

# CHALLENGES FACING LAW ENFORCEMENT IN THE 21ST CENTURY

---

## HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME, TERRORISM,  
HOMELAND SECURITY, AND INVESTIGATIONS

OF THE

COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

---

MAY 17, 2017

---

**Serial No. 115–16**

---

Printed for the use of the Committee on the Judiciary



Available via the World Wide Web: <http://judiciary.house.gov>

---

U.S. GOVERNMENT PUBLISHING OFFICE

30–234

WASHINGTON : 2018

## COMMITTEE ON THE JUDICIARY

BOB GOODLATTE, Virginia, *Chairman*

F. JAMES SENSENBRENNER, Jr., Wisconsin	JOHN CONYERS, JR., Michigan
LAMAR SMITH, Texas	JERROLD NADLER, New York
STEVE CHABOT, Ohio	ZOE LOFGREN, California
DARRELL E. ISSA, California	SHEILA JACKSON LEE, Texas
STEVE KING, Iowa	STEVE COHEN, Tennessee
TRENT FRANKS, Arizona	HENRY C. "HANK" JOHNSON, JR., Georgia
LOUIE GOHMERT, Texas	THEODORE E. DEUTCH, Florida
JIM JORDAN, Ohio	LUIS V. GUTIERREZ, Illinois
TED POE, Texas	KAREN BASS, California
JASON CHAFFETZ, Utah	CEDRIC L. RICHMOND, Louisiana
TOM MARINO, Pennsylvania	HAKEEM S. JEFFRIES, New York
TREY GOWDY, South Carolina	DAVID CICILLINE, Rhode Island
RAÚL LABRADOR, Idaho	ERIC SWALWELL, California
BLAKE FARENTHOLD, Texas	TED LIEU, California
DOUG COLLINS, Georgia	JAMIE RASKIN, Maryland
RON DeSANTIS, Florida	PRAMILA JAYAPAL, Washington
KEN BUCK, Colorado	BRAD SCHNEIDER, Illinois
JOHN RATCLIFFE, Texas	
MARTHA ROBY, Alabama	
MATT GAETZ, Florida	
MIKE JOHNSON, Louisiana	
ANDY BIGGS, Arizona	

SHELLEY HUSBAND, *Chief of Staff and General Counsel*  
PERRY APELBAUM, *Minority Staff Director and Chief Counsel*

---

## SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY AND INVESTIGATIONS

TREY GOWDY, South Carolina, *Chairman*

LOUIE GOHMERT, Texas, *Vice-Chairman*

JIM SENSENBRENNER, JR., Wisconsin	SHEILA JACKSON LEE, Texas
STEVE CHABOT, Ohio	TED DEUTCH, Florida
TED POE, Texas	KAREN BASS, California
JASON CHAFFETZ, Utah	CEDRIC L. RICHMOND, Louisiana
JOHN RATCLIFFE, Texas	HAKEEM JEFFRIES, New York
MARTHA ROBY, Alabama	TED LIEU, California
MIKE JOHNSON, Louisiana	JAMIE RASKIN, Maryland

# CONTENTS

MAY 17, 2017

## OPENING STATEMENTS

	Page
The Honorable Trey Gowdy, South Carolina, Chairman, Subcommittee on Crime, Terrorism, Homeland Security & Investigations, Committee on the Judiciary .....	1
The Honorable Sheila Jackson Lee, California, Ranking Member, Subcommittee on Crime, Terrorism, Homeland Security & Investigations, Committee on the Judiciary .....	3

## WITNESSES

Sheriff Jim McDonnell, Los Angeles County Sheriff's Department Oral Statement .....	5
Chief Alonzo Thompson, Chief of Police, Spartanburg Police Department Oral Statement .....	7
Mr. Chuck Canterbury, National President, Fraternal Order of Police Oral Statement .....	8
Chief Art Acevedo, Chief of Police, City of Houston Oral Statement .....	10



# CHALLENGES FACING LAW ENFORCEMENT IN THE 21ST CENTURY

---

WEDNESDAY, MAY 17, 2017

HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON CRIME, TERRORISM,  
HOMELAND SECURITY, AND INVESTIGATIONS  
COMMITTEE ON THE JUDICIARY  
*Washington, DC*

The subcommittee met, pursuant to call, at 10:15 a.m., in Room 2141, Rayburn House Office Building, Hon. Trey Gowdy (chairman of the subcommittee) presiding.

Present: Representatives Gowdy, Gohmert, Chabot, Poe, Ratcliffe, Johnson of Louisiana, Jackson Lee, Conyers, Deutch, Bass, Richmond, and Jeffries.

Staff Present: Margaret Barr, Counsel; Scott Johnson, Clerk; and Keenan Keller, Minority Counsel.

Mr. GOWDY. The Subcommittee on Crime, Terrorism, Homeland Security, and Investigations will come to order. Without objection, the chair is authorized to declare recesses of the subcommittee at any time. We welcome everyone to today's hearing on the challenges facing law enforcement in the 21st century, and I would recognize myself for an opening statement, just a matter of quick personal indulgence.

I would ask everyone to please remember our friend and colleague Thom Tillis from North Carolina. I want to thank everyone for being here today, and I want to thank Chairman Goodlatte for this hearing. This week, we celebrate National Police Week, and that is important to all the members of this subcommittee and that we have a hearing to honor our law enforcement officers.

I want to extend a special thank you to our witnesses for being here. We have with us today Chuck Canterbury, national president of the Fraternal Order of Police; my own personal chief and director of public safety, Alonzo Thompson, from the great city of Spartanburg, South Carolina; Sheriff Jim McDonnell from Los Angeles County Sheriff's Department; and Chief Art Acevedo.

Is that close? Forgive me, I am from South Carolina. I may get it wrong before I get it right again. From the great city of Houston, Texas.

Each of you here today and all of our law enforcement officers across the Nation dedicate your lives and their lives to the precept which undergirds our country, and that is respect for, and adher-

ence to, the rule of law. And I know every member of not only the subcommittee, but every member of Congress would have their own personal story about how officers have impacted their lives and would have their own personal testimony to the respect that they have for the women and men of law enforcement.

I know, as I was preparing for this hearing, my mind went to an officer in Greenville, South Carolina by the name of Allen Jacobs. Allen, about this time last year, maybe a little bit more than a year ago, learned that he was going to be a father again, but this time, it was going to be different. He had two boys, and this time, he was going to be a father of a little girl, and life had prepared Allen very well to be a father. He was an outstanding student. He was a great athlete in Greenville, South Carolina.

He put that athleticism and intelligence to work for our country in the United States Army. He was deployed to Iraq for 15 months, and even volunteered to live in the neighborhoods of Baghdad because he understood that all people want to live in a peaceful, secure environment. And after Iraq, Allen was deployed to Haiti because he wanted to help the Haitian people in the aftermath of their tragic earthquake, but the tug of fatherhood is strong.

And it is so strong that Allen decided to return to the upstate of South Carolina, but his desire to serve and protect remained. So, he left the uniform of the United States Army, and he put on the uniform of the Greenville City Police Department, and he pursued that calling with the same vigor and the same strength and the same professionalism that epitomized every other facet of his life.

Whether it was service on the SWAT team, with the Cops on the Court, as a patrol officer for schools, or for a gang resistance team, Allen would stop his patrol car from time to time. He carried a basketball in the trunk just to get out and shoot basketball with the kids that could use a father figure like the one that he was providing to his own boys, you know, would provide to his daughter.

I learned all of this about Allen in a telephone call that I had with his mother 2 days before his funeral. This man that survived Iraq and Haiti and boot camp and police officer training could not and did not survive an encounter with a teenage gang member who had just been released from jail. Never even had a chance to unholster his service weapon, serve, defend, protect. He was ambushed.

His funeral gave all of us in South Carolina an opportunity to reflect, not only on his life, but, Chief Thompson, the life of Jason Harris we just lost in your own department, responding to a call for backup from one of his fellow officers, a Russ Sorrow, or Kevin Carper, or Marcus Whitfield, or Eric Nicholson, or any of the officers; the upstate of South Carolina who gave the most precious thing they had, so they could protect the most precious thing we have, which is life.

Law enforcement officers are willing to do what most of us are not willing to do, and they are willing to interact with people that most of us are not willing to interact with, and they are willing to miss things in life that most of us are not willing to miss. So, today, we are not only here to honor you, but we are here to listen, and we are here, in part, to memorialize those officers who lost

their lives in the line of duty, but also to respect and pay honor to those that are still with us.

So, I want to thank you for being here, and I am most interested in how we can help you do your jobs. There are challenges in our criminal justice system; I want a system that is not only respected, but worthy of respect, and there is not a system we have in our country that cannot be improved, and I am more than willing to hear ideas on how to improve it. But there is something different about law enforcement officers. And if we lose sight of that, as a society, that not only do they wear a uniform and a badge, but they serve symbolically as a line between law and order and those folks that are not of good conscience. If we ever lose sight of that, we are in trouble as a Republic.

So, thank all witnesses. I will look forward to hearing from you, and with that, I would recognize the gentlelady from Texas.

Ms. JACKSON LEE. Mr. Chairman, thank you for your courtesies, and to the witnesses, thank you for your courtesy, as well. I was in a leadership meeting, and I thank you for recognizing, or at least accepting, my apologies for my delay. This is a very important hearing, and as the chairman has indicated, it is important that we try to help each other, law enforcement, and community.

And I want to acknowledge Sheriff Jim McDonnell, Chief Alonzo Thompson, Mr. Chuck Canterbury, and Chief Art Acevedo for your presence here today and to say to you that we acknowledge, in this week, those who live, and those who have fallen. And we need to ensure that those who live recognize that we never want to see any more tragedies and families not seeing their loved one come home.

In particular, I want to acknowledge Assistant Deputy Chief Clinton Greenwood of Harris County Constable's Office who was literally executed and died on 4/3/17. Officer Richard K. Martin of Houston Police Department died on 5/18/15; deputy sheriff, Harris County Sheriff Darren Goforth, 8/28/15. Detective Jerry Ronald Walker of the Little Elm Police Department died in January 2017 and then five officers.

These are among others in Dallas who died July 2016: Brent Thompson, Sergeant Michael Smith, Senior Corporal Lorne Ahrens, Officer Patrick Zamarripa, and Officer Michael Krol. I went to that memorial and stood with those family members, and we will never forget.

