

**NEW YORK MAYOR RUDOLPH GIULIANI: WINNING
THE WAR ON DRUGS AND CRIME**

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIMINAL JUSTICE,
DRUG POLICY, AND HUMAN RESOURCES

OF THE

**COMMITTEE ON
GOVERNMENT REFORM**

HOUSE OF REPRESENTATIVES

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NEW YORK MAYOR RUDOLPH GIULIANI: WINNING THE WAR ON DRUGS AND CRIME

WEDNESDAY, FEBRUARY 24, 1999

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY,
AND HUMAN RESOURCES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 9 a.m., in room 2247, Rayburn House Office Building, John L. Mica (chairman of the subcommittee) presiding.

Present: Representatives Mink, Gilman, Towns, Barr, Hutchinson, Ose, and Kucinich.

Also present: Representative Meeks.

Staff present: Robert B. Charles, staff director and chief counsel; Margaret Hemenway, professional staff member; Amy Davenport, clerk; Cherri Branson and Michael Yeager, minority counsels; Ellen Rayner, minority chief clerk; and Courtney Cook, minority staff assistant.

Mr. MICA. I would like to call this meeting of the House Subcommittee on Criminal Justice, Drug Policy, and Human Resources to order before these witnesses. I would like to go ahead and get started.

We have several opening statements. This is the first Washington hearing of our subcommittee. I am pleased to welcome everyone this morning as we begin our oversight and investigation of problems relating to criminal justice, our national drug policy, and human resources.

In just a few minutes, we will be joined by Mayor Giuliani of New York City. I am going to start with my opening statement, then I will yield to our ranking member, Mrs. Mink, and other Members for opening statements so we can proceed in an expeditious fashion.

Again, good morning and welcome. Our subcommittee began its work several weeks ago with its first hearing in my district in central Florida.

The focus of that field hearing was to review the situation relating to illegal narcotics and the epidemic of drug overdose deaths; particularly those that have ravaged the young people in central Florida.

Heroin of a very pure quality is destroying the lives of our young people. In central Florida, drug overdoses well-exceed homicide deaths. Across our Nation, heroin use among our youth has risen

875 percent among our teenagers from 1992 to 1998. With heroin and illegal narcotics comes crime.

Two of the primary charges of our subcommittee are to conduct congressional oversight relating to the problem of crime and illegal drugs.

In my district and across the Nation, illicit drugs and criminal acts are crippling our families, our neighborhoods, and our schools. Our jails and prisons now hold nearly 2 million Americans.

It is estimated that between 60 and 70 percent of all those behind bars are in jail because of drug or substance-related crimes. The cost to our society, in dollars, totals billions and the loss in productive lives cannot be estimated.

Over 14,200 Americans, mostly young, died last year from drug-related deaths. Drugs, crime, and death are inevitably linked.

Our subcommittee will not only conduct oversight and investigate failures of government programs, we are also interested in reviewing successful efforts by our State and local officials in tackling crime and the problems surrounding illegal narcotics.

Certainly the New York City turn-around, led by Mayor Giuliani, must be one of the most successful efforts achieved by any chief executive of any major American metropolitan area. Let me just, if I could, give you a few statistics about that turn-around.

This is New York City. Total major felony crimes fell by 51 percent from calendar year 1993 to calendar year 1998, and 11 percent in the last year, 1997 to 1998.

Murder and non-negligent manslaughter, 1993 to 1998, declined by 67 percent, and by 18 percent in the last calendar year.

Total felony and misdemeanor narcotics citywide, 1993 to 1998, went from 70,000 to 120,000. The total number of crime complaints reported to the New York City Police Department for 11 major felonies in calendar year 1998 declined by 11 percent compared to 1997, and by 51 percent compared to 1993.

Since Mayor Giuliani took office in 1994, the most significant decrease in crime complaints is reported in murder, which declined 18 percent in the last calendar year, and by 67 percent from 1993 to 1998; astounding figures.

Calendar year 1998 marked the lowest number of murders in New York City in 36 years. Let me give you a couple of other statistics from some of the areas affected.

In southeast Queens, major felony crime was reduced by 21 percent with 1,645 arrests and 89 search warrants executed. In Staten Island and central Harlem, the central Harlem initiative resulted in 2,887 drug arrests; 44 search warrants; a reduction of major felony crime in the 28th and 32nd Precincts by 20 percent.

In Staten Island, there were 552 arrests, 38 search warrants executed, and major felony crime was reduced by 12 percent. We will hear more from the mayor on this.

New anti-drug initiatives will be phased in, in east Harlem, southern Brooklyn, northern Queens, and central Bronx.

Total narcotics arrests increased 17 percent in 1998 compared to calendar year 1997, and 90 percent compared to 1993.

Today, we will have a great opportunity to hear from Mayor Rudy Giuliani as to how he achieved this incredible record in our Nation's largest, and probably most famous, metropolitan area.

The statistics in saving lives from murder is so dramatic in New York City that it has actually helped to impact our national murder statistics. We have seen a decrease in crime in those national statistics as a result of his efforts.

Thanks to Mayor Rudy Giuliani's efforts, I have calculated based on what the murder rate was before he took office that 3,500 people or more are alive today who would have otherwise been fatal statistics.

This morning, we will hear from Mayor Rudy Giuliani. Tomorrow morning, our subcommittee will hear from General McCaffrey who will present to this subcommittee the national drug control strategy for the administration.

Next week, we will hear from our DEA Administrator, Tom Constantine. The week after, we are hoping to announce the date that Mrs. Mink, our ranking member, will help put together a rather comprehensive hearing on education, prevention, and drug treatment programs.

So, that is the schedule that our subcommittee has. Again, I welcome you this morning. I am delighted to see some of our Members present this morning. I would like to, at this time, yield to our ranking member, Mrs. Mink, for her opening statement.

Mrs. MINK. Thank you, Mr. Chairman.

My remarks basically are addressed to the mayor. In his absence, I would like to extend my appreciation to the Chair of this subcommittee for his very comprehensive and energetic leadership in engaging members of this subcommittee in a recent tour of Central and South America where, for the first time, at least for me on this subcommittee and in Congress, I had the opportunity to engage the very difficult questions of source, traffic, and demand issues that face this Nation. Mayor Giuliani of New York City undoubtedly has the Nation's most impressive record with reference to not only crime control, but his overall policies with reference to drug control.

He presides over a city government that is very complex and has always been, in its long history, a crime challenged city; probably the most in our country. We have witnessed some very dramatic improvements in public safety over the last two decades.

According to the data published in the FBI's Uniform Crime Reports, violent and property crime declined 6.7 percent in New York City between 1996 and 1997. Crime across the United States also dropped during this same period, but only by 3.2 percent.

New York's success is not nearly a short-term trend. Crime began to drop sharply and steadily beginning in 1990, during the administration of Mayor Dinkins. It has continued a steady decline during Mayor Giuliani's administration.

Probably many reasons account for this. Rapid economic growth and job creation have undoubtedly played a role, but so has his well-publicized focus on reducing quality of life crime.

It appears to be getting results. That is really what all of us are after. As you may know, this subcommittee has jurisdiction over the drug control policy. We play a role in developing our strategy. So we are particularly interested in learning lessons of success, as well as lessons of failure that apply to national policy.

One positive reason evident from the New York City experience is the importance of a strong partnership between the Federal, State, and local governments.

Just as an example, last year Mayor Giuliani joined with President Clinton in announcing \$120 million in Federal aid grants, all part of the COPS initiative that helped to fund 1,600 new police officers in New York City.

