



'08 MAYORS' ACTION FORUM ON CRIME

MAYORS' NATIONAL/METRO AGENDA ON CRIME FOR PRESIDENT OBAMA AND THE 111TH CONGRESS

Philadelphia
August 5-6, 2008

Manuel A. (Manny) Diaz
Mayor of Miami
President
The U.S. Conference of Mayors

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January 17, 2009

An Open Letter to President Barack Obama and the 111th Congress

Many of the most serious crime problems plaguing America's cities today are national problems which require national solutions.

More than 50 mayors and police chiefs from cities across the nation met in Philadelphia August 5 and 6, 2008 to develop an action agenda on crime to present to the next President of the United States. This meeting was the first of five '08 Mayors' Action Forums which I am convening between early August and early October to define for our next President the partnership that must exist between Washington and our cities if we expect to successfully confront the problems of crime, infrastructure, poverty, arts and tourism, and the environment that now pose some of the most serious challenges to the future of this nation's economic engines, its cities.

Mayors and police chiefs are bound together in a unique partnership; working together, we constitute a uniquely strong force. We understand the crime problems that threaten our cities, what we can do to prevent and respond to them, and the kind of help we need from the federal government when solutions to those problems appear to be beyond our reach.

Following the Philadelphia meeting, I asked a smaller group of mayors and chiefs to review the items discussed there and, based on that review, to draft the national action agenda on crime. This document is the product of that effort. It provides you with direction and specific recommendations for a new and stronger relationship with the nation's mayors and police chiefs – a federal-local partnership to assure public safety in our cities, effective crime prevention strategies, common sense ways in which federal and local authorities can work together to get guns off city streets, and enforcement and prevention strategies to control gangs and illegal drugs. Because implementing most of these recommendations would require legislation, it also proposes some important executive and administrative actions on crime that you could take immediately upon assuming office.

We look forward to working with you during your transition and following your inauguration to further develop and implement these recommendations. With your help, we can establish a working relationship that will begin to restore the values, principles, and sense of purpose that Washington has lost.

Sincerely,

A handwritten signature in black ink, appearing to read "Manuel A. Diaz", with a long, sweeping flourish extending to the right.

Manuel A. (Manny) Diaz
Mayor of Miami
President

FOREWORD

When he was inaugurated President of The U.S. Conference of Mayors at our organization's 76th Annual Conference, Miami Mayor Manuel A. (Manny) Diaz declared that "Washington has lost its values, lost its principles, lost its sense of purpose. They no longer invest in our cities, they no longer invest in our people." Mayor Diaz strongly believes that national problems demand national investment and that the next President of the United States must understand why "an investment in America's cities is an investment in America's future."

Addressing the National Press Club luncheon in Washington on August 4, Mayor Diaz announced the launch of a series of national forums on crime, infrastructure, poverty, arts and tourism, and the environment he was convening in Philadelphia, New York City, Los Angeles, Chicago, and Miami. The first of these, the forum on crime, opened the following day in Philadelphia, with more than 50 mayors and police chiefs meeting in a working session to develop an anti-crime agenda that would be presented to the next President.

In Philadelphia, and in the working sessions of mayors and police chief which followed, there was significant consensus on the crime problems that cities face.

- The mayors and police chiefs shared a sense of moral outrage at the fact that, each day, 34 people – more than half of them age 29 and under – are the victims of homicides involving guns, that their deaths receive little attention, and that only limited resources are directed to preventing these crimes. They noted that if Al Qaeda were responsible for 34 deaths a day in the United States, the nation would do whatever was necessary to stop the deaths and would spare no expense in accomplishing that task. The nation never takes a "bake sale" approach in funding its responses to international conflicts, they observed, but it does in funding responses to domestic conflicts in its cities.
- The mayors and chiefs deplored, in particular, the loss of life among the nation's children. They noted that, while the United States has by far the highest juvenile homicide rate among all industrialized nations, there is no serious effort underway at the national level to reduce the number of young people being killed.
- They discussed changes that need to be made in the justice system to make it a more just system, including the fact that using DNA testing in a wider range of crimes and increasing the ability of local police departments to access the federal DNA database would go a long way to closing more cases and assuring that those who committed the crimes are arrested and convicted.
- The mayors and chiefs noted that the federal government has all but abandoned the federal-local partnership which provided significant assistance to local police departments, primarily in the form of additional sworn officers, and that it has allowed its ban on military-style assault weapons to lapse. In 2008 in America, they observed, police are out-manned and out-gunned.