It is important in today's hearing to explore the challenges and seek strategies from organizing or reforming our law enforcement practices and policies in order to increase police safety nationwide and prevent the use of lethal force against unarmed citizens and selfless law enforcement officers. We want to make sure that we look at both sides of the issue, and, particularly, we want to hear from you about building trust and respect.

I would want to understand what has been used by many, police militarization, or how we can balance the protection that the community needs with the various assets that you utilize. The need for responsible and comprehensive data, I believe that data is the science of police work, and then, of course, to be able to deal with the question of lethal force and protecting your lives and those of the community. As Judge Learned Hand said, "If we are to keep our Democracy, there must be one commandment, 'thou shalt not

ration justice.’” And so, today, I look forward to hearing from you, as well.

And in keeping with this idea of justice, I just want to make a point, Mr. Chairman, that I have made before, and that is that this full committee, and we are the Subcommittee on Crime, as the Judiciary Committee in the Senate, subcommittee led by our esteemed Senator, Senator Lindsey Graham, we must have a full investigation and demand an investigation of the President, the Attorney General, and top White House aides. Democrats on the Oversight and the Judiciary Committee are asking for all memorandum that deals with the ending of the tenure of Director Comey, and, as well, the allegation that the President asked Director Comey to end the Flynn investigation, and, certainly, the release of classified information, recognizing that the President can release classified information, but what jeopardy have they put assets and intelligent community members in and, of course, our allies.

I read into the record: we are concerned that the continued failure of House Republicans to take action in the face of this onslaught of allegations will cause significant damage to the faith that the American people have and the credibility and integrity of our committees and the House of Representatives. We have a solemn obligation under the Constitution to act as a check on the executive branch and to hold the President Trump accountable; again, not as Democrats and Republicans, but as Americans. It is time that we work together to be able to find the truth and, obviously, the truth will be our guide.

I thank all of you for your service and your commitment to law and order and to the Constitution and for the service that we will never be able to thank you for as you protect the American people. I thank you so very much. I yield back.

Mr. GOWDY. The gentlelady yields back. We have a very distinguished panel today. I will begin by swearing in our witnesses.

If you would please rise and raise your right hands.

Do you swear the testimony you are about to give should be the truth, the whole truth, and nothing but the truth, so help you God?

May the record reflect the witnesses answered in the affirmative. You can sit down.

I will introduce you en banc, and then recognize you individually for your opening statement. I will tell you on the front end that all of the members have access to your opening statements. All of the members have access to your opening statements, so if I could get you to summarize it, hit the salient points within the 5-minute time period, that would allow more time for questions.

Our first witness is Sheriff Jim McDonnell. Sheriff McDonnell is the sheriff of Los Angeles County, California. Welcome, Sheriff.

Our second witness is Chief Alonzo Thompson; he is not just the chief, to me; he is the director of public safety in the district that I represent in Spartanburg, South Carolina. He is incredibly well-respected and well-regarded in my hometown.

Our third witness is Mr. Chuck Canterbury, who is the national president of Fraternal Order of Police.

And I will allow Ms. Jackson Lee to introduce our fourth witness.



Ms. JACKSON LEE. Well, our fourth witness is no stranger to law enforcement; we are delighted with his service in the city of Houston. He is Chief Art Acevedo, who is an active member nationally in law enforcement issues and has served from California to Texas, most recently in the city of Austin, and now serves as the chief of police in Houston, Texas.

And I would only offer to say that we have a very collaborative effort on law enforcement, and I am very pleased to say that the chief works with all of our law enforcement agencies from Federal to local to ensure the appropriate, safe travels of Houstonians and those who come to visit our great city. I am delighted to welcome Chief Art Acevedo, and I am also delighted to welcome family members. If any family members are here; I see a lot of smiling in the second row. I want to acknowledge them, as well, because they are so very important to our law enforcement officers.

I yield back, Mr. Chairman, and I acknowledge the ranking member who has come, Mr. Conyers. Thank you.

Mr. GOWDY. Sheriff McDonnell, you will be recognized for your opening statement.

**STATEMENTS OF JIM MCDONNELL, SHERIFF, LOS ANGELES COUNTY SHERIFF'S DEPARTMENT; ALONZO THOMPSON, CHIEF OF POLICE, SPARTANBURG POLICE DEPARTMENT; CHUCK CANTERBURY, NATIONAL PRESIDENT, FRATERNAL ORDER OF POLICE; AND CHIEF ART ACEVEDO, CHIEF OF POLICE, CITY OF HOUSTON**

**STATEMENT OF SHERIFF JIM MCDONNELL**

Sheriff MCDONNELL. All right, sorry about that. Chairman Gowdy, Ranking Member Jackson Lee, and distinguished members of the subcommittee, thank you for inviting me to testify this morning on behalf of the Major County Sheriffs of America and the National Sheriffs Association.

As sheriff for the largest county in the United States and as a peace officer for more than 35 years, it is an honor to represent the sheriffs who are sworn to protect more than 100 million people across our great Nation. Policing in America has never been more complex, because we are the first responders to some of America's greatest social challenges, whether it is the growing opioid epidemic, the emerging threat of cyberterrorism, homegrown extremism, and the growing prevalence of mental illness across our Nation. These are the 21st century challenges we should and must meet together. I have submitted written testimony that expands on what I can share here due to time, but it is available on the website. I will, however, be able to touch briefly on a number of critical topics.

Last Friday's cyber attack that attempted to strike 150 countries should make it crystal clear just how vulnerable we are and the potential scale that such an attack can have. These are complex threats that often lurk just beneath the surface of today's news headlines. Often, they become known only after the imminent threat of a pending attack is made or, worse, after the assault itself. These are threats that challenge our government and bu-

reaucratic institutions to be adaptive in our solutions and in our collective response.

There is not a sheriff's department in this Nation that is immune to the impact that mental illness and drug addiction are having on public safety in our jail systems. The deinstitutionalization of the mentally ill that occurred in the 1960s and 1970s have turned our jails and prisons into de facto mental health hospitals. My jail system in Los Angeles County is the Nation's largest mental health institution; 70 percent of the inmates processed into our jails report a medical or mental illness. Nearly one-third of my jail population suffers from some sort of serious mental health issue.

On any given day, upwards of 5,000 inmates need treatment for their illness. That population is forecasted to double over the next 10 years. In L.A. County, we will need to invest more than \$2.2 billion in a new consolidated correctional treatment facility that can provide the mental health and medical services for this population which has nowhere else to go. Los Angeles County Jail, along with Rikers Island Complex in New York City and the Cook County Jail in Chicago, are the top three largest mental healthcare providers in the Nation.

This is a failure of our criminal justice system nationwide. Are there times when jail is the best or most appropriate option? Yes, but it is our experience that jail is frequently not the best solution. As a Nation, we have a critical need and a moral obligation to build capacity for treatment options in our communities. We have the ability to support strategic partnerships with our mental health and social service agencies to provide the kind of wrap-around treatment services that can stabilize these individuals and keep them out of our jail system. We have a professional obligation to provide training for our officers of whom too much is expected.

Too often, our deputies arrive at a call for service always facing the unknown and frequently facing a situation where they are asked to take on the role of a mental health professional. In Los Angeles County alone, in areas policed by the sheriff's department, 911 calls involving people with mental illness have grown 55 percent since just 2010. We need to fund and provide crisis intervention training to all first responders, both law enforcement and fire personnel. Let us work together toward a nationwide expansion of highly successful program of teaming up mental health professionals with law enforcement officers who work as an intercept first responder team.

In the Los Angeles County, for instance, we have had these teams since the 1990s; some other major cities and counties throughout the Nation have some variation of this program which are also highly successful, but seriously overworked and understaffed. Most cities and counties that operate such a program cannot provide the service 24/7 and in many places because of the geography it becomes very difficult to respond in a timely manner. However, in our experience, when a team such as this is called to a scene, we have the ability to divert the individual away from the criminal justice system and into proper mental health treatment facilities in 99 percent of the encounters.

The third step is diversion. I would like to thank Congress for passing the National Stepping Up Initiative which provides coun-

ties and cities with funding to divert those dealing with mental health illness away from our county jails. We should also look at dedicated mental health courts that could recommend better options for those suffering from mental illness other than jail or prison. And, lastly, we need to have an adult conversation about what to do with those suffering from mental illness that do end up in the criminal justice system and in our jail and our prisons.

We as a Nation, can agree that not everyone suffering from mental illness or other disabilities can be diverted. Some individuals who are pretrial and classified as a harm to themselves and to others, will end up in our jails. As such, we need to provide the most humane, modern, and safest setting for them so they can receive the treatment and get the help they need. The MCSA and NSA seek to be a positive source of ideas. We look forward to continuing a dialogue and working with you. We cannot be successful unless we, as a Nation, are committed to finding solutions. I thank the chairman for his commitment to collaboration and willingness to engage in local law enforcement on these issues that are so critical to all of us. Thank you very much.

Mr. GOWDY. Thank you, Sheriff.  
Chief Thompson.

#### **STATEMENT OF CHIEF ALONZO THOMPSON**

Chief THOMPSON. Good morning. Mr. Chairman, the members of the House Committee on the Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. I am truly honored by the invitation to address this distinguished body.

The challenges facing the law enforcement in the 21st century are numerous and very dependent upon whether there is a local, State, or Federal entity. Domestic terrorism, gangs, illegal narcotics, gun violence, cybercrimes, social media, behavioral health, and highway safety issues pose significant challenges to law enforcement at all levels, and this is not an all-inclusive list by any means.

In addition to those widely-recognized concerns, there exist three pressing matters that are demanding our immediate attention, especially at the local level: community police relations, recruitment and retention, and budgetary restraints. Our ability and capacity to respond appropriately and effectively to the aforementioned concerns is largely dependent on how well we manage these three foundational issues.

Highly publicized police citizen contacts have gotten the attention of our Nation. Increasingly, citizens are interested in how police departments operate and the decisions made by law enforcement practitioners. Now, more than ever, questions about police accountability, police training, and organizational culture are commonplace. As a result of intense scrutiny, improving community relations is paramount. Even agencies such as my own that have traditionally valued and focused their efforts on community engagement must continually strive to strengthen those relationships and to build new ones. We will not be as responsive or successful without strong, collaborative partnerships.

