

**Written Testimony of Hon. Robert F. Holden
Council Member
New York City Council**

**United States House Committee on the Judiciary
Field Hearing on Crime in New York**

April 17, 2023

Chair Jordan, Ranking Member Nadler, and Honorable members of the House Judiciary Committee.

I am Robert Holden, a Democratic New York City Council Member, representing the 30th District in the Borough of Queens and a member of the Council's Public Safety Committee. I am here to address the lawlessness that has taken over this city in recent years as a result of failed progressive policies implemented by Manhattan District Attorney Alvin Bragg.

On his first day in office, Bragg issued a memo that would decriminalize a broad range of offenses and reduce charges for violent crimes. This was a signal for every criminal that it was open season on law-abiding citizens in New York County.

These failed progressive policies reverse 30 years of law and order delivered to the city by the hard-working men and women of the NYPD and professional prosecutors that put victims' rights ahead of criminals.

Under Bragg, minor crimes such as resisting arrest, trespassing, fare evasion, and prostitution are no longer prosecuted, which has led to a marked increase in criminal activity on the streets of Manhattan. Serious offenses such as knifepoint robbery, commercial and residential burglaries, weapons possession, and "low-level" drug dealing are being charged with lesser offenses or being plea bargained down, resulting in shorter sentences or no jail time at all. Bragg's first year in office was marked by a dramatic shift in the way his office approached criminal prosecutions. We are all feeling Bragg's soft-on-crime approach on the streets of New York.

We have repeat offenders receiving lenient sentences and committing multiple crimes shortly after being released. From the day he took office, it seems Alvin Bragg's top priority was to keep criminals out of jail and free to roam the streets. District Attorney Bragg would be better off as a defense attorney than a prosecutor. He downgraded over half of felony cases to misdemeanors and declined to prosecute 35% fewer felony cases compared to 2019. And his office requested bail in 20% fewer felony cases in 2022.

Sadly Bragg's approach has resulted in a lower conviction rate for serious felony charges, with his office winning a conviction in just 51% of such cases brought in 2022, down from 68% in 2019. Even his misdemeanor convictions fell dramatically from 68% in 2019 to 29% in 2022. It's important to highlight that we must compare numbers to pre-pandemic levels to get an accurate picture of crime in Manhattan and throughout the city.

Moreover, while statistics show that crime is still much higher than before the pandemic, they do not tell the whole story. Mentally ill homeless people verbally and physically attack people randomly on the streets and in the subway. Pharmacies lock up their products. And police officers feel pressured to undercharge perpetrators they arrest. This is a daily reality for every New Yorker.

To address these challenges, we need our State Legislators and District Attorneys to prioritize public safety and work together to strengthen our criminal justice system rather than weaken it. The State Legislature has failed us by passing laws that have weakened our criminal justice system and enabled criminals to evade justice. Federal prosecutors could help put more career criminals behind bars by charging the worst offenders with Federal crimes instead of letting a progressive DA like Alvin Bragg bring prosecutions under weakened State laws.

We are losing people by the tens of thousands to safer cities and states that offer a better quality of life. We must take swift action to ensure the safety and well-being of our communities.

I applaud the House Judiciary Committee for examining the failed progressive policies in New York City and the refusal of DAs like Alvin Bragg to prosecute serious crimes. Public safety is paramount, and the Committee should take appropriate action to ensure that justice is served and our communities are protected. Thank you for your time.