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VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL  
INVESTIGATIVE METHODS ACT OF 2022

JUNE --, 2022.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,  
submitted the following

R E P O R T

together with

\_\_\_\_\_ VIEWS

[To accompany H.R. 5768]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 5768) to direct the Attorney General to establish a grant program to establish, create, and administer the violent incident clearance and technology investigative method, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Violent Incident Clearance and Technological Investigative Methods Act of 2022” or “VICTIM Act of 2022”.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Research indicates that law enforcement agencies can increase clearance rates by improving—

(A) investigative processes;  
(B) detective capacities; and

(C) organizational oversight and supervision of investigations.

(2) When a law enforcement agency expends additional investigative effort, the law enforcement agency improves its success in gaining cooperation of key witnesses and increases the amount of forensic evidence collected.

(3) Effective investigation of shootings can prevent subsequent related violence by—

- (A) deterring retaliation; and
- (B) providing interventions to individuals who may continue to commit crimes or become victims of retaliatory violence.
- (4) Law enforcement agencies that demonstrate higher rates of clearance for homicides and non-fatal shootings—
  - (A) have more structured oversight and formal interactions between investigative units and agency leadership;
  - (B) are more likely to have investigative units that have collaborative relationships and robust information sharing with other units of the law enforcement agency;
  - (C) have investigative units that have specific goals and performance metrics for both the unit and for investigators within the unit;
  - (D) have investigators who more frequently respond to the initial crime scene shortly after crimes have been reported to collect evidence and interview witnesses;
  - (E) have investigators who either have specialized experience before joining investigative units or are trained in investigations once they join those units;
  - (F) often have standard operating procedures for investigations that establish policies and evidence-based best practices for conducting and completing homicide investigations; and
  - (G) have better relationships with the communities they serve, even if no specific community-oriented campaign or initiative exists between investigative units and community groups.
- (5) Criminal justice agencies should collaborate with each other and share best practices for solving homicides and non-fatal shootings.
- (6) A comprehensive community engagement strategy concerning gun violence is essential to improving clearance rates for homicides and non-fatal shootings.

**SEC. 3. GRANT PROGRAM WITH RESPECT TO VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL INVESTIGATIVE METHODS.**

(a) DEFINITIONS.—In this section:

(1) CLEARANCE BY ARREST.—The term “clearance by arrest”, with respect to an offense reported to a law enforcement agency, means the law enforcement agency—

(A) has—

- (i) arrested not less than 1 person for the offense;
- (ii) charged the person described in subparagraph (A) with the commission of the offense; and
- (iii) referred the person described in subparagraph (A) for prosecution for the offense; or

(B) has cited an individual under the age of 18 to appear in juvenile court or before another juvenile authority with respect to the offense, regardless of whether a physical arrest occurred.

(2) CLEARANCE BY EXCEPTION.—The term “clearance by exception”, with respect to an offense reported to a law enforcement agency, means the law enforcement agency—

(A) has identified not less than 1 person suspected of the offense; and

(B) with respect to the suspect described in subparagraph (A), has—

- (i) gathered enough evidence to—
  - (I) support an arrest of the suspect;
  - (II) make a charge against the suspect; and
  - (III) refer the suspect for prosecution;
- (ii) identified the exact location of the suspect so that the suspect could be taken into custody immediately; and
- (iii) encountered a circumstance outside the control of the law enforcement agency that prohibits the agency from arresting the suspect, charging the suspect, or referring the suspect for prosecution, including—
  - (I) the death of the suspect;
  - (II) the refusal of the victim to cooperate with the prosecution after the suspect has been identified; or
  - (III) the denial of extradition because the suspect committed an offense in another jurisdiction and is being prosecuted for that offense.

(3) CLEARANCE RATE.—The term “clearance rate”, with respect to a law enforcement agency, means—

(A) the number of offenses cleared by the law enforcement agency, including through clearance by arrest and clearance by exception, divided by

(B) the total number of offenses reported to the law enforcement agency.

(4) ELIGIBLE ENTITY.—The term “eligible entity” means a State, Tribal, or local law enforcement agency or prosecuting office, or a group of Tribal law enforcement agencies or Tribal prosecuting offices.

(5) GRANT RECIPIENT.—The term “grant recipient” means a recipient of a grant under the Program.

(6) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means a public agency charged with policing functions, including any component bureau of the agency (such as a governmental victim services program or village public safety officer program), including an agency composed of officers or persons referred to in subparagraph (B) or (C) of section 2(10) of the Indian Law Enforcement Reform Act (25 U.S.C. 2801(10)).

(7) PROGRAM.—The term “Program” means the grant program established under subsection (b)(1).

(b) GRANT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish a grant program within the Office of Justice Programs under which the Attorney General awards grants to eligible entities to establish, implement, and administer violent incident clearance and technological investigative methods.

(2) APPLICATIONS.—An eligible entity seeking a grant under the Program shall submit to the Attorney General an application at such time, in such manner, and containing or accompanied by—

(A) such information as the Attorney General may reasonably require; and

(B) a description of each eligible project under paragraph (4) that the grant will fund.

(3) SELECTION OF GRANT RECIPIENTS.—The Attorney General, in selecting a recipient of a grant under the Program, shall consider the specific plan and activities proposed by the applicant to improve clearance rates for homicides, rapes, other aggravated felonies, and non-fatal shootings.

(4) ELIGIBLE PROJECTS.—A grant recipient shall use the grant for activities with the specific objective of improving clearance rates for homicides, rapes, other aggravated felonies, and non-fatal shootings, including—

(A) ensuring the retention of detectives who are assigned to investigate homicides, rapes, other aggravated felonies, and non-fatal shootings as of the date of receipt of the grant;

(B) hiring and training additional detectives who will be dedicated to investigating homicides, rapes, other aggravated felonies, and non-fatal shootings;

(C) developing policies, procedures, and training to improve the ability of detectives to effectively investigate and solve homicides, rapes, other aggravated felonies, and non-fatal shootings, including implementing best practices relating to—

(i) improving internal agency cooperation, organizational oversight and accountability, and supervision of investigations;

(ii) developing specific goals and performance metrics for both investigators and investigative units;

(iii) establishing or improving relationships with the communities the agency serves; and

(iv) collaboration with and among other law enforcement agencies and criminal justice organizations;

