their statehood, and you no more have to agree with every law or government decision in Washington than you have to agree with every law or government decision in Louisiana, or California, or Massachusetts, or New Mexico, or Alaska, or Texas. In a democracy, people have a right to make their own decisions and even the right sometimes to make their own mistakes.

Is there a state in the Union that has not made a policy mistake? I am certain there is not a Member of this Committee who would want every law and policy of your state, or their localities, to be examined and reviewed by the representatives of every other state, whenever they think it is in their political interest to do that. Have our colleagues so given up on the possibility of making real progress together on reducing gun violence in America, as a whole, that they would prefer to turn the Congress of the U.S. into a 535-person city council, the largest city council on earth, just to bedevil and harass the people of Washington, D.C.?

Let these people have their equal rights. Let them have their democracy. I thank all of our witnesses for being here today. I thank the people of D.C. for your patience and determination as we work to secure statehood. Thank you, Mr. Chairman. I yield back.

Chairman COMER. The Ranking Member yields back. I am pleased to introduce our four witnesses today. Phil Mendelson has served on the D.C. Council since 1998, currently serving his 4th term as Chairman. Chairman Mendelson serves as one of the Council's five at-large members. Charles Allen also serves as a member of the D.C. Council, representing Ward 6, the District's largest ward. Mr. Allen has been a councilmember for eight years during which he has also served as Chairman of the Committee on the Judiciary and Public Safety and is the current Chairman of the Committee on Transportation and Environment.

Glen Lee currently serves as the Chief Financial Officer of the District of Columbia, a post he has held since June 2022. Mr. Lee's role is that of an independent CFO. He manages the District's financial operations, which include more than 1,700 staff members in the Tax and Revenue Administration, the Treasury, the Comptroller and Budget offices, the D.C. Office of Lottery and Gaming, economic fiscal analysis and revenue estimation functions, and all District agencies. Gregg Pemberton serves as the Chairman of the D.C. Police Union, representing over 3,200 officers, detectives, and sergeants, who work with the department. He is also on his 18th year of service for the department and currently a Detective Grade 1.

I look forward to hearing from all our witnesses about their experiences with the District, as well as their efforts to work to ensure our Nation's Capital is a safe and well-managed place for all.

Pursuant Committee Rule 9(g), the witnesses will please stand and raise your right hands.

Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

Chairman COMER. Let the record show that the witnesses all answered in the affirmative.

We appreciate all of you being here today and look forward to your testimony. Let me remind the witnesses that we have read your written statements, and they will appear in full in the hearing record. Please limit your oral statements to five minutes. As a reminder, please press the button on your microphone in front of you so that it is on, and the Members can hear you. When you begin to speak, the light in front of you will turn green. After four minutes, the light will turn yellow. When the red light comes on, your five minutes has expired, and we would ask that you please wrap up.

I recognize Mr. Mendelson to begin with his opening statement.

**STATEMENT OF PHIL MENDELSON, CHAIRMAN
D.C. COUNCIL**

Mr. MENDELSON. Thank you, Chairman Comer, Ranking Member Raskin, Congresswoman Norton, and Members of the Committee.

I am Phil Mendelson, chairman of the Council of the District of Columbia. I am pleased to testify today.

Chairman Comer's invitation cited two issues: city management and crime. With regard to city management, our successes are the envy of policymakers in states and cities around the country. Twenty-five years ago, the District was under 17 consent decrees, six of which involved receiverships. Now only one of these consent decrees remains, and it is nearing conclusion. Moreover, our budgets are balanced, and every year we end with the surplus. Both our pension and OPEV funds are fully funded. Our financial reserves are also fully funded, equal to 60 days' operating costs, a GFOA best practice.

Our population is once again growing. For the past decade, we have seen the District Government's revenues grow by at least three percent a year. Meanwhile, between 2015 and 2018, the District lowered its business income tax rate by almost 20 percent. We established a community college as part of our state university where residents can obtain an associate's degree or certificates in certain vocational specialties. Working with our Maryland neighbors, we raised our minimum wage. We also have a generous paid family leave law that benefits anyone who works in the District. We are making the District a good place to work. I would say our city management is strong.

Affordable housing is in crisis across the country, but we have a robust array of policies in place. Indeed, on a per capita basis, we have the largest housing production trust fund. Healthcare continues to be a challenge across the country, but because of the D.C. Health Care Alliance, we have one of the highest, if not the highest, insured rates for our residents.

The District was the first in the region to step up with dedicated funding for the Washington Metropolitan Area Transit Authority to get Metrorail back to a state of good repair. The District continues to be a world-class tourist destination. As we sit here this morning, the District is hosting thousands of tourists for the National Cherry Blossom Festival, and our hotels are over 75 percent booked. We are a world-class theater town, boasting more theater seats than any city other than New York, and the District invests more funds per capita on our creative economy than any other jurisdiction in the United States. We run the city well.

As for public education, the District of Columbia public schools are the fastest improving among large urban school districts, and over the last decade, the District has modernized or rebuilt almost two-thirds of its DCPS school buildings. We spend far more per pupil than the national average. In addition to DCPS, the District has a thriving public charter school sector, one of the largest, if not the largest, in the country, serving almost half our public school students. The District is so well run that the Wall Street ratings agencies have increased our ratings year after year. Until now, we are Triple A with Moody's and one notch lower with Standard & Poor's and Fitch. But an explicit negative in their ratings is congressional interference with our governance.

For instance, House Joint Resolution 42 would repeal the Comprehensive Policing and Justice Reform Amendment Act, which is already law in the District. Contrary to what some would say, this

legislation is not an attack on police or a threat to public safety. Rather, it promotes police accountability by codifying our Use of Force Review Board, enhancing auditing capabilities, strengthening training requirements, and prohibiting the hiring of officers with a history of misconduct. It enhances our police chief's ability to strengthen the force by firing officers who engage in egregious misconduct or commit serious offenses, like sexual assault, domestic violence, DUI, and shooting strangers while off duty.

The primary opposition to this act comes from the D.C. Police Union, and their primary concern is that the law prohibits their ability to bargain the disciplinary process for bad cops. They couch their opposition more broadly, but it is the provision prohibiting their ability to bargain discipline that they took the court and lost, and then pressured me to water down or repeal. Our decision to include this prohibition is based on research, research which shows that police union negotiated discipline is bad for public safety, bad for accountability, and bad for oversight. Rather than blocking a police accountability bill that actually improves public safety, please consider the nine actions you should take, including statehood, that I list in my written testimony.

Finally, with regard to crime, yes, there is considerable concern, but while perception is important, the reality is less concerning. Let me be clear. People should feel safe, and it is a problem that many residents of the District do not. But the number of violent crime incidents in 2022 was 45 percent lower than a decade earlier, and total violent crime last year was seven percent less than the year before. I know this belies the common belief, and when it comes to crime, how people feel is important, but there is not a crime crisis in Washington, D.C.

In conclusion, I must note that the four of us invited by the Chairman do not embody the diversity that comprises Washington, D.C. and that we value. Nevertheless, I appreciate the Committee's attention and this opportunity to testify. I look forward to answering any questions you might have. Thank you.

Chairman COMER. Mr. Allen?

**STATEMENT OF CHARLES ALLEN, COUNCILMEMBER
D.C. COUNCIL**

Mr. ALLEN. Good morning. Thank you. Chairman Comer, Ranking Member Raskin, Congresswoman Norton, and distinguished Members of this Committee, my name is Charles Allen, and I represent Ward 6 on the Council of the District of Columbia. I am currently the Chair of the Council's Committee on Transportation and the Environment, but I served as the Chair of the Committee on the Judiciary and Public Safety previously. I am assuming that is why I have been invited today, and so I am, therefore, going to speak mostly to public safety in my testimony.

The 13 members of the Council are elected to represent the nearly 700,000 D.C. residents who pay Federal taxes, proudly serve in our Nation's military, and deserve full statehood, autonomy, and representation in this Congress. I am honored to represent my constituents and all those who call the District home. I echo what Chairman Mendelson outlined about how strong, how well run, and

how vibrant the District is, and I also note this invited panel does not reflect the rich diversity of our city.

During my tenure as Chair, the Judiciary Committee passed more than 120 bills, many of which are listed in my written testimony. We held nearly 250 oversight hearings. Public safety was my top priority with a focus on gun violence. Public safety is also personal for me. I am a gun violence survivor. I was the victim of an armed robbery, and the scar on the back of my head is an ever-present reminder of that. But that experience has also given me purpose and real-world understanding of the urgency of preventing and reducing crime. It is also part of what was so hard to hear a Member of the Majority say this week following just the latest massacre of children in our country that, "We are not going to fix it," and "I do not see a real role that Congress can do." That is a heartbreaking perspective, but in an effort to be solutions oriented, I would refer to the Committee to the 10 recommendations for congressional action at the end of my written testimony, some of which I will mention in a moment.

Despite a 39-percent reduction in violent crime and a 25-percent reduction in property crime during my time on the Council, we still have a lot of work to do. Many residents feel unsafe, and the District is experiencing persistent, troubling increases in two areas of violent crime in particular: homicides and carjackings. These trends are being seen nationwide, and the District is not immune. 40 lives have been taken due to gun violence this year, including five in my ward. This is simply unacceptable.

Our strategy to reduce gun violence requires consistent and focused coordination between government and community. This involves what I call a both/and approach and response. Successful interventions for the relatively small, identifiable group of people who are at most risk of committing or being victims of violence and crime will require both law enforcement and the other agencies that have roles to play in improving public safety, as well as the community. I believe police are central to ending gun violence, and people also need jobs, education, stable housing, mental health services, all components of successful participation our society. This is not radical. This is realistic.

It is also our reality that meaningful progress is confounded by the absurdity of the District's criminal justice system, which is within Congress' power to remedy. You could not have designed a more complicated and unsafe system if you tried. For example, we have a local police department, but almost all adult crimes are prosecuted by a federally appointed U.S. attorney. This position is unaccountable to D.C. residents and D.C. Government. We can not control whether an arrest is papered or tried in court. Frankly, we are not even respected enough to be told the outcome of a case that happens on our block.

We also have no control over the Federal Bureau of Prisons, which has custody over D.C. residents sentenced for felonies. This is dangerous because people are sent hundreds of miles away and disconnected from everything they need to reintegrate successfully once their sentence is complete. And when they do come home, D.C. is not even notified, and they are most often placed under Federal supervision, unaccountable, again, to us locally. You can

act by conducting oversight on conditions of confinement in the Bureau of Prisons and help us bring back residents in Federal custody close to their release, so that we can better connect them with jobs and housing.

Further, our courts are run federally. Our judges are federally appointed and federally confirmed. Congress can improve public safety by quickly confirming judges for our 11 vacancies. Meanwhile, evidence is growing stale, memories are fading, victims can not get closure, the innocent may be jailed, and the guilty are not being held accountable. Congress also must address gun trafficking. Illegal gun recoveries increased by 143 percent from 2013 to 2022 in the District. Our top five source states include Georgia, North and South Carolina, and we need leadership to help stem that tide.

And last, do not overturn critical legislation passed by the District's duly elected representatives. The Comprehensive Policing and Justice Reform Amendment Act improves trust in law enforcement, which, in turn, improves public safety. This is a common-sense bill. It prevents MPD from hiring officers who committed serious misconduct in other jurisdictions, requires de-escalation training for officers to protect themselves and others. It grows our MPD cadet academy, and it gives the chief of police the authority he needs to discipline for misconduct. He shouldn't have to re-hire officers he fired for sustained misconduct, like child abuse, domestic violence, sexual assault, at great expense to D.C. taxpayers.

To conclude, we are making meaningful progress to reduce violence and crime in the District, in large part due to the unwavering commitment of the many residents in this room and watching at home today. I am proud to represent you and call the District of Columbia my home, and I appreciate the Committee's time and look forward to the conversation today.

Chairman COMER. Thank you, Mr. Allen. Mr. Lee, you are recognized for five minutes.

**STATEMENT OF GLEN LEE
CHIEF FINANCIAL OFFICER
WASHINGTON, D.C.**

Mr. LEE. Good morning, Chairman Comer, Ranking Member Raskin, Congresswoman Norton, and Members of the House Committee on Oversight and Accountability. I am Glen Lee, Chief Financial Officer of the Government of the District of Columbia. The Office of the Chief Financial Officer is an independent agency charged with ensuring the long-term financial health and viability of the District of Columbia. I am pleased to provide testimony today on the state of the District's finances and economy.

The District of Columbia has made a remarkable journey to the strongest financial position in its history with a positive General Fund cash balance exceeding \$4.8 billion. Today, the District sits at the highest possible credit rating of Triple A with Moody's, as was mentioned earlier, an accomplishment achieved by only 10 of the 25 largest cities in the country and a rating higher than 38 other states. This turnaround is testimony to the financial practices put into place, and that continued to be enhanced by the District's elected leadership and key stakeholders.

The District's financial practices include a balanced budget and multi-year financial plan, a six-year capital improvement plan, quarterly revenue estimates to ensure spending stays on track, a self-imposed debt limit to restrict excess borrowing, and best practices when it comes to cash management and reserve management. District law sets a cash reserve policy of 60 days of operating revenues as compared to federally mandated requirements of 22 days.

The District has implemented a comprehensive capital asset inventory system and long-range financial and capital plan to bring all assets or infrastructure to a state of good repair within the next 10 years. No other city or state in the United States has developed an implementable program to reach this goal. The District also has fully funded its public safety and teacher pension trust funds, a funding level few, if any, states can claim. Finally, the District has achieved 26 consecutive years of clean audits as verified by outside independent auditors.

A common misperception is that the District is strictly a Federal Government town. In fact, 26 percent of the work force are Federal employees. The reality is the District and the Washington Metropolitan area have developed into a vibrant and dynamic region, and a diversifying economic base, and fast-growing private sector. That is said, the District is facing economic headwinds due to Federal Reserve action to raise interest rates in order to deal with inflation, and declining commercial property values due to post-pandemic employment patterns—remote work. These factors have been incorporated into our forecast and financial plan, and the District leadership must balance their spending against the implications of these headwinds. In my experience, this level of fiscal discipline is unique in state and municipal government finance.

In many respects, the District functions as a state, county, and city. As a result, the District collects personal and business income taxes, administers unemployment compensation programs, and runs a Department of Motor Vehicles. In addition, the District provides local services to businesses and residents, including fire, police, and public works services, and operates a school district.

The District is similar to states in that we receive Federal grants, mostly for Medicaid, education, and other human services, and transportation programs. While the Federal Government's presence drives a large part of the economy, the District's budget is comparable to states in its reliance on Federal dollars as a part of total revenue. A 2016 study estimated that the 50 states averaged 32 percent of state revenue derived from Federal grants and aid. In the District, less than a quarter of the Fiscal Year 2023 revenue will come from Federal sources. Direct comparisons are difficult to make because the District performs both state and local functions. However, this illustrates that the District relies on less Federal dollars to balance its budget than a considerable number of states do.

The District's residents population is approximately 672,000, making it the 23rd largest city, according to the U.S. Census. However, prior to the pandemic, roughly 500,000 workers from Virginia and Maryland, many of them Federal employees, came to the District to work every day, almost doubling the population served during business hours. Services, operations, infrastructure must be

sized to handle this large level of commuter population. In addition, approximately 30 percent of our total commercial property is owned by the Federal Government. Foreign mission buildings are another category of non-taxable property disproportionately located in the District. Between the diplomatic and federally owned buildings, we estimate the city forgoes over \$640 million annually in real property tax revenue.

In conclusion, the fiscal foundation of the District is extremely strong right now and is capable of overcoming the fiscal challenges that lay ahead due to its strong financial condition and institutionalized best financial practices. I thank you for allowing me the opportunity to provide testimony at this important hearing, and I am happy to answer any questions you have. Thank you.

Chairman COMER. Thank you, Mr. Lee. Mr. Pemberton?

**STATEMENT OF GREGGORY PEMBERTON, CHAIRMAN
D.C. POLICE UNION**

Mr. PEMBERTON. Good morning, Members of the Committee. Thank you for this opportunity to testify. As the Chairman of the D.C. Police Union, I speak on behalf of approximately 3,200 sworn police officers, detectives, and sergeants who serve the District of Columbia as members of the Metropolitan Police Department. I am a Detective Grade 1, I have worked for the MPD for 18 years, and I take great pride in serving the city. I would like to focus the scope of my testimony today on issues related to public safety, crime, and law enforcement; more specifically, how numerous actions by the D.C. Council, to include their rhetoric, has resulted in a mass exodus of sworn law enforcement officers and an exponential increase in violent crime.

Beginning in June 2020, the D.C. Council began introducing anti-police legislation designed, in their own words, to “listen to the voices of District residents and act accordingly to bend the arc of justice.” I would like to provide a list of just some of the legislation that D.C. Council would introduce over the course of the next 2 1/2 years: the Comprehensive Policing and Justice Reform Emergency Amendment Act, seven times; the Comprehensive Policing and Justice Reform Temporary Amendment Act, four times; Strengthening Oversight and Accountability of Police Amendment Act; the Revised Criminal Code Amendment Act; the Reducing Law Enforcement Presence in Schools Act; the Law Enforcement Qualified Immunity Cessation Act; the Law Enforcement Present Sense Impression Act; the Law Enforcement Vehicular Pursuit Reform Act; the School Police Incident Oversight and Accountability Amendment Act; and the White Supremacy in Policing Prevention Act.

The rhetoric that Councilmembers used when speaking publicly about law enforcement amounted to nothing short of virulent attacks on all police officers in the District. One Councilmember stated in a public hearing, “I know for a fact there are police in the District who are bad actors and who have been going on without the proper penance.” He also felt the need for Metropolitan Police Department officers to receive “some kind of retribution.” Other Councilmembers bragged about defunding the Department or making “the biggest reduction to MPD he had ever seen.” Without delv-

ing into the granular details of how terrible these bills are or how blatantly awful the rhetoric used by the Council was, I can assure the Members of this Committee that the direct result was a mass exodus of police officers from the Department.

To put a finer point on the issue of attrition, when I took office as head of the police union in April 2020, membership reports showed that we had 3,626 members of the rank and file, which is all officers, detectives, and sergeants. Our most recent membership report from March 24, 2023, states that we were down to 3,167. This is a net loss of 459 union members. Since the beginning of 2020, the MPD has lost 1,194 officers, one-third of the Department. Four-hundred-eighty-four-thousand, nearly 40 percent, of those separations were resignations—employees who just walked away from a career with MPD.

While there is much rhetoric around the concept of the number of police and the amount of crime, the following facts are indisputable. Over the past six years of plummeting numbers of police, homicides have increased 75 percent, armed carjackings have increased 227 percent, armed robberies have increased 46 percent, and most tragic and alarming is that last year alone the juvenile homicide rate doubled. Additionally, the ability for MPD to hire new officers appears to be almost non-existent. Between October 1, 2022, and February 28, 2023, just a five-month window, the MPD lost 165 sworn members while only hiring 68, a deficit of 97 officers. If these deficits continue, MPD will lose 396 employees per year.

This negative trend currently shows no signs of stopping, meaning that the concept of increasing the number of officers is completely unattainable without immediate and comprehensive changes to the way employees are treated by their elected officials. Over the past 2 1/2, the union has been sounding the alarm about this problem to anyone within earshot, including the D.C. Council. We tried to inform our elected leaders of the unintended consequences of these policies. Unfortunately, we were ignored. Now, over two years later, we have all seen the results of the D.C. Council's experiment. The empirical data is in, and we know for certain that their efforts have been an abject failure, resulting in thousands of more victims of crime for the city. The lasting impacts of these horrible policies will not be fully realized for some time, and the efforts to repair the damage done could take decades without swift and thoughtful actions.

The purpose of my testimony here today is to inform the Committee on this ongoing crisis that exists in the District and to publicly state that we are prepared to assist in any way we can. Again, I thank you for the opportunity to testify, and I welcome any questions the Committee may have. Thank you.

Chairman COMER. Thank you all for your opening statements. We now enter into the five-minute questioning portion of our hearing today. The Chair recognizes Ms. Foxx for five minutes.

Ms. FOXX. Thank you, Mr. Chairman, and I thank our witnesses for being here today. Mr. Pemberton, just this Saturday, we saw one of Senator Rand Paul's staffers attacked and stabbed multiple times in Northeast D.C. by a man who was released from prison just the previous day. According to Police Chief Robert Contee, on aver-

age, any given homicide suspect in D.C. has already been arrested 11 times before he or she actually commits homicide. Why is D.C. allowing violent criminals to remain on the streets for so long, and I would like a fairly concise answer, please.

Mr. PEMBERTON. Yes, ma'am. Thank you for that question. Most of the answer for that is that the criminal penalties that exist within our criminal justice system are incredibly weak, and that is due a lot to provisions passed by D.C. Council. There is the Youth Rehabilitation Act. There is the Incarceration Reduction Act. There is the Public Safety and Justice Act. There are a number of provisions that have been put in place that reduce sentencing guidelines for D.C. Superior Court.

Ms. FOXX. So, to keep violent offenders from returning to the street, the D.C. Council needs to tighten up on the penalties. Is that correct?

Mr. PEMBERTON. Yes, I would agree with that.

Ms. FOXX. Thank you. Again, for you, Mr. Pemberton, as part of Vision Zero in D.C., we are seeing new bike lanes, traffic calming measures, such as lane closures, and new medians being constructed across the city. What impact do these measures have on police response times?

Mr. PEMBERTON. Well, particularly in main thoroughfares, when bike lanes are introduced, it impedes police response times because it makes it much more difficult for emergency vehicles to get through those areas.

Ms. FOXX. Right. Thank you. Mr. Mendelson, we all know schools were shut down for long periods during the COVID pandemic, which has created tremendous learning losses, drops in test scores, and contributed to the city's low graduation rates. Do you see a link between these school closures and the high truancy rate that still linger in D.C.? And I just need a "yes" or "no."

Mr. MENDELSON. It is difficult to just give a "yes" or "no." There is some link. I mean, our schools closed, and we had virtual learning as did jurisdictions around the country.