Since the inception of the COPS Program, funding to New York City has totaled more than \$237 million. In addition to that, New York received millions of dollars in grant aid from the Justice Department, including funds for drug courts, the Brooklyn Treatment Court, juvenile mentoring, local law enforcement block grants, and many, many others.

Another positive lesson is the importance of a comprehensive approach to fighting drugs. New York City's program focuses not only on law enforcement in criminal justice, but also on drug treatment, addiction, and education.

The city's strategy recognizes, as does our national drug control strategy, that we need a comprehensive approach if we are to begin to defeat this drug trafficking and consumption in our country. I welcome Mayor Giuliani and thank you very much, Mr. Chairman.

Mr. MICA. I thank the ranking member for her opening statement. I would like to now yield to the distinguished gentleman from New York and our leader in international relations, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman.

I am pleased we will be welcoming the distinguished mayor of America's largest city, New York, to our hearing. It speaks well of our new distinguished chairman of the Criminal Justice, Drug Policy, and Human Resources Subcommittee, Mr. Mica, who is starting off this subcommittee's examination of these highly important crime and drug issues with Mayor Giuliani as our lead witness.

Our distinguished mayor of New York has been effectively fighting these related evils, both as a U.S. Attorney in the southern district of New York, and now as mayor of the biggest city in our Nation.

The experiences of the city of New York under Mayor Giuliani in these three important areas have a number of lessons for our Federal Government; lessons to hear, to observe, and to pay close attention to, and to utilize the benefits of that experience.

The mayor's message and crime fighting success, even the big and all-knowing Federal Government, can learn a few things from today and improve the lives of our citizens throughout the Nation, and especially our young people.

One of the most serious questions of the current Federal administration's performance on its policy in fighting illegal drugs is the over-emphasis on the demand side; especially treatment as the cure-all.

The current Federal administration announced from its very onset its intention of focusing more and more attention and resources on treatment and on rehabilitation of hard-core users.

It began by declaring that there was no war on drugs, which we needed to wage. Its policy was largely based on treating the wounded by diverting the means and resources to accomplish that one-

sided demand emphasis approach from other vital areas such as interdiction and—efforts, eradication, and enforcement.

I remain concerned about this initiative from its inception. The plan to cut back in the areas of interdiction and eradication at the source of these drugs abroad was a clear and mistaken signal that narcotics was no longer a top foreign policy issue for this administration.

In a 1994 visit to Washington, Mayor Giuliani spoke to the Washington Times about the importance of placing narcotics at the top of our U.S. foreign policy agenda. If anyone does, Mr. Giuliani knows from direct experience as a U.S. Attorney in New York that what is needed to effectively prosecute the international war on narcotics and crime is certainly not just a demand approach.

He also knows as the mayor of the Nation's largest city, the impact of illicit drugs from abroad on crime rates, on health care costs, on safety of our streets, and the very viability of our great cities.

Back in 1994, Mayor Giuliani said that local government may have a bigger role to play in combating narcotics, but only the Federal Government can provide overall guidance. To do so properly, it has to make the drug problem a matter of foreign policy.

It was sound advice then and it is still sound advice today. The Federal administration failed to adhere to that sage advice. It let its guard down. It cut back in source nation and interdiction efforts.

The drug policy was, and has never been, at the top of our foreign policy since then. A number of Presidents have indicated that drug use and drug trafficking are a national security risk; a risk that must be attended to.

The costly damage tag is already on that foreign policy failure. Let me just use a hard drug like heroin as an example of what has occurred. It is a particularly important drug in the New York region, as we all know, and throughout the Nation.

While the administration cut back abroad, as well as on interdiction, it mistakenly took its eye off the ball and turned its back on source nations like Colombia.

Today, the heroin marketed in our New York region, once dominated from Asia, is now being dominated from nearby Colombia; one of our neighbors in the Western Hemisphere.

In addition, the ever-pure, cheaper, readily available Colombian heroin—that supply has led to a startling 875 percent increase, an 875 percent increase, for the first time in teen heroin use; the ages between 12 and 17.

Supply can help create and sustain an increased drug demand. Today, Colombia heroin dominates the eastern market of our Nation. It is purer. It is cheaper and more deadly than ever.

While the administration scrambles belatedly today to provide high performance helicopters, which I was pleased to work on, for Colombia for the excellent anti-narcotics police for opium eradication in the Andean region.

Incidentally, the police force has lost 4,000 courageous officers in the last few years in their war against drugs. I hope that we are not too late for the new heroin crisis, and that we can avoid costly errors like that in the future.

Today's session with Mayor Giuliani hopefully will start the learning process with the 106th Congress; particularly for the last 3 years, the current administration. Just yesterday, at the request of our chairman, we met with Pino Arlacchi, the director of the United Nations Drug Agency.

He reminded us that some say we have lost the drug war. He says the war has not yet begun. He is undertaking some major steps in getting an intensive drug substitution, crime substitution program that hopefully will lead to eventually eradicate those sources of both opium and heroin in Latin America and in the Asian area.

So Mr. Chairman, I, again, want to commend you for bringing about this series of hearings that we are about to start today to focus attention once again on the high priority that we wish placed on this issue of drug trafficking and drug use on our agenda.

I look forward to working with you. Thank you for moving forward in this area.

Mr. MICA. I thank the gentleman from New York.

He has been a long-time fighter in the war against drugs and helping us on the international scene so ably as Chair of our International Relations Committee.

I guess our witness is here. Let us defer for just a second. I would like to welcome Mr. Giuliani. Mayor, you should have been here a couple of minutes ago.

They were all singing your praises from both sides of the aisle. We will provide you with a tape of some of those comments, maybe for your future view. We are in the middle of opening statements, Mr. Mayor. We are going to proceed now. We have just heard from Mr. Gilman. We have heard from our ranking member, Mrs. Mink.

Now, I am delighted to yield to a gentleman who I had the privilege of serving under when he chaired so ably a subcommittee of Congress when I was a freshman; a gentleman also from New York, Mr. Towns. You are recognized, sir.

Mr. TOWNS. Thank you, Mr. Chairman.

Let me say, I look forward to working with you in dealing with this very, very serious issue. I think that your timing could not be better to get going on this very early on in the 106th Congress.

I also would like to welcome the mayor of the city of New York who also has been on the forefront in terms of fighting this problem as well.

We must be realistic enough to know that we cannot put everyone in jail. In a 1998 report, the Center on Addiction and Substance Abuse found that 80 percent of the money spent to build and operate prisons in the United States was spent to house substance involved criminals.

We must, and I say we must, I emphasize that, actively pursue treatment options that give people a chance to break the hold of addiction and start new lives. The Center on Addiction estimates that it would take \$6,500 per year to treat an inmate for substance abuse and provide vocational training.

This is a small additional amount to pay, given the average cost of \$20,000 per inmate for incarceration; incarceration without treatment and training. It is estimated that every inmate that returns successfully to society saves \$68,000 in reduced crime.

Therefore, it is cost-effective and efficient. We must be realistic enough to be concerned about the effects of drug abuse on pregnant women. I believe that each of us share the concern that the youngest victims of drug abuse may be those children who are born to drug-addicted mothers.

I worry that a reporting requirement for fetal drug exposure may have a significant impact on women and their children. If these reports, without additional evidence, can be used to place children in foster care, women will forego prenatal care or the followup services they need to hold onto their children.

The compassionate response is not reporting them, but treating them. I believe that our response to the drug issue must be realistic, cost-effective, and compassionate. I believe our mayor shares those core values.

On that note, Mr. Chairman, I would like to welcome the mayor of the greatest city on Earth, New York, NY.

Thank you, Mr. Chairman. I yield back to you.