With baby boomers retiring and shrinking applicant pools, recruiting and retention is a struggle for law enforcement agencies

today. The inherent dangers of the profession and its intense scrutiny and harsh criticism discourage some from entering and/or remaining in law enforcement, while others pursue more lucrative, less stressful, and safer career fields. And retention has been negatively impacted by tightening budgets; they have resulted in stagnant wages, increasing cost of employee benefits, and limited performance-based incentives and special skills pay.

This funding issue segues into the third and final challenge I wish to share with you this morning: budgetary restraints. In a climate where many government bodies are plagued with lingering economic woes and are forced to make very difficult decisions about budgets, many police departments are underfunded. Consequently, it has become increasingly difficult to compete with corporate America for qualified applicants and to retain experienced personnel. We are also facing the growing necessity for advanced technology. For example, body-worn cameras, less than lethal weapons, integrated records management, and inter-operable communication systems, some of these amount to unfunded mandates.

However, in the 21st century policing environment, these are not niceties; they are, indeed, necessities. For instance, many law enforcement agencies committed to equip officers with body-worn cameras which expanded the opportunities for officers to capture more of those critical police citizen encounters. Well, this technology comes with a cost. Additional funding from governmental sources will be needed, not only for equipment, but for training that enhances a diversity consciousness of law enforcement professionals such as implicit bias, de-escalation, use of force, and other subject matters deemed necessary. Although the specific needs may vary, the challenge or dilemma is the same.

And, in conclusion, I reiterate these issues must be immediately addressed. Enhancing community relations is fundamental to local law enforcement gathering information and proactively combating crime and terrorism. This includes building community partnerships to solve an array of societal problems. Recruiting and retaining law enforcement professionals at a local level will ensure that we have a highly trained and experienced work force to provide police-related services and conduct complex investigations whether they involve criminal activity, terrorism, or a nexus between the two.

We need enhanced capabilities to handle current issues as efficiently as possible and to give us the time we need to look forward and toward the future to anticipate and prepare for new crime trends and emerging opportunities. Again, I appreciate the opportunity to share my views on the challenges facing law enforcement in the 21st century, and I thank you very much for your time.

Mr. GOWDY. Thank you, Chief.

Mr. Canterbury.

#### **STATEMENT OF CHUCK CANTERBURY**

Mr. CANTERBURY. Good morning, Mr. Chairman, Ranking Member Jackson Lee, distinguished members of the Subcommittee on Crime, Terrorism, and Homeland Security and Investigations. I am here this morning representing 330,000 members of our law enforcement community and I would like to take this opportunity to

thank you for having this hearing at this very opportune time with National Police Week just concluding.

Today, Mr. Chairman, my members are concerned about their safety. According to a recent FBI report analyzing 50 cases in which officers were shot and killed, 28 percent of the assailants were motivated by a hatred for police or for social-political reasons. Others were simply out to get justice and told their friends and families or members or used social media to communicate their intent to hurt law enforcement officers. The FOP has long argued that a hateful vitriol-amplified social media is leading to violence directed at law enforcement officers and I think this report by the FBI bears that out.

Our views of law enforcement as a society have changed in the past few years, and the respect we once had in our communities and amongst our elected leadership has greatly been diminished, but a recent Gallup poll showed that police officers were 77 percent approval rating in this country. Mr. Chairman, every American that looks at a law enforcement officer, should look at him as somebody that is there to defend the life, liberty, and pursuit of happiness, but, unfortunately, with social media and the media, excessive force, terms like “acted stupidly,” and “police brutality” have become a common term.

Another persistent false narrative recycled in the news is the militarization of law enforcement. Mr. Chairman, I submit that it is more modernizing. The previous administration ignored the input of law enforcement community and imposed broad restrictions on Federal equipment program. Throughout the program created by President Clinton, many basic equipment items were provided to departments that could not afford those. It was a huge and harmful overreaction to negative media coverage in the fake militarization narrative.

The 1033 Program administered by the Department of Defense was singled out for specific criticism, but the executive order imposed new prohibitions and restrictions on equipment throughout the Federal Government, including the DOJ and Homeland Security. I do not need to point out that the post-nightclub shooting, the San Bernardino shooting, many of that equipment was utilized to protect police officers’ lives and citizens’ lives. These are not militarized vehicles, as a matter of fact, they are demilitarized.

We are working with the new administration to restore the integrity of these programs and we urge this subcommittee to consider H.R. 426, the Protecting Lives Using Surplus Equipment Act. The need to restore these programs and provide assistance to State and local law enforcement is not just limited to equipment. The administration of the Office of Community Oriented Policing Services needs to be funded fully as it has been in the past years. We have less police on the streets today and recruitment and retention is one of the biggest challenges facing law enforcement in the 21st century. There are less men and women policing and violent crime is on the rise in many of our cities.

For this reason, I urge the subcommittee to support fully funding the COPS hiring program and the Edward Byrne Memorial and Justice Grant programs. These programs have been a godsend to local law enforcement and in these challenging economic times,

State and local law enforcement officers cannot perform their duty without these extra funds.

Mr. Chairman, I spoke about the challenges facing our profession as a whole. Law enforcement officers are expected to be mentally healthy and resilient, but the job and the situations that we must respond to takes a toll on the mental health of an officer. Officers responded to a shooting, or who have lived through things like the attacks in Dallas and Baton Rouge, or who responded to event like Sandy Hook or the post-nightclub, may need to be dealing with these experiences.

That is why we were very pleased that Senator Donnelly's S. 867 bill passed in the Senate yesterday. The FOP helped craft that legislation, as well as H.R. 2228 that has been introduced into the House. This bill will allow the Attorney General to work with the Department of Defense and Veteran Affairs to collect information about the mental health programs provided to officers and will expand officer wellness.

During this week, National Police Week, where we honored 234 of American's heroes who passed away last year, this is a very appropriate time for Congress to take up these issues. Mr. Chairman, I thank you for the opportunity to be here today. I would like to point out that, as of last night, we lost our 18th officer by gunfire, which put us at 6 percent higher than the rate last year. To date, we have had 95 officers shot in the line of duty, 18 of them have perished.

Mr. GOWDY. Thank you, Mr. Canterbury.  
Chief Acevedo.

#### **STATEMENT OF CHIEF ART ACEVEDO**

Chief ACEVEDO. I want to thank you for inviting me to testify here today. I appear before you as the chief of Police of the city of Houston; the fourth largest city in the Nation and our Nation's fastest growing. It is my privilege to speak to you on behalf of the Major City Chiefs Association where I am the first vice president. This organization represents the 69th largest law enforcement agencies in the United States.

As a police chief of two major cities over the last past 10 years, with a total of 31 years of law enforcement experience, I can say with unqualified certainty that building strong bonds with communities is what makes law enforcement agencies successful and communities safe. A respectful relationship with the people we serve enables police to overcome what I consider our biggest challenge today, regaining the community's trust.

In order to build strong relationships to the community, police departments must engage all members with a community. Community engagement done correctly builds trust so that when something goes wrong, which is inevitable in a mission as complicated as ours, the committee knows that the department and its leadership will address the problem honestly and openly and take positive action to correct any deficiencies.

One of the challenges that law enforcement is facing is building trust among the community is immigration enforcement. As you know, recently, SP4 passed in the State of Texas which really opens local law enforcement to the perception of being immigration

agents. Immigration enforcement officers were seen as that, it really hurts the bonds of trust that we have built over the last many, many years.

Immigration enforcement is a Federal function that cannot be delegated, should not be delegated to city police departments. Immigrant communities, whether document or not, begin to fear local police officers when they become too heavily involved in immigration enforcement. Then, they stop reporting crimes and coming forward as witnesses or victims which increases the victimization of immigrant communities and allows criminal conduct to go unchecked making the entire community less safe.

Community engagement must include everyone if a police department is going to be successful and we urge the Congress, as we have been urging for many years now, to enact comprehensive immigration reform once and for all instead of this hodge-podge approach is starting to happen, starting in Arizona, and now moving on to Texas.

Recruitment and retention. Chief Brown nailed it after the Dallas tragedy when he said, called on young men and women instead of protesting, to, "put down the signs and come in and sign up." You know, make a difference, join the police department, join us, and see that we can and will continue to make a difference.

Thanks to his call, 344 percent increase occurred in their recruitment there in the city of Dallas. Large cities like Houston are cast draft and in constant battle for staffing and resources. We are hundreds of officers short as Mayor Turner has so aptly stated time and again as a police department and adding more unfunded mandates such as immigration certainly does not help, and we need to maintain funding.

One of the things that we hope, as my colleagues have said, is that the COPS office continued to have full funding, or JAG Grants, any grant, HIDA Grants, federally-funded grants are really key, and, also, protect asset forfeiture. Asset forfeiture when they are taken from criminals, from criminal syndicates, criminal organization, drug traffic organizations, and placed in the hands of law enforcement, it is money that is put back into crime fighting and keeping our communities safe. Having said that, we should not allow departments to take money from people unless there is really a criminal predicate and we are actually taking them from crooks and not from hard-working Americans.

Consent decrees, consent decrees while they have a good value, we hope that as we move forward that that will be the hammer that is left as a last resort and that we move towards a variety memorandums of agreements. While most officers serve their community with sensitivity and respect there are unavoidable times when police work can be violent and ugly.

There are also times when, obviously, we do not do the right thing. We have to maintain the trust of the folks that we serve, and we believe that collaborative approaches with the Department of Justice with memorandum of agreements, it takes off the monitor, quite frankly, has become a cottage industry. Where millions of dollars that should be spent on training, on equipment, and an accountability at the local level and placed at the hands of the mayors, the councils, and, ultimately, the community at the local

level and the Department of Justice, go wasted in giving to Federal monitors to, quite frankly, again, it has become a cottage industry. And I have more information that in here.

We need strong oversight. We support strong oversight. But we want to be smart, and again, not waste those precious dollars. A heartfelt partners of the community is really the most important thing that we can do. They are our greatest force multipliers, and I would, again, urge Members of Congress to work on issues to help build communities of trust, bridges of trust, and not tear down those bridges. Thank you.

Mr. GOWDY. Thank you, Chief. The chair will now recognize the gentleman from Ohio, Mr. Chabot.

