

House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security
Hearing on H.R. 3546 to Reauthorize the Edward Byrne Memorial Justice Assistance
Grant Program at Fiscal Year 2006 Levels through 2012

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Good morning Mr. Chairman and members of the Committee. My name is Craig Webre and I currently serve as the Sheriff of Lafourche Parish, Louisiana and President of the National Sheriffs' Association. The National Sheriffs' Association represents over 3,000 elected sheriffs across the country and more than 22,000 law enforcement professionals, making us one of the largest law enforcement associations in the Nation. I am pleased to have this opportunity to appear before you today to discuss the necessity for the Byrne JAG program among state and local law enforcement agencies, as well as the urgent need to reauthorize funding levels through Fiscal Year 2012.

As you may be aware, sheriffs play a unique role in our criminal justice system. In addition to providing traditional policing within their respective counties, sheriffs also manage local jails and are responsible for providing court security. Over 99% of the sheriffs are elected and, oftentimes, serve as the chief law enforcement officer of their counties. Consequently, we have a keen understanding of the needs of our criminal justice system, as well as of the local communities we serve.

In the early 1990's, Congress joined in a partnership with local law enforcement to provide assistance with hiring new officers and combating crime throughout the Nation.

Unfortunately, in recent years, the federal government has strayed from its commitment to local and State law enforcement, particularly in regards to Byrne JAG.

Byrne JAG is named in memory of Officer Edward Byrne, a rookie with the New York City Police Department. On February 26, 1988, Officer Byrne was protecting the home of a witness in a narcotics case, when he was shot five times in the head at point-blank range by drug dealers. Officer Byrne was only 22 years old when he was murdered.

The purpose of Byrne JAG has been simple: to provide assistance to state and local law enforcement to combat crime in their communities. Primarily, this task has been accomplished through the establishment of multi-jurisdictional drug and gang task forces. Additionally, Byrne JAG funding has been used for community crime prevention programs, substance abuse treatment programs, prosecutorial initiatives, and many other local crime control and prevention programs. Currently, Byrne JAG is the only formula grant program that is available to local law enforcement.

Sheriffs use Byrne JAG funding in a multitude of ways. While the primary usage is to operate the multi-jurisdictional task forces, sheriffs also use Byrne JAG to purchase vital law enforcement technology and equipment; to provide crime prevention education to their communities; and to institute School Resource Officers in schools throughout their communities. Byrne JAG has enabled state and local law enforcement to fund many prevention and intervention programs which, while authorized by Congress, have not received specific program funding.

Over the last several years, state and local law enforcement has seen a significant and dramatic decrease in funding for Byrne JAG, from nearly \$900 million in FY'03 to \$170 million in FY'08. The funding cut in the FY'08 Omnibus Bill slashing Byrne JAG funding from \$520

million in FY'07 to the current level of \$170 million, a 67% decrease – represents the single, most significant adverse action leveled against crime fighting initiatives in the last 25 years.

The virtual elimination of funding for FY'08 will result in as many as half of the long-standing multi-jurisdictional task forces to shut down as of July 1st of this year. The remainder of the task forces will face significantly reduced operational effectiveness. The foreseeable ramifications of these actions will result in gangs and drug dealers and other violent criminals regaining a stronghold in the area of narcotics trafficking and distribution. The inability to sustain multi-jurisdictional task forces will lead to the loss of veteran members who have institutional knowledge, the loss of intelligence databases, and the loss of a network of informants.

Once these vital tools are gone, the doors locked and the lights turned off, it will take years to reestablish and recreate them. The loss of 365 days of funding will create problems that will last for years. In that period of time, the dismantling of proven, productive and successful crime fighting systems will put us at a tremendous disadvantage while giving people in the drug trafficking business the opportunity to do even more harm in our communities.

The drastic reduction of Byrne JAG, as well as other essential law enforcement funding such as the COPS Programs, places an insurmountable burden upon state and local law enforcement – to fight the rise in crime with limited resources. If funding for law enforcement continues to decrease, this country can only expect to see an increase in crime.