(D) training personnel to address the needs of victims and family members of victims of homicides, rapes, other aggravated felonies, and non-fatal shootings or collaborating with trained victim advocates and specialists to better meet victims’ needs;

(E) acquiring, upgrading, or replacing investigative, evidence processing, or forensic testing technology or equipment;

(F) development and implementation of policies that safeguard civil rights and civil liberties during the collection, processing, and forensic testing of evidence;

(G) hiring or training personnel for collection, processing, and forensic testing of evidence;

(H) hiring and training of personnel to analyze violent crime and the temporal and geographic trends among homicides, rapes, other aggravated felonies, and shootings;

(I) retaining experts to conduct a detailed analysis of homicides, rapes, other aggravated felonies, and shootings using Gun Violence Problem Analysis (commonly known as "GVPA") or a similar research methodology;

(J) ensuring victims have appropriate access to emergency food, housing, clothing, travel, and transportation;

(K) developing competitive and evidence-based programs to improve homicide and non-fatal shooting clearance rates;

(L) developing best practices for improving access to and acceptance of victim services, including victim services that promote medical and psychological wellness, ongoing counseling, legal advice, and financial compensation;

(M) training investigators and detectives in trauma-informed interview techniques;

(N) establishing programs to support officers who experience stress or trauma as a result of responding to or investigating shootings or other violent crime incidents; or

(O) ensuring language and disability access supports are provided to victims, survivors, and their families so that victims can exercise their rights and participate in the criminal justice process.

(c) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of a project assisted with a grant under the Program shall not exceed—

(A) 100 percent if the grant is awarded on or before December 31, 2032;

or

(B) subject to paragraph (2), 50 percent if the grant is awarded after December 31, 2032.

(2) WAIVER.—With respect to a grant awarded under the Program after December 31, 2032, the Attorney General may determine that the Federal share of the cost of a project assisted with the grant shall not exceed 100 percent.

(d) REPORT BY GRANT RECIPIENT.—Not later than 1 year after receiving a grant under the Program, and each year thereafter, a grant recipient shall submit to the Attorney General a report on the activities carried out using the grant, including, if applicable—

(1) the number of homicide and non-fatal shooting detectives hired by the grant recipient;

(2) the number of evidence processing personnel hired by the grant recipient;

(3) a description of any training that is—

(A) provided to existing (as of the date on which the grant was awarded) or newly hired homicide and non-fatal shooting detectives; and

(B) designed to assist in the solving of crimes and improve clearance rates;

(4) any new evidence processing technology or equipment purchased or any upgrades made to existing (as of the date on which the grant was awarded) evidence technology or equipment, and the associated cost;

(5) any assessments of evidence processing technology or equipment purchased with grant funds to determine whether such technology or equipment satisfies the objectives of the use of the technology or equipment in increasing clearance rates, and any policies in place to govern the use of the technology or equipment;

(6) the internal policies and oversight used to ensure that any technology purchased through the grant for the purposes of improving clearance rates does not violate the civil rights and civil liberties of individuals;

(7) data regarding clearance rates for homicides, rapes, other aggravated felonies, and non-fatal shootings, including the rate of clearances by arrest and clearances by exception, and crime trends from within each jurisdiction in which the grant recipient carried out activities supported by the grant;

(8) whether the grant recipient has provided grant funds to any victim services organizations, and if so, which organizations;

(9) the demographic information for victims of homicides, rapes, other aggravated felonies, and non-fatal shootings, and the length and outcomes of each investigation, including whether the investigation was cleared by arrest or exception;

- (10) the demographic information for each victim or family member of a victim who received victim-related services provided by the grant recipient; and
  - (11) identification of the services most used by victims and their families and identification of additional services needed.
- (e) NATIONAL INSTITUTE OF JUSTICE EVALUATION AND REPORT TO CONGRESS.—
- (1) EVALUATION.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Director of the National Institute of Justice shall conduct an evaluation of—
    - (A) the practices deployed by grant recipients to identify policies and procedures that have successfully improved clearance rates for homicides, rapes, other aggravated felonies, and non-fatal shootings; and
    - (B) the efficacy of any services provided to victims and family members of victims of homicides, rapes, other aggravated felonies, and non-fatal shootings.
  - (2) REPORT TO CONGRESS.—Not later than 30 days after completion of an evaluation by the National Institute of Justice under paragraph (1), the Attorney General shall submit to Congress a report including—
    - (A) the results of the evaluation; and
    - (B) information reported by each grant recipient under subsection (d).
- (f) AUTHORIZATION OF APPROPRIATIONS.—
- (1) IN GENERAL.—There are authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2023 through 2032.
  - (2) PERCENT FOR CERTAIN ELIGIBLE ENTITIES.—The Attorney General shall use 10 percent of the amount made available under paragraph (1) for a fiscal year to award grants under the Program to Tribal law enforcement agencies or prosecuting offices, or groups of such agencies or offices.

Amend the title so as to read:

A bill to direct the Attorney General to establish a grant program to establish, implement, and administer the violent incident clearance and technology investigative method, and for other purposes.

## CONTENTS

	Page
Purpose and Summary.....	6
Background and Need for the Legislation.....	6
Hearings.....	13
Committee Consideration.....	14
Committee Votes.....	14
Committee Oversight Findings.....	20
Committee Estimate of Budgetary Effects.....	20
New Budget Authority and Congressional Budget Office Cost Estimate.....	20
Duplication of Federal Programs.....	20
Performance Goals and Objectives.....	21
Advisory on Earmarks.....	21
Section-by-Section Analysis.....	21
Minority Views.....	23

### **PURPOSE AND SUMMARY**

H.R. 5768, the “Violent Incident Clearance and Technological Investigative Methods Act of 2022” or the “VICTIM Act of 2022” is bipartisan legislation that authorizes a grant program within the Office of Justice Programs to establish, implement, and administer violent incident clearance and technological investigative methods within law enforcement agencies to improve clearance rates for homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings. VICTIM Act grants would be available to state, tribal, or local law enforcement agencies and prosecuting offices.