Ms. FOXX. Yes.

Mr. MENDELSON. And so, we are coming back from that.

Ms. FOXX. Well, as I am sure you know, nearly half of D.C. students qualified as chronically absent during 2022, a rate which has persisted since the COVID school shutdowns began in 2020. During this time, we saw an increase in juvenile crime, especially carjackings. Do you see a link between the high truancy rates and increased juvenile crime in D.C.?

Mr. MENDELSON. No, I don't.

Ms. FOXX. You don't? OK.

Mr. MENDELSON. I do not see a link there.

Ms. FOXX. What is the D.C. Council doing to address the high truancy rates and rising juvenile crime in D.C. if you don't see a link?

Mr. MENDELSON. As the Chair of the Committee as a whole, I have had a number of hearings on attendance and truancy, and I am very concerned about the attendance rate. But let me be clear, the accurate measure of the quality of our educational system is in the test scores, like the National Education Assessment Test score, NEAP, and we see improvement. Like all jurisdictions, the scores

went down during the pandemic, but they have been coming back up. Yes, attendance is a concern, but in terms of educational outcomes, we are seeing some improvement.

Ms. FOXX. Thank you. Mr. Pemberton, common sense says reducing consequences for crime invites even more crime. This not only harms residents of increasingly lawless communities, but businesses and their customers. Are you concerned that increased crime will push businesses out of D.C.?

Mr. PEMBERTON. Absolutely. There are dozens of restaurants and other commercial establishments that have closed in the past few years, and I think many of them have left due to crime.

Ms. FOXX. Are you concerned that an increase in crime will discourage people from moving to D.C., and perhaps push those people instead to the Suburbs of Maryland and Virginia, or even out of the Metro Area completely?

Mr. PEMBERTON. Yes. What we hear from citizens quite often is that they are looking to move out of the city because of the crime rates.

Ms. FOXX. Well, I want to say that even a staffer of mine—they kept hearing gunshots around their house, and a week ago sold their house and moved out to Maryland. This is a very, very real issue. So, one more question. Given these negative economics and social consequences, why do you think D.C.'s City Council has adopted such a soft-on-crime stance?

Mr. PEMBERTON. Well, I think part of it is because they have always had this lean toward defendant-friendly policies. But, frankly, over the past few years, I think they have been chasing headlines and trying to jump on the bandwagon of anti-police rhetoric that is happening all over the country.

Ms. FOXX. Thank you very much. I yield back, Mr. Chairman.

Chairman COMER. The Chair recognizes Ranking Member Raskin for five minutes.

Mr. RASKIN. Thank you, Mr. Chairman. The District's police force is five times larger per capita than the police force in Bakersfield, California, a city with one of the highest crime rates in the United States and the home, of course, of our Speaker, Kevin McCarthy. The D.C. police force is three times larger per capita than the force in New Orleans, which has one of the highest crime rates in the United States, and is, at least partly, represented by Majority Leader Steve Scalise.

Councilman Allen, I was interested by your testimony where you pointed out that the lack of statehood for Washington means that the people are unable to control large parts of the criminal justice machinery. People in D.C. are not allowed to elect their own judges. People in D.C. are not allowed to elect, for the most part, the prosecutors who are prosecuting the most serious crimes. You are saying there is a lack of transparency and accountability in Federal prosecutions for crimes committed in the District. Say a word, if you would, about how statehood would change that and make the people of Washington far more effective in their ability to address crime since obviously nobody is more concerned about crime in Washington than Washingtonians themselves.

Mr. ALLEN. Thank you very much for the question, sir. I think it is built on the front end and on the back end. I think most people

probably saw *The Washington Post* story today, which has been talked about for quite some time, with the 67-percent declination rate of moving forward with prosecutions following an MPD arrest by the Federal U.S. Attorney's Office. I have been talking about this issue for last couple of years where upwards of 60 percent of MPD's gun arrests don't move forward to a prosecution. We have no ability to hold the U.S. attorney accountable. When we even invite the U.S. attorney into hearings to talk about public safety, they decline to come. So, on the front end of that, we see a concern with the U.S. attorney's office that we have no accountability and no oversight.

On the back end, when we look at individuals that are going to be coming home following a conviction, we have a Federal Bureau of Prisons that leaves people entirely disconnected, and when someone does come home, there is no communication or coordination with the District of Columbia. I appreciate Congresswoman Norton, who introduced legislation just this week to require the Bureau of Prisons to coordinate and communicate to the District of Columbia. We are unable to be able to have that type of coordination and communication, and most often, that individual then moves into another Federal agency for supervision, again, not accountable to the District of Columbia. Statehood would change that.

Mr. RASKIN. Thank you. Chairman Mendelson, you similarly point out that the U.S. Attorney's Office, which is in charge of prosecuting the most serious offenses that take place in the District of Columbia, is overwhelmed. One reason they are overwhelmed is because there are more than 1,000 cases coming out of January 6, then they are warning that there could be another 1,000 arrests coming for people who assaulted Federal officers, brought dangerous weapons into the Capitol, engaged in seditious conspiracy, and so on. You are calling for adequate resourcing of the U.S. Attorney's Office. Tell us what that means to Washington, D.C. to get Federal funding into this office.

Mr. MENDELSON. Let me start by echoing what Councilmember Allen said, which is that because these are Federal agencies, the District Government doesn't have the appropriate control to make these agencies more responsive or to have a better criminal justice system. So, all of our felonies and most of our misdemeanors are prosecuted by the U.S. attorney, and what we see over and over again is that they have to prioritize cases. They will take the more violent cases. They will not prosecute the misdemeanors or the less serious felonies, or they will plea bargain to lesser sentences, which then has consequences if that person gets re-arrested because that person isn't considered a dangerous offender.

You know, I would note, I think it is horrible what happened to Senator Paul's staff person, who was sentenced by a judge who was appointed by the President of the United States, who was released without notice to the District Government by the Federal Bureau of Prisons, and who was supposed to go into custody or supervision by CSOSA, which is also a Federal agency. This is something that was horrible, and yet it is something of which we have no part because of the way our criminal justice system is structured. But in short, if the U.S. attorney is going to be prosecuting our cases, they need more resources so that they can prosecute more cases.

Mr. RASKIN. And that reminds me that if you read the Declaration of Independence, one of the things that Jefferson was calling for was control in America over judges and prosecutors, saying that the king had no real interest in public safety locally, and you seem to be saying the same thing. If there are problems there, let the District control its own judges, its prosecutors.

Mr. MENDELSON. Yes.

Mr. RASKIN. Mr. Chairman, thank you for your patience. I yield back to you.

Chairman COMER. The Ranking Member yields back. The Chair recognizes Mr. Palmer for five minutes.

Mr. PALMER. Thank you, Mr. Chairman. I just want to direct some questions to Mr. Allen. D.C. has experienced an unprecedented surge in crime. We are now three months into the year. So far this year, juveniles accounted for over half of the carjacking arrests. Given this, how can you justify passing legislation to allow 25-year-olds to be tried as minors?

Mr. ALLEN. I am sorry. Legislation to have 25-year-olds tried as minors?

Mr. PALMER. As I understand it, that is what you supported, and that is your position. So, you say that is not your position?

Mr. ALLEN. No, sir. That is not the law in the District of Columbia.

Mr. PALMER. Well, during a November 2021 roundtable, you let witnesses testify that they experienced workplace retaliation after reporting their concerns over both the D.C. jails central detention and the treatment facilities to Mayor Bowser's Administration. I just want to know what you or your other Councilmembers have done to hold the Mayor's Office accountable to address these concerns.

Mr. ALLEN. Related to the Department of Corrections you said?

Mr. PALMER. The whistleblower who experienced workplace retaliation as a result of bringing this to the attention of the Mayor's Office and to the Council.

Mr. ALLEN. Yes, sir.

Mr. PALMER. Have you responded to that?

Mr. ALLEN. Yes, sir. I believe you are referring to staff individuals with the Department of Correction Central Detention Facility and Central Treatment Facility. So, under my leadership previously of chairing the Committee, we held numerous oversight hearings of the Mayor and of the Department of Corrections. That then led to legislation that increases accountability and reporting with the Department of Corrections. One of things we found was that we have a dearth of ability to get into the Department of Corrections, and we also have what is called the Corrections Information Council, which is an independent entity to be able to conduct oversight. They were being prohibited from doing their job as well. So, we changed the laws to be able to open up that access and requirements as well, so that we have not just the Council be able to have improved oversight, but independent entities that can go into do independent oversight.

Mr. PALMER. You know, you were one of the champions of the RCCA, and, from what I understand, carjackings have gone up 118 percent in the city since then and over 56 percent among juveniles,

and I think there is a message out there that you can get away with crime. Also, this emergency police reform that you guys pushed through, I think, Mr. Pemberton, you have had in the range 600 police officers that have left the force. How has that impacted your ability to keep the city safe?

Mr. PEMBERTON. Yes, that is correct. I think the chief of police testified last month in an oversight hearing that we were short over 500 police officers, which measures up with our numbers. I think the total staffing of the police department right now is about 3,400.

Mr. PALMER. But that is a huge problem for recruiting and training officers, isn't it?

Mr. PEMBERTON. It is impossible, and as I stated in my testimony, we are running a deficit every month. We are losing, you know, 15, 20, 25 officers per month, and we just can't keep up with the crime. We can't keep up with the demand. The response times are going up. We don't have enough detectives to investigate these cases.

Mr. PALMER. Washington, D.C. is experiencing some of the same issues that other cities are experiencing, and it is interesting to note that one of my colleagues talks the number of children dying from firearms and didn't mention the number of children dying from drug overdoses, particularly fentanyl poisoning. We had a record number, unprecedented increase in adolescent drug overdoses over the last couple of years, largely because this stuff is coming across our Southern border, and my colleagues across the aisle have zero concern about it. They do nothing to secure the border. You have got an unprecedented number of increase in murders in Democrat-run cities. And I just wonder in your experience in your law enforcement of dealing with gun crimes among adolescents, how many of those are related to drugs? A significant portion of them?

Mr. PEMBERTON. Many of the violent crimes that we encounter, especially street crimes, involving guns are usually some sort of street beef. It could emanate from some sort of argument, but it oftentimes emanates from drugs and drug trafficking.

Mr. PALMER. A significant number of homicides are not related to drugs or not involve firearms. People are beaten to death and other means of murder, right?

Mr. PEMBERTON. I would say most of them are firearm related, but that is correct that there are non-firearm-related homicides in the city every year, yes.

Mr. PALMER. So, it sounds to me like we have got a huge problem, and to your point, Mr. Mendelson, about how great the theaters are in Washington, you have got crappy schools. Your schools are not only dropout factories, they are inmate factories. And you can look at this anywhere you want to in the country, and a lot of these adolescents who are committing these crimes are kids who, if they graduated high school at all, and this is pretty consistent around the country. And you can shake your head in disagreement all you want to, Mr. Allen, it is just the fact. So, Mr. Chairman, I yield back.

Mr. MENDELSON. If I could just respond, Mr. Chairman. I don't agree that the D.C. public schools are inmate factories. I will say that our urban——

Mr. PALMER. I am not saying all of them are.

Mr. MENDELSON. Sure.

Mr. PALMER. I said you have some crappy schools. So, you are telling me all of them are excellent?

Mr. MENDELSON. No, I am not saying all of them are excellent——

Mr. PALMER. Well, thank you.

Mr. MENDELSON [continuing]. But I would not say that they are factories for crime.

Mr. PALMER. Well, if you look at who is in prison——

Mr. MENDELSON. If I look at what?

Mr. PALMER. If you look at who is in prison——

Mr. MENDELSON. Yes.

Mr. PALMER [continuing]. This is consistent around the country, regardless of race or gender, over 60 percent of them are high school dropouts. We have a problem in our schools.

Mr. MENDELSON. So, the Council is very aggressively fighting with the chancellor to improve the stability and funding for our individual schools so that there are more dollars in the classroom so that we have better educational outcomes.

Mr. PALMER. We are spending more money than we have ever spent——

Chairman COMER. The gentleman's time——

Mr. PALMER [continuing]. In our history on education——

Chairman COMER. The gentleman's time has expired.

Mr. PALMER [continuing]. And it is not helping.

Chairman COMER. The gentleman's time has expired.

Mr. PALMER. I yield back. Thank you.

Chairman COMER. The Chair recognizes Ms. Norton for five minutes.

Ms. NORTON. Thank you, Mr. Chairman. Let me point out that D.C.'s difficulties in recruiting and retaining officers is not unique to the District. The International Association of Chiefs of Police said that, "The challenge of recruiting law enforcement is widespread and affects agencies of all types, sizes, and locations across the United States." In the 116th and 117th Congress, the Democratic-led House of Representatives passed the D.C. Statehood Bill, which would have given D.C. residents voting representation in Congress and full local self-government. There was nothing radical about this proposal. The bill would admit D.C. as a new state and reduce the size of the Federal District. These are both things Congress has done before.

The admissions clause of the Constitution empowers Congress to admit new states to the Union. Congress has admitted all 37 new states by simple legislation. Congress, using its authority under the District clause, has also previously reduced the size of the Federal District by 30 percent. In 2021, dozens of prominent constitutional scholars urged Congress to admit D.C. to the Union, explaining in a letter that, "There is no constitutional barrier," to admitting the state of Washington Douglas Commonwealth.

In opposing D.C. Statehood in recent years, Republicans have made a variety of dubious arguments. For example, Republicans have fretted about D.C.'s lack of car dealerships. They worried that D.C. does not have workers in the mining and logging industry. And Senator Cotton [corrected] claimed that D.C., which would have the largest percentage of African Americans of any state, would not be, quote, "a well-rounded, working-class state," end quote.

Some Republicans even admitted the quiet part out loud. They opposed statehood because they presumed D.C. would elect two Democratic Senators.

There is nothing new about such unprincipled opposition to the admission of new states by Members of Congress. Partisanship, racism, regionalism, slavery, and religion have all played roles in congressional debates over the admission of new states. Eventually, all such opposition was overcome.

Mr. Mendelson, in 2016, D.C. held a referendum on statehood. What percentage of D.C. residents voted in favor of statehood?

Mr. MENDELSON. You know, Congressman, I do not remember whether it was 80 or 85 percent, but it was somewhere around there.

Ms. NORTON. Yes, it was around there. It was 86 percent. The people of the District of Columbia want statehood. They want voting representation in Congress. They want to govern themselves like everybody else in this country. Congress has the authority to admit the state of Washington Douglas Commonwealth. It is time for Congress to pass the D.C. Statehood bill.

I yield.

Mr. RASKIN. Will the gentlelady yield?

Ms. NORTON. I yield to my friend.

Mr. RASKIN. Thank you. I just wanted to followup on your last point, Ms. Norton. Republican Senator Mike Lee of Utah just tweeted, "Time to relieve D.C. government of its authority over our Nation's capital city, which belongs to Congress under Article 1, Section 8, Clause 17 of the Constitution. That power should not be delegated to a third party, especially the people bent on encouraging lawlessness."

Well, his statement is an argument really for the Statehood legislation which would precisely shrink the Federal city down to the National Capital Service Area, the Mall, and grant people in Washington, who have petitioned for statehood, their own state outside of it, and then Congress can directly govern the Mall area and the Federal buildings.

I yield back. Thank you.

Chairman COMER. The Chair now recognizes Mr. Higgins for five minutes.

Mr. HIGGINS. Thank you, Mr. Chairman. I thank the panelists for being here today. Mr. Chairman, today's hearing is to discuss our oversight of crime issues in the Nation's capital. Before I get to my questions, I would like to address something that seems to be a repeated talking point of my Democratic colleagues now regarding gun violence, and gun violence being the No. 1 cause of death of children in America today. You will hear that a lot. Let me correct both.

There is no such thing as gun violence. There is only human violence. It is intellectually unsound to state otherwise. And the No. 1 cause of death for children in America remains abortion. CDC numbers, 620,327 legally induced abortions in America in 2020. In that same year, tragically, 4,357 children died from firearm accidental discharge, suicide, and homicide, and my heart goes out to those families.

I lost my first daughter in 1990. I am not sure how I survived, really, and over the course of my life I have come to understand that part of me did not survive. Indeed, part of me died with my daughter that day. And I do not appreciate my Democratic colleagues constantly lying to the American people referring to gun violence as if it is not driven by human violence and ignoring the fact that America has allowed millions upon millions of children to be killed in the womb.

Let's turn to crime, shall we? Oh, before I get to crime, D.C. Statehood. Democrats had majority control up until a couple months ago. The House, the Senate, and the White House. D.C. Statehood does indeed have constitutional barriers. Overcome that, want to create the 51st state, knock yourself out. You had majority control and it did not happen because there are indeed significant constitutional barriers. That is a hearing for another day. We have had many.

Let's turn to crime, shall we? Mr. Pemberton, thank you for your service, my thin blue line brother. Considering that D.C. Chief of Police Robert Contee's testimony on February 23, 2023, stating that the D.C. Metro Police Department is experiencing record low number of officers and recruitment is incredibly difficult, how might the D.C. Council's Comprehensive Policing and Justice Reform Amendment Act of 2022, a provision which permits activists and anti-police groups to search for officers past complaints, how might that affect your recruitment and retention of police officers in D.C. Metro Police Department, sir?

Mr. PEMBERTON. Yes. Well, thank you. First of all, the bill has 26 subtitles in it, and all of them are completely detrimental to keeping and retaining and hiring new candidates. You are asking specifically about Subtitle X. Subtitle X actually creates a disciplinary data base in which every officer's disciplinary history would be posted publicly. It would be hosted by the Office of Police Complaints.

Mr. HIGGINS. So that America understands, this is a complaint, not a conviction or a suspension, et cetera. We are talking about all complaints are accessible for public review?

Mr. PEMBERTON. That is how I understand it. Additionally, it also creates a carveout to FOIA exemptions, which allows any citizen to FOIA an officer's personnel record, and the only requirements for redaction would be their address, date of birth, and Social Security number. You know, we have concerns about undercover officers and other sensitive personal information that could end up in the hands—

Mr. HIGGINS. That would have quite a chilling effect on effective policing, may I say, as a former police officer.

Let me just close by saying to you gentlemen from the D.C. Council, it is going to get worse because the word on the street—

it is not uncommon for criminals to leave their base of operations in a city for a period of time, when the heat is on. And the word is on the street that D.C. is a good destination because prosecution is virtually zero and crime is rampant. It is what you have created here, in this liberal stronghold. It is going to get worse.

Mr. Chairman, I yield.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Connolly for five minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman.

Mr. Pemberton, listening to your testimony in the beginning, you had strong objections to rhetoric, things said at the City Council. Is it your contention that things said by elected officials on the City Council are what is driving police officers from the force?

Mr. PEMBERTON. Partially, yes, and just as Congresswoman Norton pointed out that these problems are in existence all over the country.

Mr. CONNOLLY. Right.

Mr. PEMBERTON. And the reason that they are in existence is partly because of rhetoric people have taken up, talking about police officers and the industry of law enforcement in general, yes.

Mr. CONNOLLY. Do you reside in the District of Columbia?

Mr. PEMBERTON. I did reside here for 16 years. I recently moved out.

Mr. CONNOLLY. So, you could not run for D.C. City Council.

Mr. PEMBERTON. No, sir.

Mr. CONNOLLY. But they are elected by the people of the District of Columbia. You are not.

Mr. PEMBERTON. No. I am elected by the law enforcement officers in the District of Columbia.

Mr. CONNOLLY. I mean, at some point we have to respect the will of the people, and the people elected Mr. Mendelson and Mr. Allen. So, you can disagree all you want—it is a free country—but they get to make laws, they get to pursue policies, and they get to express themselves. And if the voters don't like it, they can vote them out, right?

Mr. PEMBERTON. I agree completely. I am not trying to undermine that, sir. I am trying to talk about the unintended consequences of the rhetoric.

Mr. CONNOLLY. All right. I just wanted to clarify that.

Mr. PEMBERTON. [continuing]. You have had officers leave the department in droves—

Mr. CONNOLLY. In the beginning, your testimony seemed to question their—

Mr. PEMBERTON. [continuing]. When they hear the city council talking about police officers—

Mr. CONNOLLY [continuing]. Rights to say it, and that bothered me.

Mr. PEMBERTON. OK. I—

Mr. CONNOLLY. As somebody who comes from local government and had to run a police department.

OK. Of course, I don't even understand why we are having this hearing because we can have hearings until the cows come home about various municipalities or rural parts of American in which we all disagree, or some of us disagree, but should we?

At what point do we deal with our own contradictions about the right of people to self-government, irrespective of—hey, I can go through a lot of states right now, especially on the red side, that I do not like. I don't like their policies, I don't like their elected officials, and I would like to have a hearing to second-guess them and overturn their legislation.

And the only thing we hide behind around here is that the Constitution grants us oversight. Yes, the Constitution does, but the Constitution did not foresee a vibrant urban area called the District of Columbia. In fact, D.C. did not exist when the Constitution of the United States was written. That happened after the formation of the new government pursuant to the Constitution of the United States.

And if we want to run for local government, run for local government. If Senator Lee cares so much, let him chair the Zoning Committee. Tom Cotton, Senator from Arkansas, a well-known expert in the District of Columbia and local government generally, referred to a working-class and well-rounded—D.C. was neither a well-rounded nor working-class state.

Now, Mr. Mendelson, I am sure there are working-class people in the District of Columbia. I have only been here 50 years, but I am struck with the fact they do have working-class people. But, am I wrong?

Mr. MENDELSON. No, we have lots of them.

Mr. CONNOLLY. Oh good. OK. So that part we met.

Now well-rounded. There is an interesting concept. It sounds a little subjective to me. Are we going to take the well-rounded test for who qualifies for statehood, and for that matter, who gets a vote here in the United States Congress? Mr. Allen, I don't know. What do you think?

Mr. ALLEN. I find the District of Columbia to be very well-rounded.