Mr. CHABOT. Thank you very much, Mr. Chairman. And I apologize in advance if I leave after my questions. I am the chairman of the Small Business Committee, and we have a meeting at 11:00 that I have to chair, but I will be here long enough to ask questions, and thank you for your testimony. If I could go to Sheriff McDonnell and Chief Thompson first, the same question I will address to both of you. I think you had both mentioned the body-worn cameras, and could you touch upon both the positives and the concerns that a local police department has when you are considering whether to go towards body cameras? And maybe you first, Chief?

Sheriff McDONNELL. Yes, sir. Thank you for the opportunity. A number of issues I think need to be addressed when a department is looking at deploying body-worn cameras, and those include not only the hardware, which is actually the cheapest part of the whole equation, but then everything that goes behind that. And that would include the ability to be able to retain, on either a cloud or a server, the video. And there is a tremendous amount of video when this camera is rolling all the time.

And then, behind that, again, is the policies in place and the agreements with the D.A. and others as to when you are going to release the footage and when you are going to hold it as part of an investigation. That needs to be covered up front with the public's expectations being realistic.

And then, on the other side, is the personnel cost. The amount of discovery that is created as a result of having the cameras and the footage is an inordinate burden on an organization if they do not have already in place the personnel who are trained and certified to be able to go in and identify the appropriate amount of footage to disclose, and to be able, then, in the cases where they need to be able to pixelate uninvolved third parties for their own protection, to be able to do that as well.

And you can imagine a scene where there is a backup or a help call goes out and 20 deputies, 20 officers respond, each with body cameras rolling. They have to go through whatever the workload is times 20 to be able to deal with that. And that is a burden that I do not think has been addressed enough, and it is a tremendous expense on top of the hardware and the things that people are aware of on the surface.

Mr. CHABOT. Thank you very much. Chief Thompson?

Chief THOMPSON. I think you gave a very detailed response, and I concur with everything you mentioned.



That additional cost, again that applies to one of those unfunded mandates I referred to in my remarks earlier, the storage fees, the upgrades that are required pose some hardship on some of the local municipalities. But in addition to that, I am a strong proponent of the body-worn cameras, but I want to make sure that we realize though it is not a panacea. It does not solve all of the problems. But, it is definitely a tool that is needed, but because of the cost involved it has been cost-prohibitive for some of my fellow chiefs and law enforcement agencies to require them.

Mr. CHABOT. Thank you very much. Mr. Canterbury, I will go to you next, if I can. I happen to be part of an institution, the Congress, and we get excited when we get higher than the teens in popularity, which does not occur very often. Most of the polling we are down there with head lice and Ebola virus and stuff if you look at popularity. But you had mentioned the police in our country is about 77 percent public support, which I think is tremendous.

On the other hand, you also indicated that I think it was 28 percent of the murders of police officers around the country are motivated by people who have a hatred of police officers or a political point of view which allows them to justify shooting, you know, a police officer, ambushing he or she. I mean, it is incredible, but it certainly happens. Are there any steps that you would suggest on how we as a community, a society, can reduce the amount of public hostility that some people in our country have towards law enforcement? Or is it just an element that you are always going to have to live with and you have to protect yourself from them? What would you suggest?

Mr. CANTERBURY. I am a firm believer that there are some bad people. There are just some bad people. But, unfortunately, in the last 25 and 30 years, law enforcement has become the only form of government that many local governments have as a resource to go into economically depressed areas. We believe that if there is not a holistic approach to building trust in communities with every aspect of government, law enforcement cannot be sent into a neighborhood to clean the neighborhood up.

Because if you do not attack the underlying root problem of poverty, you are never going to break that cycle. You know, people forget that Marilyn Mosby asked for high-intensity patrols in the area where Freddie Gray died. And it was the only arm of government that the Baltimore City officials had to work in that neighborhood. If there is not a total holistic approach with all aspects: community activists, churches, schools; then we are never going to address the problem, especially in economically depressed areas. Job training, unemployment, single parents, all of those issues have to be attacked before we are going to see improvement.

Mr. CHABOT. Thank you very much. My time has expired, Mr. Chairman.

Mr. GOWDY. The gentleman yields back. The chair will now recognize the gentleman from Michigan, the ranking member of the full committee, Mr. Conyers.

Mr. CONYERS. Thank you, Mr. Chairman. I have never been on a panel where we have had this much police and law enforcement leadership at one time, and so I am going to go to the heart of my relations with police that have been so important to me all my life.

And that is the importance of us improving the relationship between the African-American and other minority communities and yourselves and your offices.

This has been an ongoing problem, and I support you on the funding. I support your concepts. But, you know, there is a certain element in law enforcement that is racial. That is anti-diversity. And let's just speak as honestly as you can for a few minutes about that part of your relationship because you cannot build trust if there is glaring instances of police disrespect for the minorities in communities, and there has been a long history of that.

We are still coming out of racism in our society, and in law enforcement, it becomes glaring. And I would like to ask the national president of the Fraternal Order of Police to lead off this discussion, and I hope all of you will join in with your honest opinions.

Mr. CANTERBURY. Mr. Conyers, I do not know when and how that personal bias will be gone in this country, but I do know that in my 30-plus year career in law enforcement, I have never been taught that racial profiling was a legitimate police practice. I have never been taught that anybody of color should be arrested at a higher rate. I have never been taught that everybody should not be treated fair and equally in this country.

But we do recognize that there is implicit bias, and there are individual officers that may have those bias. It is our job to make sure that those officers are rooted out and put out of this career field. But again, it cannot be the first call of a politician when a white officer arrests somebody of color. It can never just be the first thing that we hear from social media. Freddie Gray for instance, there were three African-American officers involved and three white officers involved, and to say that the three African-American officers committed some sort of a heinous act because of color is just ludicrous, you know. But we believe working together with our communities we can help build that trust.

But we cannot be the answer to that, Mr. Conyers. We cannot go into the inner city as law enforcement and fix the problems unless we attack the underlying problems of poverty.

Mr. CONYERS. Well, I agree with you that there are a lot of economic and cultural considerations involved in this part of our discussion. But I want to see, and I am watching carefully the police systems across this country to make sure that everybody is doing as much as we can to root out some of these bad apples. There are only a few, but it only takes one to really create a very negative view. Who else here would like to make a comment? Yes, sir.

Sheriff MCDONNELL. Thank you sir. Thank you for the opportunity. When you look at where we are in America today, I believe we have come a long way. Always, there is room for improvement. The police are called to situations that are out of control.

We get there when situations are fueled often by emotion, alcohol, drugs, or mental illness. So, it is always a dynamic situation when you get into it. Race on top of it is kind of the third rail of American policing, if you will. And look at what has happened recently and over our history in this country.

I think the answers are to continue to talk about it. People are afraid to talk about race. Unless we engage, unless we talk openly and honestly about it, we are not going to come to a place where

we are all going to be proud of what we are doing. There are 18,000 police departments in our Nation. Are they all the same? They are not. We are working to be able to raise the bar for every department in America, so that we are comfortable that anybody goes out there in the field represents the profession and does so in a professional way.

I believe today we are dealing with issues of misconduct to try and be able to get at the root of that, and we are separating people from employment who are out there doing it the wrong way. Because, when you look at the amount of police in this country that is about one third of one percent of our population are charged with the public safety for the remainder, that is not very much that we can be able to do that on our own. We have to be able to work with the communities that we are privileged to serve in a way that is positive, in a way that we are all on the same team.

But again, it goes back to I think not only the race issue, but police go where crime is. And that is driven by poverty, by lack of opportunity, by lack of education, and all of the other societal ills that I think police being inserted into a situation that is volatile, that is highly charged, police often get the blame for whatever the underlying reason was. But beyond the control of what we can do to be able to affect that at its root.

So, as we move forward, I think a big step is focusing on youth programs. That is not a core police mission, but it is one we have taken on because we see the need to do that. That if we can bridge that gap at an early age and be able to help kids after school have a safe environment. We do that in L.A. with our Sheriff's Youth Foundation, to be able to give kids that safe environment, ensure that they do their homework, and then they are allowed to do after-school activities. Sports programs, work on the computers and those kind of things.

That is really where we have to begin to look for the future is to be able to work with kids at their earliest opportunities.

Mr. CONYERS. If we do not do anything more today with you four, to me the most important thing is that you take back a message that there are people like myself who have been working in different capacities long before I came to Congress in race relations. And these racial tensions are factors that are not solely about police and the Black community. They come from these related concerns of poverty, unemployment, and other educational disadvantages.

But I need to make sure that you take this back with you, because you will affect some of those people who may be thinking they can get out of line. The major concern is improving race relations with all the other folks that may be considered minorities in our community. Who wants the last word?

Mr. GOWDY. Because of my respect for the gentlemen, we are 3 minutes over, but if you want to take a very quick stab at answering that question, it is important enough for us to go 4 minutes over.

Mr. CONYERS. You are very kind.

Chief THOMPSON. Well, thank you sir for the question. It is so important that we engage our community during non-confrontational or non-contentious times to break down barriers

and form relationships. Relationships translate ultimately into collaborative partnerships, and it starts as the gentleman on my right mentioned. Hiring the right people. Having a work force that is representative of the community that it serves is really important.

I am real proud of the fact that in my area the service population is 70 percent white, 30 percent non-white, and our department reflects that same level of diversity. And to get that level of diversity it must be intentional, and there are qualified applicants out here of all race, ethnicities, and gender. But you have to go where they are and attract them into your agency. And by being reflective and being responsive to the citizens in a respectful and equitable way, that draws people to you and also helps build that public trust and confidence that you are looking for. And rewarding the behavior that is desired is key.

And also, as mentioned, addressing that strongly and directly for that that is inappropriate is extremely important as well. But, so much of what we can do prior to the good-God-almighty situations were taking place, you lay the groundwork before that as I said, during those non-contentious times. And I stressed that enough.

And I will sit in and just say this: if you go online and see Spartanburg in a new light, you will see one of our latest initiatives where we brought people together. It did not matter what side of the tracks you were on, your socioeconomic status, we were all at the one table, one voice working on a public's art project that calls us to talk and start building relationships. And bridging gaps. And it is evidence of what we can do when we come together with unity of purpose and that singleness of mind.

Mr. CONYERS. Thanks, Mr. Chairman.

Mr. GOWDY. Thank you, Mr. Conyers. The chair will now recognize the gentleman from Louisiana, Mr. Johnson.