### **BACKGROUND AND NEED FOR THE LEGISLATION**

#### **I. Violent Crime Rates**

Nationally, the United States has experienced a substantial decline in homicides and violent crime since the peak rates in the early 1990’s. While the homicide rate in 1991 was 10 per 100,000

people, the rate fell to 5 per 100,000 by 2014.<sup>1</sup> According to research from the Council on Criminal Justice, the number of homicides in 2021, in the 27 major cities studied, increased by 5% from 2020 and by 44% from 2019.<sup>2</sup> This increase in homicides is significant, but is a statistical aberration from the overall trajectory of a decline in all crime, and homicide rates remain well below the peaks seen in the early 1990s.<sup>3</sup>

Non-fatal shootings, or gun assaults, have also increased over the past several years. An analysis by the Council on Criminal Justice of 15 cities found gun assaults rose by 8% in 2020 over 2019.<sup>4</sup> A subsequent analysis of 12 cities showed an additional 8% increase in gun assaults in 2021 over 2020.<sup>5</sup>

## **II. Violent Incidence Clearance Rates**

A law enforcement agency's clearance rate is determined by calculating the rate of crimes resulting in an arrest and charge divided by the total number of crimes recorded. Per the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program, law enforcement agencies can clear, or "close," offenses by either arrest or exceptional means.<sup>6</sup> For a law enforcement agency to clear by arrest, at least one person must be arrested, charged with the commission of the offense, and turned over to the court for prosecution. When a law enforcement agency is unable to arrest and formally charge an offender, such as when the offender is dead, they may clear the offense by exceptional means. For an agency to clear by exceptional means, they must identify the offender, gather enough evidence to support an arrest, make a charge, turn the offender over to the court for prosecution, identify the

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<sup>1</sup> Centers for Disease Control and Prevention (CDC) Underlying Cause of Death Data for Homicides calculated per 100,000 people. <https://wonder.cdc.gov/controller/datarequest/D76;jsessionid=7633FEC96290CE584FB63A862C17> (accessed 4/27/22).

<sup>2</sup> Rosenfeld and Lopez, *Pandemic, Social Unrest, and Crime in U.S. Cities: Year-End 2021 Update*, Council on Criminal Justice, January 24, 2022, <https://counciloncj.org/crime-trends-yearend-2021-update/>.

<sup>3</sup> *Id.*

<sup>4</sup> Rosenfeld and Lopez, *Pandemic, Social Unrest, and Crime in U.S. Cities: Year-End 2021 Update*, Council on Criminal Justice, January 24, 2022, <https://counciloncj.org/crime-trends-yearend-2021-update/>.

<sup>5</sup> *Id.*

<sup>6</sup> <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/clearances>.

offender's exact location so that the offender could be taken into custody immediately, and encounter a circumstance outside their control that prohibits them from arresting, charging, and prosecuting the offender.

In 2020, law enforcement agencies solved 1,200 more homicides than in 2019, an increase of 14%, but due to the dramatic rise in homicides, the clearance rate in 2020 fell to roughly 50%.<sup>7</sup> This drop follows a consistent decline in clearance rates historically from 83% in 1965 to 61% in 2007, a number the rate hovered near until the drop in 2020.<sup>8</sup> For example, in 2020, the Kern County Sheriff's Office in Bakersfield, California had a homicide clearance rate of 19% and the Idaho State Police had a clearance rate of only 11%.<sup>9</sup>

Clearance rates for non-fatal shootings are even lower than that of homicides. In 2016, the Chicago Police Department cleared less than 12% of nonfatal shootings, the San Francisco Police Department cleared only 15% of its gun assaults, and the Los Angeles Police Department cleared 17% of its gun assaults.<sup>10</sup>

Clearance rates are influenced by factors both beyond and within law enforcement control. The ability for police to solve homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings can depend on a number of factors including specific event characteristics such as circumstances, victim-offender relationships, weapon type or method of killing or assault, and crime scene setting.<sup>11</sup> For

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<sup>7</sup> According to the National Incident-Based Reporting System (NIBRS), the clearance rate for homicides in the United States during 2020 was 49.8%. This includes 5024 incidents cleared by arrest and 406 incidents cleared by exceptional means. However, because NIBRS is a voluntary reporting program through the FBI, these numbers do not represent the total number of homicides or clearances in the United States during 2020. <https://crime-data-explorer.fr.cloud.gov/pages/downloads>

<sup>8</sup> Braga AA, Dusseault D. Can Homicide Detectives Improve Homicide Clearance Rates? *Crime & Delinquency*. 2018;64(3):283-315.

<sup>9</sup> <https://www.themarshallproject.org/2022/01/12/as-murders-spiked-police-solved-about-half-in-2020>

<sup>10</sup> In Chicago between 2010 and 2016, annual clearance rates for gun homicides ranged from 26% to 46% and from 5% to 11% for nonfatal shootings. *Improving Police Clearance Rates of Shootings: A Review of the Evidence*, Anthony A. Braga.

<sup>11</sup> Braga, A.A., Turchan, B. & Barao, L. The Influence of Investigative Resources on Homicide Clearances. *J Quant Criminol* 35, 337–364, 340 (2019). <https://doi.org/10.1007/s10940-018-9386-9>



example, crimes involving people who know each other are more likely to be solved than crimes involving strangers, especially drug or gang-related crimes.<sup>12</sup> Crimes involving guns are less likely to be solved than crimes with non-firearms, such as blunt or sharp instruments. This suggests that crimes requiring the suspect to be in close contact with the victim increases the chance of clearance, often because the victim can identify the suspect and there is a greater likelihood of physical evidence being recovered.<sup>13</sup> Other factors that can influence the likelihood of clearance include the location of the crime scene, neighborhood dynamics and socio-economic status, and investigative resources.<sup>14</sup>

A lack of resources and large caseloads for detectives can also result in lower clearance rates and, in some circumstances, a failure to even investigate a crime.<sup>15</sup> A 2017 staffing report for the Baltimore Police Department showed 57 homicide detectives assigned 483 cases.<sup>16</sup> In Flint, Michigan, a 2013 audit found 14 detectives were working 927 cases, including homicides and other violent crimes.<sup>17</sup> In 2017, more than 40 percent of cases were not assigned to an investigator in the Oakland Felony Assault Unit,<sup>18</sup> and 28 percent weren't assigned an investigator in Portland, Oregon.<sup>19</sup> A review of the Cleveland Division of Police's Homicide Investigation Process by the Police Executive Research Forum found that detectives in the Homicide Unit were carrying very large caseloads due to unit understaffing and the shift structure and found that any revisions to policy, training, or other areas would not have the desired impact, unless the Cleveland Division of Police committed to providing the

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<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> [https://www.washingtonpost.com/news/national/wp/2018/09/13/feature/even-with-murder-rates-falling-big-city-detectives-face-daunting-caseloads/?utm\\_term=.3ad18dd6ec4b](https://www.washingtonpost.com/news/national/wp/2018/09/13/feature/even-with-murder-rates-falling-big-city-detectives-face-daunting-caseloads/?utm_term=.3ad18dd6ec4b); <https://www.thetrace.org/2019/01/murder-solve-rate-gun-violence-baltimore-shootings/>

<sup>16</sup> U.S. v. Baltimore Police Department, Consent Decree <https://www.justice.gov/crt/case-document/file/925036/download>.

