

Statement to the U.S. House of Representatives' Subcommittees on Counterterrorism, Law Enforcement, and Intelligence & Emergency Management and Technology

Joint Hearing On: "Protecting the Homeland: An Examination of Federal Efforts to Support State and Local Law Enforcement."

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Considerations for federal efforts to assist state and local law enforcement agency efforts to address the crime spike

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About the Author

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Through the Manhattan Institute and elsewhere, Mr. Mangual has authored and coauthored numerous policy papers, as well as more than one hundred essays and columns on topics like policing, crime, and incarceration, among others. His work has been featured in a wide array of publications, including the *Wall Street Journal*, *New York Times*, and *Washington Post*. He has testified on many prior occasions before committees of both chambers of Congress, state legislatures, and the U.S. Commission on Civil Rights.

Rafael holds a B.A. from the City University of New York's Baruch College and a J.D. from DePaul University in Chicago. In 2022, he was elected a member of the Council on Criminal Justice, and also serves on the New York State Advisory Committee to the U.S. Commission on Civil Rights.

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Statement

Chairmen Pfluger and D’Esposito, distinguished members of the Committees, I want to thank you for the opportunity to testify on a matter of great importance.

The law enforcement community is facing many challenges, the most significant of which—particularly in and around major cities—involve responding to a real increase in crime at a time in which many agencies are struggling with officer recruitment and retention. In many parts of the country, police are being asked to shoulder a much bigger burden with respect to crime and disorder, and they’re being asked to do so with fewer and/or less-experienced officers.

In 2019, the Police Executive Research Forum (PERF) surveyed its member agencies on this issue. Only 12% reported not facing a shortage of full-time sworn personnel; a plurality of respondents reported that their shortages had increased over the prior five years.¹ A 2021 follow-up survey reported a 5% decline in the hiring rate, an 18% increase in the resignation rate, and a 45% spike in the retirement rate, relative to the prior year.² The largest agencies bore the brunt of these trends. And while a more recent PERF survey showed an increase in police hiring in 2022, the increase was outpaced by resignations and retirements, driving a continued overall decline in total staffing. Even if hiring kept up, departments would nevertheless have to contend with the decline in the median experience levels of their officers, as retirees take their institutional and practical knowledge with them.

Add to this mix the understandably heightened level of scrutiny police now face, as well as the (often-indefensible) vitriol hurled at police as an institution, and you exacerbate all of the issues that flow from these challenges by sapping the morale of the officers facing this all-important task. This is not a recipe for success.

Congress should consider addressing these issues a top priority because reinforcing American police departments will reduce crime. But it may also help send a message to an embattled institution, saying “we’re behind you,” at a time in which cops need to hear that more than ever.

The body of evidence that can be marshalled in support of a large-scale effort to add to the ranks of America’s police departments is overwhelmingly robust. Indeed, one of the most consistent findings in the criminological literature is that more policing means less crime (and *vice versa*).³

¹ <https://www.policeforum.org/assets/WorkforceCrisis.pdf>.

² <https://www.policeforum.org/workforcesurveyjune2021>.

³ See this small sampling of studies (including high-quality randomized control trials) illustrating the benefits of hiring additional police, spending more on policing, and expanding police presence and proactivity (especially in crime hot-spots): https://papers.ssrn.com/sol3/papers.cfm?abstract_id=461280 (showing significant crime declines in Washington, D.C., caused by boosts in police presence in response to changes in the terror threat level); <https://www.law.upenn.edu/live/files/8949-179jrss831pdf> (showing that expanding police patrols outside the University of Pennsylvania led to an estimated crime decline of 43%—73%); https://eml.berkeley.edu/~jmccrary/chalfin_mccrary2018.pdf (documenting a return of \$1.63 on every additional dollar spent on policing in 2010); https://www.researchgate.net/publication/283878402_Do_Stop_Question_and_Frisk_Practices_Deter_Crime_Evidence_at_Microunits_of_Space_and_Time (finding significant crime declines resulting from discretionary stops

Moreover, the police recruitment and retention crises are ones that the federal government is well-positioned to address by funding the hiring of new recruits, as well as incentive programs aimed at retaining senior officers and investigators. The example of the police funding component of the 1994 Crime Bill is one that this body can build on, with one important modification: Resources for hiring should be allocated to the agencies facing the largest deficits and/or the highest levels of serious crime. A comprehensive effort to use the spending power to help fill the police staffing gap should reflect an assessment of how to maximize the impact such expenditures will have on crime. Moreover, as I recommended in two 2021 Manhattan Institute Issue Briefs, such an effort would also present an opportunity to experiment with efforts to incentivize the hiring of police recruits with higher levels of educational attainment.⁴

Because the impact of such expenditures will turn on how well police perform—which depends in part on how well they understand the problems they face in their respective jurisdictions—the need for more and better data on crime and enforcement trends is particularly pronounced. This is especially true in light of the poorly executed transition from the Uniform Crime Reports (UCR) to the National Incident-Based Reporting System (NIBRS). This need for data to inform how police can put their limited resources to their highest end uses highlights other opportunities for meaningful federal interventions aimed at funding and incentivizing more and more-granular data collection, as well as at funding additional criminal justice-related research.