Mr. MICA. Thank you, Mr. Towns.

We do not allow any commercials on this subcommittee.

I am pleased to recognize now the vice chairman of our new subcommittee, the gentleman from Georgia who needs no introduction, Mr. Barr.

Mr. BARR. Thank you, Mr. Chairman.

It is an honor to have you here today, Mr. Giuliani. I look forward to both hearing your testimony and hearing some of the responses. I know there will be some fairly specific and probably wide ranging questions for you.

I have some based on some of the material that you have presented and some of what I have read in the newspapers over the last several years about the remarkable success, under your leadership, New York City, has seen in its war not only against mind-altering drugs, but crime in general.

Of course, you understand perhaps better than anybody the interrelationship between those two factors. Even though your testimony that you have provided us, your 8 pages here, is but a summary and is very detailed.

I really do think that it personifies what I have always considered the four C's of an effective anti-drug policy. It represents a coordinated approach, a comprehensive approach, a consistent approach, and a constant approach. Those are indeed, as you know, certainly from your years with the Department of Justice and as mayor. Any successful program attacking a problem as pervasive as mind-altering drug usage in our communities has to contain at least those four elements.

During the work that I have been engaged in over the last few years, Mr. Mayor, up here in the Congress, we have done a lot of work of course not only on domestic drug policy, but international drug policy.

I have had the opportunity to travel to both communities here in this country, as well as those abroad. One of the great heroes of the anti-drug movement in the international arena is General Jose Serrano, the head of the Colombian National Police [CNP].

He is really almost a mythical figure in Colombia, as well as the annals of anti-drug policy because of his work over the last several years. Chairman Gilman alluded to it before you came in here.

He also, I think, has a deep understanding of both the societal problems, as well as the law enforcement problems of attacking something as insidious as mind-altering drugs.

The gains that he has made, almost single handedly, in Colombia over the last several years have inspired almost mythical loyalty because of his tremendous honesty and integrity, the consistency of his approach, and his deep regard for the citizens of his country who have been plagued by tremendous drug problems over the last several years that, in some ways, even make ours pale in comparison. Their very society has been threatened by it.

Based on your work, both as an official with our Department of Justice, as a U.S. Attorney, and now most relevant today what you will be speaking about in your experience as mayor.

I would place you certainly up there as one of the true heroes of the anti-drug movement; not only for this country, but for the world. In setting the standards that you have and achieving the results that you have, certainly not single handedly, but I mean you have many, many thousands of tremendous men and women that work with you I know.

In setting the tone for that and in implementing this policy in New York, you are sending not only a signal to our citizens in this country that indeed the job can be done and it can be won.

You are also sending a very important signal overseas. Those who are in countries fighting the war against mind-altering drugs and working with us are very mindful of what goes on in our country.

I know that even during my tenure as a United States Attorney in Atlanta back in the late 1980's and into 1990, we had a very serious problem because on the one hand we were asking Colombia to extradite drug cartel figures up here and they saw the problems we were having even here in our Nation's Capital with drug usage at the highest levels.

There was a correlation between their willingness to sacrifice their citizens, sending them up here—when they would extradite or talk about extraditing a cartel figure up here, they would frequently have murders, bombings, and so forth down there.

They began to wonder, several years ago, whether it was really worth it when they saw some indications that maybe we, in this country, were not really serious about fighting the war against mind-altering drugs.

Largely through your efforts and through the efforts of some of our Governors and other mayors, but most notably yourself, I think you have turned that around. So, in setting the example that you have in New York that we are willing to fight comprehensively drug usage in this country and do it consistently, you are doing a tremendous service to our international effort as well.

That then becomes the model, the example, and makes it much easier for us to work with foreign nations because they see that we are serious about fighting mind-altering drugs. Therefore, they are much more willing to participate with us and take the risks that they do in participating with us.

So, I salute you not only for what you are doing for our anti-drug effort and our anti-crime problem here in this country, but also for the example that you have set in the international arena.

I thank you and look forward to your testimony and your answers to the questions today.

Mr. MICA. Thank you.

Mr. Gilman.

Mr. GILMAN. Mr. Chairman, I just wanted to note that we have received word that last year in Cartegena, Colombia, one port city in that Nation, the drug police, under General Serrano, seized 18 tons of cocaine; 18 tons in one seizure, nearly as much as Mexico did in that same period throughout the entire country of Mexico.

I think when we talk about that kind of massive seizure, it gives us an idea of what we are confronted with; 18 tons. We used to talk about 1 gram being seized as a major effort. Now we are talking about tons; 18 tons with a street market value of millions and millions of dollars.

Thank you, Mr. Chairman.

Mr. MICA. Thank you.

I would like to yield now to another distinguished mayor, a former mayor, who is a colleague now from Ohio, Mr. Kucinich. You are recognized.

Mr. KUCINICH. Thank you very much, Mr. Chairman.

I want to welcome Mayor Giuliani. Certainly, as a former councilman and a former mayor, I understand the day-to-day concerns which confront city officials when drugs become a problem at a community level.

That is where you have to attack it in order to eradicate it. I certainly have a great deal of sympathy with the concerns of local officials, such as yourself, Mayor, who have to grapple with this on a day-to-day basis, and confront the realities of people who live in neighborhoods who are asking, "What are you going to do about this problem in my community? You know, we have a drug house here. We have activity taking place on the corner. Sometimes, it is in full view of others in the community. What can be done about it?"

When you get calls like that and people come to you, I know that it motivates you, as all local officials, to try to find a way to come up with strategies to respond.

I know that this subcommittee in reviewing the same, Mr. Chairman, is very interested in hearing from you with respect to what kind of action will effectively reduce, not only illegal drug usage, but more specifically, drug-related crime and drug trafficking.

These are certainly among the major problems facing this Nation today. I have a statement that I want to submit for the record.

In closing, there are just a few things that I am hopeful that we will be able to get into today. Unfortunately, in the scheme of things in this Congress, we have other committee meetings we have to go to. So, I may not be able to stay for the whole presentation, Mayor.

I do want to ask you if, at some point, you will be able to address the role of economic growth in the reduction of crime. If we expand our economy and more people have opportunities for employment, is there a relationship in a reduction in crime?

The other thing is where we have crime rates lowering, have we also seen a rate of recidivism declining? Are we seeing fewer first-time arrests as well?

The third thing that I think might be of interest is that under your administration there has been a sharp attention to so-called quality of life offenses, such as littering, aggressive panhandling, loitering, and other minor offenses.

I think I remember seeing in the New York Times a few weeks ago a report that said that this has led to delays in the criminal justice system.

I guess the question would be, that I hope you get a chance to address, is there a way in which the rest of the criminal justice system is adequately prepared to respond to new strategies?

Do they have to make adjustments down the road to be able to meet the demands and requirements of an Administrator such as yourself?

So, I appreciate you being in front of this subcommittee. I certainly wish you well.

Mr. MICA. I thank the gentleman.

I am going to yield now to the gentleman from Arkansas, Mr. Hutchinson; a very skilled former prosecutor. We look forward to your statement.

Mr. HUTCHINSON. Thank you, Mr. Chairman.

I am delighted to be under your services on this subcommittee. I want to welcome the mayor. Your praises are sung in the lands of Arkansas. We have a great respect for the work that you have done.

I am anxious to hear your testimony. So, I am going to yield my time and look forward to hearing some of what you have done and also asking further questions down the road.

Thank you, Mayor. Thank you, Mr. Chairman.

Mr. MICA. We have one additional Member at the dias. I would like to recognize a new Member to Congress, Mr. Doug Ose from California, who just came back with us from meeting some of the Central and South American leaders and discussing the issue of curbing illegal narcotics.