Mr. CONNOLLY. So, that is your opinion. So, we will pit your opinion against Mr. Cotton's opinion, and that is not arbitrary or whimsical. And meanwhile, based on that thinking, that logic, if one can call it that, almost 700,000 people are denied their voting rights in the U.S. Congress. That is the absurdity we have now descended to.

As I say to my colleagues on the other side, yes, you can have a hearing like this, and you can overturn laws, but the question is, should you? And at what point do you live up to your own commitment to local government is closest to the people and we believe in self-determination. That ought to be a conservative as well as progressive principle.

I yield back.

Chairman COMER. The gentleman yields back.

Before we recognize the next questioner, I would just like to answer my friend, Mr. Connolly's, question as to why we are having this hearing. First of all, the Oversight Committee has legislative jurisdiction. We have a constitutional authority to oversee and provide checks and balances for the city of Washington, D.C. And second, I think this is a very important part of this hearing, the Democrat President and a Democrat Congress objected to the change in

the D.C. Criminal Code. That was pretty big news, and it is a fact. So, that is why we are having this hearing.

The Chair recognizes Mr. Timmons for five minutes.

Mr. TIMMONS. Thank you, Mr. Chairman. You took the words out of my mouth. I thought we were going to talk about crime in D.C. and the changes that were made by City Council and whether those were in the best interest of the District or not. But instead, we are talking about statehood. I find that very interesting that my colleagues across the aisle always go back to this conversation of statehood, but—do a little research. In 2009, the Democrats had a filibuster-proof Majority in the Senate, they had the White House, and the House. The Senate passed S. 160 out on February 26, 2009, 61–37.

So, if my colleagues across the aisle actually wanted D.C. Statehood, and a number of them were here during this, they could have voted on it. The Majority in the House, with Speaker Pelosi at the helm, was 235–198. I do not know why we are still talking about this. The people that want it, that want D.C. Statehood, did not give it to you when they could have very easily given it to you.

So, that was then, and that was when 61 Senators agreed to it. Now, 81 Senators said that what you all did was wrong, and both of your testimonies cannot be true. The two councilmembers and the detective cannot both be right. They cannot both be right. So, either we have a crime problem in D.C. or things are getting better.

Councilmembers, 81 Senators disagree with you that things are getting better. They think things are getting worse. The President of the United States disagrees with you that things are getting better. They think that things are getting worse.

So, I went to undergrad at GW. I was here from 2003 to 2006. I worked on the Hill briefly. I came back for law school for one semester, and I have been around D.C. for the last five years. And I have to tell you, it is not safe. It is the least safe that it has ever been.

So, you are up here telling us that things are getting better, but my personal experience says that is not true. Your detective, the Chairman of the police union, says that is not true. 81 Senators, 250 Members of the House, 81 Senators say that is not true. The President of the United States says that is not true.

So, I guess let us just get to the purpose of criminal law. Criminal law, generally, the two principles are deterrence and retribution. Your criminal code currently does not deter crime.

And one of the most abhorrent examples of this was the Uber Eats driver that, a 15-year-old woman that previously was arrested for carjacking and released, did it again, weeks, months later, and killed an Uber Eats driver. And, by the way, 15 years old in South Carolina, if you kill somebody you are getting tried as an adult. But instead, your criminal code and your criminal justice system has tried her as a minor, and she is going to be released when she turns 21, and not have a criminal history.

That is not justice. That is wrong. And it doesn't deter people from committing crimes in the future. Clearly the first carjacking arrest didn't do anything, so the second carjacking arrest and murder, her friends are looking at that and saying, "Well, you know,

she is getting out when she is 21. She is never going to do hard time." I mean, that is wrong. That is just objectively wrong.

So, as you look back at your decisions that you have made, I know that you both are in favor of D.C. Statehood, you are further away today than you have ever been, and you were never actually that close because the Democrats could have given it to you in 2009. So, get this city safe. Get this city safe. Support your law enforcement. Create a criminal code that deters crime. Create a criminal code that gives individuals that are victims of crime retribution. Because the purpose of the criminal code is to give them retribution, so they do not seek it for themselves.

I am sorry that I did not ask any questions, but there is no point because Detective Pemberton cannot be telling the truth if you all are telling the truth. And 81 Senators and 250 House Members and the President of the United States say that things are getting worse in Washington, D.C. They are getting worse. Do your job and make us safe.

With that I yield back.

Chairman COMER. The gentleman yields back.

The Chair recognizes Mr. Mfume.

Mr. MFUME. Thank you. I have a parliamentary inquiry.

Chairman COMER. Yes, sir.

Mr. MFUME. Was the Mayor, Mayor Bowser, invited to this hearing?

Chairman COMER. We are inviting the Mayor to the next meeting. We felt like the Mayor needed to have her own, just be the only witness and not on a panel with multiple other people.

Mr. MFUME. OK. Thank you.

Chairman COMER. This is Phase 1 of our hearings, first hearing.

Mr. MFUME. Thank you very much. It is kind of ominous. It just got dark in here. But let's try, if we can, to shine some light on a couple of facts.

First, to my distinguished colleague from South Carolina who has just exited the room, he is a little off on his history. That 1993 vote that he talked about did, in fact, occur. It is just that he did not know that there was a vote 18 months ago that also occurred, in which the House of Representatives passed the D.C. Statehood bill. So, let us make sure it is history and not his story.

The second thing, it is very important here, that when we have these discussions, we really get to the crux of why we are here and what continues to bring us back. And Ranking Member Raskin is correct, and the distinguished woman from the District of Columbia, correct. It gets back to statehood and the absence of the ability of men and women to determine their future.

Let us not forget what happened in December of 1773, when American colonists dumped over 300 barrels of tea into the Boston Harbor because they were upset that they were being taxed, but had absolutely no say in the running of things, no say in their government whatsoever.

So, fast forward to where we are today, and when we bring these issues up, in this case related to police and policing, which I really want to speak to, all of a sudden we are accused of having some kind of strange agenda. This will continue to happen as long as people are denied the right to be able to represent themselves

when they pay taxes, when they serve in the military, and when they are told they can't have voting representation in the Congress of the United States.

So, this is not about all cops are bad or all cops are good. This is about policing. And I want to go back to a couple of former police chiefs, so that we can get on the record what they said. And for the record, I and many Members of this Committee, have worked to establish bills and processes that empower the ability of law enforcement to do their job, whether it is trying to deal with protectors or survivors or victims—I have got a Victim Assistance Act that has been endorsed by the FOP, that provides money to protect people who want to come forward in criminal cases. So, let us not get this twisted. This is not about bad cops. And by the way, nobody hates a bad cop more than a good cop. So, let us put that on the record also.

But when there are bad police, they bring down the entire department. Case in point, the Police Department has been forced to rehire significant numbers of officers that it fired for misconduct, primarily because of decisions of arbitrators. Every police chief for the last 25 years has lamented the fact that they have been forced to rehire officers for serious misconduct, making it bad for good police officers to do their job.

Former D.C. Police Chief Peter Newsham said he had to allow, quote, “very bad police officers back into the department.” Former Police Chief Charles Ramsey said, quote, “It is demoralizing to the rank and file who really don't have a say, because it takes a tremendous amount of anxiety and places it on the department.” And he said our credibility is shot whenever these things happen. Current D.C. Police, Mr. Contee, said eliminating arbitration would, quote, “help reduce the risk of returning poor performers”—bad police—“back to the force.”

So, I don't know how much time I have, Mr. Chairman, but just a couple of quick things for the record. One officer in the past struck a suspect multiple times in the head. The officer was convicted of assault and sentenced to 30 days in jail and three years of probation, and then reinstated and given back pay of \$679,000. Point two, an off-duty police officer sexually assaulted a person and was convicted. That officer was sentenced to 100 days suspended sentence, one year probation, reinstated, and then given a back pay of over half a million dollars.

I could go on and on and on. The issue here all goes back to the fact that when you can't determine your own destiny, even though you pay taxes, when you have no say in your city, these sorts of things crop up, and then the side issues, like good cop versus bad cop tend to take over the discussion and the argument. The citizens of Washington need representation, and the D.C. Statehood bill, again, for the record, passed in 2021. I was there in 1993. I saw what happened in 2021. So, when we play around with history let us make sure it is history, and not his story.

Chairman COMER. The gentleman's time has expired.

I would like to enter into the record, this is a letter dated today that we are sending to Mayor Bowser. We were going to send this at the conclusion of the meeting, inviting her to an Oversight Committee hearing on May 16, and presumably she would be the only

witness. We would treat her just like we would treat a Cabinet secretary.

Mr. MFUME. Thank you, Mr. Chairman. Thank you.

Chairman COMER. Without objection.

Chairman COMER. I would also like to enter into the record *The Washington Post*—I don't do this very often—*The Washington Post* editorial entitled "D.C.'s crime bill could make the city more dangerous." Without objection, so ordered.

Chairman COMER. The Chair recognizes myself for five minutes for the purpose of asking questions.

Chairman Mendelson, the D.C. Council overrode the Mayor's veto of the Revised Criminal Code Act on January 17. Is that correct?

Mr. MENDELSON. Yes.

Chairman COMER. And House Joint Resolution 26 passed the House of Representatives on February 9. Correct?

Mr. MENDELSON. I assume that is the correct date.

Chairman COMER. President Biden announced, on March 2, that he did not intend to veto this measure. Is that correct?

Mr. MENDELSON. That is my recollection.

Chairman COMER. You informed the U.S. Senate on March 6 that you were pulling the legislation from consideration. Is that correct?

Mr. MENDELSON. Correct.

Chairman COMER. You were trying to stop the Senate from considering the Revised Criminal Code Act. Correct?

Mr. MENDELSON. Yes.

Chairman COMER. So, did you attempt to withdraw the Revised Criminal Code Act to help cover for House Democrats after it became clear the resolution of disapproval would pass the Senate and be signed by the President?

Mr. MENDELSON. I did not do it to cover. I did it—I mean, this is, I think, typical in any legislature. When you see that you are losing you pull the bill back. You pull the amendment back so that you can work on it further.

Chairman COMER. I wonder, Chairman Mendelson, did any Federal elected official or staff of any federally elected official request that you or anyone on the Council attempt to withdraw the Revised Criminal Code Act from congressional review?

Mr. MENDELSON. No. Any conversations I had were with my staff.

Chairman COMER. So, no one from the Biden Administration asked you to withdraw the bill.

Mr. MENDELSON. Correct. Nobody asked—

Chairman COMER. No congressional Democrat asked you to withdraw the bill.

Mr. MENDELSON. That is correct.

Chairman COMER. Did any government officials ask you to withdraw the bill?

Mr. MENDELSON. No.

Chairman COMER. Chairman Mendelson, no provisions exists in the Home Rule Act that allow for a withdrawal of action, and I have serious concerns about your attempt to circumvent proper congressional action without any statutory support or precedent. Furthermore, I am seriously concerned that your actions may have

been an attempt to provide cover for congressional Democrats by withdrawing the RCCA only after it was clear it would pass the Senate and be signed by the President.

So, let us move on to actual impacts of the RCCA.

Mr. MENDELSON. Mr. Chairman.

Chairman COMER. Yes.

Mr. MENDELSON. I did not do this as cover to anybody, and the Home Rule Act does not prohibit what I did. It is silent, and my reading is that I am required to transmit the legislation so that the Congress can look at it. It cannot become law until Congress looks at it. I withdrew it so that it cannot become law. It cannot become law. I will have to retransmit it. That is what I said in my withdrawal letter.

Chairman COMER. So, you just had a change of heart after the House voted on it.

Mr. MENDELSON. As I said, not a change of heart, sir, but, you know, when you see yourself losing, because it was clear that the Senate, the votes weren't there, then you pull it back and you work on it some more. I felt that that was a much better option than to just simply pretend that, yes, we want the vote, and we are going to lose the vote.

Chairman COMER. OK. Mr. Pemberton, do you think the proposed reductions in penalties for carjackings and violent crimes have emboldened criminals in Washington, D.C.?

Mr. PEMBERTON. Absolutely, and not only that, even just the rhetoric around the RCCA, I think, has caused criminals to realize that the city has become even more soft on crime than they were, even though the RCCA is not in effect.

Chairman COMER. Mr. Pemberton, do the 330 million Americans who want to come to the Nation's capital have a right to not be mugged?

Mr. PEMBERTON. I would agree with that, sir. This is the Nation's capital, it is Washington, DC, but this is everyone's city.

Chairman COMER. So, instead of reducing the penalties for violent crimes at a time when violent crime is a problem in the District of Columbia, what should the D.C. Council do instead to reduce crime in our Nation's capital? And that will be my last question.

Mr. PEMBERTON. Well, the first thing they need to do is deal with police staffing. We cannot manage the city and the demands for the city. We know how many 911 calls there are. We know how many reports there are. We know how many cases we have to investigate. We do not have the proper number of police to do that.

And just to address some of the other comments that have come up about D.C. having the most police per capita, what that doesn't consider is that the population of the city doubles during the day. There are another 500,000 or 600,000 people that drive into the city because they work here. We do not have county police. We do not have state police. We do not have other jurisdictions that assist us. So that per capita number is a bit of a trope, if you ask me.

But the short answer to your question, sir, is that we need to have the right number of the police and we need to have the backing of our elected officials so we can go out and properly do our job

and try to get the criminal justice system to cooperate so we can hold criminals accountable.

Chairman COMER. Well, thank you, and please relay the message that we appreciate the support and the service that the women and men of the police force provide our Nation's capital, and hopefully we can get legislation that will make their jobs easier and not more difficult.

Mr. PEMBERTON. They will appreciate that. Thank you, sir.

Chairman COMER. The Chair now recognizes Ms. Brown for five minutes.

Ms. BROWN. Good morning to my colleagues and our witnesses here today. Unfortunately, today's hearing is yet another assault on the governance of the District of Columbia. Our Republican colleagues claim they have a constitutional duty to legislate for the District of Columbia, and as has been proven today, that is simply not true. congressional interference in D.C.'s local affairs is not a duty; it is a choice, and a bad one. The framers fully expected Congress to establish a local government for the District of Columbia. Federalist 43, James Madison said the following about future residents of D.C. I quote, "A municipal legislature for local purposes, derived from their own suffrages, will, of course, be allowed them."

Indeed, Congress has established various forms of local government for D.C. since 1802. In 1953, the Supreme Court held that, and I quote again, "there is no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power." If Congress had a constitutional duty to legislate for D.C. it would legislate on all D.C. matters, not just when it is politically advantageous.

During the 50 years since the passage of the Home Rule Act, Congress has chosen to intervene in D.C. affairs in some instances and refrain from others. Perhaps Republicans have a theory or philosophy for when interference in D.C. affairs is warranted, but if there is a unifying theory for their efforts to intervene, I don't see it.

So, Chairman Mendelson, I would like to explore this supposed constitutional duty to interfere in D.C. affairs. In the last five years, how many House or Senate Republicans have testified before the D.C. Council on legislation pending in the Council?

Mr. MENDELSON. None.

Ms. BROWN. Thank you. In the last five years, how many House or Senate Republicans have contacted you about affordable housing, splitting up the Department of Consumer and Regulatory Affairs, ward redistrictings, street sweeping, trash pickup days, residential permit parking zones, or bike lanes on Connecticut Avenue?

Mr. MENDELSON. Well, I do have conversations with our congresswoman, Congresswoman Norton, but other than that, no.

Ms. BROWN. Republicans was my question, but thank you for the record. So, the answer is none.

Mr. MENDELSON. None.

Ms. BROWN. None. OK. So, it is clear, Republican interference in D.C.'s affairs is a choice. It is not about constitutional duty or serving the interests of D.C. residents. Instead, it is about using D.C. to score political points.

I urge my colleagues to end this charade. Let us let D.C. residents govern themselves. And with that I yield back.

Mr. PALMER. [Presiding.] The Chair now recognizes the gentleman from Tennessee, Mr. Burchett, for five minutes for his questions.

Mr. BURCHETT. Thank you, Mr. Chairman. Thank you, Members, for being here, and I want you to know that your congressperson, Eleanor Holmes Norton, has represented you all well up here, and she articulates your point very well, although we do disagree. She is a friend and I appreciate her.

And I guess the first thing I was wondering, I do not know if anybody has asked this or not. You know, all I see up here is White men. How come there aren't any Black folks that are testifying in this thing? Is anybody—

Mr. MENDELSON. Sir, that was a comment that I alluded to at the end of my testimony. Mr. Allen alluded to that as well. But we did not choose the witness list.

Mr. BURCHETT. I am sorry you didn't.

Mr. Allen, in 2020, you proposed cutting \$15 million to the Police Department budget. Is that correct?

Mr. ALLEN. The Council approved a redirection of \$9.6 million from MPD that year.

Mr. BURCHETT. Yes, sir, but you proposed cutting \$15 million. Correct?

Mr. ALLEN. The 9.6 was in operating dollars. The remainder was in capital funds from a half-a-billion-dollar budget, yet.

Mr. BURCHETT. OK. Still a lot of money.

Mr. Allen, on June 28, 2020, you tweeted that this would be the biggest reduction to Metropolitan Police Department you have ever seen. Is that correct?

Mr. ALLEN. I don't have that in front of me. It was three years ago, but I am assuming you are reading something, so I am going to assume that that is correct. That was an explanation of the redirection of about one percent of the half-a-billion-dollar budget to other public safety priorities.

Mr. BURCHETT. OK. You also tweeted on that same day, in essence—this is in quotes—“In essence, unless money is transferred in by the Mayor there will be an effective hiring freeze for new officers.” Is that correct?

Mr. ALLEN. Yes. I was explaining the net effect would be that the District, as we went through the summer of 2020, would experience a reduction in new hires for MPD. We actually ended up hiring, I believe, I can get you that number for certain, about 100 new officers that year. But that was the net impact.

Mr. BURCHETT. Yes, we would have a hiring freeze. Thank you.

Mr. Allen, after the tragic shootings on the city's Metro transit system in February 2023, you called for an increased police presence. Is that correct?

Mr. ALLEN. I frequently work with the men and women on the Police Department and whenever we have acts of violence we work together to increase presence, yes.

Mr. BURCHETT. OK, Mr. Allen, but your 2020 comments seemed kind of shortsighted, don't they, with what was going on?

Mr. ALLEN. No, sir. I worked with the Police Department, the First District leadership, Chief Contee, and all the assistant chiefs. Whenever we are working proactively, both to work to keep neighborhoods safe, we partner with the police as well as other entities, and whenever we do have acts of violence that take place, we work with the Police Department to have a response.

Mr. BURCHETT. Mr. Pemberton, the proposed D.C. crime bill, which the Council pushed through despite a veto from Mayor Bowser, that would eliminate mandatory and statutory minimum sentences, other than first degree murder. Is that correct?

Mr. PEMBERTON. Yes, sir. That is correct, for all crime categories, no minimums.

Mr. BURCHETT. Mr. Pemberton, this bill would also reduce the maximum sentence for first degree sexual assault and first-degree sexual assault of a minor from life in prison to 30 years. Is that correct?

Mr. PEMBERTON. Yes, sir. That is correct.

Mr. BURCHETT. Are you aware that homicides have increased 19 percent compared to March 2022?

Mr. PEMBERTON. Yes, sir. I am aware of that.

Mr. BURCHETT. Are you also aware that sexual abuse crimes are up 100 percent compared to March 2022?

Mr. PEMBERTON. I think it is even higher than that, but yes.

Mr. BURCHETT. Yes. It probably is. Everybody likes nice round numbers up here.

In your opinion, how do these soft-on-crime policies toward murders and rapists reduce homicides and sexual assaults?

Mr. PEMBERTON. None, sir. They do quite the opposite. They exacerbate the situation.

Mr. BURCHETT. Yes, sir. Thank you for your honesty.

Mr. Allen, in your Ward 6 update, dated March 12, 2023, you published a section called "Hands Off D.C." in response to the Senate disapproving of your crime bill. Is that correct?

Mr. ALLEN. Yes, sir.

Mr. BURCHETT. In the section, you stated House Republicans are playing political theater and that this is a very real threat to D.C. residents. That is correct too as well, is it not?

Mr. ALLEN. I do believe that is what is happening, yes, sir.

Mr. BURCHETT. OK. Property crime is up 27 percent compared to March 2022. Don't you feel like that is a very real threat to D.C. residents?

Mr. ALLEN. I think any crime is a threat to D.C. residents and our community and that is why, as we talked about the trends over time, both that violent and property crime have gone down, we have persistent issues around public safety that we continue to work on, both with traditional law enforcement as well as the other ways we invest in our communities to stop cycles of violence.

Mr. BURCHETT. OK.

Mr. ALLEN. And then hold accountable individuals who commit those crimes.

Mr. BURCHETT. Motor vehicle theft is up 105 percent compared to March 2022. I feel like that is a very real threat to the D.C. residents. And I am about out of time, but I would encourage you all, and my friends across the aisle, when we bring people in here that

it should reflect the community that we have, and four White men I don't think quite does that.

Thank you, Mr. Chairman. I yield back no time.

Mr. ALLEN. Thank you. I agree with that completely.

Mr. PALMER. I thank the gentleman.

I would just like to point out that the Committee invited D.C. councilmember Kenyan McDuffie and he was unable to attend the hearing today. And we also reached out to Councilman Trayon White, and we did not receive a response.

I would also like to comment on the fact that the Constitution anticipated the national seat of government when it was ratified in 1788, and that is the District of Columbia.

I now recognize Mr. Garcia for five minutes for his questions.

Mr. GARCIA. Thank you very much, Mr. Chairman, and thank you to our witnesses for being here as well.

I want to just start by asking unanimous consent to submit this article from yesterday from Vox into the record, "The House GOP's investigations are flopping." This continues to happen, of course, today, so Mr. Chairman, I would to have unanimous consent for that article.

Mr. GARCIA. You know, I served as a mayor in California for the last eight years—I just got elected to Congress—it was a city of about half a million people. And what is interesting is I didn't realize that when I was running for Congress to actually come back to a City Council, which is clearly what many of our colleagues here are interested in. And I would encourage folks that are interested in actually running cities to actually run for councils, run for mayor. It was a great experience, and I appreciate particularly those that are serving on that body. It is not easy work.

