

**Remarks by Senator Tom Harkin**  
**Senate Judiciary Committee**  
**February 27, 2008**

Mr. Chairman, I want to thank you for holding this important hearing. Throughout your career, you have been a true leader in the effort to ensure that police and sheriffs have the tools they need to get crime and drugs off our streets, to put violent offenders behind bars and to protect victims of crime. I am proud to be here with you to highlight the vital issue of restoring funding for state and local law enforcement.

Yesterday was the 20th anniversary of the heinous killing of Officer Edward Byrne in New York City. Officer Byrne, age 22, was a rookie police officer who was shot several times in the head and died instantly as he sat in his police car while protecting a witness in a drug case. The cold-blooded killing was apparently a plot to intimidate witnesses from testifying against drug dealers. His murder shocked the consciousness of the nation; and his tragic death motivated the creation of the Edward Byrne Memorial State and Local Law Enforcement

Assistance Program, a program which has helped make neighborhoods throughout the nation safer.

In passing Byrne, Congress recognized that crime, drugs and violence are not merely local problems. The federal government made a commitment to provide essential funds to assist state and local governments in tackling crime. It is no accident that over the past fifteen years, law enforcement has made tremendous strides in reducing the level of crime and violence. This decline in crime was due in no small measure to federal assistance through the Byrne program.

Nevertheless, since creation of the program, there have been repeated efforts to kill it. In 1994, for example, I led a successful effort in the Senate to restore funds after an attempt to eliminate the program. Fourteen years later, I am prepared to win the same fight.

I want to briefly describe one reason why this issue is so important to me. During my career in the Senate, I have done “work days” in Iowa – days spent on the job working alongside fellow Iowans to gain practical experience and a better understanding of Iowa’s needs. For example, I have worked as a school teacher, farmer, bricklayer, nurse’s

aide and construction worker. I also worked along side some of Iowa's finest, working with police as they performed a drug bust in Bettencourt Iowa. Mind you, I was kept back, but I was able to see firsthand how everyday our nation's police put their life on the line. When they went up to that door, knocked and announced, and barged in, they did not know what was on the other side. For all they knew, a drug dealer was pointing a gun at the door waiting for them to enter.

What I saw next has left a lasting impression. After I followed the officers into the home, I saw a young mother, with scales in front of her, measuring out drugs. Besides her, home on a school day, was her eight year old daughter. The image of that little girl has remained with me and is a constant reminder of the severe damage drugs and crimes can do to our communities.

I am here to sound the alarm about severe cuts to the Byrne Justice Assistance Grants program in the appropriations bill that recently passed for fiscal year 2008. In fiscal year 2002, this vital program was funded at \$900 million. In 2007, it was \$520 million. For 2008, it was just \$170 million – a cut of two-thirds from the previous year. This despite

the fact that, in the Senate, we initially funded the program at \$660 million and the House funded it at \$600 million.

Mr. Chairman, let there be no mistake, the reason Byrne funding was decimated is because the President threatened to veto any appropriations bill unless Congress cut \$22 billion in domestic spending. It is for this reason, and this reason alone, that Congress had to accept reluctant cuts and Byrne funding was cut.

Unfortunately, the President is not satisfied with just a two-third cut in Byrne funding. While we have been fighting hard to restore 2008 funds, the President submitted his budget to Congress for 2009. That budget again sought to eliminate Byrne-JAG funding altogether. The President's budget also seeks to eliminate the Community Oriented Policing Services (COPS) program, a program you have long championed which helps local police departments put more officers on our streets. Rest assured, working with you and others, the President's efforts to eliminate these vital programs in 2009 will not be successful.

But, today, I want to emphasize the two-thirds cut in 2008. Regardless of what happens in 2009, if the 2008 cuts go through, that

will be devastating, and it will have irreversible consequences. With law enforcement, once a program is eliminated, it is hard to start up again, even with appropriate funding. With respect to a drug investigation, for example, it is hard to hire back trained and experienced law enforcement, it is hard to start a wiretap back up, hard to reconnect with witnesses, hard to recreate a year of lost investigations. Criminals are smart. They will notice fewer officers on the street, fewer investigations, and we will see new preying in our communities.