The numbers are there to prove that is already happening. We are starting to see an increase in all categories of violent crime. After decades of reductions in violent crime statistics, we can see a direct correlation between funding cuts and the rise in violence. Moreover, assaults on police officers have likewise increased (See attachments, Exhibits 1, 2, 3).

The level of violence is now bleeding into areas where we have never seen it before. One week ago, I received that now infamous “3 AM phone call,” with the news of a triple homicide that had occurred in my Parish, in a residential, bedroom community. I have provided photos depicting the graphic and violent nature of their deaths which is becoming increasingly common among individuals in the drug trade.

Three individuals, who themselves had been arrested in the past by the Lafourche Parish Multi-Jurisdictional Task Force, were ambushed as they sat in a parked vehicle. The late model Mustang, belonging to the sister of one of the victims, became the final resting place for Chauncey Adams, Brad Bourda and Terry Hester. More than twenty rounds from an AK-47 assault rifle were pumped into the vehicle – through the windows. Adams, Bourda and Hester had no chance to escape from their death chamber. When the shooting stopped, the interior of the vehicle is best described as something straight out of the “Texas Chainsaw Massacre” – blood and brain matter plastered throughout.

It is often said that drug addicts and drug distributors do not live long enough to collect old age pensions because if the drugs don’t kill you, the lifestyle does. One of the suspects in the cold-blooded case I have just described told my detectives just that, quoting here “It’s either we gonna kill them, or they gonna kill us.” Again, the potential for violence is ramping up, as Washington considers taking away the money to combat the problem.

In the course of the past fifty-years, our criminal justice system’s response to combating drugs has evolved from one of primarily deep undercover narcotics enforcement operations resulting in long, harsh jail sentences to one of a comprehensive strategy encompassing prevention, intervention, enforcement and treatment. In particular, we have seen the

development of successful drug treatment courts, many of which are funded with Byrne JAG dollars.

The average cost of treating an addict through drug court is \$2,000 per year (versus an average of \$23,000 for incarceration, according to the Office of National Drug Court Policy) and provides real hope for that person while aiding them to become a law abiding, contributing member of society. Effective, aggressive enforcement of our drug laws is a necessary prerequisite for the success and optimism of drug courts. Hence, if task forces are reduced or disappear completely, you will see a companion reduction in the number of people availing themselves of the assistance drug courts provide in helping addicts turn their lives around.

While there is never a good time to reduce law enforcement funding, the cuts to Byrne JAG could not come at a worse time, given the fact that hundreds of potentially violent convicted drug dealers are being released from prison pursuant to mandates of the U.S. Sentencing Commission. These offenders represent federally convicted drug dealers from the most violent sector of drug offenders and will soon flood our towns, cities and counties ready to reestablish their turf. Moreover, if, as some suspect we are on the brink of a recession, you can rest assured that criminals and drug law offenders will not be taking a recess. The problem will only get worse.

Some have said problems created by the street corner drug dealers are limited in scope and therefore, it is a state and local issue with no role for the Federal government. It is true the impact is felt on a local level, but the source has a national nexus in a number of ways. In part, the success of multi-jurisdictional task forces in reducing the proliferation of backyard meth labs has resulted in the creation of super meth labs in other countries, particularly in Mexico. In turn we are seeing a resulting importation of meth into our country.

Second, the World Wide Web presents another opportunity for drugs and illegal substances to be transported from state to state and to be brought into the country from around the world for ultimate distribution again into our towns, cities and counties. Highway interdiction units have demonstrated the vast nature of the network of interstate trafficking and transportation which again clearly implicates the need for Federal jurisdiction and dollars.