Congressional efforts to boost police hiring and to accelerate criminological research are two of five important recommendations laid out in a recent Manhattan Institute report authored by my colleague, Charles Fain Lehman. Rounding out that list are:

- *Rehabilitate failing prisons and jails with a carrot-and-stick approach;*
- *Create and propagate national standards for criminal case processing; and*

conducted in crime hotspots in New York); <https://www.nber.org/papers/w27324> (showing significant increase in crime in the wake of abrupt declines in the volume of police activity in five cities (declines driven by pattern and practice investigations initiated by the federal government)); https://media4.manhattan-institute.org/pdf/cr_22.pdf (a causal analysis finding that police in New York City prevented more than 60,000 violent crimes between 1989-1998); <https://www.princeton.edu/~smello/papers/cops.pdf> (finding significant crime reduction effects resulting from COPS hiring grants); <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0157223> (finding sharp declines in crimes resulting from police surges in New York City); <https://www.aeaweb.org/articles?id=10.1257/aeri.20200792> (finding that “Each additional police officer abates approximately 0.1 homicides.”); <https://www.aeaweb.org/articles?id=10.1257/aeri.20200792> (finding a strong effect of reductions in response times on crime, such that “hiring an additional response officer would generate a benefit, in terms of future crime prevented, equivalent to 170% of her payroll cost.”); https://www.nber.org/system/files/working_papers/w12202/w12202.pdf (finding that police arrest and stop activity (as well as sentence lengths) decline in the wake of arbitration losses, driving crime increases relative to instances in which the arbitration fights are won by the police unions studies); https://www.researchgate.net/publication/233374127_The_Effects_of_Hot_Spots_Policing_on_Crime_An_Updated_Systematic_Review_and_Meta-Analysis (a meta analysis finding that both hot spots and problem-oriented policing strategies reduce crime).

⁴ See, <https://manhattan.institute/article/ideas-for-the-new-administration-criminal-justice> and <https://manhattan.institute/article/a-public-safety-and-policing-plan-for-nycs-next-mayor>.

- *Upgrade our data infrastructure, including by creating a national “sentinel cities” program.*⁵

These are ideas that have enormous potential to do good by improving the quality of the services our nation’s criminal justice systems were established to provide, thereby enhancing the most precious public commodity: public safety.

With respect to implementation, recent federal initiatives can offer some meaningful insight into how such efforts might be structured. Examples include:

- *Operation Stonegarden*, which directed federal funds toward state and local law enforcement agencies participating in a joint effort with the Department of Homeland Security to help secure our borders;⁶
- *Community Oriented Policing Services (COPS) Program*, which helped fund state and local law enforcement agency hiring (among other initiatives);⁷
- *Urban Area Security Initiative*, which helped fund terrorism preparedness efforts in major cities;⁸
- *“1033 Program”*, which provided state and local law enforcement agencies with surplus military equipment that ranged from rifles and body armor to vehicles and night-vision goggles.⁹

I will close by noting that I am encouraged by these Committees’ interest in assisting state and local law enforcement agencies facing one of the more challenging outlooks in a generation. As Thomas Paine noted in his famous pamphlet, *Common Sense*, “security” is “the true design and end of government.”¹⁰ The provision of public safety is therefore one of the most important governmental functions this body can help serve. I hope that you will consider the recommendations I have made with respect to how Congress might go about that important mission, and I look forward to your questions.

Thank you.

⁵ <https://manhattan.institute/article/modernize-the-criminal-justice-system-an-agenda-for-the-new-congress>.

⁶ <https://www.congress.gov/congressional-report/116th-congress/senate-report/212/1>.

⁷ <https://crsreports.congress.gov/product/pdf/IF/IF10922>.

⁸ [https://uscode.house.gov/view.xhtml?req=\(title:6%20section:604%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:6%20section:604%20edition:prelim)).

⁹ <https://www.dla.mil/Disposition-Services/Offers/Law-Enforcement/Program-FAQs/>.

¹⁰ <https://billofrightsinstitute.org/primary-sources/common-sense>.