Mr. JOHNSON of Louisiana. Thank you, Mr. Chairman, and thank all of you for your important testimony today and for your faithful service. I am the son of a first responder. My father was a firefighter, and in 1984 he was blown up in an explosion. He got burned 80 percent of his body, third degree burns, is permanently disabled. He was a training officer, and I grew up at the fire and police training academy, so I have tremendous respect for what you do and the dangers you face.

Mr. Canterbury, I want to thank you for your testimony about the need to modernize our law enforcement. I really believe, and maybe you do as well, that people that use terms like "militarize" do not understand the real challenges that you face.

And I think language is important, and I appreciate you making that distinction. As you noted, our great tragedy in Baton Rouge this past year got the attention of my State in Louisiana, and we have the distinction right now of being the most dangerous State in America for law enforcement. And I wish we could do something about that. We are going to try.

The question is for you, Mr. Canterbury. The Department of Homeland Security renewed a bulletin late Monday that warned of the dangers posed by home-grown terrorists, and they called the threat environment in our country right now one of the most serious since the 9/11 attacks. I was just wondering, in your opinion

do you agree we will continue to see an increase in smaller, more localized terrorist attacks?

Mr. CANTERBURY. Absolutely. I think social media has allowed terrorist organizations over there to influence young Americans in the United States and have glamorized that type of terrorism. So, yes. I have served on the Homeland Security Advisory Council both for President Obama and for President Bush, and it has always been a major concern and will continue to be.

But we, obviously, are going to see an uptick in lone-wolf style and American attackers that have never been to that part of the world, but have been energized by the social media and those markets.

Mr. JOHNSON of Louisiana. Recognizing that to be the case, all of us feel the burden of it. We feel that we need to do everything we can to try to address that threat. And I guess a follow-up question is, to adequately prepare and respond to these local terrorist attacks that seem to be popping up, do you think there are improvements and reforms that could be made to better apply the lessons learned? And specifically in terms of maybe coordination among various first responders.

Mr. CANTERBURY. Well, I think that the communications from the Federal level to State and local has greatly improved since 9/11. But it can continue to get better, and I would like to point out we still do not have an interoperability radio system in this country. We are much closer than we were, but I testified in 2003 after 9/11 of the importance of that, and the contracts for building that system out have just been let in 2017. So, the communications must continue. It needs to be both ways. JTTFs need to be fully funded. HIDAs need to be fully funded. And the fusion centers need to be fully funded.

Mr. JOHNSON of Louisiana. I appreciate your work in that arena. Maybe this question could be for any of our distinguished panel members. The police chiefs and the sheriffs back in my home State of Louisiana are facing growing threats and challenges because their resources, as I know all of you have testified to and you have struggled with, the challenges are going up, the resources are going down, basically.

Can any of you elaborate, just to that we have it on the record, about the 1033 Program and how that has proven to be a critical source for your department and your county in purchasing equipment?

Chief ACEVEDO. Let me take a stab at that. The 1033 Program, the program is not the problem. It is all about proper training, proper policy, and proper use. I remember when the MRAVs came out people started saying, "We have got these things that were being used in Iraq." And although, I did not choose to get one in Austin because it was not good for our tight streets, I defended that because I said, "There is flooding in a lot of rural counties." In Houston we have a huge problem with flooding.

So, it is not the equipment. It is really the policy that is implemented as to its use, and the way it is used. So, we have helmets, we have binoculars, office equipment, helicopters, MRAVs. And again, there is no offensive equipment other than rifles, but other than that it is all defensive. And it is all about protecting the

American people. So, we hope that, again, we are thoughtful. And I do not think the 1033 Program has been destroyed by any means, but that we keep that program alive and well.

Mr. JOHNSON of Louisiana. Anybody else?

Sheriff McDONNELL. Yeah. If I could, sir. The 1033 Program, I would ask that reconsideration be given to looking at the needs of local police. When you see any of these active shooter situations, terrorist situations on our home soil, who gets the call? People call 911, local police respond. If they are showing up in a black-and-white with their sidearm and that is all they have got, they are at a tremendous disadvantage. They are probably going to put themselves in a position where they are going to end up being hurt or killed and not being able to accomplish the mission of rescuing downed kids or people in a mall or a theater or whatever.

But having the equipment that we have been able to get through the 1033 Program, we have been able to go into a hot zone, to be able to stop the shooting, to be able to extract people who were down at the scene and get them off to medical attention without the tools necessary for the exception. We do not use them every day, and as Chief Acevedo mentioned, it is about leadership.

It is about accountability. It is about using the right tools at the right time, not using them for situations where we have seen, in our recent past, that people can cite and say they are not intended for that. They are not. But they are intended to be able to put our officers, our deputies in a position between danger and the public, and to be able to do hot zone extractions of downed citizens. To be able to get them out, and get them help, and stop the threat as quickly as we can.

Mr. JOHNSON of Louisiana. Thank you for that. Mr. Chairman, I am out of time, but I just want to close by saying this. This is not just a feel-good exercise. We greatly value your input. And I know there is a commitment of the people on this subcommittee and our full committee to work towards these reforms to help you out. So, thank you for what you do.

Mr. GOWDY. The gentleman yields back. The chair will now recognize the gentlelady from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. I thank the gentleman very much. I was happy to yield to my ranking member Mr. Conyers, but I want to take note of the fact, Sheriff, that your member Congressman Bass is a very active and full member of the committee and was here at the beginning, and we thank her for her service. To acknowledge Congressman Deutch, his presence here today. And to acknowledge Congressman Richmond's presence here today on the subcommittee for our members, and we are delighted to have all of you here. And to take note of the fact that we are interested in working together.

So, I want to start with Mr. Canterbury, and thank you for the representation of 300,000. To you and your collective membership, let me continue to offer my acknowledgement of their service, and as well, sympathy for their loss and their families. In my past life, I served as a municipal court judge, and interacted not only with citizens but with officers on a regular basis. And as I sometimes say, not necessarily clothed in their blue, but clothed in their undercover clothing seeking probable cause warrants. So, we know the variety of work that is done by our officers, and we thank you.

But I want to follow the line of questioning of my ranking member, and to say that we have got to meet each other halfway. There is no doubt that the Walter Scott case and the Jordan Evans case, these are very conspicuous cases that loom large in the psyche of Americans no matter what racial background they are. I want to know the FLB will work with us. As you well know, we are working on a trust and integrity bill that I believe is a hand of friendship.

It also includes a collection of data, and that is numbers. You have just cited the FBI report, but I view it as science that help drives us toward providing the funding that you are interested in. I was a great supporter of the Cops on the Beat program, I want to make sure that is going forward. Byrne Grants, like you said, helping as much as possible.

I want to get to Sheriff Acevedo for him to further emphasize some of the tactics we have used in Houston, and I want to thank Mayor Turner for emphasizing, in terms of community outreach, who you have engaged in. And then, if you would also answer the question. Just this past Monday Secretary Kelly, and I know that you have gotten this notice in working without joint terrorism, indicated that we may be in one of the most serious terrorist threat atmospheres since 9/11. This falls to local police. What kind of resources and what you need dealing with that question.

And I thank you, Mr. Canterbury. Sheriff, will you take hold of this question please so that I will not have to say it again? Really interested in your comments about mental health. To answer the question, are you saying that some of these people who come to you, they are not criminals? They need mental health help. Thank you, and Chief Thompson, if you want to jump in please do. Mr. Canterbury.

Mr. CANTERBURY. I would like to lead off by saying that I think the difference in the Walter Scott case versus some of the other cases is that the city of Charleston handled the entire investigation and the pre-work that Chief Thompson was talking about in the city of Charleston. If you look after the Emmanuel Church shooting as well, I am a proud South Carolinian, we did not go to the streets. We did not ride in South Carolina. We walked arm in arm on King Street in Charleston and demanded an end to the violence.

And I think it is the pre-work that happened there. But on a national level, we have always been committed to data gathering. What we also like to see, though, is a mandatory collection of assault on police officers, as well so that we can demonstrate the total number. It is voluntary reporting currently.

So, yes, we would work with you in any way possible to increase the amount of data. Scientific data is a basis for asset allocation, policing strategies. But on the other side, we also want to collect the data on the number of police officers that are being assaulted.

Ms. JACKSON LEE. I am going to take you up on that offer. Thank you, Chief. Thank you.

Chief ACEVEDO. Good morning, again. In the city of Houston, we are really focusing on building relationships, building trust. Mayor Turner sets the tone and we all follow, including yourself and the police department. And we do not paint people with broad brushes. Black Lives Matter, some folks will paint them with a very broad

brush as a bunch of anarchists, when we know that the vast majority of the people in that movement are our neighbors, our friends, our coworkers, and people that just want to see good policing.

And so, what we are doing in Houston is engaging one another, building those bridges. When SB4 is trying to marginalize immigrants and paint them as a bunch of thugs and rapists and drug dealers, we are painting them as what they truly are the very vast majority, and that is day laborers, and cooks, and nannies, and people that are building our homes and our bridges and our roadways. And so, I think that we need to put down our brushes and start talking to each other instead of yelling at each other. And actually instead of running away from activists I run towards them.

And because of that, we have built I think trust. And we call each other on the carpet when we need to, and have those, I think like Sheriff McDonnell was saying, honest, open, blunt discussions. But respectful.

Ms. JACKSON LEE. Sheriff.

Sheriff McDONNELL. Thank you, ma'am. On the issue of mental health, I have on a daily basis 17,000 inmates in our custody in L.A. County jail system. Of that number, 4,000 to 5,000 are seriously mentally ill. If you were to look at the remainder of them and you look at issues such as PTSD, the number would probably be in the range of 90 percent. So, we have a population that is very, very challenged, that needs a different kind of care than traditionally we have been used to providing.

Many of our folks are in custody because they are acting out on their mental illness. There is a cycle of dysfunction that continues. They come into our custody, they are treated, we try and stabilize them on medication and be able to get them functioning, only to be released from the system back out onto the street.

Many are homeless, they go back to either skid row or living under a bridge or a freeway, and then re-offend and find themselves back in custody. A very expensive cycle, a very inhumane cycle of dysfunction that we need to break. What we need is additional funding and focus on community-based mental health care and treatment. To be able to provide alternatives to incarceration for people who can be better treated outside in a medical setting than in a custody environment.

Ms. JACKSON LEE. Chief.