Mr. Ose, you are welcome and recognized.

Mr. OSE. Thank you, Mr. Chairman.

It is a pleasure to be here with you after spending last week on the Mica march through Central and South America. Mr. Mayor, I am especially appreciative of your appearance here today.

On this visit last week, we heard substantial input. I am looking forward to yours regarding what we are doing on the domestic front to address our drug challenges with respect to education and treatment, law enforcement, incarceration; the entire domestic approach on which we are spending around \$18 billion a year.

I begged to be on this subcommittee because of the importance of this issue. The one day that I was able to get back to my district over the weekend, I spent talking with people who have either been children or who are parents asking them for input regarding our domestic strategy.

I thought the comment earlier about treating the wounded in our country was appropriate. We are accused or it was suggested to us

in South America that we were the few, the myopic, and the vociferous.

I have to tell you, there are more than just us up here who are interested. I am myopic on this issue. I intend to be vociferous. So, I am hopeful that you can give us some guidance here.

Thank you, Mr. Chairman. I yield back.

Mr. MICA. Thank you.

Mr. Mayor, this is an investigations and oversight subcommittee of Congress. A part of our rules for the subcommittee is that we do swear in our witnesses. So, if you would please stand, Your Honor.

Would you raise your right hand?

[Witness sworn.]

Mr. MICA. Thank you. Let the record show that the witness answered in the affirmative.

It is my pleasure now to introduce the mayor to our subcommittee. It was my privilege back in the early 1980's, almost two decades ago, to work with Rudy Giuliani, who was then the Associate Attorney General of the United States.

In that capacity, he assisted me. I was a staffer with Senator Hawkins of Florida and our Nation faced a wave of crime, illegal drugs, and immigration problems that were just staggering.

I must say that there was no one in that administration at that time who did more to bring that situation under control than Mayor Rudy Giuliani, at that time, Associate Attorney General.

I know because he was on our side when we tackled those tough problems. He has an incredibly distinguished record, not only as mayor, but also as U.S. Attorney when he tackled the problems of organized crime in a manner that is almost legendary.

So, it is with great personal pleasure that I welcome before our subcommittee of Congress one of our first witnesses, someone who we want to hear from. We appreciate his counsel and his—if there are any disturbances from the audience, would you please alert the Capitol Police. I will have anyone removed immediately.

Mr. AUDIENCE ATTENDER. Mr. Ama Dou Diallo, who was only 22 years old, a Black man, gunned down and killed.

Mr. MICA. I am sorry, sir. You are going to have to leave the subcommittee room.

Mr. Mayor, again, we are absolutely delighted that you are here. We are anxious to hear about your record of success. We know that sometimes with success you also get criticism.

We want to hear your commentary on how you have tackled the problem and how you are tackling the situation with illegal narcotics and crime in the city of New York.

You are recognized, sir.

STATEMENT OF RUDOLPH GIULIANI, MAYOR, CITY OF NEW YORK

Mr. GIULIANI. Thank you very much, Mr. Chairman.

I thank you for the opportunity to discuss what I believe, as I believe members of this subcommittee—

Mr. MICA. Mr. Mayor, you might have to pull that up as close as you can. Our audio system is antiquated. We are working on it.

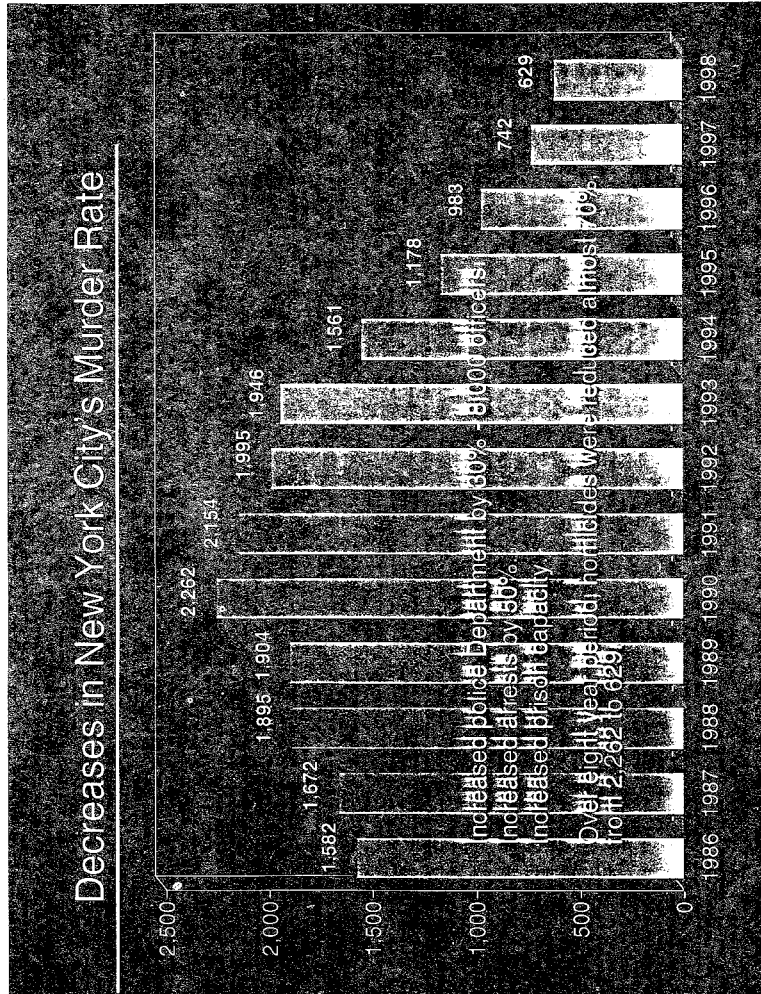
Mr. GIULIANI. I appreciate the opportunity to address what I believe and I think members of this subcommittee have just expressed the same thing. The most important domestic and maybe international problem that we face is the problem of drug abuse.

I think that unfortunately it does not often enough rise to the level that it should in order to have the coordinated intense response that it needs, given the damage that it does to our society.

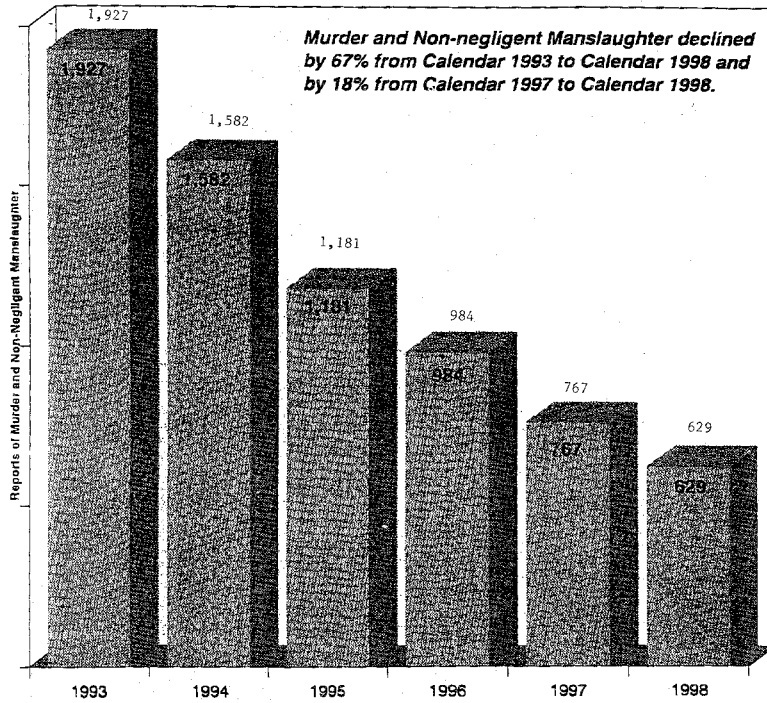
In New York City over the last 5 years, a lot of good things have happened and there still are a lot of problems. Probably the thing that is known most is the tremendous reduction in crime.