<sup>17</sup> Flint Police Operational Report 2014 <https://www.documentcloud.org/documents/5691959-Flint-Police-Operational-Report-2014-11.html>

<sup>18</sup> Oakland Police Department Annual Report 2017 <https://www.documentcloud.org/documents/5691907-Oakland-Police-Department-Annual-Report-2017.html>

<sup>19</sup> Portland Police Bureau Case Assignments 2017 <https://www.documentcloud.org/documents/5691912-Portland-Police-Bureau-Case-Assignments-2017>

Homicide Unit with necessary staffing resources.<sup>20</sup> In rural communities with significant increases in homicide rates, agencies are ill-equipped to respond to the increase. County sheriffs are trying to hire more deputies and prosecutors are working to equip their staff with the skills to handle complex homicide cases.<sup>21</sup>

The same issues that result in low clearance rates for homicides affect the ability of law enforcement to clear non-fatal shootings, including a lack of resources and overburdened investigators. However, those issues are magnified for non-fatal shootings. Homicides are typically investigated by detectives specifically assigned to homicides, whereas non-fatal shootings are usually handled by non-specialist detectives who are also responsible for large numbers of robberies, assaults, burglaries, thefts, and other crimes.<sup>22</sup> Beyond an initial response at the crime scene and continued investigative work over the following two days, most nonfatal shooting investigations do not receive extended follow-up action by detectives.<sup>23</sup>

The failure to consistently close homicide and non-fatal shooting cases can have serious effects on the victims, as well as on the law enforcement agency and the community it serves. Failure to clear can harm the reputation of the agency and impact public trust and confidence in law enforcement. Additionally, failure to clear a case leaves the victim and their family members without justice or closure. This failure can lead some shooting victims to turn to violence to achieve what they believe in their minds to be justice, when it cannot be delivered by the criminal justice system.<sup>24</sup>

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<sup>20</sup> Review of the Cleveland Division of Police's Homicide Investigation Process 2016

<https://ewscripps.brightspotcdn.com/32/01/23872f754ec687bd3d9d163a3bb3/perf-december-20016.pdf>

<sup>21</sup> [https://www.wsj.com/articles/violent-crime-rural-america-homicides-pandemic-increase-11654864251?mod=hp\\_lead\\_pos7](https://www.wsj.com/articles/violent-crime-rural-america-homicides-pandemic-increase-11654864251?mod=hp_lead_pos7)

<sup>22</sup> Improving Police Clearance Rates of Shootings: A Review of the Evidence, Anthony A. Braga.

<sup>23</sup> *Id.*

<sup>24</sup> Scott W Phillips, Greg M Drake, Irshad Altheimer, The effectiveness of standardized investigative tactics in clearing non-fatal shooting investigations, *International Journal of Police Science & Management*, 10.1177/14613557221074986, (146135572210749), (2022).

The ability to clear cases can have positive impacts on law enforcement agencies and their continued efforts to protect public safety. Just as a failure to clear cases results in a negative perception of the police’s efficacy, consistently closing cases results in a positive perception and leads to greater cooperation with law enforcement by witnesses and victims. Clearing cases consistently can improve future cooperation in similar cases, making future investigative work more effective.<sup>25</sup> Finally, clearing homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings can deter future criminal activity because the certainty of being caught is the most effective deterrent.<sup>26</sup>

Devoting more resources to investigate homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings helps increase the likelihood of an arrest. Certain factors within police control can exert significant influence on clearances, including the actions of the first officer on the scene, a detective responding to the scene in less than 30 minutes, the notification of the crime lab and medical examiner’s office, the number of detectives assigned to the case, and the documentation of the crime scene.<sup>27</sup> Additional research has demonstrated the importance of training homicide detectives and other personnel in improving the capacity of the police to clear homicide cases.<sup>28</sup> Case management systems, the development of working relationships with outside criminal justice agencies, a strong community policing presence, collaboration with external agencies, and a culture dedicated to innovation have also been cited by research as improving clearance rates.<sup>29</sup>

In 2011, the Boston Police Department received a U.S. Bureau of Justice Assistance Smart Policing Initiative grant to engage in a problem-oriented policing enterprise to improve homicide

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<sup>25</sup> *Id.*

<sup>26</sup> According to the National Institute of Justice in the Department of Justice, “research shows clearly that the chance of being caught is a vastly more effective deterrent than even draconian punishment” and “the police deter crime when they do things that strengthen a criminal’s perception of the certainty of being caught.” <https://nij.ojp.gov/topics/articles/five-things-about-deterrence>

<sup>27</sup> Braga, A.A., Turchan, B. & Barao, L. The Influence of Investigative Resources on Homicide Clearances. *J Quant Criminol* 35, 337–364, 343 (2019). <https://doi.org/10.1007/s10940-018-9386-9>

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

clearance rates. This initiative provided a series of recommendations that were implemented in January 2012 to increase the size of the homicide unit, enhance training of detectives, and adopt new investigative practices and policies.<sup>30</sup> Specifically, they increased the size of the homicide unit by 10 personnel, hired a civilian crime analyst to enhance the unit's ability to search computerized databases in real time and pursue analyses to generate investigative leads, added a second Victim-Witness Resource Officer, and strengthened their connections to victim assistance organizations in an effort to improve relationships between detectives and victims' families and witnesses.<sup>31</sup> The department also altered the structure of their investigative squads, improved training for its Crime Scene Response Unit and Forensic Group in cutting-edge investigative techniques, and developed and implemented a comprehensive set of standardized protocols to guide work activities across the different stages of homicide investigation.<sup>32</sup> Their Bureau of Investigative Services command staff reviewed protocols to ensure standardization was achieved and the homicide unit convened monthly peer review sessions for all open homicide investigations to increase accountability by ensuring all possible avenues for identifying responsible offenders were being pursued.<sup>33</sup> A similar process was put in place to manage the processing and testing of physical evidence by the Forensics group and new forensic technology was also acquired and used.<sup>34</sup>