The recommendations contained in the national action agenda which follows are direct responses to these and other crime problems – responses in which the federal government has a critical role to play. We are indebted to all of the mayors and police chiefs who participated in our Philadelphia Action Forum on Crime and set the direction for this agenda.

We especially appreciate the time and effort devoted by the working committee of mayors and police chiefs, chaired by Louisville Mayor and Conference of Mayors Past President Jerry Abramson, which finalized this agenda in the weeks following the Philadelphia forum. Our thanks go to Mayor Abramson and to Mayor J. Christian Bollwage of Elizabeth; Commissioner Edward Davis of Boston; Mayor Robert Duffy of Rochester; Chief Dean Esserman of Providence; Mayor Elizabeth Kautz of Burnsville; Chief R. Gil Kerlikowske of Seattle, who is President of the Major Cities Chiefs Association; Mayor Dannel Malloy of Stamford; Mayor Michael Nutter of Philadelphia; Chief Richard Pennington of Atlanta; Commissioner Charles Ramsey of Philadelphia; Mayor R.T. Rybak of Minneapolis; and Chief John Timoney of Miami, who is President of the Police Executive Research Forum. Their efforts have produced an agenda in which Washington's responsibility to support local crime-fighting efforts is clear.

A handwritten signature in black ink that reads "Tom Cochran". The signature is written in a cursive, slightly slanted style.

Tom Cochran
CEO and Executive Director
The U.S. Conference of Mayors

AMERICAN INVESTMENTS

Assuring public safety requires an active partnership between cities and the federal government. While public safety is primarily a local responsibility, the international aspects of the drug trade, gangs, and terrorism underscore the appropriateness of a federal government role in meeting local public safety responsibilities.

Since September 11, 2001 the federal investment in local policing has been cut 81 percent, from \$2.1 billion in 2001 to the \$400 million the Administration has requested for next year. During the period local governments were receiving federal assistance, primarily in the form of police officers provided by the COPS program, crime rates in cities declined. Since then, the number of police officers in cities has declined and cities have seen crime rates increase. Today there are fewer police on the streets of our cities than there were prior to the 9/11 attacks. A recent survey of 124 cities by the U.S. Conference of Mayors showed that there are now 8.6 percent fewer officers in those survey cities than there were at the peak of their staffing levels. This survey also showed the link between current economic conditions and increasing crime rates, particularly those for burglaries and thefts.

Cities need sustainable, dependable federal support for local law enforcement – flexible support that allows local officials to respond to locally identified needs and priorities. Mayors and police chiefs believe that:

1. The COPS program should be reinvigorated, but with flexibility that will allow for hiring both additional sworn officers and other kinds of personnel, such as those professionally trained in DNA analysis and forensics. That flexibility should also allow police departments to use the funding for overtime, training, and other purposes which will make the officers on hand as effective as possible.
2. The Byrne JAG grant should be fully funded so that it can continue to provide flexible assistance to police departments that can be used for, among other things, purchasing the equipment and technology needed to make prevention and enforcement efforts more efficient and effective.
3. Local officials should receive homeland security funds directly and should have the flexibility to use them to meet locally identified priorities. The Department of Homeland Security must recognize the value of allowing these funds to be used for beat officers. It is police officers – in touch with their communities and a presence in them every day – who will gather the intelligence and take the action that will stop terrorist threats in our cities. The Law Enforcement Terrorism Prevention Program, which for several years provided flexible resources to local police departments, should be reinstated.
4. Consideration should be given to transferring responsibility for the administration of homeland security grants benefiting local law enforcement agencies from DHS to the Department of Justice.
5. Consideration should be given to establishing a new block grant program, modeled after the Community Development Block Grant, which would provide police departments with flexible funds for prevention, enforcement, and analysis tailored to local needs.
6. The federal government operates numerous criminal investigative databases, three of which are extremely important to local police agencies: IAFIS (for fingerprints), NIBIN (for ballistics), and CODIS (for DNA). The federal government must fully support these databases by maintaining and upgrading them, providing better training, and establishing "best practices" protocols. Every effort should be made to remove bureaucratic impediments to accessing these databases, including the greater use of "certified" private labs to expand capacity and reduce long-term backlogs.

