

**Testimony of Jim Kessler, Executive Vice President for Policy at Third Way**

**April 17, 2023 – Before the House Judiciary Committee**

Thank you Chairman Jordan and Ranking Member Nadler. Thank you Members of the Committee. Thank you to fellow witnesses, some of whom have suffered the deepest and most unfair personal losses. And thank you to Kylie Murdock, my excellent research assistant sitting behind me.

But to Members of the Committee, I've got to ask: why are we here? Why are we in New York City?

Yes, in this massive city of 8.5 million people, piled atop each other on a speck of land barely 300 square miles in size, awful things happen. Awful crimes happen. Awful losses are suffered.

But as unfortunate and tragic it is, we live in a violent country like no other advanced nation. And the fact is that New York City is not only safer than most large cities in America. It is safer than most cities of any size and, on a per capita basis, NYC is safer than most of the states of the Members sitting on the dais on the majority side.

In 2020, for example, New York City's murder rate was 18% below the national average. Not the national urban average, but 18% below the murder rate for the entire country.

Mr. Chairman, in 2020, Ohio's murder rate was 59% higher than New York City's murder rate. Ohio's rate of rape was 280% higher. Ohio's rate of assault was 34% higher.

Louisiana's murder rate was 251% higher than New York City's. The rate of rape was 183% higher. The assault rate 112% higher.

The murder rate in Texas was 42% higher than New York City. South Carolina's 126% higher, Florida 32% higher, Kentucky 70% higher, North Carolina 57% higher, Indiana 72% higher, Arizona 35% higher, Alabama 119%.

If we wanted a hearing about the ravages of crime, why aren't we in Baton Rouge or Louisville where 5 people were murdered in the blink of an eye in a mass shooting at a downtown bank? Or in the murder capital of California ... which is not Los Angeles or San Francisco or Oakland ... but in Speaker McCarthy's district of Kern County, with its county seat of Bakersfield. And it's been the murder capital of California for six years running!

Look, I'm centering on the year 2020 because we wrote a report on this (The Red State Murder Problem) and it was the most recent year with full statistics at the time. But it's not just that one year of 2020. From 2000 to 2020, if New York City was a state, it's murder rate would rank smack dab in the middle at 22nd in the nation. And it's murder rate would be about one-fourth that of the entire state of Mississippi. That's 21 years of murders.

Not only that, we're here in Manhattan and the borough of Manhattan is even safer than the rest of New York City. From 2000 to 2020, Manhattan's average murder rate of 4.4 would rank it 30th among the 50 states.

I need to say a word about guns and about the politics of crime because A) 79% of homicides are by firearm, and B) I had the pleasure/misfortune of working on the Mike Dukakis for President campaign and I know how potent and irresistible the issue of crime is in politics.

If someone is a victim of a gun crime in New York City, I'll wager you dollars to donuts, that the gun used in that crime was not originally purchased in New York State. And I'll double down on that bet and guess that this crime gun originated from either Florida, Georgia, the Carolinas, or Virginia.

There is massive gun trafficking that ferries guns from those 5 southern states with weak gun laws, up I-95 to states like New York, New Jersey, Rhode Island, Connecticut, and Massachusetts.

I know that because in 1996, I was working for a Brooklyn congressman from Park Slope named Chuck Schumer and we FOIA'd the FBI data for every gun in America that was recovered in a crime and successfully traced, and we uncovered gun trafficking patterns all across the nation. And practically nothing has been done legislatively ever since, except to make it much harder to get data on the origin of crime guns.

That brings me to the politics of crime.

Wouldn't it be great if this hearing was about how illicit guns are trafficked to places like New York City, Newark, Boston, Philly, Chicago and on and on ... and how those gun traffickers, along with those who get those guns, terrorize the innocent people living in those places and elsewhere.

That's the sort of thing Congress could do if it really cared about what was happening with regard to crime in New York City.

Mr. Chairman and Mr. Nadler. There are 8.5 million people in NYC living on this tiny plot of land. Bad things happen here. No doubt. But the miracle of NYC is how well this enormous chunk of humanity mostly gets along and suffers less crime than much of the nation.

Thank you.