### **III. The VICTIM Act**

Under the VICTIM Act, state, tribal, or local law enforcement agencies and prosecuting offices would be able to use federal funds to hire, retain, or train detectives to investigate homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings; train police personnel to address the needs of

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<sup>30</sup> Braga AA, Dusseault D. Can Homicide Detectives Improve Homicide Clearance Rates? *Crime & Delinquency*. 2018;64(3):283-315.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

victims and family members; hire and train evidence processing personnel; acquire, upgrade, or replace investigative or evidence processing technology or equipment; hire and train personnel to analyze violent crime; ensure victim services are funded, staffed, and trained; provide resources to victims and their family members, including mental health treatment and grief counseling, funeral and burial expenses, relocation expenses, emergency shelter and transportation, and lost wage assistance; develop competitive and evidence-based programs to improve clearance rates; or develop best practices for improving access and acceptance of victim services.

Within a year of being awarded a VICTIM grant, each recipient must report to the Attorney General information on the use and effectiveness of their grant, including the number of detectives hired, the number of evidence processing personnel hired, any training provided to detectives to assist in solving crimes and improving clearance rates, any new or upgraded evidence processing technology or equipment and corresponding training, and data regarding clearance rates for homicides, rapes, sexual assaults, kidnappings, non-fatal shootings and related crime trends.

The VICTIM Act also requires the National Institute of Justice (NIJ) to conduct bi-annual evaluations of the VICTIM grants and the practices deployed by the grant recipients to identify policies and procedures that have successfully improved clearance rates for homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings. The Attorney General is required to report to Congress the results of NIJ's evaluation and the information each recipient is required to report to the Attorney General. Finally, to carry out the Program, the VICTIM Act authorizes \$100,000,000 a year for ten years.

## **HEARINGS**

For the purposes of clause 3(c)(6)(A) of House Rule XIII, the following hearing was used to develop H.R. 5768: On March 8, 2022, the Subcommittee on Crime, Terrorism, and Homeland Security

held a hearing on “Reimagining Public Safety in the COVID-19 Era.” The witnesses were: Thomas Abt, Chair, Violent Crime Working Group; Madeline Brame, Chairwoman, NYS Victims Rights Reform Council; the Honorable Nicholas W. Brown, U.S. Attorney for the Western District of Washington; the Honorable Satana Deberry, District Attorney, Durham County, North Carolina; Edgardo "Eddie" Garcia, Chief of Police, Dallas Police Department; Charles Fain Lehman, Fellow, Manhattan Institute for Policy Research; Jerika L Richardson, Senior Vice President, Equitable Justice & Strategic Initiatives, National Urban League; and the Honorable Sylvester Turner, Mayor, City of Houston. At the hearing, the witnesses explored a variety of approaches to reducing violence and increasing public safety.

### **COMMITTEE CONSIDERATION**

On June 15, 2022, the Committee met in open session and ordered the bill, H.R. 5768, favorably reported with an amendment, by a rollcall vote of 25 to 14, a quorum being present.

### **COMMITTEE VOTES**

In compliance with clause 3(b) of House Rule XIII, the following rollcall votes occurred during the Committee’s consideration of H.R. 5768:

1. An amendment by Mr. Roy to add findings related to jurisdictions that have reduced funding for their police departments was defeated by a rollcall vote of 15 to 22. The vote was as follows:

COMMITTEE ON THE JUDICIARY

House of Representatives

117<sup>th</sup> Congress

Amendment # 1 (ANJ) to HR 5768 offered by Rep. Roy

PASSED  
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)			
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)			
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)			
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES.
Jim Jordan (OH-04)	✓		
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)			
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)			
Andy Biggs (AZ-05)			
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)			
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	15	22	

2. An amendment by Mr. Tiffany to prohibit funding under the bill to any jurisdiction that has reduced its law enforcement budget for any of the previous 5 fiscal years without a corresponding reduction in revenue was defeated by a rollcall vote of 15 to 25. The vote was as follows:



COMMITTEE ON THE JUDICIARY

House of Representatives

117<sup>th</sup> Congress

Amendment # 3 (AM) to HR 5768 offered by Rep. Tiffany

- PASSED
- FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)		✓	
Zoe Lofgren (CA-19)		✓	
Sheila Jackson Lee (TX-18)		✓	
Steve Cohen (TN-09)		✓	
Hank Johnson (GA-04)		✓	
Ted Deutch (FL-22)		✓	
Karen Bass (CA-37)		✓	
Hakeem Jeffries (NY-08)		✓	
David Cicilline (RI-01)		✓	
Eric Swalwell (CA-15)		✓	
Ted Lieu (CA-33)		✓	
Jamie Raskin (MD-08)		✓	
Pramila Jayapal (WA-07)		✓	
Val Demings (FL-10)		✓	
Lou Correa (CA-46)		✓	
Mary Gay Scanlon (PA-05)		✓	
Sylvia Garcia (TX-29)		✓	
Joseph Neguse (CO-02)		✓	
Lucy McBath (GA-06)		✓	
Greg Stanton (AZ-09)		✓	
Madeleine Dean (PA-04)		✓	
Veronica Escobar (TX-16)		✓	
Mondaire Jones (NY-17)		✓	
Deborah Ross (NC-02)		✓	
Cori Bush (MO-01)		✓	
	AYES	NOS	PRES
Jim Jordan (OH-04)			
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)			
Darrell Issa (CA-50)	✓		
Ken Buck (CO-04)	✓		
Matt Gaetz (FL-01)	✓		
Mike Johnson (LA-04)			
Andy Biggs (AZ-05)	✓		
Tom McClintock (CA-04)	✓		
Greg Steube (FL-17)	✓		
Tom Tiffany (WI-07)	✓		
Thomas Massie (KY-04)	✓		
Chip Roy (TX-21)	✓		
Dan Bishop (NC-09)	✓		
Michelle Fischbach (MN-07)	✓		
Victoria Spartz (IN-05)			
Scott Fitzgerald (WI-05)	✓		
Cliff Bentz (OR-02)	✓		
Burgess Owens (UT-04)	✓		
	AYES	NOS	PRES.
TOTAL	15	25	