We went from a city that had about 2,000 murders a year, 5 years ago, 6 years ago, to a city that last year had 629 murders. So, we have had a 70 percent reduction in murder. We have had a 50 percent reduction in overall crime. In the poorest neighborhoods of the city, and some of the neighborhoods that were afflicted the most by drugs, one of them Crown Heights in Brooklyn, we have had an 80 percent decline in murder; Washington Heights in Manhattan, which used to be a center of drug dealing, has had about an 85 percent decline in murder; about a 70 percent decline in crime.

[The information referred to follows:]

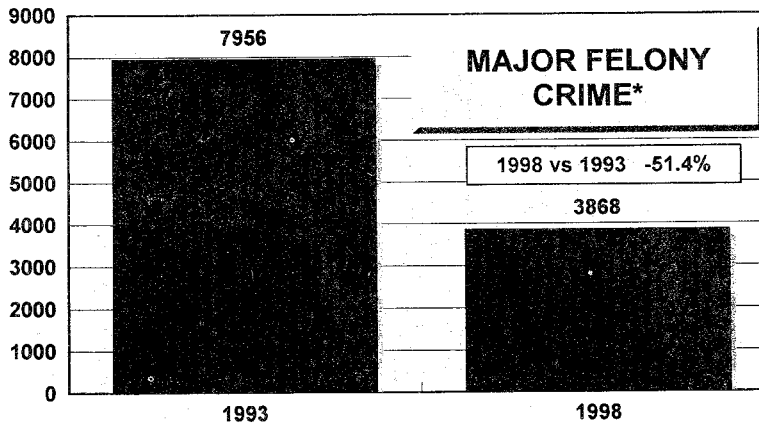
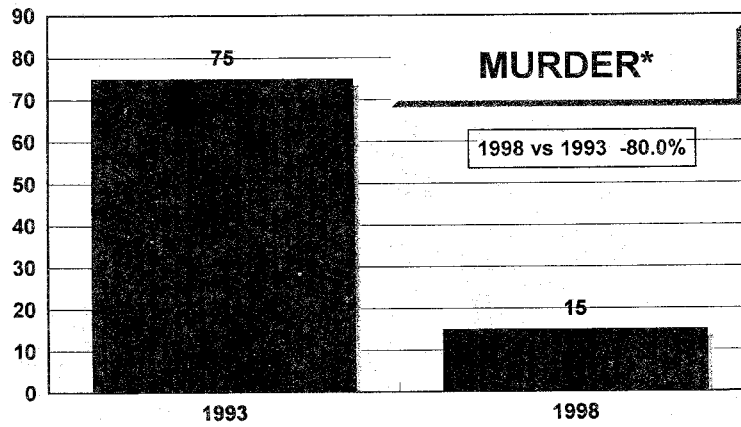


New York City Police Department Murder and Non-Negligent Manslaughter Calendar 1993-1998

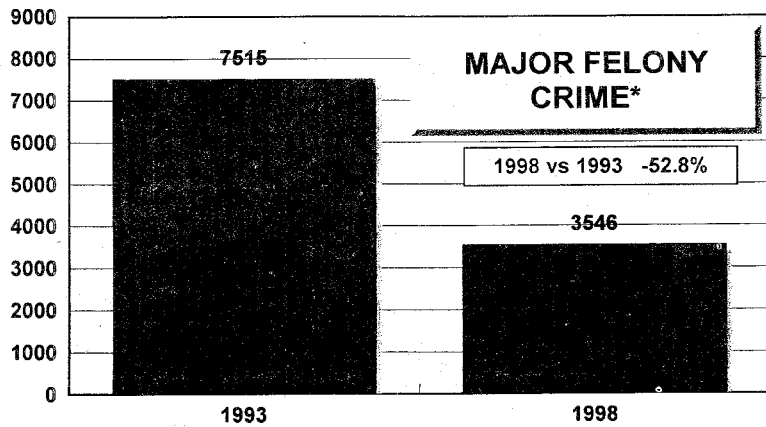
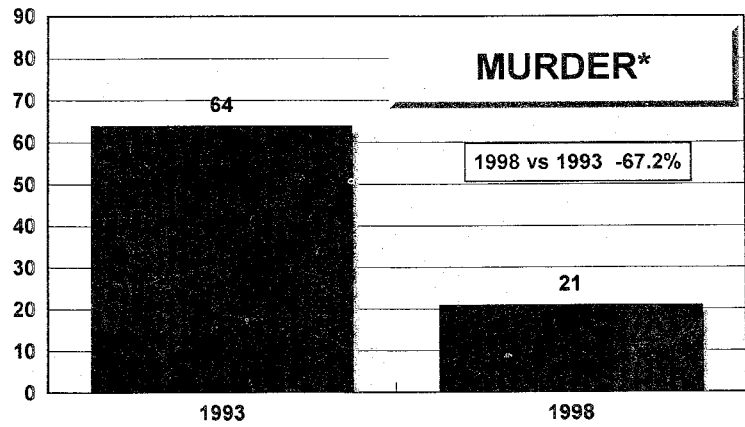


Figures are based on preliminary data

WASHINGTON HEIGHTS 33RD / 34TH PRECINCTS

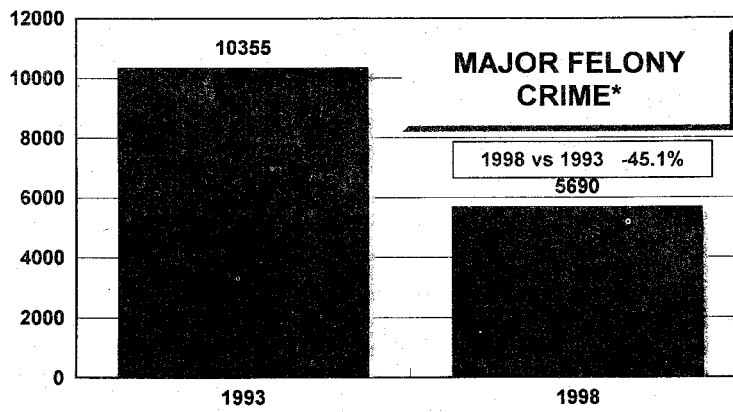
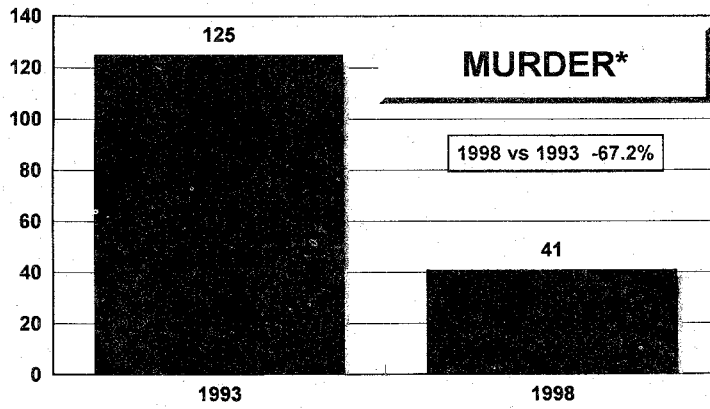


UNIVERSITY HEIGHTS 46TH PRECINCT



1998 vs 1993 -67.2% (for Murders) and -52.8% (for Major Felony Crimes)

EAST NEW YORK 75TH PRECINCT



Preliminary, and subject to change

Mr. GIULIANI. New York City is now, according to the FBI, the safest large city in America; the city with the least amount of crime that has a population of over 1 million, which probably would have been unheard of 5, 6, 7, 8 years ago, a decade ago, a decade and a half ago.