I also think it is really important that we thank the D.C. officials that are here. As a now part-time resident of the District, you have a city that is clearly focused on density, on good transit, on a great bike network which I think is enviable for cities across the country, and you are taking on issues around criminal justice reform, which are also really important.

I also want to remind this Committee of what actually happened over the last couple of years. So, we are talking a lot about what happened in the last year, the last two years as it relates to crime statistics. We just went through the single largest emergency and loss of life event, the pandemic, in these last couple of years. What we have seen in cities across the country are absolutely challenges as it relates to safety, folks that are unhoused, and responding to the emergency as cities come back. So, we have gone through a massive emergency and now we are all working together to build back, so I think that is important to put this discussion actually into a little bit of context as it relates to the pandemic.

Because if we actually look at 10 years ago or 20 years ago or 30 years ago, the data that everyone is actually claiming to know a lot about, D.C. actually had more danger and more violent crime back in the 1990's and the early 2000's. So, it is actually safer today, on the data, than it was 20 or 30 years ago. And that is a fact, even though some of my colleagues were not interested in that data, just the data from the last few years ago.

Now, when I was mayor, my council passed a landmark racial justice and reconciliation act in 2020, which is something that was supported by the entire community. It strengthened our police oversight commission as well, which went to the voters, and I am very proud that they did. And we implemented many of the same reforms as Washington, DC, has, that has been consistent with the George Floyd Justice in Policing Act. I think that is really, really important work.

If, when I was mayor, I had another body or Washington, DC, coming at the laws that we passed, I certainly would be pretty upset. Home rule is actually very important, and I am not sure—if my Republican colleagues are so interested in trying to bring up data about Washington, DC, then we should do the same and focus and have hearings on states. We should be having hearings on why Texas has more uninsured people than any other state in the United States. We should be talking about why Louisiana and Mississippi have some of the lowest life expectancy of any other state. Those are also data points that my colleagues are not interested in having discussions about or having hearings around. I have no interest in telling Mississippi or Louisiana or Texas how to run their states, and my colleagues should not be involved in the business of running or trying to be involved in how a city actually runs their operations. So, I hope that is something also that we can look at in the weeks ahead.

I believe in home rule. The people of D.C. deserve better than this hearing, and they absolutely deserve statehood.

We also know that later on in this Committee there will be a markup process where they are going to try to even roll back more reforms that have been put in place. And I am not sure what they object to so strongly. Do they object to a ban on chokeholds? Are they objecting to the public release of body camera footage after shootings? Are they objecting to civilian oversight of police? Are they objecting to a public data base of legitimate allegations of misconduct? Maybe they are objecting to increased accountability for police officers? Are they objecting to restrictions on car chases? I am not sure what they are objecting to actually, but these are all obviously important measures around criminal justice that the city and the district of D.C. is actually putting in place.

So, I do not have any questions for all of you because I think this hearing is actually a waste of everyone's time. I want to thank all of you for your service to the city, all four of you, and I look forward to our future committee hearings where we go over all the states across the country that obviously we can talk a lot about data and how they are also failing.

So, with that, Mr. Chairman, I yield back.

Mr. PALMER. The Chair now recognizes the gentlelady from Colorado, Mrs. Boebert, for five minutes for her questions.

Mrs. BOEBERT. Thank you, Mr. Chairman. It is clear that far left policies driven by progressive D.C. councilmembers are having a deteriorating effect on education standards, rising crime, and increased financial instability in our Nation's capital. Last Congress, Democrats only had one single hearing with a D.C. councilmember witness, and it was related to their pursuit of statehood, not actual oversight.

Mr. Allen, you stated public safety is a priority for you, and police are essential to reducing crime, yet your policies restrict and weaken law enforcement officers' ability to keep the public safe. You demand more help from police in tweets like this one, yet you strip law enforcement's funding with budget squeezes.

Mr. Lee, how much was the Metropolitan Police Department's operational budget cut from 2020 to today?

Mr. LEE. It is my understanding it is roughly \$20, \$25 million.

Mrs. BOEBERT. The statistics I have, Mr. Lee, from the D.C. Fiscal Policy Institute, state that from 2020 to current MPD's operational budget has been cut by more than \$61.5 millions.

Mr. Allen, you even called to reduce MPD's budget, as we have heard today, by \$15 million in 2020, after the Antifa-led George Floyd riots. Sir, you are "defund the police."

Chairman Mendelson, you stated that is not crime crisis in D.C.

Mr. MENDELSON. Correct.

Mrs. BOEBERT. I would disagree. Mr. Allen, you even seconded the Chairman's statements today and went as far as to say that D.C. is strong and vibrant. Do you stand by that comment? Do you stand by seconding those remarks? The Chairman has already stood by his remarks with his response.

Mr. ALLEN. The District of Columbia is incredibly strong and vibrant, yes.

Mrs. BOEBERT. Do you agree that there is not a crime crisis in Washington, D.C.?

Mr. ALLEN. As I outlined in my testimony, we have seen reductions in both violent crime and property crime, except for two main categories—

Mrs. BOEBERT. I would disagree. That is very troubling. Let us start with a few statistics. From 2022 to 2023, sex abuse cases increased by 110 percent—

Mr. MENDELSON. To 38, a total of 38.

Mrs. BOEBERT. One-hundred-ten percent, Mr. Chairman.

Mr. MENDELSON. Yes.

Mrs. BOEBERT. That is alarming. Even one percent is alarming and should not be happening, especially when you were cutting MPD's funding and limiting them to protect people from these sexual assaults.

Mr. MENDELSON. Congresswoman, I am just trying to—

Mrs. BOEBERT. In 2022—reclaiming my time, sir. It is my time. From 2022 to 2023, homicides in D.C. increased by 23 percent. From 2022 to 2023, carjackings—not car thefts, carjackings—increased by 108 percent.

Chairman Mendelson—

Mr. MENDELSON. Mendelson.

Mrs. BOEBERT [continuing]. Do you still stand, under oath, and state that there is not a crime crisis in Washington, D.C.?

Mr. MENDELSON. Yes, because if you look at carjackings—

Mrs. BOEBERT. It is remarkable. It is absolutely remarkable.

Mr. MENDELSON [continuing]. Robberies are down—

Mrs. BOEBERT. I would like to talk about—thank you.

Mr. Allen, based on these statistics I would like to talk to you about some other things that are going on here in Washington, DC,

specifically an initiative that you led. In November 2022, you led the charge to reform D.C.'s crime laws. Is that correct?

Mr. ALLEN. I chair the Committee that that proposal came through.

Mrs. BOEBERT. You led this charge. Yes, sir. And these changes are now law here in D.C. Correct?

Mr. ALLEN. You mean the revised criminal code?

Mrs. BOEBERT. Yes.

Mr. ALLEN. No, those are not the law.

Mrs. BOEBERT. Those are not the law.

Mr. MENDELSON. The revised criminal code was rejected by—

Mrs. BOEBERT. Excuse me, Mr. Chairman. I am talking to Mr. Allen. Mr. Allen, did you or did you not decriminalize public urination in Washington, D.C.?

Mr. ALLEN. No, we did not.

Mrs. BOEBERT. Did you lead the charge to do so?

Mr. ALLEN. No. The revised criminal code left that as a criminal charge.

Mrs. BOEBERT. Did you lead the charge to decriminalize public urination in Washington, D.C.?

Mr. ALLEN. No, ma'am. In the revised criminal code—

Mrs. BOEBERT. Did you ever vote in favor of decriminalizing public urination in Washington, D.C.?

Mr. ALLEN. The revised criminal code that was passed out of Council—

Mrs. BOEBERT. Did you ever support—

Mr. ALLEN [continuing]. Kept it as a criminal offense.

Mrs. BOEBERT. And you support this?

Mr. ALLEN. I voted for it, yes.

Mrs. BOEBERT. You voted to keep it as a criminal offense.

Mr. ALLEN. That is correct. The full Council did.

Mrs. BOEBERT. We have records that show that you were in favor of removing that criminal offense and allowing public urination.

Mr. ALLEN. No. The—

Mrs. BOEBERT. Is that something that you intend to pursue in the future?

Mr. ALLEN. No. The legislation you are referring to that came from the Criminal Code Reform Commission changed public urination from a criminal to a civil offense. The Council then changed that to maintain it as a criminal offense at the request of the Mayor.

Mrs. BOEBERT. Thank you. I yield.

Mr. PALMER. The Chair now recognizes the gentleman from Florida, Mr. Frost, for five minutes for his questions.

Mr. FROST. Thank you, Mr. Chairman. The D.C. Home Rule Act was passed in 1973 and established the 12 members of the D.C. Council and the Chairman's position, all who serve four-year terms. Each four years, elected officials make their case and D.C. voters decide who represents them in which positions.

A Black man was lynched in broad daylight and the Washington D.C. City Council took action to make public safety work for everybody. And now, Republicans on this Committee are pissed about it. You know, I am wondering what happened to the Republican Party. I thought this was the party of small government, yet here

they are weaponizing this Committee to overturn laws passed by duly elected officials of a City Council. It is really interesting.

So, today I have heard my Republican colleagues talk about the impact of gun deaths and violence in a local community, and it is great to hear the renewed interest in gun violence. You know, it is an important conversation that should not be reserved for just this D.C. hearing.

I ask unanimous consent to enter into the record reports on gun deaths in Mississippi, Louisiana, and Wyoming—Republican-led states, by the way—the three states with the highest rates of gun deaths per 100,000 residents. And if we are going down this road maybe we will see the individuals of these Republican state legislatures here soon.

This is a devastating reality, and I am curious why there isn't equitable attention and outrage on gun deaths in these states as there is with what is going on in D.C.

Recently I am seeing a trend where state and Federal officials are deciding that they know best, instead of respecting local control, and they want to impose their views on Americans across the country. And don't get me wrong. I don't agree with every local policy out there in the entire country, especially my home state of Florida, but I respect that certain decisions are made under home rule. And when it comes to rolling back local policies that were democratically elected, decided, I just haven't heard a single rationale that I am sympathetic to.

Chairman Mendelson, I wanted to make something pretty clear. When you ran for office, you had to make the case to the D.C. voters that you were the best person to represent their interests. Correct?

Mr. MENDELSON. Correct.

Mr. FROST. When you were first elected to represent the residents of D.C., what did you do when you ran for office? How did you make your case to the voters in D.C.?

Mr. MENDELSON. When I first ran for office, which was a while ago, I had been an advisory neighborhood commissioner, an elected commissioner from a neighborhood, and I ran principally on the platform that I was close to communities and understood grassroots and would be representative of them.

Mr. FROST. So, you have been reelected many times because the people of D.C. support your policies and positions.

Mr. MENDELSON. Correct.

Mr. FROST. I ask this because at the heart of today's hearing is a resolution introduced by Republican lawmakers that clearly interferes with democratically approved measures. To your knowledge, has Republican Representative Andrew Clyde from Georgia, who sponsored this bill, ever knocked doors in D.C. to make the case that he understands what D.C. voters want or need?

Mr. MENDELSON. I am unaware of him knocking on any doors.

Mr. FROST. Mr. Allen, are you aware of the Representative who is sponsoring this bill knocking on doors in D.C., speaking with members of the City Council, holding roundtables, doing any kind of townhalls to figure out what the citizens of D.C. need?

Mr. ALLEN. I am unaware of any actions like that.

Mr. FROST. I am unaware of any, too, and I actually do not think they have happened at all. I think a lot of people find it very confusing that D.C. City Council passed legislation to address an issue impacting residents, and we have a D.C. City Council where officials have been representing voters long before Mr. Clyde and/or I were in Congress. And I don't pretend to know any better than Mr. Clyde what local measures D.C. needs, and that is what local government is all about.

Some on this panel want to undermine the bipartisan principle of home rule to score political points, and I cannot support it. It is happening in my state of Florida right now, where the Governor is abusing his power to overturn and target political enemies at the local level. I don't think that is freedom. I don't think that is liberty. I don't think it was the principles that this country was founded on. And it is part of the reason why I am very against this measure. It is harmful to what is going on across the country.

This is not what needs to be happening right now in terms of D.C. We need to be talking about statehood, which is something that the residents of D.C. actually want, not this type of legislation.

Mr. RASKIN. Will the gentleman yield?

Mr. FROST. I yield.

Mr. RASKIN. Will the gentleman yield?

Mr. FROST. I yield.

Mr. RASKIN. Thank you very much. Mr. Allen, you represent Ward 6?

Mr. ALLEN. That is correct, sir.

Mr. RASKIN. Are we in Ward 6 right now?

Mr. ALLEN. You are.

Mr. RASKIN. We have a number of Members of Congress who live in their offices when they come here. Have any of them ever contacted you about a constituent issue or about criminal justice reform or police reform?

Mr. ALLEN. I actually have several Members of Congress that contact me on constituent issues, everything from help with DCRA permitting to alley issues, the trash pickup. I always treat that in a respectful, private way, so I would not disclose who those members are, but I have Members of Congress reach out to me.

Mr. RASKIN. And have you had any reach out about the legislation at issue today?

Mr. ALLEN. Oh, no, sorry. Not at all about policy or legislation.

Mr. RASKIN. OK. Thank you for yielding, Mr. Frost.

Mr. PALMER. Without objection, the gentleman's submission for the record is accepted.

Mr. PALMER. The Chair now recognizes the gentlelady from Florida, Mrs. Luna, for five minutes for her questions.

Mrs. LUNA. Good afternoon, everyone. One of Congress' duties is to provide robust oversight over Washington, DC, and its policies. After all, this is the capital city for all Americans. But, unfortunately, one of the most egregious crimes occurred in D.C. with absolutely no hearing and no oversight.

On March 25, 2022, a pro-life group received a box containing bodies of 115 children from a worker that was taking it from Washington Surgery Center to be incinerated at a renewable waste facility. Inside the box, along with 110 early term babies, were 5 full-

term babies. I encourage all of you to look at these photos because some of these babies were born alive. The five babies are Christopher, a full-term baby boy whose body was almost fully intact; Harriet, a baby who was born with one eye open; Phoenix, a baby that was born [inaudible] meaning an amniotic sac; and Holly and Angel, two babies that were dismembered and mutilated to the point that they were in pieces.

Some of my colleagues on this Committee say that they care about the safety of children, yet they have failed to turn a blind eye to this awful situation because it does not fit their narrative, and I encourage all of you again to continue, because I see people not looking at these photos, to look at these photos, because this is horrific, and this is known as late-term abortion.

The lack of oversight in the situation has allowed Dr. Cesare Santangelo, who has two open lawsuits against him for botched abortions, to continue practicing despite these open lawsuits and medical malpractice. Even if you are for choice, you cannot argue that this man should still have his medical license. One of his victims, which he killed, showed during an autopsy that there were fetal remains lodged in her lung due to the botched abortions. How is this doctor who charged up to \$12,000 per late-term abortion still allowed to practice as a medical provider in this city? It is clear that there is no regard for human life, the Hippocratic Oath, or humanity.

My questions are as follows. First of all, yes or no, please, Mr. Mendelson and Mr. Allen. Are you aware of the situation of the five that happened in this past year? Yes or no, only, please.

Mr. MENDELSON. No.

Mr. ALLEN. I recall speaking to the Metropolitan Police Department as charges were being brought.

Mrs. LUNA. There is still an ongoing investigation and people are not able to FOIA the information. Is that ongoing investigation still continuing, Mr. Pemberton?

Mr. PEMBERTON. Ma'am, I do not know the answer to that. I am not familiar with this investigation.

Mrs. LUNA. I understand that you all recently went through a big D.C. criminal code rewrite. Was there anything that would have made the murder of these children, as it appears some of these children were born alive, one of which had suffered on her own amniotic fluid in sac?

Mr. MENDELSON. The revised criminal code, which is not law, would not have changed the law with regard to this.

Mrs. LUNA. In recent years, the D.C. Council has passed several abortion laws, most of them while you have been under leadership, Mr. Chairman. While the D.C. Council has worked to protect doctors like Santangelo, who have killed women and refused to protect the lives of children, what are you doing for the victims?

Mr. MENDELSON. The D.C. Council and the government does support choice. However, if—

Mrs. LUNA. A woman was killed and this man still has his medical license.

Mr. MENDELSON. We don't support that.

Mrs. LUNA. So, would you support the removal of his medical license and just shut that down?

Mr. MENDELSON. If the allegations are true, yes.

Mrs. LUNA. The autopsy, sir—just so you know I am not trying to be rude, but the autopsy did confirm that lung tissue, or that fetal remains were found in her lung tissue. Just so you are aware.

There is a belief that Dr. Santangelo violated the statute. Are you going to be updating the laws to ensure that this doesn't happen in the future for anyone else?

Mr. MENDELSON. I am not quite sure how to answer that. If this criminal then there is no need to update the statute to make what is criminal, criminal.

Mrs. LUNA. I believe that we are talking about—sorry to not clarify—but regarding the late-term abortions, sir. Some of these babies were apparently born alive. And one of the issues that we are hearing is that these babies are still in the local morgue and we have been unable to actually locate a pathologist to run the autopsies because people don't want to touch it, because it is such a politicized case. But in my opinion, when you have a child that is born alive, and there has been something already passed to protect children that are, again, born alive, that this shouldn't have taken place altogether. It is criminal. We are asking for your help. Will you help?

Mr. ALLEN. I know your time is ticking down, but while I cannot replace charging decisions by the U.S. Attorney's Office or MPD, I would be happy to followup after the hearing.

Mrs. LUNA. Will you help us so this does not happen again? Thank you. Thank you.

And to finish out, I want to let you guys know that I am appalled by this situation. I appreciate your willingness to look into this case. But I do believe that because of what has happened in Washington, DC, with the lack of oversight, to include within the criminal codes of this city to see what has actually taken place, I would fully support removing the home rule, and I don't believe that D.C. will ever be a state.

Thank you, Chairman. I yield my time.

Mr. PALMER. The Chair now recognizes the gentlelady from Vermont, Ms. Balint, for five minutes for her questions.

Ms. BALINT. Thank you, Mr. Chairman. I continue to be amazed by what the Majority chooses to spend our limited time on. Rather than addressing a number of really serious concerns that our constituents have, they are choosing to waste our time by meddling in the District of Columbia and talking about public urination. I just want to make sure, do you have anything additional you want to say about public urination? Now is your time.

Mrs. BOEBERT. I do.

Ms. BALINT. No, not you. I am talking to—it is not your time. It is a question.

Mrs. BOEBERT. I will wait until your time is up. I do have something else to say.

Ms. BALINT. Do you have anything additional to say regarding public urination?

Mr. ALLEN. I didn't on that, but if I could have 30 seconds to clarify something from a previous conversation.

Ms. BALINT. Yes, please. I would, Mr. Allen. Go ahead.

Mr. ALLEN. There had been a discussion earlier that I thought I heard related to Subtitle X in the Policing Reform and Accountability legislation. I believe I heard it stated by a Member that it would allow people to go back in time to look at allegations—and I want to be very clear for the record—about what it is that this does. It is for incidents occurring on or after the law's effective date, so it does not go back in time. And that data base is only for sustained allegations of misconduct—sustained allegations of misconduct—pertaining to an officer's commission of a crime, interactions with members of the public, or their integrity in criminal investigations. That is it, but a very crucial element of accountability.

Ms. BALINT. Thank you, Mr. Allen. I really appreciate that clarification. Yes, Mr. Mendelson.

Mr. MENDELSON. Regarding public urination, yes, there was discussion about it. There was never a proposal before the Council, the Council itself, that would have decriminalized it. What was given to the Council, what came out of Committee to the Council, was as a criminal offense.

And this is one of the challenges with the revised criminal code is that there are a lot of misstatements that have been made over the last several months. For instance, one Member of Congress, I believe, said that we were decriminalizing carjacking, which we were not. And I could go into more detail, but time probably doesn't allow. But urination is, and under the revised criminal code would have continued to be, a criminal offense.

Ms. BALINT. Thank you for clarifying that. I really appreciate that.

You know, our Nation was born out of a revolution over taxation, and yet we are here in this Committee contemplating overriding, yet again, a piece of legislation passed by the duly elected members of the D.C. Council. The people of D.C. deserve better. They are Americans. They deserve statehood. They deserve to have their voices heard.

D.C. residents are required to pay all Federal taxes, despite the fact that they have no voting representation in Congress. What an un-American idea.

Let us look at D.C.'s contributions to the Federal Treasury. D.C. pays more Federal taxes than 23 states, and six of our Republican colleagues on this Committee represent states that pay less in Federal taxes per capita than D.C.—Alabama, Kansas, North Dakota, South Carolina among them. D.C. pays more Federal taxes per capita than any state. Per capita, D.C. pays over \$50,000. Mr. Chairman, your home state of Kentucky pays just over \$8,000—\$50,000 per capita versus \$8,000 per capita.

Chairman Mendelson, what is it like for D.C. residents to be drafted, tax-paying American citizens who have no voting representation in Congress? Please give voice to your constituency.

Mr. MENDELSON. Well, it is very frustrating, but more than that, it is not good government. It means that governing the District of Columbia is more difficult. We have outlined here ways in which our criminal justice process would function better if we had full home rule, which is statehood. But I am not here so much today to talk about statehood as just, you know, to dispel some of the

misunderstandings with regard to the bill that I believe the Committee is going to consider rejecting later today, and that it is about police accountability, and actually most of it is law right now because most of it has gone through congressional review already.

And so, if Congress were to repeal it, that is the challenge we have, not having statehood. If Congress were to reject it, then it actually a step backward. For the first time, the union was not able to negotiate its discipline, and as one of the members pointed out, chief after chief after chief has said that the union bargaining its disciplinary process has actually been—has resulted in bad cops being reinstated on the police force. Not only does it cost us money—the auditor put out a report that said \$14 million in back pay—but these are bad cops. Somebody who rapes a woman and then is put back on the police force, and not only is that not a cop that I want representing us, but it is also a cop who will not be—the U.S. attorney cannot use in court. They have no credibility as a witness in any case.