Chief THOMPSON. I would just briefly add that, you know, we have a lot of veterans coming back with PTSD that we are having to deal with. We also have citizens like my son, who has autism. And we are finding more and more situations where the actions, although they may appear to be criminal in nature, would be better served if we were to defer or get the people to the type of help that they need. And it is so important that we try to identify resources within our community and leverage those resources to assist those that are having some of these behavioral health issues.

And just one last word on Autism. It is a growing epidemic. One in every 62 children born are on the spectrum and amongst boys it is 148. So, this is not a situation that is going to go away any time soon. So, we need to put energy and effort into dealing with our fellow citizens as they grow older because they do get older. As our little boy will be taller than me next year, probably, and he is



only 12. But as a police officer and having him as a young Black male who is not going to understand some of the orders of police, I think I am in a unique position to try to help on both sides of this equation of how to respond and also how to give parents some assurance that we are going to do all that we can do.

Ms. JACKSON LEE. Thank you, Chief.

Mr. GOWDY. Really appreciate it.

Sheriff McDONNELL. If I could, just to add on to the interaction of the police with the public as it relates to autism and other cognitive disorders. If we can find the way to provide crisis intervention training to all of our police officers and deputy sheriffs, that is another tool in the tool box. We train the academy command presence how to go in and be authoritative. Take control of a situation that is very dynamic and chaotic.

If we do that with somebody that is autistic, we are going to guarantee that it is going to set them off based on their illness and we are going to end up with a potential use of force and a bad outcome. If people know what to look for based on their training and can look for cues in the environment and can recognize symptoms and come off with a different approach, we get a different result and everybody benefits.

Mr. GOWDY. Thank you, Sheriff.

Ms. JACKSON LEE. Chairman, you have been very gracious. Can I just acknowledge a person in audience Mr. Chairman? It was an advocate of police union relations. Mr. Gerald Womack is here from Houston Texas, who has worked with the Chief and came here to acknowledge police, National Police week. Thank you so very much.

Mr. GOWDY. Welcome, Mr. Womack. The chair will now recognize this gentleman from Texas, Judge Poe.

Mr. POE. Thank the chairman. Thank you all for being here. I assume that all four of you are here this week, along with thousands of other police officers and families of the slain officers to honor the fallen, not just from last year, but the previous years as well.

Chief Acevedo, as you know, in Texas last year we had 21 police officers killed and numerous others wounded. More killed in the State of Texas last year than any other State in the United States. Five of them were in the Dallas area that were ambushed by a sniper while a demonstration was taking place in the city of Dallas.

Ironically, the officers were protecting the demonstrators and the crowd, and then the sniper opens fire. Took place over quite a long period of time. Five officers killed. Several others wounded. Citizens killed, and then, finally, the sniper was taken out, as he should have been, by law enforcement.

So, as a member of this committee along with the others, we mourn the loss of all of those officers, plus the over 130 that were killed throughout the Nation. And thank you for being the head guy for all of those, for our department.

Chief Acevedo, I want to talk a little bit about the Justice of Victims Trafficking Act that has been implemented. As you know the bill that passed overwhelmingly in the House and the Senate and signed by the President goes after the trafficker, and I call that person the slave master. Goes after the buyer, who is the consumer

and then it also helps the victim and treats the victim like a victim of crime and not a criminal.

The City of Houston recently had the Super Bowl and the City of Houston Police Department was in charge, and correct me if I am wrong, but Chief, I believe the City of Houston was in charge of the entire process on trafficking and making sure that those outlaws stayed out of our town during the Super Bowl. You worked with Federal, State, the NFL, and other organizations.

My question to you is specifically on the bill goes after the buyer, the consumer. The person who buys sex, primarily with young children, and for years that person seemed to always get away with that conduct in our criminal justice system. Can you give me some success or not success of the law in taking, going after the buyers and Justice for Victims Trafficking Act in our City of Houston?

Chief ACEVEDO. Good morning. Thank you so much. Unfortunately, the City of Houston is actually the epicenter for human trafficking and sex trafficking. It is nothing we are proud of, but it is something we are combating. Two things that we are doing that I think is really important.

Number one, kind of General Kelly, Secretary Kelly is talking about, the war on drugs, you can focus on the people that are selling the dope or we can focus on treatment and going after the people that are buying it. In terms of this scourge, we do need and we are thankful of the fact that we are starting to focus on what we really need to be focusing on which is the consumer.

In the City of Houston with the District Attorney's Office and the leadership of Kim Og and Mayor Turner and, obviously, the police department, we are now treating the victims as they are. These women are victims. These boys, these children, these girls are victims and we are treating them as such instead of treating them as suspects and consequently what we are doing is they are helping us identify the bad guys that are actually taking advantage of these folks, whether it is the trafficker or the john.

And, one other thing that we are doing is we are actually publishing the photos of these people. Put them on notice first, before the Super Bowl, publishing the photos—

Mr. POE. Sounds like something I would have done as a former judge in the city.

Chief ACEVEDO. Yes, sir. There were some interesting people that ended up in those pictures. I will just leave it at that. But, we are very grateful for that bill, and we are hopeful it will help us fight that.

The last thing is, a lot of these folks are so traumatized that when they are stopped by law enforcement with the pimp, with the trafficker they are afraid to say anything. So, actually training police officers on what the indicators are, how to investigate somebody on the side of the road has gone a long way and I would encourage all police departments across the country to be required to have training in that area.

Mr. POE. Thank you, Chief, and I think the Mayor's office has a tremendously adequate and excellent protocol on dealing with the issue of human trafficking. I hope more cities take it in the future and will make us the hub of not trafficking, but the answer to trafficking.

Last comment I wanted to make to chief or Mr. Canterbury. I want to thank you for supporting the bill that I have introduced to back the blue, the Back the Blue Act, which punishes outlaws more who commit crimes against police officers throughout the country. And with that, Mr. Chairman, I will yield back.

Mr. GOWDY. Gentleman from Texas yields back. The chair will now recognize a gentleman from Louisiana, my friend, Mr. Richmond.

Mr. RICHMOND. Let me thank all of you for being here and I will start with Mr. Canterbury since you represent so many people and I just want to start off that these are not "gotcha" questions. So, if we can answer them quickly it will help get to where I want to go.

Would you agree that so many municipalities and local leaders and States and cities and counties are so cash-strapped that they are using the police departments as a revenue generator from either fines or fees, citations, traffic tickets, et cetera? Do you think that policy fosters or hampers community police relations?

Mr. CANTERBURY. It hampers community relations. In St. Louis, there were 68 police departments in that county issuing tickets. The FOP brought that to the forefront. We should never be used to generate revenue.

Mr. RICHMOND. Let me ask you another question. You would agree that the street code of "no snitching" erodes the safety of those communities and it hampers law enforcement's ability to identify and convict criminals that are terrorizing those same communities?

Mr. CANTERBURY. Absolutely.

Mr. RICHMOND. And on the converse with the "blue code," which has been termed as in terms of police officer's unwillingness or reluctance to do the same to other police officers that the fact that it is out there and people talk about it erodes the community's confidence in their police departments?

Mr. CANTERBURY. I believe that the discussion of it erodes it. I, personally, do not think that the blue code exists to the extent that it is meant to be. I have seen officers that might turn a blind eye to a policy violation. I have never seen anybody turn a blind eye to a criminal violation.

Mr. RICHMOND. The other thing is and you mentioned and I was glad to hear you say that you do not think, you know, they are real biases but you think some officers come in with their own personal implicit bias. And to the extent that chiefs and others have the ability to root that out, and most often I see at least in civil service or others that the union will always come to the defense, no matter how much evidence and I think that also erodes some community confidence.

But let me ask you another question, because you mentioned the 18 officers this year. You talked about Baton Rouge, which is in my district. You did mention St. John a couple years earlier, which was in my district, and you talked about officers being gunned down, which is what we are concerned about. And, you mentioned home grown terrorism.

But what I have not heard here today is the group Sovereign citizen that has killed more police officers than anybody else. And so,

when we do not mention them, I think it gives the perception to the public that you have some outlaw, you know, urban kids or other people who are targeting police, which is an unfair depiction when we know Sovereign citizen, who they are, and we never ever talk about them or call them by name. And my law enforcement officers tell me they are more concerned about stopping a car that is a Sovereign citizen than any other thing on the job. Would you kind of agree with that?

Mr. CANTERBURY. I think Sovereign citizens are a scourge on this country and I think that it is not covered by the media the way it should be, but I think law enforcement is extremely concerned about Sovereign citizens. There is a number of incidents, Baton Rouge, the assailant professed to be a Sovereign citizen.

Mr. RICHMOND. And so, in St. John Parish, where we lost deputies, both in my district, were both sovereign citizens. I am on Homeland, I am on Judiciary, and I am the only one that talks about sovereign citizen. And that concerns me and I think that if you can talk about it at least with my colleagues, it will help us, because it will get to my last point, which is you all are out-gunned.

They have better ammunition. They have higher capacity cartridges. They have better bullets that go through the body armor that you have and they have better body armor. So, if we talk about Baton Rouge specifically, those officers got out of those cars with hand guns and he had a long gun with a vest on. A long gun that he probably invested about \$5000 in. There was nothing that could have saved them. Not their helmet, not their shield, not their car door. His bullet would have went through everything.

So, we have to have an honest conversation about what people on the streets can buy and whether there is a need for it, because our officers are walking into situations where it is Iraq, except they are armed as a crossing guard and the bad guys are armed as terrorists. So, if you could help us, and we are not talking about taking people's guns. We just want the police to be on a fair footing with the criminals. Could you respond to that?

Mr. CANTERBURY. Mr. Richmond, in the last 10 or 15 years I have seen a big shift in law enforcement perspective on the 2nd Amendment, and our position has been that better background checks, mental health records being available to conduct those background checks, would go a long way. The assault rifle bill that was signed in by President Clinton, the numbers did not prove, at the conclusion, that that bill had any success in reducing the number of guns that were sold or the number of crimes committed.

So, I think preventing those people from getting those weapons that should not have them should be the first and foremost thing that we should work on.

Mr. RICHMOND. Mr. Chairman, can I just end with a comment?

Mr. GOWDY. Sure.

Mr. RICHMOND. The FN57, which is a hand gun which will go through body armor. It has no knock down power so it cannot be self-defense, it is sold in Cabela's and everywhere else. It is strictly a killing gun. So, the question is, do we have the need for that and just anecdotally on assault weapons band, I was a kid during those times and I do not know what the data shows, but I know the

street value and the street cost of a AK47 at that time went from 400 to 500 in the store or on the streets to 1,500. So, it made it a little bit harder for somebody to buy that gun and hopefully calmer heads prevailed before they were able to purchase it. So, that is just my life experience. But thank you all for what you do. Mr. Chairman, thank you for letting me go over.