I want to briefly highlight why Byrne is so important. The Byrne program provides funding for local drug task forces in Iowa and all over the country. In fact, Byrne is the only source of federal funding for multi-jurisdictional efforts to prevent and fight crime. On a daily basis, sheriffs in Iowa tell me that Byrne funding is the catalyst that pulls multi-jurisdiction task forces together. These local drug task forces are critical to creating regional cooperation and to fighting the manufacture, distribution, and use of narcotics, including methamphetamine. Byrne funding also goes to help pay for police training, technology and crime prevention programs. Major innovations in crime prevention and

control are the direct result of Byrne, including drug courts, information-sharing strategies, gang prevention programs, and prisoner reentry programs.

In 2007, in Iowa, Byrne supported drug task forces seized illegal drugs valued at more than \$31 million and netted more than 2,000 criminal convictions. Iowa drug task forces responded to over 360 clandestine meth labs. Over 560 drug-addicted offenders received treatment. What these figures show is that the programs funded by Byrne are working and that we need to continue what we are doing.

Nevertheless, these successful programs will be eliminated if the 2008 funding cut is allowed to remain. For Iowa alone, the cuts will mean \$3 million less for crucial law enforcement programs and will hit my state hard. The cuts will translate into fewer law enforcement officers and less regional cooperation in fighting drugs and crime. For example, Iowa will have to eliminate 15 out of 21 multi-jurisdictional drug control programs across the state and 39 out of 59 personnel working in those programs. In Iowa, 85 percent of Iowa's drug cases

originate from these multi-jurisdictional task forces that face extinction if funds are not restored.

At the local level, the cuts will be equally damaging. Seven counties in Iowa that currently receive and count on Byrne funding – Mason City, Clinton City, Burlington, Keokuk City, Urbandale City, West Des Moines and Tama County would lose funding altogether, unless the state is able to make up this shortfall, something that is highly unlikely when state budgets across the country are facing shortages as our economy slows.

On the ground, these losses will be devastating. As just one example, the Quad City Metropolitan Enforcement Task Force has five officers supported by Byrne funding. These five officers alone are responsible for seizing over \$6 million in illegal narcotics in 2007. These five officers also taught drug recognition and meth awareness to over 1,250 students, teachers and business leaders last year. If the cuts go through, Quad City will lose these officers. The result of this loss, they estimate, is a reduction of 50% in arrests and seizures in Quad City.

I want to give another example. The South Central Iowa Task Force covers 10 counties in Iowa. It will lose all its officers and be forced to shut down. This task force, in addition to investigating and prosecuting drugs, works closely with the Department of Human Services and medical services as part of a Drug Endangered Children program, going to homes and identifying children who have been impacted by their parents use of drugs. It is literally responsible for saving hundreds of children who have been physically exposed to methamphetamine and other illegal drugs, or whose parents are addicted to these illegal drugs. Appanoose County in Iowa, for example, has averaged 119 cases per year regarding denial of critical care and 32 cases where illegal drugs were located in a child's body. Because of the Byrne supported task force, these children have been identified and received help. If the cuts to Byrne are not restored, this program will be eliminated.

I find what will happen to these task forces and law enforcement throughout my state simply unacceptable.

Mr. Chairman, this spring Congress will address an emergency supplemental appropriations bill for war funding. The United States has spent over \$6 billion for security and law enforcement in Iraq. I believe that the safety of our citizens here at home is equally important.

That is why along with you, Senators Feinstein, Bond and Chambliss, I am leading a bipartisan effort to seek an increase in this year's supplemental appropriation bill. I believe it is crucial 2008 funding be restored, and intend to seek additional funding in this year's supplemental appropriations bill of \$490 million – so total spending is boosted back to the \$660 million in the bill that passed the Senate on a bipartisan basis. If we are successful, for my state alone, that will mean an additional \$4.6 million for law enforcement. It is crucial that funding be restored. Iowa and the nation depend on this program to provide critical funds used to fight violence and drugs and to support crime victims.

Again, Mr. Chairman, thank you for holding this important hearing and your efforts towards restoring these essential funds.