So, this is really harmful when Congress is able to step in and, in this piecemeal way, reject policies that we have adopted. And in this case, the police accountability bill. And I apologize I have used up so much of your time.

Ms. BALINT. That is OK, Mr. Mendelson. I really appreciate it.

And in conclusion, what I just want to say is that there are no other democratic nations in the world that deny voting representation to citizens living in their capital.

I yield back.

Mr. PALMER. I would just like to point out to the gentlelady, there are a number of reasons why the income tax is so much higher in D.C. The median income is higher.

With that, the Chair now recognizes the gentleman from South Carolina, Mr. Fry, for five minutes for his questions.

Mr. FRY. Thank you, Mr. Chairman, and thank you for having this hearing today. To our panel, thank you for being here today.

You know, Washington, DC, at this time of year is really amazing. You see spring is in the air, the cherry blossoms are coming, you have people around the country, and indeed around the world, that come to this city to visit Washington, to see what is going on. I want my constituents to see that. I want them to visit the Nation's capital. I want to welcome them and let them see how democracy works.

But instead of these images that they see on National Geographic or whatever, they get here and they see carjackings, shootings, homicide, robberies, auto theft, arson, riots—I could go on.

And you know what they read in the news? I am going to read a few headlines here. Headline: “Man shot, killed in Northeast D.C. marks the district’s 200th homicide in 2022, police union says.” Headline: “D.C. averaging one carjacking a day. Council expected to lessen penalties with criminal code veto override.” Headline: “D.C. reaches 100th homicide mark faster than any other year since 2003.” This is not a way to welcome our fellow Americans, or really world travelers, to our Nation’s capital.

In my opinion, you have allowed this to happen. To me, D.C. Council is more focused on governing via bumper sticker slogans than actually focusing on the real challenges of the district.

Mr. Chairman, I have witnessed today, being down here on the floor as a freshman, many in the crowd snicker and roll their eyes at anybody who dares question what is going on in this city.

I want to put up a quick video to the Committee staff. This is a screen recording of a member of my staff's phone who receives crime alerts from the D.C. Police. This staffer lives in the Capitol Hill neighborhood. You see robbery in here. You see stabbings, shootings, robbery again. These crimes occurred in just the month of March alone in the Capitol Hill area.

This is just one of the many things that people have to do around here just to stay safe. People should feel safe in our Nation's capital, and quite frankly, they don't, as evidenced by President Biden's signing of legislation that originated in this House.

So, Mr. Allen, let us talk about homicides in D.C. They are up 40 percent over last year. On March 6, the D.C. Police Chief Robert Contee was asked what D.C. can do differently to get homicides down. He replied, "Keep violent people in jail." Well, that sounds like a pretty good idea to me. Mr. Allen, do you think that Chief Contee feels supported by D.C. City Council in his efforts to crack down on crime? Yes or no.

Mr. ALLEN. I saw him last night. Yes.

Mr. FRY. I find it completely remarkable that that is your answer, given that you advocated for defunding the police. You also starved them, based on your Twitter, you starved them of morale. You constantly demonize police in your city. It is no wonder that there is an exodus in the Police Department here, and we wonder, causation and effect. You have D.C. police, after you defunded them, and after you demonized them, you had them leave the department, and now you see, inexplicably, crime go up in Washington, D.C.

According to Chief Contee, he said right now the average homicide suspect has been arrested 11 times prior to committing a homicide. Do you think the men and women who serve the Metropolitan Police Department feel supported by D.C. Council to keep D.C. safe and to stay safe themselves?

Mr. ALLEN. Thank you for the question. I do not support defunding the police, nor did the D.C. Council defund the police. Earlier you heard about the police misconduct. Over the last 10 years, D.C. has had to pay out \$91 million in police misconduct settlements. That is 10 times the amount that you are referring to, from a \$9 million that was redirected out to other public safety efforts from a half-a-billion-dollar budget. That is not defunding our police. It is talking about how do we have a both-end approach to support our law enforcement—

Mr. FRY. With respect, with respect, your Twitter says, "I know not everyone agrees with where we landed. I hear you. And now that we have gone through Committee to do the full Council, I am happy to keep work going. This is the biggest reduction to MPD that I have ever seen." That is defund the police. You have done that.

Mr. ALLEN. No, it is not, sir.

Mr. FRY. There was an article with the headline that talked exactly about that, that you were the chief architect. In fact, there

is a Twitter handle called “recall you,” and it is about your efforts to defund the police. Now you are saying—

Mr. ALLEN. I—

Mr. FRY. [continuing]. Now you are gaslighting the American people and telling them they don’t matter and that they are not seeing the truth here?

Mr. ALLEN. I was just reelected a couple of months ago, Congressman.

Mr. FRY. Reclaiming my time. If D.C. were a state it would have, far and away, the highest per capita murder rate of any other state. In 2014 to 2020, D.C. ranked the highest with a homicide rate of 19.84 per 100,000 people. D.C. wants to be a state. They cannot even be a city. This is your premier case of what you get when you defund the police, you do not prosecute criminals, and you turned a blind eye to crime on the streets. This is our Nation’s capital, and quite frankly, it is unacceptable.

Mr. Chairman, I yield back.

Mr. HIGGINS. [Presiding.] The gentleman yields.

The gentlelady from Pennsylvania, Ms. Lee, is recognized for five minutes for questions.

Ms. LEE. Thank you, Mr. Chairman. So, we are here in the Committee on Oversight and Accountability, yet it seems that oversight does not apply to law enforcement. This Committee would rather disenfranchise D.C. voters than let a single cop face accountability.

D.C. voters and councilmembers saw the problem of police perpetuating different forms of misconduct or violence plaguing not only their city, but the entire country and chose to act. In 2022 alone, 1,194 people were killed by police. That is more than any other year in the past decade. Yet, officers were charged with a crime in only nine of those cases. Where is the accountability?

Vehicle chases are one of the most dangerous police activities. Thousands of police officers, suspects, and bystanders have been killed. Tens of thousands have been injured in chases across the country.

Chairman Mendelson, yes or no. Does the Comprehensive Policing and Justice Reform Amendment Act impose limits on vehicular chases to protect people?

Mr. MENDELSON. Yes.

Ms. LEE. Thank you. In 2015, Alonzo Smith was murdered after an incident with D.C. Special Police officers. After Alonzo was handcuffed behind his back, the officers kneeled on his back and held his neck down. A factor in Alonzo’s death was, quote, “compression of torso.” Not a single officer has been charged.

Councilmember Allen, why does the Comprehensive Policing and Justice Reform Amendment Act prohibit neck and asphyxiation restraints?

Mr. ALLEN. Because it can lead to death and kill someone.

Ms. LEE. Thank you. D.C. has also paid tens of millions of dollars in settlements for police misconduct related to protests. Aggressive policing tactics should not infringe upon our constitutional right to protest.

Councilmember Allen, what changes does the Act make to the use of dispersal tactics by police in connection with protests?

Mr. ALLEN. The Metropolitan Police Department, we are not stranger to First Amendment assemblies here in the district. MPD is handling dozens of them probably every day. This makes sure that we have constitutional protections for people to be able to exercise their First Amendment rights.

Ms. LEE. Thank you.

D.C.'s Comprehensive Policing and Justice Reform Amendment Act honestly doesn't go far enough, but it is a vital first step forward toward comprehensive criminal justice reform. I am astounded that this Committee is willing to silence the voices, the votes, and the will of D.C. citizens over these common-sense measures. I will add no taxation without representation, and I will yield back. Thank you.

Mr. HIGGINS. The gentlelady yields.

The gentleman from Wisconsin, Mr. Grothman, is recognized for five minutes for his questions.

Mr. GROTHMAN. Yes. I am going to start here with a little anecdote, and we will build off of that. About 12 years, 14 years ago, before I was a Congressman, I went on a tour of Taiwan. You know, the standard tour. At the end of the night, about eight o'clock, me and a buddy of mine, another Member of the Wisconsin legislature, we figured we would go out and just tour Taiwan. So, we asked our guide, "Is there anywhere we shouldn't go?" And we were told, "No. There is nowhere you can't go."

And I asked him again because Taiwan, you know, is a bigger city than Chicago, the only city in America—or Taipei, I am sorry—Taipei is a bigger city than any city, but Chicago. And he said, "No, no. Everywhere in Taipei is safe," which I found out to be true. And it made me a little bit ashamed about our Nation's capital, because I thought if our tour guide came to Washington, DC, and asked me if there was anywhere he couldn't walk at night, I would have to give him all sorts of places.

And it looks like things have not changed. You had a little bit of a downward dip in murders last year, but this year, you are up again, and you are over 200 a year, which for a city this size is really intolerable. It is almost as bad as Milwaukee, which is adjacent to my district. There is anecdotal evidence that you are constantly, from staff around here, about cars being broken into. We heard what happened to Rand Paul's staffer the other weekend, which was tragic in what I think most people would say is a safe neighborhood.

The second thing that concerns me, and you are not alone in this for a city of this size, depending on how you do the measuring, your public schools are third or fourth or second worst in the country as far as test scores are concerned. I know both Bill Clinton and Barack Obama, as well as Joe Biden's grandchildren, would not attend the public schools, the government schools in Washington. They had to attend private schools. And, like I said, looking at the test scores you can see why.

And I know that Vladimir Putin makes fun of our homeless population, which is somewhat of an embarrassment. I mean, if I walk back at night down Pennsylvania Avenue from the White House to the Capitol, as I do sometimes, or down Pennsylvania Avenue, you see all the tents there. And you have got to admit that is kind of

an embarrassment for what should be the greatest city of the world, a city that is attracting people, tourists from all over the world. And whether you look at the homelessness, or the schools, or the crime rate, you have got a problem.

I will ask you, Chairman Mendelson, as an example, and maybe there are some different schools. But if I have a visitor come here from another country—Taiwan, France, wherever—how do you respond, is there anywhere that I shouldn't be walking tonight that I have to look out? If they are going to stay here for an extended period, would you attend the Washington public schools? And what would you say about these tents of homelessness that, if Washington were a state, as I understand it, looking at the internet—it is always kind of dangerous to say I read it on the internet—but, if I look on the internet, it would say that if Washington was a state we would have the highest percentage of homelessness in the country. So, I would like you to respond those three things.

Mr. MENDELSON. Thank you, Congressman. So, if somebody is visiting and they ask if there is any place that they cannot go that is not safe, I cannot think of a neighborhood I would say that they cannot go. U Street, the Wharf, Capitol Hill, you know, I live 12 blocks from here, and I feel safe. So, my answer would be no, there is not a place I would say that you cannot go.

With regard to schools, you know, I was thinking before this hearing I would like to say that I am a public-school parent, but she graduated from Duke Ellington High School, but went to the D.C. public school system. Councilmember Allen's kids are in D.C. public schools.

And the homelessness, what comes to mind is that as Chairman of the Council, I often will meet with presidents of city councils from other cities and we are seeing a problem with homelessness around the country. And it is challenging. Homelessness has gone down in the district, but these tents are very concerning, and we are trying to find housing for those individuals.

Mr. GROTHMAN. I don't know if you really believe what you just told me. I mean, I talk to the staff around here, and without going a mile from the Capitol, there are all sorts of places they would recommend me not walking at night. I assume they know what is going on, and the murder rate is an indication.

Mr. MENDELSON. Well, I would be happy to take you out to dinner on the Hill.

Mr. GROTHMAN. I will make one other comment. I would not get that carried away. I think you have got to decide how many times the person has done something before, how in-public it is, but I am not sure if public urination should be criminally charged. OK. Just don't let me tell you how to do your job.

Mr. MENDELSON. I am sorry. Was there a question there?

Mr. GROTHMAN. There wasn't a question.

Mr. MENDELSON. OK.

Mr. HIGGINS. The gentleman's time has expired.

The gentleman from Texas, Mr. Casar, is recognized for five minutes for questioning.

Mr. CASAR. Thank you. I ran for the U.S. Congress here in the last year, but now I am back on the city council and the question for me is why, and I think the answer is pretty clear in this Com-

mittee hearing. There is a strategy from the Republican Majority to try to mischaracterize civil rights policy, overwhelmingly pushed by Democrats, as bad for public safety, to try to create this impossible choice between civil rights and public safety.

But I humbly submit that Americans deserve both civil rights and public safety. And I know, as a former councilmember, how important that is to us who are trying to represent our constituents, that when our constituents are in trouble and call 911, that we want them to get help, and that we do not want constituents getting harmed or shot in that process by anyone, including police.

But in my time in Texas, I know that I have had many constituents who have had terrible experiences, including a young teenager named David Joseph in my district, who was having the worst day of his life when 911 was called to help David, who was in mental health crisis. He was supposed to be a graduate of Premier High School just a few months later. When police showed up, he was shot and killed within moments, not only unarmed but naked in the street.

No one should die in mental health crisis like David. No one should be killed over a \$20 bill, like George Floyd, or sleeping in their home like Breonna Taylor, or unarmed and fleeing like Mike Ramos in Austin, or shackled like Joshua Wright in Hays County, Texas, or playing video games with her nephew like Atatiana Jefferson in Fort Worth, or shot by police while eating McDonald's burger like Eric Cantu in San Antonio.

It is clear that our communities need and deserve both public safety and police accountability because both of those lead to more safety to our constituents. I hope that this Committee and our body does not try to nullify D.C. reasonable efforts to protect Americans.

So, I have some questions here for the members of the D.C. Council.

Another story in Austin was one of Breiaion King, who was a teacher who was allegedly speeding. She was pulled over and then shortly thereafter body-slammed onto the ground. Our police chief wanted to discipline in the case, but because of things in our negotiated police contract and the fact that the incident had passed many months ago, he was not able to be disciplined until he was caught committing violence later against an innocent person.

So, my question to you, we tried to negotiate and change that, but were not able to negotiate and change those terms in the contract. Do things in your policy create the opportunity for there to be more safety for people like Ms. King so that there can be discipline in cases of police violence and that the police contract doesn't get in the way of police chiefs using discipline when they are trying to protect safety in their community?

Mr. ALLEN. Thank you. I will take that first, if you do not mind.

Mr. CASAR. Yes. Go ahead.

Mr. ALLEN. I think at the heart of the legislation, our comprehensive reform to improve accountability and transparency, is to improve public safety, improve the trust between officers and the communities in which they serve.

Every chief that I can recall has also asked for the ability to have powers to be able to hold officers who break that trust, who break that faith, who create misconduct, to have the ability to discipline,

and that is what this legislation does. The powers that we want to give our Police Department to be able to hold officers accountable.

We talked about the officers that had to be rehired at the tune of millions of dollars, of taxpayer dollars. Think about the morale that creates as well for the fellow officers, to see that officer come back on the force, to get hundreds of thousands of dollars in back pay, when that good officer is trying so hard to build the trust, to build the faith with community, and to serve that community.

So, I believe at the heart of this legislation would not only improve transparency and accountability, but we also are improving public safety overall.

Mr. CASAR. Thank you for that.

Mr. MENDELSON. If I could add, so, I think—this is just because it was my amendment to the bill—that the prohibition on bargaining discipline is arguably the most important provision, and it speaks to what you were saying. When there is a cop who has done something bad enough that the chief wants to fire that cop, the chief ought to be able to fire rather than being hamstrung by a union-negotiated disciplinary process, which research has shown actually works to the favor of bad cops.

Raped a college student visiting D.C. area on a study abroad program, DUI accident, termination reduced to 35 days suspension. An off-duty shooting in Maryland of individual near his truck in the early morning hours, termination reduced to suspension. Criminally convicted of purchasing stolen property from a cooperating witness while member was also assigned to the vice unit, termination rescinded.

Mr. CASAR. Thank you, Mr. Chairman. Because our time is about to expire, I want to thank each of you for your work, recognizing that civil rights can be and must be public safety. Thank you.

Mr. HIGGINS. The gentleman's time has expired.

The Chair recognizes the gentleman from Pennsylvania, General Scott Perry, for five minutes of questioning.

Mr. PERRY. Thank you, Mr. Chairman, and I thank the members of the Council for coming.

Folks in the audience, while I certainly respect and agree with your interest in dealing with the affairs of your community and your life, that is to understand that we share the Nation's capital with the people of the country. It is their capital as well. And while we have the pleasure and the freedom to live anywhere in the United States of America, this is their capital, and if they want to come to the capital to address their concerns with the people that represent them, it is dissuading to them if they are worried that they are going to be assailed on the street by some criminal element.

Ladies and gentlemen, property crime is up 27 percent compared to 2022. This is 2023 now. Motor vehicle theft is up 105 percent during the same period of time. Total crime, up 22 percent. Homicides increased 19 percent, and sexual abuse crimes up 100 percent. I mean, not only do the people that live here and work here recognize that and know it, but people around the country know it too.

And so, if the Council and the governance of D.C. cannot address this problem adequately—and that does not seem adequate to me—

then it is entirely appropriate, and I think that my colleagues on the other side of the aisle would agree, constitutional, it is our duty to not only recognize and acknowledge that these occurrences are present, but to do something about it. Our constituency across the country, who wants to visit their capital, demands this action, and I am concerned.

Mr. Allen, we probably have a difference of opinion about how law enforcement should be treated, but it is my understanding that you proposed cutting \$15 million from the police force, and now that the actual cut is about \$61.5 million, while Mr. Pemberton is telling this Committee that we literally don't have, that you literally don't have, the forces necessary to safeguard the population of this city, and that is exceptionally concerning.

And there are bad actors across the board. Not every single group is 100 percent perfect. But to point out the ones, the few that are imperfect, certainly we are concerned about that. But to paint with a broad brush and say that our police forces, our law enforcement forces, as a whole, work against the people of this community, or any community, I think is very corrosive to our society and is ill-founded.

So, I think it is appropriate to have this hearing so that we get to the facts, and so we all understand what our role here is and what works and what doesn't, so that we can have a safe city and a safe place to operate.

And I would just remind everybody that just a couple of days ago, in broad daylight, around five o'clock, a staff member for the U.S. Senate was attacked with a knife and nearly killed. Stabbed in the head, went through his skull, stabbed in the side by someone who got out early, released early from his maximum sentence. And those are the kinds of policies, and that is the result of those kinds of policies. And if it can happen to him—minding his own business—nobody in their right mind wants to come to D.C. and address their government under those circumstances.

But let me ask Commissioner Lee this. You have a shortfall. I don't know exactly what it is. But would you say that we have traffic rules, traffic laws, stop signs for what, to encourage safety and efficiency. Is that what you would say? Well, you tell me what you think they are for.

Mr. LEE. That is my understanding.

Mr. PERRY. For safety.

Mr. LEE. In general, traffic controls are for safety purposes.

Mr. PERRY. For safety, because that is what I am always told, yet the Mayor has proposed increasing automated traffic cameras to bring in \$578 million. So, is it about safety or is it about money? Which one is it about?

Mr. LEE. I can't speak for the Mayor.

Mr. PERRY. What do you think it is about?

Mr. LEE. Our best estimate, I can't speak for the Mayor—

Mr. PERRY. What do you think? I didn't ask you that. What do you think it is about? You have a shortfall, right? You are the financial guy. You need money, right, because the Mayor shut down the city and everybody is gone. Crime is up. Nobody wants to come and spend any money. Restaurants are closing. \$578 million is a

lot of money for cameras. What do you think it is about? I am asking you.

Mr. LEE. Yes, I appreciate that.

Mr. PERRY. I know you do. Tell me the answer, because I have got 10 seconds and you do not want to answer. So, tell me what the answer is, please. What do you think it is about? These citizens want to know if you are going to be collecting all the money from them. Visitors to this capital want to know if you are going to use this to collect money from them, or is this about safety, knowing that there is fraud, knowing that the CEO of one of the companies in Chicago went to jail for fraud for misusing this program. Is it about money or is it about safety? What is it about?

Mr. LEE. I think in the end it is about safety.

Mr. PERRY. Not about money. That is your testimony. That is your answer.

Mr. LEE. It is the Mayor's choice to—

Mr. PERRY. What is your answer?

Mr. LEE. My answer is that more public devices that discourage unsafe driving behavior will have an effect.

Mr. PERRY. And they just happen to collect \$578 million.

Thank you, Mr. Chairman. I yield.

Mr. HIGGINS. The gentleman's time has expired.

The gentlelady from South Carolina, Ms. Mace, is recognized for five minutes for questioning.

Ms. MACE. Thank you, Mr. Chair, and thank you to my colleagues for having this hearing today.

It is sort of surprising but not shocking, or maybe a little shocking even, but from my friends across the aisle some of the things that I heard them say today that they are not sure what our objective is here today, that this entire hearing is a waste of time. It is really unbelievable that an increase in crime in our Nation's capital would be a waste of time to my colleagues across on the other side of the aisle.

Americans from all across the country travel to the capital of the United States of America to see our Nation's founding and its history, and an increase in crime is a waste of time. It is crazy that that is where we are today, and I want to flip the script and talk about D.C. Statehood, which is not the purpose of this hearing. And crime has increased not just in D.C.—and I am saying D.C. exponentially. What I witness myself has been pretty wild—but it is a problem across the country as well.

Mr. Mendelson, did I hear you earlier today, just a few moments ago, say that D.C. is safe and that there is nowhere that is unsafe in D.C.? Did I hear you correctly?

Mr. MENDELSON. I said that D.C. is safe. I feel safe. You know, I am an at-large representative and I am around all parts of the city, and I feel safe, and I typically travel alone.

Ms. MACE. Homicides are up 40 percent from last year. Arson is up 400 percent. Car theft is up over 100 percent. How many cars have been stolen so far this year?

Mr. MENDELSON. Well, in my opening statement—

Ms. MACE. How many cars have been stolen so far this year in D.C.?

Mr. MENDELSON. I don't have the exact number.

Ms. MACE. Right, you know what? It is over 1,300 vehicles have been stolen in Washington, DC, so far this year.

Mr. MENDELSON. A lot of that has to do with TikTok, you know, and that is a challenge around the country.

Ms. MACE. Oh, so you want to blame TikTok for the crime. That is fine.