Mr. GOWDY. Thank you, gentleman from Louisiana. The chair will now recognize the gentleman from Texas, the former U.S. Attorney, Mr. Ratcliffe.

Mr. RATCLIFFE. Thank you, Chairman. Gentlemen, thank you all for being here today. I am sure over the course of this week, Police Week, you are going to receive a lot of kind words and praise, and it is certainly richly deserved.

As U.S. Attorney under President Bush, the opportunity to serve as the top Federal law enforcement officer in the eastern district of Texas gave me the opportunity to stand shoulder-to-shoulder with so many officers and police departments across the 33,000 square miles of that district and really instilled in me an appreciation that I did not have before about what your men and woman are asked to do every day. The sacrifices that they are asked to make and the circumstances under which they are asked to make them and to my mind, every week should be police week in this country.

But rather than just talking the talk as legislators. We need to put words into action. We need legislation that does more than just say that we are grateful that proves that to you. We have had a lot of great comments, even on this subcommittee today from members on both sides of the aisle. Two of you, specifically, mentioned one specific piece of legislation that I introduced last congress and again this congress, which is the PLUSE ACT, Protecting Lives Using Surplus Equipment, and it was legislation that became necessary when the prior Administration decided to restrict the 1033 Program and actually take back some of the equipment that had been transferred to law enforcement agencies under the program through the Department of Defense.

I want to yield my time to you all. You have had some opportunity to talk about it, but one of the things and we have had a chance, many of us, to talk before. Mr. Canterbury working with your folks on this particular issue. I cannot tell you how much we appreciate it and how much we look forward to continuing to engage. Chief Acevedo, you and I had a chance to talk about this issue a few months ago at an event.

But, you know, there is a narrative out there, a false narrative in some folk's mind that this is Barney Fife from the Andy Griffith Show playing weekend warrior with RPGs. And so, there is a misconception about what the equipment involved is and what it really means. And, you know, Sheriff McDonnell, you live right next door to the jurisdiction where the San Bernardino attack happened.

So, you know, I would really like you to take a few minutes and talk about the fact that this is not theoretical and that this particular program, what it really means in terms of saving lives, not just of officers, but of the citizens that they protect. And I would like to yield to you, all of you in that respect.

Sheriff McDONNELL. Well thank you, thank you for that opportunity. We touched on that briefly. The 1033 Program has been very valuable to State and local departments in the ability to be able to have the tools necessary to respond to those calls that are certainly out of the ordinary. But when you need the equipment, you need the equipment. To be able to put yourself in an armored vehicle between the suspect and some downed citizens, some downed officers to be able to affect a rescue, those seconds, sir, are life-saving.

So, to be able to get in there without waiting, to be able to have the tools necessary, and rapidly deploy them. If we are waiting for some entity that is far away to be able to respond, this stuff as you see all the time on TV, these active shooter situations often are over in seconds or minutes. To be able to mobilize, get the equipment there, and be able to do what needs to be done in a way that is as safe as possible, the 1033 Program has given us tools that otherwise we would not have had.

Chief ACEVEDO. And I would like to add, also, from Houston, that without this equipment, you know, we learned in Katrina that if you are going to wait for the Federal Government to come and save you, you are going to be waiting for a while. And so, the more that we can equip our local agencies to be prepared for all threats, whether it is by nature or the next multi-shooter incident you might have from homegrown extremist to Sovereign citizen or an overseas ratified person, the better off we are going to be.

Again, our high-water vehicles when, you know, Houston is very, it is basically at sea level and when those rains come in we deploy these vehicles and some people, again, think about Iraq, but there is no offensive capability with 99 percent of the equipment that we are talking about. It is all equipment that helps us just conduct our everyday mission of keeping Americans safe.

Chief THOMPSON. And I would just like to add for those departments that are kind of strapped financially, being able to get this equipment at a lower cost is advantageous to us, because to try to get some of the equipment from the private sector is extremely costly. And it is cost-prohibitive for us. So, it is a valuable tool or resource for us.

Mr. RATCLIFFE. Well, you know, I am not sure there is another occupation out there where someone is expected to make correct, split-second, sometimes life and death decisions while navigating complicated laws and procedures. In the process, laying his or her life on the line for total strangers for relatively little compensation, and where every aspect of those actions draws public scrutiny and in some places criticism from sectors through the public or the ports. That is what your folks do every day.

I hope there is a special place in heaven for folks like that and again, I think every week should be Police Week. So, I appreciate you all being here today. Please communicate that to the brave men and women that work with you, and I will yield back.

Mr. GOWDY. The gentleman from Texas yields back. The chairman will now recognize his friend from New York, Mr. Jeffries.

Mr. JEFFRIES. I thank the distinguished Chairman for his leadership and for yielding as well as this distinguished panel for your presence here today, your service to this country.

If I could start with Chief Acevedo, the Department of Justice, under Attorney General Sessions, is now calling for a review of consent decrees involving local police departments, and it appears that they have attempted to stop movement in that direction as it relates to the Baltimore Police Department, which has had a history of problems highlighted by the Freddie Gray matter, but a series of other issues as well.

Now, I believe that you came to the city of Houston and previously was in the city of Austin. Is that right? And during the time with Austin PD, I think, there was a Voluntary Cooperation Agreement between the Department of Justice Civil Rights Division and the Department in Austin. Is that right?

Chief ACEVEDO. Yes, there was, we were investigated, pattern and practice investigation by the Department of Justice. It lasted about 4 years the entire process. But rather than enter into a consent decree and the challenge with consent decrees is a lot of money goes into what I described earlier as a cottage industry of these folks that get paid to, and have a vested interest of never getting out of a consent decree.

For example, in Chicago it cost about \$6 million in litigation. If we can use consent decrees as a last step for cities and counties that do not want to be helped by the Department of Justice and spend those precious dollars on training and equipment and the things that really will change outcomes, we are better off. And so, we are actually going to have a meeting with the Attorney General's folks, the Civil Rights Division in 2 weeks. The agency chiefs and to talk about this issue.

We do not want them to abandon them, but we think that cooperative agreements with teeth in them, without these monitors, these monitors that are sometimes getting, 1-, 2-, \$3 million a year may be better for the tax payers.

Mr. JEFFRIES. And what were some of the policy and programmatic changes that were made as a result of this voluntary agreement?

Chief ACEVEDO. Oh, lord, I mean for me it was a great tool to have at the Department of Justice as a new chief in Austin, because quite frankly they were validating what this new chief that came from the outside from the State of California was observing. Our systems, our processes, our policies were so outdated. Use of force, we would wait, there would be a check. If I used my PR 24, which is my baton on somebody, we would have a sergeant come to the scene in Austin at the time to assess to what was the use of force? To document the use of force.

And so, we changed, we had 163 or so recommendations and we implemented 161 of them. So, it is a great partnership, a great tool and we hope that the collaborative agreements will be the preferred method moving forward with the consent decree being the final step. And, quite frankly, without the Department of Justice, a lot of the cities and counties simply will not invest in the training and the equipment the police officers need to do a very complex job unless they are forced through these agreements in terms of the Department of Justice.

Mr. JEFFRIES. So, it is fair to say as a result of the Department of Justice's engagement, involvement, presence, that the Austin Po-

lice Department was able to modernize itself and significantly improve the relationship between the police and community, is that right?

Chief ACEVEDO. Yes, sir.

Mr. JEFFRIES. Now, I know Sheriff McDonnell, I think the L.A. Counties also had some experience with the consent decree, is that right?

Sheriff McDONNELL. That is correct.

Mr. JEFFRIES. And the consent decree came about as a result of allegations, accusations of the excessive use of force directed, in particular, at communities of color. Is that right?

Sheriff McDONNELL. That is one of them. We have one in the jails and we have one in the Antelope Valley.

Mr. JEFFRIES. And can you tell me about your experience with the Department of Justice, and has it resulted in positive changes resulting in improved safety of facilities, kept officers safer and potentially improved the relationship between the police and the community?

Sheriff McDONNELL. Well, I also have prior experience with LAPD with long term consent decree as well. And to echo some of the comments here before. It is a vehicle for change, for positive change. It needs to be managed in a way in a macro sense, so that it does what it is intended to do. That the things that are being counted are things that matter in change. A lot of times you will have a consent decree with a number of different recommendations for change. The completion of the consent decree is contingent upon some of those will affect organizational change, cultural change, and some of them are more check the box kind of things, which are not as helpful.

Mr. JEFFRIES. Can you give me one example, as my time expires, of the type of thing that could affect organizational change in a positive direction?

Sheriff McDONNELL. Absolutely, in looking at pattern and practice in the Antelope Valley racial profiling allegations we were able to drill down on that where were measuring what is occurring out there. I think our greatest measure is public satisfaction.

There was a recent article done by the L.A. Times measuring where we were prior and where we are today and it was very complementary of the change within the organization as it relates to police community interaction. So, we are very proud of that.

Within the custody environment, that is a different place today than it was a few years ago. We are very proud of the progress we have been able to make there. Our uses of force, significant uses of force by deputies on inmates is down dramatically. And, when we look at the population at the jails that we have in California, they have changed dramatically. A much more sophisticated, much more violent criminal in for much longer period of time than previous. So, the challenges are greater, but we are managing them, I think, much better than in past years.

Mr. JEFFRIES. Thank you, Sheriff, and I would hope that this committee would consider strongly taking a position that the Department of Justice should proceed carefully with any effort to eradicate oversight, accountability, involvement and just work to



establishing the best productive relationship as possible. Thank you, I will yield back. Thank you, Mr. Chairman.

Mr. GOWDY. Gentleman from New York yields back. The chair will now recognize the gentleman from Michigan for purposes of introducing his opening statement.

Mr. CONYERS. That is what I want to do. I ask unanimous consent.

Mr. GOWDY. Without objection.

Mr. CONYERS. Thank you.

Mr. GOWDY. Thank you. The chair will now recognize the gentleman from Texas, Judge Gohmert.

Mr. GOHMERT. Thank you, Mr. Chair, I appreciate the witnesses being here today, but I appreciate even more the jobs that you do and serving people and your cities and the country.