3. A motion to report H.R. 5768, as amended, was agreed to by a rollcall vote of 25 to 14. The vote was as follows:

COMMITTEE ON THE JUDICIARY

House of Representatives  
117<sup>th</sup> Congress

Final Passage on: HR 5768

PASSED  
 FAILED

	AYES	NOS	PRES.
Jerrold Nadler (NY-10)	✓		
Zoe Lofgren (CA-19)	✓		
Sheila Jackson Lee (TX-18)	✓		
Steve Cohen (TN-09)	✓		
Hank Johnson (GA-04)	✓		
Ted Deutch (FL-22)	✓		
Karen Bass (CA-37)	✓		
Hakeem Jeffries (NY-08)	✓		
David Cicilline (RI-01)	✓		
Eric Swalwell (CA-15)			
Ted Lieu (CA-33)	✓		
Jamie Raskin (MD-08)	✓		
Pramila Jayapal (WA-07)	✓		
Val Demings (FL-10)	✓		
Lou Correa (CA-46)	✓		
Mary Gay Scanlon (PA-05)	✓		
Sylvia Garcia (TX-29)	✓		
Joseph Neguse (CO-02)	✓		
Lucy McBath (GA-06)	✓		
Greg Stanton (AZ-09)	✓		
Madeleine Dean (PA-04)	✓		
Veronica Escobar (TX-16)	✓		
Mondaire Jones (NY-17)	✓		
Deborah Ross (NC-02)	✓		
Cori Bush (MO-01)	✓		
	AYES	NOS	PRES.
Jim Jordan (OH-04)			
Steve Chabot (OH-01)	✓		
Louie Gohmert (TX-01)			
Darrell Issa (CA-50)		✓	
Ken Buck (CO-04)		✓	
Matt Gaetz (FL-01)		✓	
Mike Johnson (LA-04)		✓	
Andy Biggs (AZ-05)		✓	
Tom McClintock (CA-04)		✓	
Greg Steube (FL-17)		✓	
Tom Tiffany (WI-07)		✓	
Thomas Massie (KY-04)		✓	
Chip Roy (TX-21)			
Dan Bishop (NC-09)			
Michelle Fischbach (MN-07)		✓	
Victoria Spartz (IN-05)		✓	
Scott Fitzgerald (WI-05)		✓	
Cliff Bentz (OR-02)		✓	
Burgess Owens (UT-04)		✓	
	AYES	NOS	PRES.
TOTAL	25	17	

## **COMMITTEE OVERSIGHT FINDINGS**

In compliance with clause 3©(1) of House Rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of House Rule X, are incorporated in the descriptive portions of this report.

## **COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

Pursuant to clause 3(d)1) of House Rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

## **NEW BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE**

Pursuant to clause 3©(2) of House Rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House Rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office, a budgetary analysis and a cost estimate of the bill.

## **DUPLICATION OF FEDERAL PROGRAMS**

Pursuant to clause 3©(5) of House Rule XIII, no provision of H.R. 5768 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

## **PERFORMANCE GOALS AND OBJECTIVES**

The Committee states that pursuant to clause 3(c)(4) of House Rule XIII, H.R. 5768 would increase public safety and improve law enforcement practices by providing funding for law enforcement agencies to improve clearance rates for homicides and other serious crimes.

## **ADVISORY ON EARMARKS**

In accordance with clause 9 of House Rule XXI, H.R. 5768 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

## **SECTION-BY-SECTION ANALYSIS**

The following discussion describes the bill as reported by the Committee.

*Sec. 1. Short Title.* Section 1 sets forth the short title, the “Violent Incident Clearance and Technological Investigative Methods Act of 2022” or the “VICTIM Act of 2022.”

*Sec. 2. Findings.* Section 2 provides findings related to clearance rates.

*Sec. 3. Grant Program with Respect to Violent Incident Clearance and Technological Investigative Methods.* Section 3 authorizes, for ten years, a grant program within the Office of Justice Programs to establish, implement, and administer violent incident clearance and technological investigative methods to improve clearance rates for homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings. It also defines relevant terms, establishes the specific projects that the grant

funds are eligible for, and requires state, tribal, or local law enforcement agencies and prosecuting offices that receive funding under the program to report to the Attorney General information regarding the use of the grants. It also requires the NIJ to conduct bi-annual evaluation of the practices deployed by the grant recipients to identify best practices for improving clearance rates for homicides, rapes, sexual assaults, kidnappings, and non-fatal shootings and submit any findings to Congress. This section Authorizes \$100,000,000 each year from fiscal year 2023 through fiscal year 2032, setting aside 10 percent of each appropriation for Tribal offices or agencies.

## **H.R. 5768, the “Violent Incident Clearance and Technological Investigative Methods Act of 2022” or the “VICTIM Act of 2022”**

July 25, 2022

### **MINORITY VIEWS**

H.R. 5768, the “Violent Incident Clearance and Technological Investigative Methods Act of 2022” or the “VICTIM Act of 2022,” creates a new grant program within the Department of Justice authorized at \$100 million dollars per year for the next decade, for a total of \$1 billion. The new government program would use federal taxpayer money to pay for activities that should be left to states and localities.

### **H.R. 5768 is an Election-year Ploy to Paper Over the Democrats’ Radical “Defund the Police” Campaign**

During the last two years, the United States has seen a spike in violent crime.<sup>1</sup> In 2020, the United States tallied more than 20,000 murders—the highest total since 1995 and 4,000 more than in 2019.<sup>2</sup> While Democrat-run cities have seen an increase in homicides, many of those cities chose to defund their police. For example:

- In New York City, the NYPD’s data shows the overall crime rate rose 11.2 percent in October 2021 compared to October 2020.<sup>3</sup> This jump in crime continues after New York City defunded its police department by \$1 billion.<sup>4</sup>
- In Los Angeles County, homicides increased 23 percent between 2020 and 2021, from 555 in 2020 to 683 in 2021.<sup>5</sup> The increased homicide rate occurred after Los Angeles defunded its police department by \$150 million.<sup>6</sup>
- Houston, Texas, saw an 18 percent increase in homicides from 2020 to 2021, going from 405 to 479.<sup>7</sup>

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<sup>1</sup> Amir Vera, *Despite Covid-19 and Stay-at-Home Orders, 2020 Saw an Increase in Homicides across the US*, CNN (Jan. 1, 2021), <https://www.cnn.com/2021/01/01/us/homicides-2020-increase-coronavirus/index.html>.