There are a lot of reasons for that, and a lot of different things, and a lot of people that have contributed to it. Things that have to do with the communities; things that have to do with the police department; the technology that is now employed; the broken windows theory that is used; accountability that exists within the police department.

I think I should also say, in light of the interruption before, that one of the myths that is created in trying to rob the police department of the credit it deserves for the tremendous amount of work that it has done to make New York City the safest large city in America, is that despite at times tragic incidents, and at times even criminal conduct on the part of police officers, the overwhelming majority of police officers not only conduct themselves lawfully, but have put their lives at risk and have lost their lives in order to achieve this degree of safety. I, unfortunately, have been at too many of their funerals where a police officer laid down his life in order to save somebody in New York city of whatever race, religion, or ethnic background.

Finally, on that subject, one of the myths that is created is that this tremendous record of crime reduction has been achieved by police officers becoming more violent. Just the opposite is the case.

Police officers in New York City, over the last 5 years, have reduced their use of guns, and weapons, and shootings by over 67 percent. So, as they have reduced crime by 50 percent, and they have reduced murder by 70 percent, they now shoot their guns and discharge bullets on a per capita basis 67 percent fewer times.

As compared to cities with populations of over 800,000, we exceed police officers who discharge their weapons less often than in just about any other city in America.

So, there was an article in the Washington Post I think a few months ago comparing Washington to New York and pointing out that New York City police officers discharge their weapons about 4 or 5 times less often than in Washington, DC.

So, I wanted to say that so that there will not be the sense that although people acknowledge the tremendous decline in crime and the increase in safety, that people also understand that the police officers in New York City, 40,000 of them, are among the most restrained in the use of their weapons of any urban police department in the country, and have become considerably more restrained as they have reduced crime.

Having said that, and even with that record of crime reduction, I would have to say that one of the primary reasons for the major crime reduction that we have had, and one of the primary reasons that it may or may not continue is the whole area of drug enforcement.

We have obtained a great deal of our crime reduction by putting a tremendous amount of emphasis on drugs, and a tremendous amount of emphasis on dealing with the problem of drugs in a very, very comprehensive way.

When I was Associate Attorney General, maybe even before that when I was an Assistant U.S. Attorney back in the 1970's, I used to be in charge of narcotics enforcement. Then I had the responsibility of overseeing the Drug Enforcement Administration when I was the Associate Attorney General in the Reagan administration.

I developed a theory in those years that I now have a chance to put in practice as a local official; at least part of it. It seems to me that there are five things that we should do about drugs.

There are five different areas of concentration. In none of those areas are we doing as a Nation or as a society what we should be doing. We are doing some of it, but we are not doing enough of it.

Drug interdiction, drug enforcement, drug policy should be a major area of our foreign policy. It should be right at the very top. It should be right up there with international trade, disputes between countries, border disputes, regional disputes.

It should be one of the three or four most important aspects of the foreign policy of the United States. When you pick up a foreign affairs magazine or a foreign policy magazine, you should read as many articles about what should be done in engaging the countries that are the source countries for drugs as you read about international trade, or about border disputes, or long-standing ethnic disputes.

The reason for this is really simple. This is our most important domestic problem. The art of foreign policy is to, over a wide stage, try to advance the interest of your country.

It is in the interest of the United States to reduce dramatically the amount of drug production that goes on and drug shipments that go on all throughout the world. We should use our influence. We should use our ability to influence other nations.

We should use our ability to give them aid and assistance. We should use our ability to persuade. We should use requests for our assistance as a quid pro quo for every opportunity that we can get.

This is not particularly a criticism of just this administration. This has been an institutional problem for a long time. It has never given the drug enforcement, drug interdiction, and drug policy the same level of intensity as some of the other issues that face us in the area of foreign policy.

That is something that the Federal Government and literally the President, have to achieve. It has not been achieved.

The second thing is this has to be a source of tremendous intensity with regard to border interdiction. That, again, is the responsibility of the Federal Government.

There are three areas, however, where local governments can play a very important role. We need help. We need help from our States. We need help from the Federal Government. It is an area where I have been able to focus on as a local official.

Education, treatment, and enforcement, all three, and you have to do all three. You have to be equally committed to all three, if you want to reduce drugs in a city, in a State, and in a country. We have increased our educational efforts dramatically in our schools and in our community groups.

We have police officers that now go into our schools with a tremendous amount of support from the community to teach young

people on a one-to-one basis, not only the dangers of using drugs, but the life-fulfilling and life-affirming things that you can do that buildup a resistance to the temptation of being involved in drugs.

That program, the DARE Program, has been an enormously successful program. It has not reached every child. It has not reached every school. Over the next year to 2 years, it will.

As we are doing all of the intense things that we are doing in law enforcement, the educational part of it, is equally as important.

We also have increased our specific program to setup what we call drug-free zones around our schools, so that the police put extra attention on the areas around the schools in order to remove drug dealers from the schools and from the areas around the schools.

After a 4 year battle, I was able to persuade our Board of Education, because I do not control the school system as Congressman Towns knows, I have two votes on the board out of seven. However, after 4 years of persuasion, I convinced the school board to allow the police department to take over school security.

We have 3,400 school security officers. They were not very well-trained. They were not particularly well-educated on dealing with the dangers of drugs; even seeing the temptations and the problems that come up with drugs.

The last 4 or 5 months, they were taken over by the police department. They are now being trained. We will make every school a drug-free school with a drug-free zone around the school.

So that even if we cannot get drug dealers out of every single neighborhood in the city and drive them completely out of the city, we can keep them away from our schools and maybe send a different message.

We have also put a tremendous amount of emphasis on drug treatment. Rather than going into the details of it, which I would be happy to supply in questions, I would like to give you the philosophy of it; something where I really need your help, the help of the Congress, and of the administration.

We are making a mistake in the way in which we do drug treatment. New York City pays the biggest price for this. We put the majority of our money in New York City, which is largely State and Federal money, and is mandated to be used to keep people addicted.

A minority of our money is to involve people in drug-free programs. Because of the mandates and because of the matching Federal dollars, the State funds a drug treatment program in which somewhere between 60 and 70 percent of the people in the treatment are on methadone.

Methadone is a drug. Methadone keeps you addicted. Methadone means that you can be addicted for 15 or 20 years. Roughly, the percentages work out something like this. Well-over 50 percent of the people who are in methadone go back to heroin.

So, you have accomplished nothing, but sustaining them in their addiction. Then they go back to drugs in a fairly short period of time. About 70 to 80 percent of the people on methadone cannot work and do not work.

They never achieve the ability of being able to take care of themselves. Methadone, if justifiable at all, is justifiable as a transitional treatment to a drug-free program.

Maybe it needs to be reserved in those few very, very difficult cases in which freedom from drugs as the end result of a treatment program just cannot work. We have flipped it. It reminds me somewhat of what we did with welfare back in the 1960's and the 1970's.

We intended to help people for a short period of time. It became generational in nature. Now what we have done is we have made the exception the rule because it is easier and because industries have grown up that draw in huge amounts of money for doing methadone maintenance.

They shy away from doing the more difficult work of putting people into drug-free programs. We are trying to reverse that.