I want to follow up on the consent decree issue, and I guess we are all affected by our own personal experiences. But based on my experiences having been a prosecutor, and then doing mainly civil litigation but getting court appointments time to time but also being a felony judge and a Chief Justice, I have seen it from a lot of different angles. And it lead me to believe that my friend and he is a brilliant intellect had clerked for the Supreme Court, he is just a smart guy, Mark Levine had said he felt like the consent decrees were being used to federalize local police departments.

And, it certainly appeared from what I had seen personally that when departments were having to spend money and time on the experts they really do, they make a career out of being expensive and being indispensable under consent decrees that there is a lot of money wasted on those people that should be wasted, not wasted, but actually spent where it is more productive on people, manpower, and equipment to keep them safe. And, it always seemed to me having watched a Federal judge there in my hometown of Tyler take control of the State prison system as, he was the legislature executive and judicial branch all in one as he managed the prison systems in Texas for, I do not know, over 30 years, I think. That that certainly seemed unconstitutional that no one person should have that kind of authority for that period of time to run facilities and systems.

But again, that was under a decree that was agreed to, basically, giving the Federal Government one Federal judge, that kind of control. But, I had a court appointment who told me that after the Federal judge took control of the Texas Prison Systems, he had been in prison before, and he had been in after. And there was night and day difference after the Federal judge took control. He was in much more danger, and it was much more difficult to do time in prison.

But in any event, it seems like if there is a problem, I always felt like there should be a lawsuit. Get it straight. But the oversight does not continue. It just ends up if we have to come back, it is going to be more expensive again. And then, leave it to the locals to clean it up with their knowledge that if they do not, the Federal Government will come back in. And it will be more expensive and costly next time. I do not believe, has Houston been under a consent decree? I did not think you had.

Chief ACEVEDO. No, sir, not that I am aware of. I have only been there 6 months, and I am pretty certain we have never been under a consent decree.

Mr. GOHMERT. And I would hope that is not something you were looking forward to.

Chief ACEVEDO. That is a lotto ticket no police chief would like to win, to be honest with you.

Mr. GOHMERT. Well, Sheriff McDonnell, I get the impression that is not someplace you wanted to be either, right?

Sheriff McDONNELL. That is correct.

Mr. GOHMERT. Okay. Well, I also wanted to ask you about something that has constantly come up over the 8 years. This emphasis on people in Federal prison for simple possession, and the public was given the impression that we had lots of folks in Federal prison for simple possession. And my experience was that if there was nothing but simple possession, the Feds left that to the State for prosecution. About the only time we hardly ever saw the Feds take a simple possession was when somebody agreed to a plea agreement to testify, and in return they would only pursue the possession.

For those who say that drug crimes are victimless crimes, I would just like to finish by hearing each of your opinions on whether or not simple drug offenses are victimless crimes. Sheriff McDonald, if you could?

Sheriff McDONNELL. You know, I look at simple possession cases in the State of California based on Prop 47 are now a citation, not just once, but every time you are caught. And it does not matter the type of drug, so we are probably in a different place than many States.

But the drug market, the drug industry if you will, drives crime. It is organized crime. The cartels are involved. There is violence associated with it from the lowest levels to the highest levels.

So, to say that it is a victimless crime I think is very wrong. When you look at what is happening today across America with our opioid crisis, and you see we are losing 91 people a day in this country to overdoses primarily from opioids. And you look at that, and you just see these are primarily young kids, 18 to 25. And Fentanyl has now been introduced to the market, which is extremely powerful, deadly in some cases, with carfentanyl, in particular. And you look at where that is taking us.

At the same time, we are moving away from using the tools of the justice system to be able to deal with drugs, and I do not believe that those are the tools that should be used solely. It is a health problem. It needs to be dealt with as a health problem, but I think we also need to be able to have leverage to be able to get people into treatment. We have lost that in California. By having that leverage using the criminal justice system, we have the ability to get people into treatment and hopefully be able to get their lives back on track. Without that leverage, people do not have the ability, based on their addiction, to get themselves into treatment and to be able to break that cycle of dysfunction that we see too often.

Mr. GOHMERT. I ask the chairman's indulgence. If I could have all three answer that question?

Mr. GOWDY. I am the only one that has not asked their questions yet. I was trying to get done by noon, but if you can accommodate Mr. Gohmert with whether or not drugs are a victimless crime, I am happy to wait longer.

Mr. GOHMERT. Chief Thompson.

Chief THOMPSON. Not a victimless crime, but we do, especially for the first offender, is try to defer what we can from court to get the type of assistance that they need to stop their dependency. And most of the cases are handled at the city and county level or State level for us, with State statutes. And we are not filling the Federal Government or Federal penitentiary to the simple possession.

Mr. GOHMERT. Thank you. Mr. Canterbury.

Mr. CANTERBURY. The vast majority of traffickers in the Federal sector are very involved in the violent side of narcotics. It is a misnomer that the Federal prison is full of nonviolent drug offenders.

Mr. GOHMERT. Thank you.

Chief.

Chief ACEVEDO. Well, I do not have the data with me, but I think we need to be smart on crime, especially at a time where we have limited resources. So, we need to distinguish between those that are simple users that, as Secretary Kelly has said, we need to start getting those people treatment, not putting them in prison. We were charging people with felonies for having three bindles of cocaine for personal use. We have to differentiate true dealers that are out there poisoning our streets with people that are just addicted. So, treatment goes a long way in getting rid of the underlying problems.

Mr. GOHMERT. Thank you, Chief. Thank you, Mr. Chairman.

Mr. GOWDY. The gentleman yields back. The chair will now recognize himself. I want to thank all four of you for being here today and for your service for our country. I am going to confine my interactions with my own police chief and start by thanking you and your family who is with you today for your service to our community and other communities throughout your distinguished career. We are really fortunate to have you in Spartanburg, and Tim Scott and I want to thank you for helping us with our police community relations roundtables. As you know, they are confidential because we want people to tell the truth, and your voice is an important one that we have benefitted from.

Your predecessor was a really good friend of mine, Tony Fisher. He also is a law enforcement officer of color, without whom I never would have been elected District Attorney. So, if folks are looking for someone to blame for me being in public service, Tony Fisher would be the person to blame.

And Tony and I would lament from time to time the notion, the deeply-held notion, within certain communities that victims of color were valued less than white victims. In homicide cases in particular, that the sentences did not reflect valuing the lives of Black victims the same as White victims. And it is interesting to have that conversation with a law enforcement officer of color who well knew prosecutions are only as good as the evidence that we are given.

So, when you say community relations, the first thing I think of is how do we get the community to trust you and your officers

enough to give us the information we know that they have to present the evidence we know that they possess, so we can value the lives of people of color in exactly the same way we do as white victims? How do we do that?

Chief THOMPSON. I do not think it is an easy fix, sir. But as I have mentioned earlier, it is what you do before crimes and situations arise. You know, there is no substitute for quality, professional, and equitable service, and respectful service in dealing with our citizens in all areas of our city. But breaking down these unfortunately historical or traditional barriers between police and the community are hard. I will say that this no-snitching or not telling the police, giving us what we need to solve crimes, is not as significant as we may think it is because otherwise, we would have solved nothing.

Information is definitely power. We would not get information readily at the scene, but oftentimes because of relationships built, we will get that anonymous call of someone giving us what is necessary to identify someone responsible and eventually bring them to justice.

But like you and Director Fisher, that is a tremendous frustration because we value life, but the community that is being hurt by this violence has to value life, too, and stepping up to do what is necessary to bring the people that is responsible for causing the pain and the hardship back to justice.

And really, relationships, if there is one thing that I can just stress. When we go to calls, we are not being invited over for tea or barbeque, obviously. But when we can get together during non-contentious times, and break down those barriers into where we see that we have a singleness of purpose. We do care about the community.

For example, I try to lead by example by being a mentor, so being on boards. For example, I chair the Boys and Girls Club in the upstate of South Carolina. I am on AMI White Pines Kids. These are kids that have run afoul of the law. Being intimately involved, and the people see that you are sincere in your efforts to assist and that we are not just some entity to come in, effect an arrest, write a ticket, and leave. I think that starts us on our way of getting the type of information that you are wanting and that we are needing to be successful in our prosecution of perpetrators of crime.

Mr. GOWDY. Well, you and your officers are incredibly active in our community, and I regret deeply that it takes a funeral for some of your guys and gals to know how appreciated they are. The community outpouring of support for your agency was incredibly, tragically beautiful to watch. I just hate that it took Jason Harris' life, and it does not have to do that. I hope your officers feel appreciated, even on the days they come home safely.

So, I will say this, when you were making your opening statement, I was sitting here writing a summary. The pay is low. The work is hard. The danger is intense. The scrutiny is exacting, and the margin for error is zero. I do not know how in the hell you recruit anybody for that line of work. I just do not. So, in a world clamoring for bipartisanship and apolitical causes, I hope you can

take back to all of your agencies and entities that Republicans and Democrats, at least on this subcommittee, greatly value your work.

And we are cognizant of the sacrifices that not just you, but also your officers and their families, make. And if you would let them know that and to Johnny Ratcliffe's point, we will try to communicate that the other 51 weeks out of the year, too, and not just this one. So, with that, thank you for your service.

Ms. JACKSON LEE. Mr. Chairman.

Mr. GOWDY. Yes, ma'am.

Ms. JACKSON LEE. Let me, first of all, ask unanimous consent for statements to be put in record. Mine, I think you did general leave, and then a letter dated from the ACLU, dated May 17th.

Mr. GOWDY. Without objection.

Ms. JACKSON LEE. And then, just to associate myself with the comments of the chairman as he concludes is that there is, you have a blue line. There is legislation called the Thin Blue Line, but there is no divide in the affection that we have for those who are on the front line for all of us.

And the questions that we have asked, I believe, are both instructive and productive for us ensuring that we are both working in commonality, and respect, and dignity. And we certainly offer our sympathy this week for those who have fallen. And we commit ourselves to make that zero as we work with our communities and our young people across the Nation. And I thank you, Mr. Chairman, for yielding.

Mr. GOWDY. The gentlelady yields back. The other members will have 5 legislative days with which to submit additional questions for the record or any other extraneous materials. With that, we are adjourned. Thank you for your service.

[Whereupon, at 12:00 p.m., the subcommittee was adjourned.]