<sup>2</sup> Jason Johnson, *Why Violent Crime Surged Across America After Police Retreated*, USA TODAY (Apr. 9, 2021), <https://www.usatoday.com/story/opinion/policing/2021/04/09/violent-crime-surged-across-america-after-police-retreated-column/7137565002/>.

<sup>3</sup> Fox 5 New York Staff, *Violent Crime Continues to Surge in NYC*, FOX 5 New York (Nov. 3, 2021), <https://www.fox5ny.com/news/violent-crime-continues-to-surge-in-nyc>.

<sup>4</sup> The Official Website of the City of New York, *In the Face of an Economic Crisis, Mayor de Blasio Announces Budget that Prioritizes Safety, Police Reform, Youth Services, and Communities of Color* (Jun. 30, 2020), <https://www1.nyc.gov/office-of-the-mayor/news/487-20/in-face-an-economic-crisis-mayor-de-blasio-budgetprioritizes-safety-police>.

<sup>5</sup>*Id.*

<sup>6</sup> Anabel Munoz, *Los Angeles City Council votes to cut LAPD budget by \$150 million*, ABC 7 (Jul. 2, 2020), <https://abc7.com/defund-the-police-lapd-los-angeles-mayor-eric-garcetti/6289037/>.

<sup>7</sup> Major Cities Chiefs Association, *Violent Crime Survey – Agency Totals (2020-2021)*, <https://majorcitieschiefs.com/wp-content/uploads/2022/02/MCCA-Violent-Crime-Report-2021-and-2020-Year-End.pdf>.

- Minneapolis, Minnesota, saw an increase in homicides in 2021 with 96 reported as opposed to only 84 in 2020.<sup>8</sup> Minneapolis was one of the first cities to defund its police department in 2020 after the death of George Floyd. The Minneapolis City Council voted to refund its police department by \$6.4 million after the increase in crime.<sup>9</sup> Moreover, in November 2021, Minneapolis voters rejected a City Council ballot proposal to replace the city’s embattled police department.<sup>10</sup>
- Philadelphia, Pennsylvania, saw a nearly 13 percent increase in homicides from 2020 to 2021. In 2020, Philadelphia suffered 499 homicides, while 563 were reported in 2021. Philadelphia decided to cut its police budget by \$33 million in 2020.<sup>11</sup>
- Residents of Portland, Oregon, suffered an increase in homicides from 2020 to 2021. In 2020, Portland suffered 53 homicides while enduring 87 in 2021.<sup>12</sup> Portland also reported 3,409 aggravated assaults in 2021, an increase from 2,726 in 2020.<sup>13</sup> Portland also decided to defund its police department to the tune of \$16 million in 2020.<sup>14</sup>

It is not just Democrat-run cities that have embraced the radical “defund the police” movement. Democrat Members of Congress, including some on the Judiciary Committee, have also parroted this dangerous rhetoric. For example:

- **Chairman Jerrold Nadler.** Chairman Nadler publicly agreed with reducing the NYPD budget, stating “[t]here should be substantial cuts to the police budget and a reallocation of those funds to where we need them.”<sup>15</sup>
- **Representative Cori Bush.** Responding to a tweet from former President Barack Obama, Rep. Bush, the Vice Chair of the Crime Subcommittee, tweeted: “It’s not a slogan. It’s a mandate for keeping our people alive. Defund the police.”<sup>16</sup> In February 2022, when challenged about the popularity of the “defund the police” platform, Rep. Bush stated,

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<sup>8</sup> *Id.*

<sup>9</sup> Bradford Betz, *Minneapolis Push to Defund Police Backfires After Residents Complain of Slow Response Times, Increase in Crime*, FOX NEWS (February 14, 2021) <https://www.foxnews.com/us/minneapolis-defund-police-backfires-residents-complain-slow-response-times-increase-crime>.

<sup>10</sup> Joe Walsh, *Minneapolis Votes Down Proposal to Replace its Police Department*, FORBES (Nov. 2, 2021), <https://www.forbes.com/sites/joewalsh/2021/11/02/minneapolis-votes-down-proposal-to-replace-its-police-department/?sh=1a119c4b2fce>.

<sup>11</sup> Michael D’Onofrio, *Preliminary Philly budget cuts \$33M in police spending, implements reform*, PENNSYLVANIA CAPITAL STAR (Jun. 18, 2020), <https://www.penncapital-star.com/government-politics/preliminary-philly-budgetcuts-33m-in-police-spending-implements-reform/>.

<sup>12</sup> Major Cities Chiefs Association, *Violent Crime Survey – Agency Totals (2020-2021)*, <https://majorcitieschiefs.com/wp-content/uploads/2022/02/MCCA-Violent-Crime-Report-2021-and-2020-Year-End.pdf>.

<sup>13</sup> *Id.*

<sup>14</sup> *Portland, Ore., Cuts Police Budget by \$16 million, Dissolves Programs*, OANN (Nov. 6, 2020), <https://www.oann.com/portland-votes-against-18m-police-funding-cut/>.

<sup>15</sup> Michael McDowell, *Jerry Nadler Thinks the NYPD Budget Should be Cut and He’s Getting Ready if Trump Disputes the Election*, WEST SIDE RAG (June 7, 2020), <https://www.westsiderag.com/2020/06/07/jerry-nadler-thinks-the-nypd-budget-should-be-cut-and-hes-getting-ready-if-trump-disputes-the-election>.

<sup>16</sup> Cori Bush (@CoriBush), TWITTER (Dec. 1, 2020, 9:03 PM), <https://twitter.com/CoriBush/status/1333955011475365888>.”



