

Statement to the U.S. House Judiciary Subcommittee on Oversight

Hearing On: “Restoring Law and Order in High-Crime U.S. Cities.”

Wednesday, November 19th, 2025

Washington, DC

An Overview of the Problem and Policy Solutions

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About the Author

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Through the Manhattan Institute, and in other outlets, Mr. Mangual has authored and coauthored numerous policy papers, as well as more than one hundred essays and columns on topics related to policing, crime, and incarceration, among others. His work has been featured in a wide array of publications, including the Wall Street Journal, The New York Times, and The Washington Post. He has testified on many prior occasions before committees of both houses 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's College of Law in Chicago, IL. In 2022, he was elected a member of the Council on Criminal Justice, and is currently serving his second term on the New York State Advisory Committee to the U.S. Commission on Civil Rights.

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Statement

Chairman Van Drew, Ranking Member Crockett, and all other members of this distinguished body: Thank you for the opportunity to offer remarks on the all-important topic of public safety in America's cities—an issue I have spent the last decade working on. It is always an honor and a privilege to be called upon to contribute to Congress's deliberations about such matters.

I'd like to begin by suggesting that in public debates over questions of public safety, far too much weight is put on aggregate crime measures that often fail to fully capture or accurately describe the risk of criminal victimization faced by America's urban residents.

We often talk about crime in national, statewide, or citywide terms. It's an understandable colloquialism that I'm sure I've been guilty of. But whether a city's crime levels are up or down, while important, can mask some important realities.

The truth about urban crime is that it's never been anywhere close to being evenly distributed in any city in America. To the contrary, crime—especially violent crime—tends to be geographically and demographically hyper-concentrated.¹ In my home city of New York, for example, data from 2010, '15, and '20 illustrate that approximately 50% of the city's reported violent crime occurs on just 4% of the city's street segments (one segment would be corner-to-corner, and would include both sidewalks), while just over 1% of the street segments see approximately 25% of reported criminal violence.² At the same time, more than 40% of the city's street segments don't see even a single crime in a given year. This is a pattern—known in the criminology field as the Law of Crime Concentration, coined by David Weisburd—that holds in every jurisdiction that's been studied.³

As you can imagine, the experiences of residents living on block clusters where so much of a given city's crime concentrates are radically different from those living in the neighborhoods with very little crime. To paint the picture a little more vividly, consider that last year, residents of Chicago's 19th District (which is 71% white, and home to the neighborhood I was fortunate enough to call home during my law school years)—experienced a homicide rate of just 2.3 per 100,000. Residents of Chicago's 6th District (which is 95% black), by contrast, experienced a district-wide homicide rate of **73.4 per 100,000**—almost **32 times** higher.⁴

I make this point for a couple of reasons: One is to remind everyone that failing on public safety will always have the biggest impact on communities that can least afford any more crime than they are already burdened with. Another is to make clear that, even in cities that have experienced recent declines in serious crime, there remain micro-geographic pockets where serious violence continues to occur at levels that we should all find unacceptable, and should therefore be working to alleviate with urgency irrespective of aggregate crime declines at the

¹ See, e.g., <https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9125.12070> and https://media4.manhattan-institute.org/wp-content/uploads/Mangual_Written-Statement_USCCR_November-2023.pdf.

² <https://manhattan.institute/article/crime-hot-spots-a-study-of-new-york-city-streets-in-2010-2015-and-2020>.

³ See Weisburd *supra* note 1.

⁴ See, <https://www.chicagopolice.org/wp-content/uploads/2024-CPD-Annual-Report-Final-For-Publishing.pdf> (at appendix for district-level homicide data and district-level population counts)

citywide level. After all, we don't experience crime in the aggregate. No one lives in an entire city all at once. Our experience as to public safety depends very heavily on where we live and work. So, while the city of Chicago reported another homicide decline in 2024, the fact remains that in too many of that city's neighborhoods, criminal violence remains a serious problem worthy of our utmost care and attention. The same can be said of almost every city in America.

That problem—of serious criminal violence—is one that is too often characterized by a particular type of failure: The failure to incapacitate violent criminal offenders who have thoroughly demonstrated through repeated criminal conduct that they have no desire to play by society's rules.