In addition to restoring the FY'08 funding for Byrne JAG, I urge Congress to reauthorize funding for Byrne JAG through Fiscal Year 2012, in the amount of nearly \$1.1 billion. The reauthorization of Byrne JAG at \$1.1 billion will enable existing task forces to continue operations, and the opportunity for new task forces to start up. I would like to thank Congressman Henry Johnson of Georgia, as well as the 53 cosponsors, for supporting Byrne JAG and for introducing H.R. 3546. However, it is critical Congress understands that while reauthorization of Byrne JAG is important, Congress must also appropriate funding for Byrne JAG at a more significant level than it has been allocated at in recent years.

Finally, I would like to propose the Committee give serious consideration to increasing Byrne JAG allocations to rural communities which, by my earlier example, now face "big city" problems. Currently, funding is allocated to each area based on national violent crime reports. Although rural areas may not have a violent crime rate competitive with suburban and urban areas, this does not mean that rural areas do not have significant crime problems nor does it mean that they do not rely on the funding. In fact, rural areas may rely on funding from Byrne JAG more than larger areas, as it is the only source of funding which enables the rural area to combat crime.

I want to thank you for the opportunity to come before you and express my concerns. I hope I have conveyed to you the dire situation that sheriffs are faced with across the country and

how critical the Byrne JAG program is to us. The strain caused by limited funds for Byrne JAG in the face of increasing violence and drug abuse in our communities should be a major inducement for government and law enforcement alike to share the responsibility for keeping our communities safe.



Exhibit 1



Exhibit 2



Exhibit 3



Chauncey Adams

Exhibit 4

Chauncey Kiwan Adams, 31, a native and resident of Larose, died Monday, May 12, 2008.

Funeral service was held at 11 a.m. today at New Mt. Zion Baptist Church in Cut Off, with burial in the church cemetery.

He is survived by his parents, Clarence Davis of Raceland and Lois Adams of Larose; one son, Kiwan L. Cheramie of Larose; one daughter, Kaedyn Lanae' Adams of Raceland; four brothers, Patrick Adams, Zolton Adams, Kevin Davis and Chad Davis, all of Raceland; three sisters, Cassandra Thomas of Larose, Jaronicia Smith of Raceland and Patrice Davis; and his grandparents, Pearlie Adams, Tom Davis and Enola Williams.



Brad Bourda

Exhibit 5

Brad "Sweet" Andrew Bourda, 27, a native and resident of Larose, died Monday, May 12, 2008.

Funeral service was held at 11 a.m. today at New Mt. Zion Baptist Church in Cut Off, with burial in Morning Star Baptist Church Cemetery in Raceland.

He is survived by his companion, Chelsie Hebert of Larose; his parents, Doris and Sidney Cyril Bourda Sr. of Larose; two sons, Braxton Bourda of Larose and Ja'Quam Cooper of Raceland; one daughter, Quendon Claire Bourda of Larose; two brothers, Sidney Cryil Bourda Jr. of Larose and Tyrone Ingram of New Orleans; three sisters, Tameka Bourda and Shaina Bourda of Larose and Vonda Robertson of Franklin; and his grandmother, Rose dell Adams of Raceland.

He was preceded in death by his grandparents, Agnes Bourda, Louis Bourda and Daniel Adams. He was a Baptist.



Terry Hester

Exhibit 6

Terry "Crum" Leonard Hester, 23, a native of Raceland and resident of Larose, died Monday, May 12, 2008.

Funeral service was held at 11 a.m. today at New Mt. Zion Baptist Church in Cut Off, with burial in Morning Star Baptist Church Cemetery in Raceland.

He is survived by his fiancée', Shaina Bourda of Larose; his parents, Shelia Hester of Houma and Henry Bell of Baton Rouge; one daughter, Ah'myren Washington of Raceland; seven brothers, Calvin Hester, Jamie Hester, Joseph Hester, Tony Hester, Daniel Turner and Randy Turner, all of Houma, and Tyrone Bell of California; two sisters, Danisha Williams of Cut Off and Latonya Turner of Houma; and his grandmothers, Genevia Hester of Raceland and Mary Bell of Larose.

He was preceded in death by his grandfathers, Henry Bell Sr. and Norman Hester. He was Baptist.