“‘[d]efund the police’ is not the problem.”<sup>17</sup> Minutes after President Biden gave the State of the Union address in March 2022, Rep. Bush tweeted, “Defund the police. Invest in our communities.”<sup>18</sup>

- **Representative Alexandria Ocasio-Cortez.** Responding to a media report that Customs and Border Patrol had used drones over the protests in Minneapolis following the death of George Floyd, Rep. Ocasio-Cortez tweeted: “This is what happens when leaders sign blank check after blank check to militarize police, CBP, etc while letting violence go unchecked. We need answers. And we need to defund.”<sup>19</sup> After New York decided to cut \$1 billion from its police department, Rep. Ocasio-Cortez indicated that she thought the cuts did not go far enough, stating, “defund the police means defunding the police.”<sup>20</sup>
- **Representative Mondaire Jones.** Responding to a question in 2020 about where he stands on criminal justice reform, Rep. Jones said he supports “a suite of criminal justice reforms to redress racial inequalities and harms in our justice system, including . . . defunding police and reinvesting this money in health, education, and alternatives to incarceration . . . .”<sup>21</sup> Rep. Jones also commented about a man killed by police in Sacramento, California, and tweeted, “[t]he leadership of the department, and all of these officers, must be fired. Then, the department must be dismantled and policing reimagined.”<sup>22</sup>
- **Representative Pramila Jayapal.** Rep. Jayapal used different language to support defunding of police, saying, “[i]t is completely reasonable for us to shift significant resources from law enforcement and investing in people.”<sup>23</sup>
- **Representative Ilhan Omar.** Responding to the death of George Floyd, Rep. Omar went further than defunding the police in Minneapolis. Rep. Omar stated that, “[w]e need to completely dismantle the Minneapolis Police Department. Because here’s the thing, there is a cancer . . . . The Minneapolis Police Department is rotten to the root, and so when we dismantle, it we get rid of that cancer . . . .”<sup>24</sup>

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<sup>17</sup> Cameron Jenkins, *Cori Bush Says She Won’t Stop Saying ‘Defund the Police’ Despite Pressure From Other Democrats*, THE HILL (Feb. 9, 2022), <https://thehill.com/homenews/house/593517-cori-bush-says-she-wont-stop-saying-defund-the-police-despite-pressure-from>.

<sup>18</sup> Cori Bush (@CoriBush), TWITTER (Mar. 1, 2022, 10:45 PM), <https://twitter.com/CoriBush/status/1498866983835783171>.

<sup>19</sup> Alexandria Ocasio-Cortez (@AOC), Twitter (May 29, 2020), [https://twitter.com/AOC/status/1266422625032642563?ref\\_src=twsrc%5Etfw](https://twitter.com/AOC/status/1266422625032642563?ref_src=twsrc%5Etfw)

<sup>20</sup> Bob Fredericks, *\$1.5B in NYPD Cuts Not Enough For AOC: ‘Defund Police Means Defunding the Police’* NEW YORK POST (June 30, 2020), <https://nypost.com/2020/06/30/aoc-says-1-5b-nypd-budget-slash-didnt-go-far-enough/>

<sup>21</sup> Lanning Taliaferro, *Candidate Profile: Mondaire Jones for Congress*, PATCH (Jun. 16, 2020), <https://patch.com/ne-w-york/nyack/candidate-profile-mondaire-jones-congress>.”

<sup>22</sup> Mondaire Jones (@MondaireJones), TWITTER ((Aug. 30, 2020) <https://twitter.com/mondairJones/status/1300042191671304192>

<sup>23</sup> Dyer Oxley and Adwoa Gyimah-Brempong, *What does Congressman Jayapal Think About Defunding the Police?*, KUOW (Jul. 16, 2020), <https://www.kuow.org/stories/jayapal-supports-diverting-police-money-to-other-public-uses>.

<sup>24</sup> Mark Moore, *Rep. Ilhan Omar Calls to Dismantle ‘Rotten’ Minneapolis Police Department*, NEW YORK POST (June 8, 2020), <https://nypost.com/2020/06/08/rep-omar-dismantle-rotten-minneapolis-police-department/>

- **Representative Ayanna Pressley.** Explaining her position on the defund the police movement, Rep. Pressley tweeted, “[t]he defund movement isn’t new. Folks are just finally listening. We got money for wars but can’t feed the poor.”<sup>25</sup>

For two years, many prominent Democrats embraced the “defund the police” movement. Now, after seeing the dangerous results in their communities and how unpopular it is with Americans, some Democrats are now attempting to distance themselves from the defund the police movement by committing \$1 billion in federal taxpayer dollars to various jurisdictions via H.R. 5768, including those reckless jurisdictions that chose to defund the police.

### **Democrats Have Not Fully Rejected the Radical “Defund the Police” Campaign**

During Committee consideration of H.R. 5768, Democrats rejected an amendment offered by Representative Tiffany that would have prohibited jurisdictions that chose to defund their police from receiving the grant funds authorized in this legislation.<sup>26</sup> Jurisdictions that created more crime by defunding the police should not be rewarded with federal taxpayer dollars to solve the problems they caused, yet Committee Democrats are willing to send Americans’ hard-earned money to jurisdictions that allowed crime to flourish by defunding their police departments.

Showing that they really have not fully divorced themselves from the radical “defund the police” movement, Democrats could not even find it themselves to accept an amendment to the findings section of the bill that declared “defunding the police can have deadly consequences.” The amendment, offered by Representative Roy, was rejected along a party-line vote.<sup>27</sup>

### **Conclusion**

This bill authorizes \$1 billion over the next ten years to have unelected and unaccountable bureaucrats in Washington, D.C. pick winners and losers when handing out these grant funds. Because Democrats rejected Republican amendments, jurisdictions that irresponsibly defunded their police departments would be eligible for such funds. At a time of record inflation and economic stagnation, the American people simply cannot afford paying for the Democrats’ missteps.



**Jim Jordan**  
**Ranking Member**

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<sup>25</sup> Ayanna Pressley (@AyannaPressley), TWITTER (Jun. 16, 2020), [https://twitter.com/hashtag/HappyBirthdayTupac?src=hash&ref\\_src=twsrc%5Etfw](https://twitter.com/hashtag/HappyBirthdayTupac?src=hash&ref_src=twsrc%5Etfw)

<sup>26</sup> Business Meeting of the H. Comm. on Judiciary, 117th Cong. (Jun. 15, 2022) (Roll Call Vote #3).

<sup>27</sup> *Id.* (Roll Call Vote #4).