Our goal over the next 2 to 3 years is instead of 70 percent of our treatment slots being for maintaining people interdiction, and 30 percent for drug freedom, we would like to flip it and get it to 70 percent drug freedom, and 30 percent reserved for methadone as a transition drug, as a temporary measure.

There is a philosophical problem here at the core of the Federal Government's mandates and the way in which it conditions money to the cities and the States. It has them invest much more in keeping people addicted, rather than investing in moving people toward drug freedom.

Now, the area that I think probably is the real core of this testimony is what we have done in the area of law enforcement.

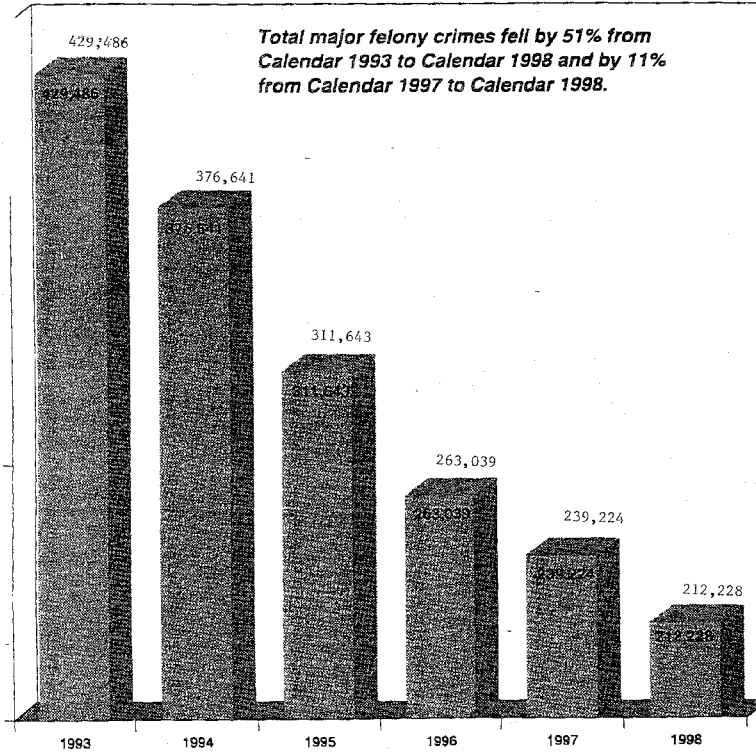
As a part of the crime reduction in the city of New York, and also as a part of trying to make New York City as drug-free as possible, I learned very early on when I was a U.S. Attorney, by using Federal agents to arrest people that ordinarily would have been arrested by just the local police. If you can concentrate your drug enforcement resources, in essence, block-by-block, neighborhood-by-neighborhood and just arrest every drug dealer you can find and prosecute them, then you cannot only get tremendous reductions in drug activity—I began this way back in 1983, 1984 on the lower east side of Manhattan by flooding the area with police and arresting drug dealers of every kind; the highest level drug dealers, the middle level drug dealers, the people on the street.

We ended up, over a period of about 6 months on the lower east side of Manhattan, seeing 50 and 60 percent reductions in car thefts, burglaries, rapes, and other forms of crime. We have taken that concept and we have refined it quite a bit.

[The information referred to follows:]

New York City Police Department

Seven Major Felony Categories* Calendar 1993-1998



*Murder, Robbery, Rape First Degree, Felonious Assault, Burglary, Grand Larceny, Grand Larceny Auto.
Figures are based on preliminary data

Mr. GIULIANI. We do it in cooperation with the Drug Enforcement Administration and sometimes with the FBI. We have essentially taken the areas of the city that had the most drug activity and we have created for those areas what are called drug initiatives.

We take a large number of police officers and put them in groups of five. They are called modules. Their job is very simply to wipe out drug dealing in a community. They go block-by-block.

They work with the people in the community. They try to identify every drug dealer. They try to, over a period of 6 months to a year, get every drug dealer arrested. Then we work with the prosecutor's office to get those cases prosecuted so that they are concentrated on in the courts. We try hard to avoid parole or probation for them so they do not get back out on the streets quickly. We have now spread that throughout the city.

[Map shown.]

Mr. GIULIANI. I have a map here that kind of demonstrates it. One of the things that we have done, and the thing that has brought about the crime reductions in the city is we keep moving and increasing our commitment to it.

[The information referred to follows:]

NEW YORK CITY DRUG INITIATIVES

START UP DATES (ESTABLISHED)

JANUARY 1, 1996

7th, 9th PRECINCTS

MARCH 11, 1996

44th, 46th PRECINCTS

APRIL 1, 1996

67th, 70th, 71st PRECINCTS

APRIL 1, 1996

SATCOM

SEPT. 4, 1996

30th, 33rd, 34th PRECINCTS

NOV. 3, 1997

40th, 41st, 43rd PRECINCTS

JULY 1, 1998

120th PRECINCT

NOV. 3, 1997

103rd, 105th, 113th PRECINCTS

JULY 1, 1998

32nd, 28th, PRECINCTS

START UP DATE (NEW)