PREVENTION

Preventing crimes from occurring is by far the most obvious and effective way to reduce crime and violence in cities. Successful crime prevention efforts are key to safer communities, lower costs to city governments, and successful economic development.

With approximately 700,000 people now being released from U.S. prisons each year – most returning to their home communities – the need for programs to support successful reentry and reduce the incidence of recidivism has grown significantly.

Youth violence has reached epidemic proportions in many cities. In the recent survey conducted by The U.S. Conference of Mayors, half of the survey cities reported an increase in youth violence in the last year. In these cities, the problem most often took the form of gang violence, street crime, school violence, and gun violence.

Our most effective crime prevention strategies have always included the provision of education and jobs for city residents. Education and jobs must be backed up, however, by a range of support services that target at-risk populations with proven programs. Cities must be able to take advantage of best practices in developing their own innovative approaches to local crime problems. Mayors and police chiefs believe that:

1. Successful reentry initiatives require a strong partnership between public and private agencies and should begin at sentencing. Inmates should be provided education, training, and substance abuse treatment while in prison so that, when they are released to their communities, they have a skill and are prepared to hold a job. There should be minimum standards for release from federal prison: Inmates should be drug-free, possess a high school diploma or its equivalent, and be trained in a specific skill. Further, they should be provided help in finding jobs, housing, and the support they need to reenter their communities successfully.
2. The recently-enacted Second Chance Act should be fully funded and its authorization level should be increased significantly when it is renewed.
3. If crime prevention efforts are to be successful, the federal government must ensure that substance abuse treatment – both in communities and in correctional facilities – is available on demand.
4. The federal government must attach a high priority to preventing youth violence. Successful prevention efforts require strong intergovernmental and public-private partnerships. A public health approach is required at the local level. Both tough enforcement and addressing the root causes of violence among young people are essential. Preventing youth violence requires connecting young people to trusted adults, intervening at the first sign that youth are at risk of violence, restoring youth who have gone down the wrong path, and helping youth to unlearn the culture of violence that exists in too many communities.
5. As part of the youth violence prevention effort, the federal government should establish an interagency mechanism to coordinate the youth programs and activities supported by the various federal departments and agencies. Modeled after the Interagency Council on Homelessness, the interagency coordinating mechanism would assure that the various programs are focused on the essentials of violence prevention (described above) and that the outcomes of the programs are sharply defined and measured.
6. The federal government should provide cities with funding and technical assistance to encourage similar coordination efforts at the local level. Included in this should be support for the development of local violence prevention plans, approved by the mayor, which respond to locally identified needs.

GUN SAFETY

Local police and federal authorities, backed by common sense gun legislation, must be able to work together to get illegal guns off city streets.

Every day in the United States there are 84 deaths involving firearms; 34 of these are homicides. Well over half of these homicides – 56 percent – involve people age 29 and younger. Because of the prevalence of military-style assault weapons on our streets, police officers in many of our cities are outgunned.