Mr. MENDELSON. For the Hyundais, and what is the other one? Kias? Kias and Hyundais. We are seeing that around the country.

Ms. MACE. It is an increase in crime. It is a huge problem. You don't even know the number of car thefts, over 1,300 so far this year. In some cases, some people say over 1,500.

Mr. MENDELSON. So, Congresswoman, as I pointed out in my opening statement, crime compared to 10 years ago is down 45 percent. Crime last year—

Ms. MACE. 1,300 vehicles, which you didn't know the number, that had been stolen in D.C., 1,300 so far this year.

I am done with you. I want to go on to Mr. Charles Allen. You Stated earlier, when you were talking to my other colleague from South Carolina, Congressman Fry, you said that you don't support defunding the police. Is that correct?

Mr. ALLEN. Correct. That is not my position.

Ms. MACE. Do you committed perjury up here by making that statement?

Mr. ALLEN. The Council did not defund the police.

Ms. MACE. Well, have you seen your tweets?

Mr. ALLEN. Yes.

Ms. MACE. Do you know what you have put on Twitter?

Mr. ALLEN. Yes.

Ms. MACE. Because I have seen some of your tweets and I would argue that you absolutely—you, personally, support defunding the police.

Mr. ALLEN. Can you find a tweet for us?

Ms. MACE. Yes. I am going to read you some right now. So, on June 28th of 2020, you tweeted that “our strategy is to reduce our force size”—force size—“in a responsible way by turning off the spigot plus adding a natural attrition.” What do you mean by “reducing our force size” if you don't mean defunding the police?

June 28, 2020, you also said that “not everyone disagrees where we landed, but this is the biggest reduction to the Metropolitan Police Department I have ever seen.” You don't believe that that is—the largest reduction in MPD, that that is defunding the police? Does that not count for that?

Mr. ALLEN. Correct. So, the reduction was \$9.6 million, which is one percent of a half-a-billion-dollar budget.

Ms. MACE. Right. Is that defunding? Is that reducing funding for our police force? Is that what that means?

Mr. ALLEN. Redirecting any amount of dollars to our other public safety priorities, that is not defunding.

Ms. MACE. Well, reducing the police force size, which is what you advocated for, would be defunding the police. Being proud of this being the biggest reduction to Metropolitan Police Department, I would argue falls into that category.

You said, on June 28, 2020, you also said, “The district needs to be committed to a sustained effort of funding and defunding”—you

literally used the word “defunding” in your own tweets—“and that aligns with our priorities and puts our public dollars where they can do the most good.” Defunding. So, what are you talking about?

You also said on the same day, that this was important to do, and, you know, there is an effort to recall you in D.C. because of what your statements have been over the last couple of years.

May I ask, my last question of you, how many hearings have you had on violence in D.C., violent crime, so far this year?

Mr. ALLEN. I am not the Chair of Judiciary and Public Safety.

Ms. MACE. OK.

Mr. ALLEN. I held 250 hearings and dozens and dozens on public safety and violence in our city.

Ms. MACE. The last one was about eBikes. Do you think electronic bikes are more important than violent crime?

Mr. ALLEN. I don’t think you need to put them against each other.

Ms. MACE. I mean, why is an eBike a priority over violent crime in Washington, D.C.?

I personally have seen my own property vandalized up here, so Mr. Mendelson, I would argue this is not a safe place. Crime is up exponentially.

Thank you, Mr. Chairman, and I yield back.

Mr. HIGGINS. The gentlelady yields.

The gentlelady from Texas, Ms. Crockett, is recognized for five minutes for questioning.

Ms. CROCKETT. Thank you, Mr. Chair. This has been such an eye-opening day for me, especially as someone who has practiced criminal defense law for almost two decades, in multiple states as well as Federal courts.

So, let us talk about the fact that we are here today hearing lots about scare tactics and not anything about solutions. So very quickly, there was mention of a police in pursuit act. I believe that is what you called it. Is that correct?

Mr. PEMBERTON. Yes, ma’am.

Ms. CROCKETT. OK. And you took issue with that. Correct?

Mr. PEMBERTON. Well, one of the things, yes.

Ms. CROCKETT. That was one of the things. And just to be clear, I have not read this act, but I am curious. I would imagine that that was something that talked about when you should pursue someone who potentially has committed a crime, and it most likely was a bill of some sort that was actually about public safety, making sure that law enforcement or, say, someone who was in pursuit, hot pursuit, did not kill innocent bystanders. That is my guess. I am telling you I have not read it. Can you correct me if I am wrong?

Mr. PEMBERTON. It prevented vehicle pursuits, so they wouldn’t be able to chase criminals. That is what it did.

Ms. CROCKETT. OK. And for some reason you felt like that was a bad idea. Let me be clear. I also did civil rights work. There was a 15-year-old, Jordan Edwards, that was killed by law enforcement in Dallas. It was the first officer that was convicted of murder in almost 30 years, on duty. He shot at a vehicle because he felt like they were fleeing with an AR-15 and killed that 15-year-old child. And while we are talking about convictions, while he was con-

victed, unfortunately, the way things are set up in D.C., qualified immunity while we are going through a civil suit, is still something that they are believing should cloak this officer.

But I am going to move on to some other issues. We talk, or at least my colleagues on the other aisle, are consistently talking about how they want to prevent crime and how they have issues with criminals. But for some reason, the majority of the media and the country is sitting around waiting on multiple indictments for the twice-impeached former President, and I haven't really heard any of them say anything against Trump and the allegations.

So, when we talk about crime in D.C.—because I am getting there with it, right?—when we talk about crime in D.C., let us talk about what happened on January 6. If we are going to talk about violent criminals, let us talk about the fact that the person that was occupying the White House is the one that caused an insurrection, and we had well over 1,000 folks so far that have been arrested, and that was here. I am sure that that is affecting the numbers for crime in D.C., when we are looking at that overall number.

Any councilman, can you help me out? Do those numbers factor into y'all's numbers, the insurrectionists?

Mr. ALLEN. If there are arrests that were made, that would show up in the MPD reporting data, if that is what you mean.

Ms. CROCKETT. OK. Yes, sir. Thank you very much.

In fact, you know, it seems like they want to be so hard on crime because they are saying we need to make sure we increase penalties. We have been doing that for a long time in this country. And for some reason the United States leads in incarcerated, but we also lead in gun crimes. I know somebody didn't want to talk about gun crimes, but that is what they are. That is what happened in Tennessee. Just to be clear, we had a gun crime in Tennessee. I am from Texas. Unfortunately, we have lots of gun crimes that happen there. And these state legislatures, as we talk about if you could bring somebody in and legislate for them, they continually give out more guns, which law enforcement testified, at least in my state of Texas, and said that would make the streets less safe.

Nevertheless, I digress.

So, this is the party that says that they care about making sure criminals stay locked behind bars, but we went on a little field trip on Friday, led by one of my Republican colleagues, to check on the insurrectionists and make sure their tablets were working just fine. I don't really understand why we are playing this game.

The reality is that the Republicans talk a lot. They talk a big game. But I need people to pay attention to what the Republicans do. And when it comes to lawlessness, they are all for it, so long as it is one of their little friends. But when it comes down to Black and Brown, which we have already talked about, the city of D.C. having so many Black folk, there is a problem.

Now, Councilman, I am sure you have had an election since the institution of some of these policies. Is that correct?

Mr. ALLEN. Absolutely.

Ms. CROCKETT. And they reelected you. Correct?

Mr. ALLEN. Yes, Ma'am. I was just reelected a couple of months ago.

Ms. CROCKETT. OK. So, seemingly, your constituents are good with you, right?

Mr. ALLEN. I didn't even have an opponent.

Ms. CROCKETT. OK. All right. So, I am from Texas. So, your people can't vote for me. But for some reason people think that it makes sense that I should be running your city. I am just trying to make sure I understand what is going on today.

Thank you so much. With that I will yield back.

Mr. HIGGINS. The gentlelady yields.

The gentleman from Texas, Mr. Fallon, is recognized for five minutes for questioning.

Mr. FALLON. Thank you, Mr. Chairman. You know, Article 1, Section A, Clause 17 of the United States Constitution grants Congress to exercise exclusive legislation in all cases whatsoever over D.C. So, what are we doing here today? We are exercising our constitutional duty of oversight, and the founders designed it that way. If you don't like that, then there is a process to change the U.S. Constitution. You can file an amendment and try to get it passed through Congress and kick it out to the states.

The D.C. Council ultimately answers to Congress, and Congress ultimately answers to the American people because, as some of my colleagues have said, this is our capital city. Every American, White, Black, Brown, it doesn't matter the color. It is our city.

All things haven't been going all too well in our capital city lately. Mr. Allen, are you currently the Chair of the Public Safety Committee?

Mr. ALLEN. No, sir. I am not. I am the Chair of the Transportation and Environment Committee.

Mr. FALLON. OK. Were you, in June 2020, Chair of the Public Safety Committee?

Mr. ALLEN. Yes, sir.

Mr. FALLON. OK. And then in June 2020, did your Committee unanimously approve a plan to cut \$15 million from the city police budget?

Mr. ALLEN. About one percent of the half-a-billion-dollar MPD budget, yes.

Mr. FALLON. So, yes? OK. So, the D.C. police chief at the time said, when asked about the plan, said it would probably force a hiring freeze and would ultimately result in a net loss of 200-plus officers.

So, Mr. Allen, yes or no, if you could. Do you believe that it is a good or bad idea to reduce the overall size of the D.C. police force?

Mr. ALLEN. Well, I am not going to pretend that in the summer of 2020 there was a large conversation taking place about what is the appropriate size.

Mr. FALLON. But now——

Mr. ALLEN. And have a D.C. auditor——

Mr. FALLON. Respectfully, now, do you think it is a good or bad idea? Yes or no?

Mr. ALLEN. I am sorry. To what?

Mr. FALLON. To reduce the size of the D.C. police force?

Mr. ALLEN. Right now, the auditor is trying to tell us what do we think the actual size should be.

Mr. FALLON. I don't care what the auditor thinks. What do you think?

Mr. ALLEN. Right now, we are growing the police force. We are trying to grow it.

Mr. FALLON. OK. So, do you think it is a good idea to grow the D.C. police force?

Mr. ALLEN. I agreed—

Mr. FALLON. Yes or no.

Mr. ALLEN. Yes, and I have funded—

Mr. FALLON. OK. So, it is a pretty simple—and, you know, I think it is a good idea to grow it because, do you recall how many officers you had in June 2020?

Mr. ALLEN. I can get you that exact number. I don't have it exactly on the top of my head.

Mr. FALLON. It was 3,800. Do you know what it is today?

Mr. ALLEN. I could get you the exact number. I don't have it off the top of my head.

Mr. FALLON. Three-thousand-four-hundred. OK. So, it is 400 fewer police officers. So, we didn't grow the force, regardless of claims that the budgets would magically increased. In fact, the police chief currently said that his goal is 4,200, and that it will take, if it ever occurs, will take a decade.

Mr. ALLEN. The police chief also said that it is not an issue of budget, that we have—

Mr. FALLON. The policies—sir, the policies that you all have set in place have set public safety back in our city, the capital city, back over a decade. And this is the first time in 20 years we have seen 200-plus murders in D.C. We haven't seen that in two decades.

Do you believe that D.C. is a dangerous city?

Mr. ALLEN. No, but hiring police officers is something our entire country is going through. I funded—

Mr. FALLON. OK. No, I—sir—

Mr. ALLEN [continuing]. For example—

Mr. FALLON [continuing]. Respectfully, I just asked you one simple—

Mr. ALLEN [continuing]. In Juneau, Alaska—

Mr. FALLON [continuing]. Sir, I asked you a specific question. This is not your time. It is our time. So, you do not believe that D.C. is a dangerous city. You know, and I do not want to get into anecdotes, so let us just look at statistics, because I think that is a really healthy way to do things.

According to your own Police Department, the murder rate is 33 per 100,000.

Mr. ALLEN. I could not hear that. I am sorry.

Mr. FALLON. According to your own Police Department, the murder rate is 33 per 100,000 in the city. OK. The national average is 6.9. It is 478 percent higher in Washington. Robberies, 296 per 100,000. National average is 61. 485 percent higher. Total violent crime, 597 per 100,000. National average is 395. 151 percent higher. So empirically and statistically, it is a dangerous city. It is more dangerous.

And you know, if people want to say, well, because it is a city, comparable cities like—and I just picked these out randomly—Fort

Worth and Oklahoma City, murder rate is 13 per 100,000, and 12 per 100,000. So, 2.5 times more likely to be murdered in D.C. than those cities.

So, it is clearly a very dangerous city, and Mr. Chairman, I would like to enter into the record, submit for the record, an article that was written by *The Washington Post* where "U.S. attorney declined to prosecute 67 percent of those arrested."

Mr. FALLON. Mr. Pemberton, according to *The Washington Post*, 67 percent of crimes weren't important enough to prosecute. How do you think that affects your officer morale?

Mr. PEMBERTON. It is frustrating. The officers who patrol these neighborhoods, they are looking for the people who are committing crimes, who are committing violence against others, who are terrorizing neighborhoods. They are building probable cause. They are arresting them. Our detectives are doing investigations. They are getting probable cause for warrants. They are arresting them. And then when we bring those folks down to the U.S. Attorney's Office those cases are getting what we call "no papered," means they are getting dismissed at intake.

Mr. FALLON. Yes, and we need to protect the people of this city, not only the tourists that come here but the people that live here.

Mr. RASKIN. Will gentleman yield?

Mr. FALLON. Well, my time is out.

Thank you, Mr. Chairman. I appreciate it.

Mr. MENDELSON. Can I just point out that the charging decisions are made by the Federal attorney?

Mr. FALLON. No—

Mr. HIGGINS. The gentleman's time has expired, but I will allow the gentleman to respond.

Mr. MENDELSON. Thank you. These charging decisions are made by the Federal United States Attorney. He is the one who prosecutes. He is the one who decides whether to paper these cases. It is enormously frustrating to us.

Mr. HIGGINS. Thank you, sir.

The Chair recognizes—Representative Andrew Clyde has asked to be waived onto the Committee. Without objection, Representative Andrew Clyde of Georgia is waived onto the Committee for the purpose of questioning witnesses at today's Committee hearing.

And the Chair recognizes the Ranking Member.

Without objection, so ordered. Does the Ranking Member wish to be recognized?

Mr. RASKIN. No.

Mr. HIGGINS. The Chair recognizes Mr. Sessions for five minutes for questioning.

Mr. SESSIONS. I thank the Chairman. I believe what happened there is they looked at me and they didn't see me, and they saw you, so thank you. Thank you very much.

I want to thank our witnesses for being here. In fact, despite what you think you are looking at there is a huge interest in the success of Washington, DC, and what you have Members of Congress here doing is questioning your idea of success and the things which you initiate, the things which you do then turns into an action that is called result or what happened. And that is what we are attempting to do.

My parents lived here. My father served as the fourth director of the Federal Bureau of Investigations. That is known as the FBI. And my parents lived in Washington, DC, full-time from 1987 forward until their death several years ago. And I always felt like that they were entitled to being in a safe place and doing safe things, but I likewise feel like that Members of Congress, people who visit Washington, DC, should be aware of that this is not home, it is a different place for them, and they needed to take that into account.

But we are intensely interested in success, and so I think the argument that is taking place that is misunderstood by our Democratic colleagues, and perhaps by you, is we are trying to figure out what you consider to be success. And success many times comes from policy, and policy leads to some conclusion, whether it is in our state and whether we lead the Nation in uninsured people, no doubt we are right next to Mexico and the law does not allow non-citizens some of the provisions that they are talking about. So, you know, there are reasons behind things—results, actions, numbers.

Mr. Lee, I note that you came on board in June 2022. Thank you for doing this.

Mr. LEE. Thank you.

Mr. SESSIONS. A study that was done on all 50 states and Washington, DC, a 2022 study of drug use by state, compared all 50 states and the District of Columbia, and found that D.C. ranked dead last in drug abuse and addiction. OK, we can handle that. We are hoping that you will go back and say, “Is this what we aim for?” and if not, what are those natural characteristics of success in states that may be first through 20, what are those characteristics of things that they did to avoid this addiction problem?

Mr. Lee, I want to ask you about money. Washington, DC, years ago, received a good bit of money, and a high percentage of that was simply for health care from the Federal Government, and a high percentage of that was used for drug overdose in the emergency room. Can you tell me, of the money that you put into the D.C. hospital system—for surgery, taking care of patients—what percent of that now is consumed with emergency room drug overdose?

Mr. LEE. I cannot tell you, but I can research that and provide you an answer.

Mr. SESSIONS. OK. Mr. Lee, these the kinds of things that this Committee, and I think Members of Congress if we were to admit to it, on both sides, we need to actually look at how D.C., Washington, DC, the District of Columbia, how it is looking at itself and how it wants to be seen, and what those success markers are.

And so, I would like for each of you to know that you are the elected representatives, or that you serve, whether you live in D.C. or adjacent to it, whether you—Mr. Lee, I didn’t ask where you lived. I am not going to. But you serve there, and this Committee is after an issue and a result, an issue and perhaps corresponding money and then where the result it.

And I think Mr. Allen makes a good point about criminals and prosecution. And so, I would like for Mr. Allen to know we will be writing the U.S. attorney. We will, in the Majority, tell them that we have strong interest in the safety here, and we believe that his

effective law enforcement to enable this city to have a better standing, needs to be debated and discussed. And I want to help bring each of you back to what I consider to be a civil success model to where we can then say, OK, a little bit of crime is OK, but at some point we recognize that we have thrown in the towel and the criminals are better able to operate in our city than a safe citizen.

So, thank you. I appreciate you being here. Mr. Lee, I am going to write you a letter. You get it ahead of time, but that is what we are doing. Thank you very much.

Mr. Chairman, thank you very much for including me in today's hearing, and to the Ranking Member, as we always try and work together, thank you very much.

I yield back my time.

Mr. HIGGINS. The gentleman's time has expired.

The Chair recognizes the gentleman from Arizona, Mr. Biggs, for five minutes for questioning.

Mr. BIGGS. Thank you, Mr. Chairman. I found it very interesting. This has been an interesting hearing. I thought it was intriguing to actually hear one of my colleagues across the aisle express their dismay at the Federal Government interfering with local and state government. That is, like, the first time I have ever heard a Democrat say that. It was awesome.

But what makes this unique? Article 1, Section 8. That is what makes it unique—exclusive legislation, authority belongs to the Congress. But we can delegate it. Somebody cited a Supreme Court case. They kind of misinterpreted it a little bit. They wanted to say that is kind of hands-off. It is not hands-off. We can delegate it, and we have delegated a lot of authority to the District of Columbia.

But I want to just tell you how dangerous this place is. A good friend of mine, just a couple of months ago, walking down, just right over here, just off the Capitol, over by where a lot of us go eat, gets mugged. He is a little bit crazy. He literally chased the guy down to get his wallet back. I would not recommend that, but he did.

But then I got this from a former coworker of mine. It says, in case you needed—this is just less than a month ago, just a few weeks ago—“In case you needed another example of D.C. crime, I was part of a potential carjacking. I was driving. A teen jumped out,” and then she goes and explains what is happening. A knife comes out. They are banging on her windows, trying to get her to open the car. Where did it happen? Two blocks from the Senate, right by her office. It happened over lunchtime, in broad daylight. No, there is no crime crisis here, not in this city.

Mr. Lee, has your office analyzed the impact of recent business departures or business closures on the city's tax revenues?

Mr. LEE. Not specifically. Our responsibility is to forecast revenues, and so we look at the macroeconomic and regional economic conditions that lead to our—

Mr. BIGGS. And one of those conditions is that the population of D.C. has fallen by 2.6 percent since 2020.

Mr. LEE. But it has rebounded. The last census shows that there are people—the population is beginning to increase. And our understanding—

Mr. BIGGS. So, what is your net? I mean, have businesses been closing?

Mr. LEE. We are still down.

Mr. BIGGS. You are still down. Is it going to go down or up?

Mr. LEE. We are estimating very slow growth moving forward, to reflect past history.

Mr. BIGGS. Any of that due to crime, or how do you attribute it? Is it just—how do you attribute closures and people having left?

Mr. LEE. Many major cities in the country saw a population decline as a result of the pandemic and the new working from home labor market.

Mr. BIGGS. And that is what Mayor Bowser has said that is one of her problems is that the Fed has continued with a teleworking program that has impacted your economy because people aren't coming in. Do you agree with her assessment?

Mr. LEE. Yes.

Mr. BIGGS. So over that same time period, from 2020, direct appropriations to the District of Columbia have increased by almost \$90 million, which does not include funding that D.C. receives through formula or competitive grant programs at Federal agencies. Can you discuss for us, generally, how the district utilizes that Federal funding?

Mr. LEE. I am sorry. I didn't hear. Which Federal funding?

Mr. BIGGS. The \$90 million that it has grown by in the last two years.

Mr. MENDELSON. If I could interrupt—

Mr. BIGGS. You cannot interrupt. This is a question for Mr. Lee. Mr. Lee?

Mr. LEE. What is complicated in understanding Federal funding is the COVID relief resources that every jurisdiction has received.

Mr. BIGGS. How about you? How about the D.C. jurisdiction?

Mr. LEE. Right.

Mr. BIGGS. If you can't answer just say, "I can't answer."

Mr. LEE. I cannot answer that specifically.

Mr. BIGGS. Fair enough. I mean, I appreciate that.

Mr. LEE. Yes.

Mr. BIGGS. I am going to ask you then if you would please—maybe we could get in contact and get more specific, and you can give me that information—

Mr. LEE. Please.

Mr. BIGGS [continuing]. And I would be happy to share it with the rest of the Committee.

Mr. LEE. Please.

Mr. MENDELSON. Congressman, I can give some information if you want me to answer.

Mr. BIGGS. Why don't you get with Mr. Lee, and we will get together. I have got other questions I want to ask.