A few data points to consider: In Chicago, a study of gun violence done by the University of Chicago's Crime Lab found that, *on average, a Chicago shooting or homicide suspect arrested in 2015 and '16 "had nearly 12 prior arrests*, with almost 45 percent having had more than 10 prior arrests, and almost 20 percent having had more than 20 prior arrests.”⁵ A 2014 problem analysis of gun violence *in Oakland, CA* done by The California Partnership for Safe Communities found that *“homicide victims and suspects in Oakland were arrested an average of 10 times prior to a killing,”* and that “approximately 84% had been previously incarcerated at some point.”⁶ In 2018, the *Baltimore* Police Department reported that the city's *2017 homicide suspects had 9 prior arrests on average*, and that *more than a third were on parole or probation*.⁷ And right here in Washington, former D.C. Metro Police Chief Robert Contee told reporters that “the *average homicide suspect has been arrested 11 times* prior to them committing a homicide.”⁸

These numbers are bad enough in the abstract; but they rightfully take on a more urgent character when they're illustrated by specific cases. Because of the work I do, I am often sent stories of heinous and tragic crimes committed by offenders who had no business being out on the street.

One such case was the brutal murder of Iryna Zarutska in Charlotte, North Carolina, which drew national attention over the summer. Her alleged killer, who had an open case at the time of the murder, had racked up more than a dozen prior arrests. Despite a lengthy and troubling criminal history and a documented history of serious mental illness, he was released pretrial and allowed to roam the streets and public transit system of Charlotte.

Consider also another case out of Charlotte, which has not gotten nearly enough attention: the shooting death of Jayce Edwards during a car theft in a residential parking lot. He was just *four*

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<https://urbanlabs.uchicago.edu/attachments/c5b0b0b86b6b6a9309ed88a9f5bbe5bd892d4077/store/82f93d3e7c7cc4c5a29abca0d8bf5892b3a35c0c3253d1d24b3b9d1fa7b8/UChicagoCrimeLab+Gun+Violence+in+Chicago+2016.pdf>

⁶ <https://files.giffords.org/wp-content/uploads/2019/05/Giffords-Law-Center-A-Case-Study-in-Hope.pdf>

⁷ <https://www.baltimoresun.com/news/crime/bs-md-ci-2017-homicide-data-breakdown-20180103-story.html>

⁸ <https://www.police1.com/chiefs-sheriffs/articles/dc-police-chief-average-homicide-suspect-has-11-prior-arrests-before-committing-murder-scVSPy0ER0WQuAiA/>

years old. I had only heard about it because an old professor I know shared the story on X and tagged me in his post.

According to news reports⁹, one of the four men arrested in that case had been previously charged in nearly a dozen car thefts. In February of this year, at the age of 17 he was given probation for leading police on a high-speed chase while impaired. By April, he had racked up two more arrests involving at least seven counts of car theft, yet was released after posting a \$5,000 bond. He was arrested again just days before the shooting of Jayce Edwards for driving on a suspended license, possessing marijuana, and unlawfully possessing a firearm. Unbelievably (to the uninitiated), he was allowed to post bond and was released *yet again*.

A second suspect in that case had racked up 38 charges for breaking into fuel tanks and grand larceny. He was convicted of several such charges in 2024 in South Carolina. Yet he was on the street the very next year, *despite* prior felony convictions in 2019 (for armed robbery, breaking and entering, and larceny) and in 2021 (for being a felon in possession of firearm, resisting, breaking and entering, fraud, and fleeing police).

These are just two of countless examples that all elicit the same question: *Why? Why were these offenders out?*

The answer in many cases is that somewhere down the line policymakers made a choice—to pursue decarceration for its own sake because they were convinced that doing so was the best way to serve justice. These choices take many forms:

- legislative and administrative bail reforms that take pretrial detention off the table (or make it less likely);
- misguided sentencing reforms and decriminalization efforts;
- so-called “progressive” prosecutors who take it upon themselves to abrogate duly enacted statutes proscribing certain criminal behaviors and reduce the severity of otherwise applicable criminal punishments;
- judges who irresponsibly release dangerous defendants to await trial, or inappropriately apply far too lenient sentences; and
- misguided parole boards who continue to display poor judgement by granting parole to offenders who obviously can’t handle life on the outside.

To be sure, these are not new problems. But in many places, policy has moved in the wrong direction thanks to the mainstreaming of false narratives about so-called “mass-incarceration,” and “over-policing.” Over the last decade, I’ve watched as politicians in so many of America’s cities systematically elevated the interests of criminal offenders with far too little regard for what such a policy program would mean for their past and future victims.