Reasonable changes in laws and regulations would go a long way toward keeping guns out of the hands of criminals and providing law enforcement with tools that will help them solve crimes. Mayors and police chiefs believe that:

1. A strengthened, effective ban on military-style assault weapons, such as AK-47s, and their component parts must be reinstated.
2. Common sense gun legislation, such as that advocated by Mayors Against Illegal Guns, should be enacted. Such legislation should close the gun show loophole, keep guns out of the hands of terrorists, and no longer permit gun dealers whose licenses are revoked to conduct fire sales.
3. Legislation should be enacted which would limit the number of guns a person may purchase in a single transaction or in a month or other specified period of time.
4. Law enforcement agencies' access to gun trace data should not be limited in any way by either state or federal law – for example, by any version of the so-called Tiahrt amendment.
5. Anyone purchasing a firearm in the United States should be required to go through a background check. Full funding should be provided for the National Instant Criminal Background Check System and states should be required to submit records, including those involving persons with serious mental health problems, to the NICS.
6. The Integrated Ballistic Identification System (IBIS) should be expanded to include ballistic images for all new guns, not just those involved in crimes. The federal government should support the development of new technologies, such as microstamping, which can help solve crimes.

GANGS AND ILLEGAL DRUGS

Gangs and illegal drugs are inextricably connected and drive crime and violence in cities across the country. The federal government must be fully engaged with state and local authorities if gangs and drugs are to be controlled.

Gangs are America's domestic terrorists, as evidenced by their illegal gun trafficking, illegal drug distribution, human trafficking, and murders. They have become sophisticated criminal organizations with extensive interstate communications networks that are frequently used to coordinate robust illegal activity. Both gangs and the drug trade are national and international in scope. Indeed, there are more gang members in the United States today than there are state and local law enforcement officers.

Efforts to successfully control gangs and drugs will require a strong intergovernmental partnership and a combination of tough enforcement and prevention measures. Mayors and police chiefs believe that:

1. In 2008 and the years ahead the Federal Bureau of Investigation and other federal agencies must approach gangs in the same way that they approach organized crime, and must assign them the same high priority. For most of its 100 years the FBI has placed a high priority on fighting organized crime.
2. Together, federal, state and local authorities must respond to the growing problem of youth gangs through stepped-up enforcement and prosecution of the gangs that exist, and through stepped-up prevention and intervention programs that provide young people with alternatives to gang membership and gang violence.
3. Federal, state, and local enforcement agencies must work collaboratively to undermine gangs and gang culture. The federal government should establish anti-gang task forces, similar to those that have been established to fight Internet crimes. This would improve intergovernmental collaboration and provide financial assistance to local police departments in areas with substantial gang problems, since officers' salaries and benefits could be reimbursed while they are on federal assignment.
4. Both federal and state courts should have the option of sending convicted gang members to federal prisons located in other parts of the country in an effort to disrupt gang members' support systems and to give them an opportunity to separate themselves from the gangs with which they have been affiliated.
5. Because the federal government has not been effective in the interdiction of illegal drugs at our borders, it has a constitutional responsibility to help stop the use and sale of drugs in our cities. A federal-state-local partnership specifically focused on this problem is required.
6. For years drug courts have demonstrated the ability to help individuals address their drug addiction by providing alternatives to incarceration which combine strict supervision with appropriate treatment and support services. Funding for the drug court program should be increased, along with funding for the treatment and support services essential to the program's success.
7. The federal government must recognize and address the onslaught of methamphetamine and prescription drug problems in the country today, including problems associated with trafficking and use.

EXECUTIVE ORDERS AND ADMINISTRATIVE ACTIONS

Many of the actions called for in this plan will require legislation. There are, however, many actions which the next President of the United States can take that would have an immediate impact on crime and violence in cities.

Mayors and police chiefs believe that:

1. In this, its 100th anniversary year, the FBI should assign more agents, including some of the agents now dedicated to combating terrorism, to combating street crime. Since 9/11, an estimated 1,000 or more FBI agents have been transitioned from traditional crime-fighting to focus on terrorism. A U.S. Conference of Mayors-Zogby poll released in January 2008 showed that Americans are more concerned with crime in their local communities than they are with terrorism. Nearly half (48 percent) say they are more fearful of local crime, compared to 31 percent who worry more about terrorism.
2. The Department of Homeland Security should afford local officials more flexibility in the use of homeland security funds, enabling them to better focus those funds on local priorities. In particular, DHS should recognize the value of allowing the funds to be used for beat officers.
3. The federal and state governments should not preempt the authority of local governments to enact municipal ordinances relating to gun safety or other aspects of public safety.



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