Mr. MENDELSON. It is up to you, but our discretionary Federal funding is \$100 million, which is 0.08 percent of our—excuse me—

Mr. BIGGS. That is beautiful, OK. I get it. You have got your story. You have got your narrative you want to get out. I really did want to ask about additional crime statistics, but you have taken

my time. Way to filibuster. We had already arranged to get that information offline.

Mr. MENDELSON. I just thought I was being helpful.

Mr. BIGGS. Yes. Well, that is what happens when we do not have order and decorum in here, and you just think you can speak and say whatever. It is rude. It is rude.

Mr. RASKIN. OK. The gentleman's time has long since expired.

Mr. HIGGINS. The gentleman's time has expired.

Mr. Goldman is recognized for questioning for five minutes.

Mr. GOLDMAN. Thank you, Mr. Chairman. I am probably one of the few, if only, Members of this Committee who grew up in Washington, DC, and I grew up at the time that it was considered the murder capital of the world. And the city has actually shown tremendous progress in the 30 years since I last lived here. In fact, since 1991, when it was at its peak, the murder rate in D.C. was 60 percent higher than it is today. In 2022, violent crime in the district dropped seven percent, and property crime also decreased.

So, there is no question that crime is a problem in this city, as it is in cities across the country. But the fact that my colleague from Arizona has a few anecdotal examples of crime does not mean that this topic is worth an entire hearing for this Oversight Committee. We are going on hour four of a hearing focused on a city of a population of 712,000 people. There are 332 million people in this country, and yet, we are spending hours and hours intruding on the home rule of a city that is very capable of governing itself.

Now I have a question for Mr. Pemberton. In the last 20 years, do you know which states in the aggregate have higher murder rates—traditionally blue states or traditionally red states?

Mr. PEMBERTON. I don't know the answer to that, sir.

Mr. GOLDMAN. OK. The answer is red states. Red states, over the last 20 years, and certainly in more recent times, have had significantly higher murder rates than blue states. But we are not here focusing on the murder rate around the country. We are not focused on red states around the country where the murder rate is higher per capita than it is in blue states. No, we are focused solely on Washington, DC, and we are frankly wasting our time trying to intrude on the governance of a small city.

Now, I get Congress has jurisdiction over it. It is not a question of whether or not we have jurisdiction. It is a question of what is the best use of our time.

Since 2011, at least seven states that voted for Donald Trump were among the top 10 states with the highest murder rate. And from 2000 to 2020, for each year, the murder rate in the 25 states that voted for Donald Trump is higher than the murder rate in the 25 states that voted for President Biden.

Now, I would like to ask for unanimous consent to introduce a report published by the Third Way, dated January 27, 2023, that is titled, "The Two-Decade Red State Murder Problem."

Mr. HIGGINS. Without objection.

Mr. GOLDMAN. Thank you.

Mr. GOLDMAN. I want to ask, Mr. Mendelson, since you have been very involved in the governance of Washington, D.C. for quite some time, how the city compares today to 30 years ago.

Mr. MENDELSON. Oh, it is very, very, very different, and better, better managed. I said that in my opening statement. We are financially healthy. Our ratings reflect that. Wall Street ratings reflect that. Economic activity is very, very different and better than it was 30 years ago. Crime is much, much, much down. As I said in my opening statement, there is a perception and the reality, and the reality is what you indicated in your own comments about crime, that it is down. I could go on, but I don't—

Mr. GOLDMAN. No, no, I think that is certainly my impression having been away in New York for a long time where crime is also a problem. Crime is a problem. It is generally up post-pandemic around the country. And we ought to be fighting crime, but we ought to not be picking on Washington, D.C. when we are two days removed from another mass shooting where three nine-year-olds were murdered in their school. And here we are talking about Washington, D.C. and what Congress needs to do about Washington, DC, when we really ought to be focused on the gun violence epidemic that is torturing our children around this country. That should be the focus of the next four-hour hearing of this Oversight Committee, and I yield back.

Mr. HIGGINS. The gentleman yields. The gentleman yields. The gentleman, my colleague from Arizona, Mr. Gosar, is recognized for five minutes for questioning.

Mr. GOSAR. Thank you, Mr. Chairman. You know, you can make statistics tell you anything you want. That is how they operate, so you have to be very, very careful in that, but I am going to be a little redundant. The District of Columbia was granted limited autonomy in 1973 by Congress, who at the time did not wish to intervene in the day-to-day governance of the city. This grant of limited autonomy can be revoked by Congress at any time. Article I, Section 8, Clause 17 of the United States Constitution provides Congress with the exclusive jurisdiction over the District of Columbia.

Recently, the District is experiencing rising crime across the board, from sexual abuse, to motor theft, to homicides. It might not be 30 years from now, but it has been over the last couple of years. D.C. is a mess, and its leaders have proven incapable of governance. The crime in our Nation's Capital is out of control. It is time for Congress to reassert itself as D.C.'s proper constitutionally mandated sovereign. That is why I am reintroducing the D.C. Home Rule Improvement Act which will further empower Congress to overturn reckless D.C. laws.

Now, Mr. Mendelson, I have got a series of things for you. The D.C. Council voted in 2020 to permanently rename a street adjacent to the White House "Black Lives Matter Plaza." I would like to convey some anecdotes and some information about the organization, Black Lives Matter. In 2016, BLM protestors injured 21 police officers in St. Paul, Minnesota. On September 10, 2020, a group of BLM protesters attempted to storm a hospital in Los Angeles in order to attack two police officers having emergency surgery after suffering gunshot wounds in an unprovoked attack near a train station.

Black Lives Matter is violently anti-police. They are a race-baiting cartel that has racketeered billions of dollars. As of recently, that is estimated to be \$90 billion. Mr. Mendelson, do you know

how many deaths and billions of dollars in damages were caused as a result of Black Lives Matter and the Antifa protest in 2020? Yes or no.

Mr. MENDELSON. I don't know, but it wasn't named after the organization. It was named after the concept of Black lives matter.

Mr. GOSAR. Well, I mean, it is hard to configure, but the actual amount was \$2 billion and 18 deaths. What kind of message do you think that commemorating a group with such a vicious and violent history sends to the people of Washington, D.C.? Now, I heard your, you know, your comment—it is not about the group, it is about its theoretical prospects. Now, would you name a plaza after a group that contributed to the deaths of 18 people and \$2 billion in damages?

Mr. MENDELSON. No, but we did not.

Mr. GOSAR. Well, I get it, but, I mean, there is a synonymous problem here. Mr. Pemberton, how does BLM violence and threats against police affect morale?

Mr. PEMBERTON. Well, I don't care who is bringing the violence.

Mr. GOSAR. Yes.

Mr. PEMBERTON. If people are being violent against police officers, it doesn't really matter to me what kind of flag they are waving. If they are committing violence against police officers, they need to be held accountable.

Mr. GOSAR. I appreciate that comment. Now, Mr. Allen, this year you sponsored the D.C. ACHIEVES Establishment Act, correct?

Mr. ALLEN. I am sorry, Congressman. I didn't hear which bill you said.

Mr. GOSAR. Sorry. I lost my voice this weekend. You sponsored the D.C. ACHIEVES Establishment Act, correct?

Mr. ALLEN. I am going to assume that you are correct.

Mr. GOSAR. Yes. This bill requires the Mayor to establish a fund to provide grants to undocumented students. Did I read that correctly?

Mr. ALLEN. I was a co-sponsor of this bill, I believe—

Mr. GOSAR. OK.

Mr. ALLEN [continuing]. Is the one you are referencing.

Mr. GOSAR. We will keep going.

Mr. ALLEN. OK.

Mr. GOSAR. Now, and these grants would cover tuition and non-tuition expenses for illegal aliens, true?

Mr. ALLEN. I am having trouble hearing you, sir. You trail off at the end. I just couldn't hear you.

Mr. GOSAR. These grants would cover tuition and non-tuition expenses to illegal aliens.

Mr. ALLEN. I believe that for individuals that are coming to the District of Columbia, it helps provide education.

Mr. GOSAR. No, it is for that population base.

Mr. ALLEN. For undocumented—

Mr. GOSAR. So, under this bill, while American citizens across the country are facing student loan crises, illegal aliens would get their school paid for without the expectation that they would even have to pay it back. This seems very contradictory. I mean, it is very offensive. Now, I have got one more last thing that I want to look at. Mr. Mendelson—I hope I said it right—and Mr. Allen, a

question was asked about sentencing and you got upset about, you know, this is up to the U.S. attorney, right?

Mr. ALLEN. Mm-hmm.

Mr. GOSAR. So how am I supposed to believe this? So, you are upset at the sentencing from the U.S. attorney, but yet, you put forward a sentencing package that was very different. How do we validate or how do we reconcile those?

Mr. MENDELSON. Well, actually, the issue of sentencing is what the U.S. attorney asks for.

Mr. GOSAR. Mm-hmm.

Mr. MENDELSON. The issue of charging is whether the U.S. attorney chooses to charge, and my response to the Congressman was that he was lamenting that prosecutions. Nobody prosecutes, I think he said something like that. Well, that is up to the U.S. attorney whether to charge, and actually, the sentencing is the function of the court—

Mr. GOSAR. Right.

Mr. ALLEN [continuing]. And what the U.S. attorney asks for, and, of course, what the court ultimately decides.

Mr. GOSAR. But they are all interrelated.

Mr. ALLEN. Well, they are interrelated, but, you know, let me just—because I have this in front of me. You know, the Senate staffer who was seriously assaulted last week—which very, very unfortunate, and I hope he fully recovers—under the current Criminal Code, he would be charged with assault with intent to kill. That is a 15-year maximum. Under the Revised Criminal Code, the soft on sentencing bill, he would be charged with attempted murder, and that is a 22-and-a-half year penalty plus enhancements, because I think he was armed, which means 27 years. Current Code is 15 years. The Revised Code that was soft on crime is 27 years, but the decision to charge is not ours. It is not the District Government. It is the U.S. attorney, and the sentencing decision is by the court, which is federally appointed.

Mr. GOSAR. I got you. Thank you very much.

Mr. MENDELSON. Thank you.

Chairman COMER. [Presiding.] The Chair recognizes Mr. Moskowitz for five minutes.

Mr. MOSKOWITZ. Mr. Chairman, thank you, and, you know, I want to thank the Majority for finding the time to fit this hearing in between attending former President Donald Trump's memorial service to David Koresh just last week, who was a real advocate for young girls in this country.

So, my first question to anyone on the panel is do you think parents in this country, as they are putting their young kids into pajamas at night and they are tucking them in to bed, do you think they are worried about public urination in Washington, DC, or do you think they are worried about sending their kid to school and their kid not coming home?

Mr. ALLEN. As a father of two kids, who packed them up this morning and sent them to school, I care about making sure they are coming home.

Mr. MOSKOWITZ. Thank you. You know, I voted with the Majority on the disapproval because I am consistent. You guys want to talk about D.C. public schools and crime. I don't want to burst your

bubble over there, but mass murder in schools is crime. That is a crime. You want to talk about 1,300 cars being stolen? 550 people have been murdered in school. Who cares about the cars? What about the kids? No hearing for them. Three-hundred-thirty-eight-thousand kids have experienced gun violence in this country. The No. 1 killer of school-age children in this country? Gun violence.

How do you think, for the parents who have had to bury their kids, who have had to decide what kind of clothes to put their kids in when they bury them, or what kind of box they have to pick out for their child, or for when they come home and that room in their house is empty, what do you think about for the parents who have all of their kids' stuff, and they don't know what to do with it? What do you think about the parents—no high school graduation, no college graduation, no wedding, no grandkids, no future. What do you think those parents who have buried their kids think that we are holding a hearing to talk about D.C. public urination?

You know, speaking of crime, Republican-on-Republican crime, former President Donald Trump held a rally in Waco, Texas with his Rasputin, Ted Nugent. He said the No. 1 national security threat to this great Nation isn't Russia, or China, or D.C. crime, but is an 81-year old slip-and-fall survivor in Minority Leader Mitch McConnell. I am just wondering if, you know, we are going to find time in between, you know, some folks here attending the next rally celebrating Timothy McVeigh, if we are going to find time to hold a hearing on mass murder in schools. When are we having that hearing?

We want to talk about crime and murder. Let us have a hearing on murder in schools. It is murder. Is there any question? I will yield to anyone on this Committee who disagrees that murder in schools is not murder. I yield.

Ms. GREENE. Will you yield?

Mr. MOSKOWITZ. Oh, I will yield. Yes, please.

Ms. GREENE. Yes, when I was in 11th grade and Joe Biden made our schools gun-free school zones, one of the students in my school brought three guns to school, and our entire school went on lockdown because he was the only person with a gun. There was no good guy with a gun to protect us kids at school. You want to know why the shooter is dead in Nashville, the trans shooter? You want to know why? Because a good guy with a gun killed that woman. She identified as a man. She was mentally ill, probably taking hormones, and she went in and murdered children and adults in this Christian school in Nashville. So, if you want to have a good talk about schools and protecting children, we need to talk about protecting our children the same way we protect our President, we protect our celebrities, we protect this building—

Mr. MOSKOWITZ. Yes, reclaiming my time.

Ms. GREENE. OK. I will yield.

Mr. MOSKOWITZ. Thank you, Mr. Chairman. You know, there are six people that are dead in that school, including three children, because you guys got rid of the assault weapons ban, because you guys made it easy for people who don't deserve to have weapons, who are mentally incapable of having weapons of war, being able to buy those weapons and go into schools. I voted for SROs in my schools in Florida after Parkland. We have SROs in every school.

Did the good guys with the guns stop six people from getting murdered? No, but you know what? AR-15s.

Have you ever seen what those bullets do to children? You know why you don't hunt with an AR-15 with a deer? Because there is nothing left, and there is nothing left of these kids when people go into school and murder them while they are trying to read. You guys are worried about banning books. Dead kids cannot read.

Chairman COMER. The gentleman's time has expired. The Chair recognizes Mr. Langworthy for five minutes.

Mr. LANGWORTHY. Thank you, Mr. Chairman, and first off, I would like to thank the witnesses for being here today. America's law enforcement officers keep our community safe. However, even in the face of a steep rise in crime throughout the city, the D.C. Council has made it impossible for the Metropolitan Police Department to adequately fulfill its duties to serve and protect.

Mr. Pemberton, organizations for police officers overwhelmingly oppose the Revised Criminal Code Act and supported our Resolution of Disapproval, including the D.C. Police Union, the National Fraternal Order of Police, the National Association of Police Organizations, and the Federal Law Enforcement Officers Association. Did the D.C. Council consult with any of these groups before passing the Revised Criminal Code?

Mr. PEMBERTON. No. As far as I am aware, there were no sworn police officers that were involved in the rewrite of the Criminal Code.

Mr. LANGWORTHY. Why do you think that the Council failed to consult with these groups?

Mr. PEMBERTON. Like they do in most of their legislation, I don't think they want police officer involvement, or they don't want to hear police officers' perspectives in exactly how these policies are going to unfold on the ground.

Mr. LANGWORTHY. The proposed D.C. crime bill would have lowered penalties for a number of crimes, including carjackings, which have seen a steep rise in recent years. Do you believe that the D.C. Council was considering how this crime bill impacts the day-to-day work of D.C. police officers or potentially strains D.C. police resources?

Mr. PEMBERTON. No, quite the opposite. I am pretty sure that if they realize that it was going to impede police officers, or reduce police officers, or drive police officers out of the department, I think they would have been pleased with that information.

Mr. LANGWORTHY. The D.C. Council has voted to cut funding for the D.C. police in the past. In 2020, the Council and Mayor Bowser publicly disagreed over the Council's plan to cut \$15 million in police funding, a move the Mayor suggested would harm public safety. Mr. Pemberton, as a professional police officer, what effect does a \$15 million cut have on police and public safety in general?

Mr. PEMBERTON. Well, from the rank-and-file perspective, when you hear that your elected leaders are trying to take away funding for your police department, the perception is that they don't want you doing your job or they don't want you out policing these neighborhoods, and they are not looking to retain or hire the right people.

Mr. LANGWORTHY. Have you noticed a problem in retention within the Metropolitan Police Department?

Mr. PEMBERTON. Yes. We have lost almost 1,200 officers in the past three years.

Mr. LANGWORTHY. Now, where have the officers gone that have left the force?

Mr. PEMBERTON. Many of them have found other agencies in which their elected officials and their employers don't treat them as deplorably as the City Council treats their police officers. Many of them have just left law enforcement in general because they have been so disheartened with the way they were treated.

Mr. LANGWORTHY. Now, how long and what would it take for the police force to get back to full strength at this point?

Mr. PEMBERTON. That is an impossible question to answer because right now we are running a deficit of 15 to 20 people per month, so I can't even plot a trajectory on a graph as to how long it would take us to increase the number right now. If you drew the timeline out, the number of police officers would eventually get to zero if we don't do something.

Mr. LANGWORTHY. Now, Mr. Mendelson and Mr. Allen, I would like to ask either of you, why you believe over 600 officers have left the police force since you passed "emergency police reform."

Mr. MENDELSON. Thank you for the question. Every major police department in this country is suffering with a drop in applicants for police. I was just looking at an article, New York City, 900 officers they lost last year. Our Metro police, which are not subject to this bill that is before you, they have 25 percent vacancy right now. This is a national problem. It does not correlate, and the union cannot provide evidence that shows that it correlates, with the legislation. It is a national problem that right now, people are not attracted to working in the police departments, whether it is here, or New York City, or other cities.

Mr. ALLEN. Thank you, Congressman. I will echo that what we are seeing across the entire country—police work is incredibly hard. It is incredibly hard work. It is also incredibly hard to recruit a lot of folks into it. In the District, part of what I helped move forward are signing bonuses, which a lot of the jurisdictions have done around the country. We have passed legislation to protect our officers if they are injured in the line of duty. We have found ways, which I think is most important, is to try to help grow our own. Right now, only about 18 percent of our police force actually live in the District of Columbia, so with housing incentives and other ways to help them be able to call D.C. home.

But our biggest tool is actually our MPD cadet academy, and I helped grow that from 15 slots per year to 150. That is D.C. high school students that can start a pathway to become an officer. And I think that is a great way to make sure that you have officers that are of and from the communities in which they serve, and it creates a built-in pipeline for our officers and for the police department to be able to grow the numbers that we need.

Mr. LANGWORTHY. This is one of the greatest cities of the world, and it deserves to be safe. Its citizens deserve to be safe. Its visitors deserve to be safe, our staff members. You know, we saw what happened to Senator Paul's staff this week. I had a member of my

own staff here on Capitol Hill jumped while he was trying to pump gas. I mean, these can be life or death situations, and we invite the world to visit us here in our great Nation's Capital, and our police officers deserve to be supported. The three most dangerous words that have ever been uttered are "defund the police," and this culture needs to stop. So, I yield back, Mr. Chairman.

Chairman COMER. The gentleman's time has expired. The Chair recognizes Mrs. Greene for five minutes.

Ms. GREENE. Thank you, Mr. Chair. Today, here in the Oversight Committee hearing, Chairman Mendelson said there is not a crime crisis in Washington, D.C. An hour later on the D.C. Police Department Twitter alert, "Shooting investigation in the 3000 block of 30th Street, Southeast. Look for a Black male wearing all black clothing, last seen fleeing from the 3000 block of 30th Street, Southeast." There has been a double homicide, I believe this is being investigated right now here in D.C. Chairman Mendelson, do you stay with your statement that there is not a crime crisis in Washington, D.C.?

Mr. MENDELSON. Absolutely, and as I said in my opening statement, it is concerning, and there are folks who believe that crime has gotten worse. But when you look statistically, 10 years ago, crime is down 45 percent. Year to year, crime is down seven percent. Go back to the 1990's, 400 homicides per year—

Ms. GREENE. Chairman Mendelson, this is 2023. We aren't back in the 1900's. This is 2023 in Washington, DC, and there is a crime crisis in Washington. Now, I would like to also talk to you. Mr. Allen, this is your tweet where it shows here that the D.C. City Council is more interested in renaming streets than doing anything about crime, and that is a shame that that is your focus. I would also like to point out the Rand Paul staffer was stabbed in the head—stabbed in the head—in broad daylight here in our Nation's Capital. I am from Northwest Georgia, and when visitors come to our Capitol, I have to warn them about the amount of crime and how dangerous the city streets are here in Washington, D.C. because it is completely out of control.

I would also like to point out that it is completely shocking to me that this bill you all had was going to eliminate all mandatory and statutory minimum sentences other than first-degree murder, regardless of whether the offense is committed while armed or unarmed. It was going to reduce mandatory minimum for first-degree murder from 30 years to 24 years, eliminates life sentences, eliminates a compliance liability for felony murder prosecutions, and reduces the maximum sentence for first-degree sexual assault and first-degree sexual abuse of a minor from life in prison to 30 years.

Obviously, I can not even comprehend that. That is hard for me to even consider, but maybe the problem is that the D.C. City Council is not worried about crime. You know, lying about how insane crime is not a problem here doesn't cover it up, and saying that you support the police or funding the police doesn't change the fact that there is a lack of police officers here because they don't feel the support here in the city.

Mr. Pemberton, over the past six years, plummeting numbers of police homicides have increased 75 percent. Carjackings have increased 227 percent. Armed robberies have increased 46 percent,

and most tragic and alarming, these are your words, juvenile homicide rates doubled. Can you expand on that please, sir?

Mr. PEMBERTON. Yes, absolutely. So, this all relates to the number of police we have on the Department. We cannot fulfill the demand. We cannot respond to the 911 calls. We cannot get to the people who are requesting assistance from us, and when we get to the scene, there are not enough officers to properly handle it. We do not have enough detectives to investigate these cases, and then when we are, the criminal justice system is failing us. And all of this can be traced back to the policies that the City Council has passed, and, in addition to that, the rhetoric that they have used.

Police officers do not want to work in an environment where their elected officials are treating them like garbage, and that is why they are leaving. They are going to other jurisdictions. As everyone has said here today, there is a crisis in law enforcement. These officers can go anywhere. I would be surprised if you told me about a law enforcement agency somewhere in this country that was not hiring. So, these officers are phenomenal officers. They have a resume. They can literally go anywhere they want.