⁹ <https://www.charlotteobserver.com/news/local/crime/article312516318.html>

The good news is that none of those decisions are written in stone. Our leaders can, and *must*, make different choices. They can take affirmative steps to fix their mistakes, to fill the gaps, and to reprioritize public safety.

In recent years, we have seen some encouraging examples of federal, state, and local leaders doing just that.

In the state of Tennessee, for example, lawmakers have, thanks to the leadership of Tennessee House Speaker Cameron Sexton, passed legislation to amend their state constitution so that judges can have the right to detain dangerous criminal defendants in all cases.¹⁰ They also passed a truth-in-sentencing law to ensure offenders serve the majority of their sentences before they can be released.¹¹ Last year, lawmakers in Louisiana took a similar step with their own truth-in-sentencing measure—much to the chagrin of criminal justice reform advocates—in addition to eliminating discretionary parole.¹²

In North Carolina, lawmakers swiftly responded to the murder of Iryna Zarutka by enacting Iryna’s Law, which, among other things, created rebuttable presumptions of pretrial detention for certain offenders.¹³

And, of course, President Trump’s administration, through executive orders and actions related to policing¹⁴, as well as enforcement initiatives like the Memphis Safe Task Force¹⁵, and the Project Safe Neighborhoods initiative in Chicago¹⁶—the latter of which has led to a nearly 300% increase in federal gun prosecutions through the end of October.

Many of these initiatives have been led by Republicans and, sadly, in my view, resisted by too many Democrats. It does not have to be this way. The urban crime declines of the 1990s and early aughts should be regarded as some of the greatest achievements in urban-American history. Those victories were the result of *bipartisan* efforts—at the federal, state, and local levels—that saw Republicans and Democrats coming together on public safety issues. That is a history we very much need to re-read as a nation.

While there has been some progress on the criminal justice policy front, there remains much more to be done.¹⁷ I’d like to close with a few suggestions that I hope many of you will reach out to discuss further at some future date.

¹⁰ <https://sos.tn.gov/announcements/2026-proposed-constitutional-amendments>

¹¹ <https://www.wvlt.tv/2022/06/16/tennessee-soon-have-toughest-penalties-us-violent-criminals/>

¹² https://www.prisonpolicy.org/blog/2024/08/21/louisiana_parole_reform/

¹³ <https://www.wunc.org/politics/2025-10-03/stein-signs-irynas-law>

¹⁴ See, e.g., <https://www.city-journal.org/article/trump-executive-order-policing-crime-law-enforcement> and <https://www.city-journal.org/article/doj-disparate-impact-theory-biden-civil-rights-law-enforcement-policing>.

¹⁵ <https://www.washingtonpost.com/nation/2025/11/12/memphis-crime-trump-task-force/>

¹⁶ <https://cwbchicago.com/2025/11/federal-gun-cases-surge-nearly-300-in-chicago-under-project-safe-neighborhoods-officials-say.html>

¹⁷ I have laid out model legislation for three common-sense measures aimed at reducing violent crime by directly addressing the repeat offender problem, with an overview of the case for each measure in a report you can find

In addition to the Executive Branch scaling up its street-level enforcement operations—particularly in jurisdictions where local leaders have failed to take corrective action—with a focus on criminal offenses over which federal authorities have concurrent jurisdiction, Congress should consider an omnibus crime bill along the lines of the Violent Crime Control and Law Enforcement Act of 1994—this time with particular focuses on:

- funding the hiring and retention of police officers nationwide, but with priority given to jurisdictions facing the most acute shortages;
- funding state and local law enforcement acquisitions of force-multiplying technologies like license plate readers, CCTV camera networks, drones, and facial recognition software;
- incentivizing better data-collection with regard to repeat offending so that the citizenry can have more systematic data on, for example, the share of serious offenses committed by offenders on parole, probation, and pretrial release, as well as measures relating to the criminal history of certain categories of offenders; and
- incentivizing the adoption of stronger penalties for habitual offenders.

Thank you, once again, for the invitation to address this body and contribute to these important discussions. I very much look forward to answering any questions you may have.

Thank you.

here: <https://manhattan.institute/article/hardening-the-system-three-commonsense-measures-to-help-keep-crime-at-bay>