You know, to that extent, you have heard Mr. Mendelson and Mr. Allen both say that this is a national issue. Well, the reason it is a national issue is because the same rhetoric and the same types of legislation have been passed all over the country, which is why all of these major cities are having the same problems. And the fact is until they start respecting their employees and start treating police officers correct, we are not going to get ourselves out of this mess any time soon.

Ms. GREENE. That is right, Mr. Pemberton, and I will go back to one thing. While a shooting occurred while we are sitting here having this hearing, your strict gun control laws are not protecting residents here in D.C., but they are allowing criminals to run rampant in the streets murdering people. I yield back.

Chairman COMER. The gentlelady yields back. The Chair recognizes the gentleman from Kansas, Mr. LaTurner, for five minutes.

Mr. LATURNER. Thank you, Mr. Chairman. Thank you all for being here today. Our country is in the midst of a surging crime wave. The brick-and-mortar retail industry has lost hundreds of billions of dollars to organized theft these past few years. Gang and cartel networks are fueling a drug epidemic, ravaging the country and killing our youth. Between 2019 and 2022, American cities witnessed a 50-and 36-percent increase in homicide and aggravated assault, respectively. The crime wave sweeping across our Nation has engulfed its Capital City, too, and how have Washington Democrats responded? By pushing for an across-the-board weakening of our criminal justice code.

Their recent proposition, which was fortunately defeated by my Republican colleagues in Congress, would have fortified legal and procedural protections for petty thieves, eliminated a litany of mandatory minimum sentencing standards, and even reduced maximum penalties for heinous crimes, like armed robbery and carjacking. The President's refusal to veto Congress' condemnation of the D.C. City Council's efforts to weaken the criminal code despite 173 congressional Democrats throwing their weight behind the measure is tacit acknowledgement of a fact that has been wide-

ly apparent to anybody with an ounce of sense. Soft-on-crime policies endanger the public.

The most fundamental function of government is maintaining public order and safety, establishing justice, and ensuring domestic tranquility, are mandates our founding fathers wrote into the first line of our Constitution. But progressive lawmakers seem to have forgotten this prime directive of public service. Law enforcement officers in Kansas and across this country put their lives on the line to keep our community safe. Instead of pushing dangerous anti-police rhetoric and weakening penalties for violent crimes, Congress should be laser focused on ensuring our police officers have all the resources that they need to do their job.

Councilman Allen, we are less than 90 days into this year, and according to self-reporting by D.C. police, there has already been approximately 150 incidents of carjacking, 72 percent of which have involved a firearm. Mr. Allen, when the vast majority of these incidents are being carried out with potentially lethal intent, how can you morally justify your efforts to relax minimum sentencing standards for carjacking by 16 years?

Mr. ALLEN. Thank you for the question, Congressman. The revised criminal code that you are describing as soft on crime had penalties for armed carjacking that are greater than most of the states that are represented here in this room. It was not soft on crime. What we have is 120-year-old—

Mr. LATURNER. There wasn't a reduction of 16 years for the penalty?

Mr. ALLEN. You are speaking about the maximum?

Mr. LATURNER. For the minimum sentencing standards for carjacking by 16 years.

Mr. ALLEN. The maximum is what you are talking about. The maximum was set at 40 years, and the proposed reduction was to go to 24 years, which is a stronger and tougher than most of the states represented in this room right now. It still would cover almost 98 percent of all sentences that are handed out in the court. We have a problem with 120-year old criminal code that makes us less safe today because it is unclear. It is unproportional. It makes it hard for prosecutors to be able to do their job. It makes it hard for juries to fine. It makes it hard for judges to be able to render decisions. It is also unfair for victims who are unable to get accountability.

Our problem is our old criminal code, and that needs to be revised. That isn't going to happen now, and we are going to have to figure out how to move forward with that, but that is a significant problem.

Mr. LATURNER. But the people you represent are safer today by reducing the maximum standard. Is that what you are saying?

Mr. ALLEN. You would not really see changes from the penalties in the courts because the proposal you are talking about was entirely consistent with the ways in which courts and judges are handing out sentences today, which is also stronger and longer sentencing than most of the states that are represented in this room.

Mr. MENDELSON. The average sentence in court for the last 10 years has been 15 years for carjacking.

Mr. LATURNER. I will ask the questions for the individual that I want to answer them. Officer Pemberton, my home district, much like Washington, DC, is struggling with an epidemic of drugs and opioids. Are there any policing strategies you found particularly effective in combatting crime stemming from substance abuse?

Mr. PEMBERTON. Well, our department has had quite the opposite problem. Going back to 2014, they have eliminated all of our vice units. Those were the District-based units that were dedicated to investigate drugs, and guns, and gang crime, and prostitution. They dismantled all those units in 2014, maybe 2015. They tried to centralize our narcotics unit and shrunk it considerably, and over the years, they repurposed those individuals away from investigating drug crimes. I think we probably have less than 25 people investigating narcotics offenses in this entire city, so we have had quite the opposite problem.

I think your question is have I found anything that is effective. We certainly had an effective and robust anti-narcotics effort, but the city has done away with that over the past five or six years, and we have almost zero officers, as close to zero as you can imagine, investigating narcotics or narcotics enforcement. And I know that the number of fentanyl overdoses and opioid overdoses has skyrocketed as well.

Mr. LATURNER. What the city has done is gotten rid of common sense when making these important, critical decisions. I will yield back, Mr. Chairman.

Chairman COMER. The gentleman yields back. The Chair recognizes the gentleman from North Dakota, Mr. Armstrong, for five minutes.

Mr. ARMSTRONG. Thank you, Mr. Chair, and I would like to yield my time to Mr. Timmons.

Mr. TIMMONS. Thank you, my friend. We seem to keep having the same conversation, and you are trying to use all these different statistics and all these different comparisons to all these other states where the criminal penalties that you imposed have similar or disparate effect, so you are missing the point. We have a problem. We have a real problem. It doesn't matter what you think you intend to do, what you wrote. The problem is that in the last two hours, there has been shooting in Southeast, three miles from here, where someone was killed and someone was taken the hospital; multiple carjackings in the last two hours. It is 2:00 in the afternoon. I mean, this is out of hand.

So, instead of talking about how what you did was not bad when, again, 250 Members of Congress, 81 senators, and the President disagree with you, let us talk about what we are going to do. What can you do to tell the people of Washington, D.C. that we are safe, that if somebody commits a crime, they are going to be held accountable, and it is going to be in a manner that will deter future people? So, what is the plan? Yes, Councilman Allen or Councilman Mendelson.

Mr. ALLEN. I really appreciate the question, Congressman. As part of this conversation, I think it is the first time, and I really appreciate it, saying what are the steps we can take, what are actions we can take, so thank you. As I talked about in my opening statement, we have one of the most poorly designed, dysfunctional

criminal justice systems in the District of Columbia. We do not have control over a Federal U.S. attorney who makes charging decisions. We do not have any control or accountability for a Federal Bureau of Prisons. We don't have any accountability for supervision agencies—

Mr. TIMMONS. Real quick. I appreciate those issues. Instead of saying things you don't control, what do you control because you control how many law enforcement officers are being forced out because of your policies, and he is saying 400 this year will be forced out. They will resign because they don't want to deal with it. So, what do you control that you can actually create a safer D.C.? What is within your purview?

Mr. ALLEN. We are continuing to fund the hiring of police officers, for example. What we would like to be able to do, which I think is the spirit of the conversation today, is how are we trying to solve problems together. And in that, because we have such a system that is dependent upon Federal agencies, that we have no accountability for, we are unable to control. They won't even show up to our hearings when we talk about safety. Those are actions in your hands.

Mr. MENDELSON. So, let me put a little flesh on that. There is a Criminal Justice Coordinating Council. I sit on that. That is all the law enforcement agency heads, Federal and D.C. I have several times presented to them my proposal for what we can do to reduce violent crime, gun crime in particular, and that is that the U.S. attorney establishes a gun prosecution unit, that the Superior Court establishes a gun court. We have seen that there is a higher success rate and quicker prosecutions and convictions when there is a gun court and a gun prosecution unit. We have no control over the U.S. attorney or the Superior Court.

Mr. TIMMONS. I am happy to address structural changes, but that is—

Mr. MENDELSON. But that would reduce—

Mr. TIMMONS. That is a longer conversation.

Mr. MENDELSON [continuing]. But that reduce gun violence.

Mr. TIMMONS. You can publicly and openly support law enforcement, fund them, and facilitate environment that they actually want to be a part of.

Mr. MENDELSON. Well, I do support them, and Mr. Allen does, and the Council does. We have funded their budgets fully for the last couple of years.

Mr. TIMMONS. The chair of the Police Union disagrees with everything you have said and is taking a completely different position. I want to talk about one more thing. Homelessness in Washington, D.C. is out of control. Vagrancy facilitates a higher degree of criminality. If you are down on your luck and you are sleeping in the street, you have a higher propensity to commit a crime. That is just the way it works, and it has been shocking the degree and how widespread homelessness has become. What can you do to help these people? They need help. They don't need to sleep in a park for months and years. They need opportunity. They need to be able to get out of the position they are in. What can you do to address that?

Mr. ALLEN. The best answer to homelessness is safe and stable housing, and so we have been working to create vouchers to get people into safe and stable housing. That is going to be the solution to help you. And if I can answer one quick question that you also asked about policing, please keep in mind the Revised Criminal Code that we passed increased the criminal penalty for assaulting a police officer from 10 to 14 years. This body overturned that.

Mr. TIMMONS. You have got three main issues: murders, armed robberies, carjackings. If anybody commits any of those, you should tell everybody in D.C. that you are going to go to prison for a very, very long time. That is the solution. Thank you, Mr. Chair. I yield back.

Mr. MENDELSON. I agree, but the cases don't get charged, and that is the U.S. attorney's decision.

Mr. ARMSTRONG. So, I have got 10 seconds and running between a bunch of things, but I just would like to point something out from my side of this. I spent 10 years as a criminal defense attorney. I think if you ask everybody in this town, I am one of the Republicans who believes significantly in serious, smart criminal justice reform. You all are making it a lot harder to do that. With that, I yield back.

Chairman COMER. The gentleman's time has expired. The Chair recognizes Mr. Clyde for five minutes.

Mr. CLYDE. Thank you, Chairman Comer, for allowing me to participate in this hearing today, and thank you to our witnesses. It is nice to actually see some of the City Council in person.

For far too long, our Nation's Capital, which is supposed to represent a beacon of freedom, patriotism, and prosperity for all Americans, have been beleaguered by violent crime. Like many Democrat-run crime-ridden cities, Washington is now notoriously unsafe. Over 19 million people visited D.C. in 2021. Our Nation's Capital City must be safe for all constituents to visit their elected officials and learn about our Nation's history and government, just as it must be safe for residents, local, businesses, D.C., and D.C. commuters. However, this is simply just not the case.

While local Democrat officials claim otherwise, the data doesn't lie. According to the Metro Police Department, so far this year, in less than three months, there have already been more than 50 homicides, 40 cases of sexual abuse, more than 1,600 incidents of motor vehicle theft, 600 robberies, 220 burglaries, nearly 1,900 cases of theft from auto, over 1,700 cases of theft, assaults, assaults with a deadly weapon, and the list goes on.

Crime is clearly on the rise in our Nation's Capital city, yet local leaders have utterly failed in their duty to protect residents and visitors as well as to provide MPD officers with the resources and political backing—and I emphasize that—needed to effectively defend D.C. from rising crime.

Mr. Mendelson, do think there is a crime problem in D.C.? A "yes" or "no" is sufficient.

Mr. MENDELSON. Crime problem?

Mr. CLYDE. Yes.

Mr. MENDELSON. Yes.

Mr. CLYDE. Thank you. And do you believe as the Chairman of the D.C. City Council, your role and the Council's should be to protect the residents and visitors in Washington?

Mr. MENDELSON. Yes.

Mr. CLYDE. Thank you. So, given the troubling crime crisis here in Washington, which in just the last week led to numerous crimes, including the horrific stabbing of one of Senator Rand Paul's staffers, and a half dozen juveniles shot in the last 48 hours, and the assault of Democrat Congresswoman Angie Craig in the elevator in her own apartment complex in the morning, the very morning of the vote in the House to take down the Revised Criminal Code Act, you know, given the crime crisis, isn't it the Council's responsibility to ensure Americans in our Nation's Capital are safe?

Mr. MENDELSON. It is our responsibility to do everything we possibly can, yes.

Mr. CLYDE. Thank you. I appreciate that. Now, when the House voted to strike down the D.C. Revised Criminal Code Act, one of the things I believe that you said, Mr. Mendelson, was you were going to pull the bill back so that you could continue working on it. Is that correct?

Mr. MENDELSON. Yes.

Mr. CLYDE. Wouldn't it have been the appropriate time to take back and continue to work on it after Mayor Bowser vetoed the misguided bill instead of overturning her veto and sending it to the Congress?

Mr. MENDELSON. I pulled it back because it was clear that we didn't have the support in the Senate, and as many of us do as legislators, when we see that we are losing, we pull it back to work on it.

Mr. CLYDE. Mr. Chairman, I would like to request unanimous consent to submit for the record a copy of Mayor Bowser's letter to Mr. Mendelson, dated January 4, 2023, where she wrote, "This bill does not make us safer," when referring to the Revised Criminal Code Act of 2022.

Chairman COMER. Without objection, so ordered.

Mr. CLYDE. Thank you.

Mr. CLYDE. Mr. Allen, in 2020, did the D.C. Council pass a budget slashing \$15 million from the Metro Police Department?

Mr. ALLEN. The Council passed a budget that redirected \$9.6 million to other public safety efforts. That is about one percent of the—

Mr. CLYDE. Did they strip it from the Metropolitan Police Department?

Mr. ALLEN. \$9.6 million was redirected from the Metropolitan Police Department to other public safety efforts. It represented about one percent of a half-a-billion dollar budget.

Mr. CLYDE. So, I recently introduced a resolution of disapproval to block the implementation of the D.C. Council's so-called Comprehensive Policing and Justice Reform Emergency Amendment Act of 2022, and I am thankful that my commonsense resolution has the support of the D.C. officers and the D.C. Police Union, because, in reality, this is a backdoor defund the police. Though you may not take a whole lot of money from them from the front end,

what you do is you reduce their morale and you make them quit so they don't really want to work for D.C. anymore.

Mr. Pemberton, as a police officer in the District of Columbia, can you tell me about the impacts that the Council's bill would have on policing in our Nation's Capital city?

Mr. PEMBERTON. You would see that the number of officers continue to leave. Now, keep in mind this bill has actually been in effect since June 2020. They have passed it on an emergency basis.

Mr. CLYDE. Correct.

Mr. PEMBERTON. This is the No. 1 reason that we see the best of the best officers leaving this agency.

Mr. CLYDE. Over 1,200, am I correct, or about that numbers?

Mr. PEMBERTON. That is right, at least over a thousand since this bill has been passed. That is correct.

Mr. CLYDE. OK. And you haven't been able to replace them either.

Mr. PEMBERTON. No, we can hire almost no one. I think we are still running a deficit of 20 to 25 officers a month.

Mr. CLYDE. Thank you, Mr. Pemberton. Do you believe the Council's bill would increase public safety for D.C. residents, visitors, and small businesses, or would it have the opposite effect? And I have run out of time, so you—

Mr. PEMBERTON. I think it would be catastrophic. I think would be an absolutely catastrophic situation for the city based on crime and the police department.

Mr. CLYDE. Thank you very much, and I yield back.

Chairman COMER. The gentleman yields back. That concludes our question part of the hearing today, and at the request of the Ranking Member, he and I will each give five-minute or less closing statements. At this time, I yield to Ranking Member Raskin.

Mr. RASKIN. Thank you kindly, Mr. Chairman, and I was interested in the passionate statement of the gentleman from Georgia. I wish I had seen equal passion on behalf of public safety in the District of Columbia on January 6 when 150 of our officers were violently assaulted by a mob that he came to describe as engaging in a normal tourist visit.

Mr. Chairman, today has been a great lost opportunity. In the wake of the brutal violence in Nashville, which took the lives of three children and three adults, we have had the opportunity to try to unify the country around concrete, practical action in order to reduce and end the bloodshed across America that we are suffering in these mass murders, and yet, we punted on it. We decided not to do anything on it, and that is sad because it is not red states versus blue states.

Some of my colleagues pointed out that the homicide rate is higher in red states. I take no joy in that. These are all Americans. These are all our people who are dying in the epidemic of gun violence sweeping across the country, and there should be no red states or blue states, just the United States when it comes to trying to preserve the public safety of our people. And it is the same thing with democracy. Our commitment to democracy, and voting rights, and representation should not be determined by who we think people are going to vote for. I am an American, and I want every American to be represented in the Congress of the United States.

I want every community of taxpaying, draftable citizens, like the ones in Washington, DC, to have representation, and I consider that a matter of basic civic respect and democratic pride.

Now, this has been a degraded, tawdry discourse today with obsessive questioning about public urination. I hope the public doesn't see this hearing and regard all of it as an episode of public urination in which the people of Washington are the ones getting rained on. What are we really here to discuss? Well, it is not defunding the police, which has nothing to do with it. And, of course, Mr. Allen pointed out they were talking about one-half of a one percent of the overall budget cut, but that has nothing to do with it. This is not budgetary in any way.

We are not here to talk about carjacking, as much as we have heard about carjacking, and we are not here to talk about anecdotes. The anecdotes are indeed grim, lurid, shocking. Here, I will give you a few more: "Man Arrested After Pistol Whipping, Carjacking;" "Man in Custody After Carjacking Woman at Gunpoint;" "Police Arrest Two Juveniles on Suspicion of Carjacking after Pursuit;" "Eighteen-Year-Old Arrested in Carjacking Mother at Gunpoint in Front of a Child;" "Searching for a Person of Interest in a Double Homicide;" and a police department lookout tweet: "Conducting a shooting investigation. Please avoid the area. Have been placed on lockdown due to a shooting in the area."

Terrible, all of it. We should disenfranchise the people in this community, right, the people of Bakersfield, California, where I just took all these headlines from just by going online, which is represented by Speaker Kevin McCarthy. What an absurd way to think about legislating to read a bunch of headlines and then think that that is some kind of principled analysis of a problem.

What are we talking about? The Comprehensive Policing and Justice Amendment Act of 2022. They want to build on their success in overthrowing the Criminal Code revision by now overturning this, and why? Well, Chairman Mendelson explained it. It is because the union doesn't like the fact that they can no longer have, as a subject matter of collective bargaining, discipline of officers, which is controversial around the country. So, my colleagues said they were surprised to see Democrats standing up so strong for democratic self-government. I am surprised to see so many Republicans standing up so strong for whatever a union says, because this is purely a police union agenda to say that they should be able to bargain their own discipline.

And as Chairman Mendelson said, you have got people who are assailants, robbers, rapists, who are able to get back on the force because they have made that a matter of collective bargaining. Now, you might agree with it. You might disagree with it. This is the choice of the people of Washington, DC, and this is going to come onto the Floor now, and they are going to engage in all of this hysterical anti-crime rhetoric. They are so tough on crime, well, except for January 6 and violent insurrection, and those thousand cases that are clogging up the courts of the District of Columbia. But they are so upset about crime, they to overturn this police reform legislation. Ridiculous. Everybody should vote against this. I yield back.

Chairman COMER. The gentleman yields back, and let me conclude by again reminding my friend, the Ranking Member, what the purpose of this Committee hearing is, and that is to discuss crime and to try to come up with the solution to the escalating, out-of-control crime in this city. This Committee has legislative jurisdiction over Washington, D.C. The fact that the President of the United States and a majority of Democrat senators voted with us on our resolution shows that crime is a bipartisan issue.

The concern to reduce crime is of the utmost importance to every American, and we take that role seriously on the Committee. And I would like to remind the Ranking Member that, when his party was in control of this Committee over the past two years, to my knowledge, the last three hearings that this Committee had on Washington, D.C. all pertained to the Washington Commanders football team and had nothing to do with the crime in Washington, D.C.

I want to quote *The Washington Post* editorial board from the article that I submitted to the record. "Washington could become a more dangerous city if the D.C. Council votes Tuesday, as currently planned, to override Mayor Muriel Bowser's veto of a bill that decreases punishment for violent crimes, such as carjacking, home invasion, burglaries, robberies, and even homicides. The far-reaching rewrite of the Criminal Code will further tie the hands of police and prosecutors while overwhelming courts. With the Capital City awash in handguns, the measure would also scale back penalties for convicted felons illegally carrying firearms as well as for using them to commit crimes." I also want to quote the D.C. police chief, Robert Contee, and he said, "We need to keep violent people in jail. Right now, the average homicide suspect has been arrested 11 times prior to them committing a homicide. That is a problem."

Now, I want to thank our witnesses who are here today, and we want to be very clear. We want to work with you to solve this crime crisis we have in our Nation's Capital, but we can't work with you if you don't work with us. Your position, it seems like, has been hands off our city, and that is not going to fly with the Republicans in the House Oversight Committee. I have explained what our legislative jurisdiction is with respect to the District of Columbia, and we take that very seriously. Reducing crime is a centerpiece of our legislative platform in this new Majority.

So, I will close by, again, making the point that we want to work with you, and you are going to have to work with us, or we are going to continue to do and pass legislation like the bill that Representative Clyde passed and was signed into law by President Biden—the only law that President Biden has signed into law this whole Congress, which, again, shows the sense of urgency among both parties to do something about the escalating, out-of-control crime in Washington, D.C.

Now, with that and without objection, all Members will have five legislative days within which to submit materials and to submit additional written questions for the witnesses, which will be forwarded to the witnesses for their response.

Chairman COMER. If there is no further business, the Committee stands in recess for five minutes, and then we will start back with our business meeting.

The Committee stands in recess.
[Whereupon, at 1:58 p.m., the Committee recessed, to reconvene
at 2:13 p.m. the same day.]