FEBRUARY, 1999

**MANHATTAN NORTH
23rd, 25th PRECINCTS**

BRONX

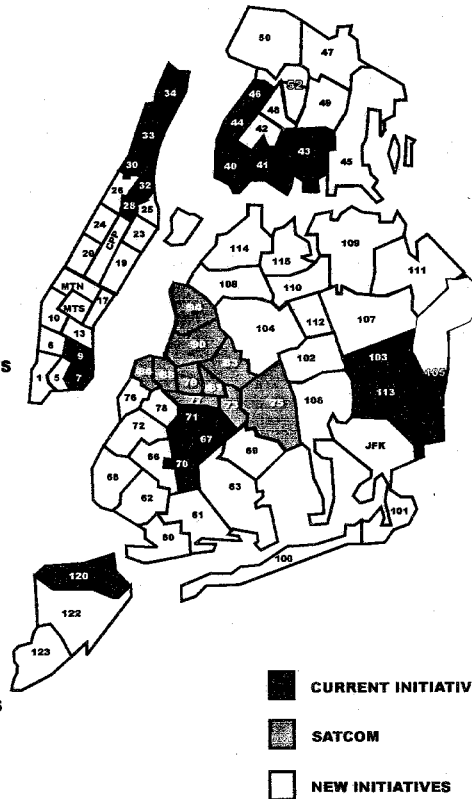
42nd, 48th, 52nd PRECINCTS

QUEENS NORTH

110th, 114th, 115th PRECINCTS

BROOKLYN SOUTH

60th, 72nd PRECINCTS

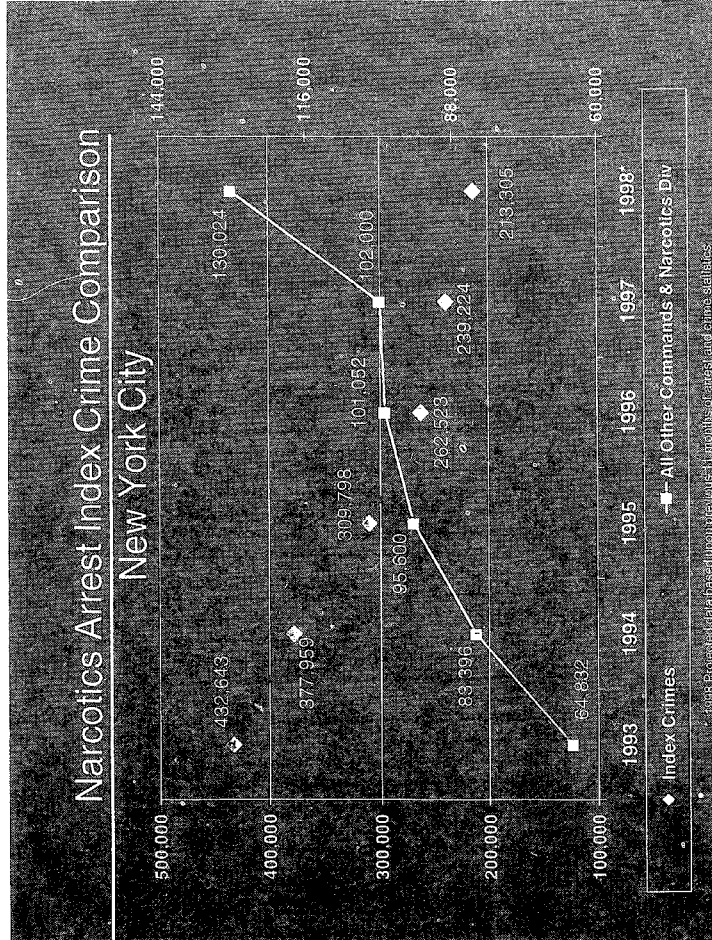


MURDERS**
NEW YORK CITY

YEAR	# OF MURDERS RECORDED
1963	548
1964	636
1965	631
1966	654
1967	746
1968	986
1969	1,043
1970	1,117
1971	1,466
1972	1,691
1973	1,680
1974	1,554
1975	1,645
1976	1,622
1977	1,557
1978	1,504
1979	1,733
1980	1,814
1981	1,826
1982	1,668
1983	1,622
1984	1,450
1985	1,384
1986	1,582
1987	1,672
1988	1,896
1989	1,905
1990	2,245
1991	2,154
1992	1,995
1993	1,946
1994	1,561
1995	1,177
1996	983
1997	770
1998*	629

* Preliminary

** FBI UCR Crime Index



Mr. GIULIANI. So that the goal ultimately will be a city in which—if you look at that map—that is the city of New York. That is the greatest city in the world, Congressman. That is the one you mentioned before as the greatest city in the world.

If I could just stand up here for one moment, I could point it out. The drug initiative began right here. This area, although it is only about 19 percent of the population of the city, was producing 29 percent of the crime in the city.

This area was exporting more crime to other areas. A few years ago, we put 1,000 additional police officers into those areas to arrest every drug dealer we could find.

The result is that this area, for the last 2 years, has just about lead the city in crime reduction. It has now become one of the safer areas in the city.

What we knew would happen is if we drove drug dealers out of this part of the city, they would then increase in other parts of the city. So, we kept the drug initiative there and then we just increased it. We then moved to other parts of the city.

Now, the areas that are colored areas, all of those areas have intense drug enforcement, drug initiative task forces. Essentially, they are following the patterns of the drug dealers.

As we move them out of here, they move here. We move there. We stay there. We do not move out. When we put pressure on it here, and here, and here, and here, they move to these areas. Then we move with them.

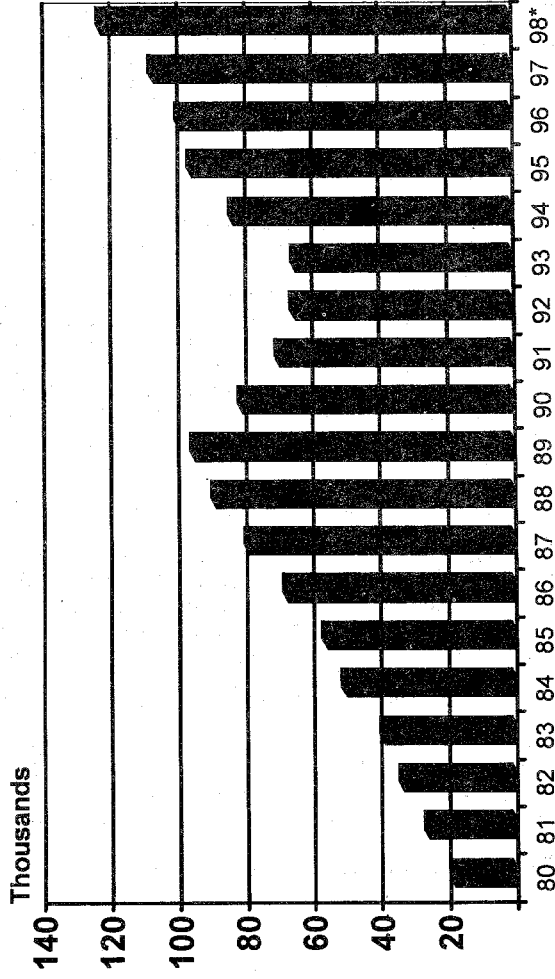
Essentially, it is a very, very heavy commitment of arrests. New York City had the safest year that it has had since 1964, 1965 last year. It had the most drug arrests in its history.

So, there are a lot of sophisticated reasons for the crime reduction; the COMSTAT Program, the Broken Windows, community groups, and community policing. Probably equal to all of those and maybe slightly more important are the 120,000 drug arrests that took place last year.

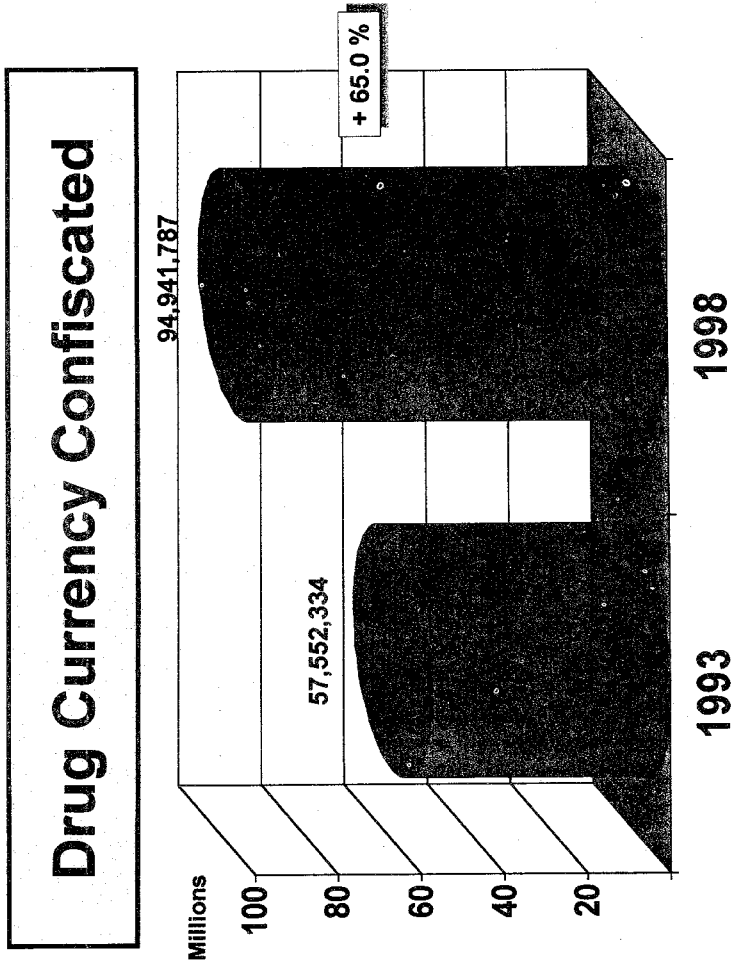
If those 120,000 drug arrests did not take place last year, I do not think there would have been an 18 percent decline in homicide and a 12 percent decline in overall crime. We have just expanded these drug initiative task forces to three other parts of the city of New York.

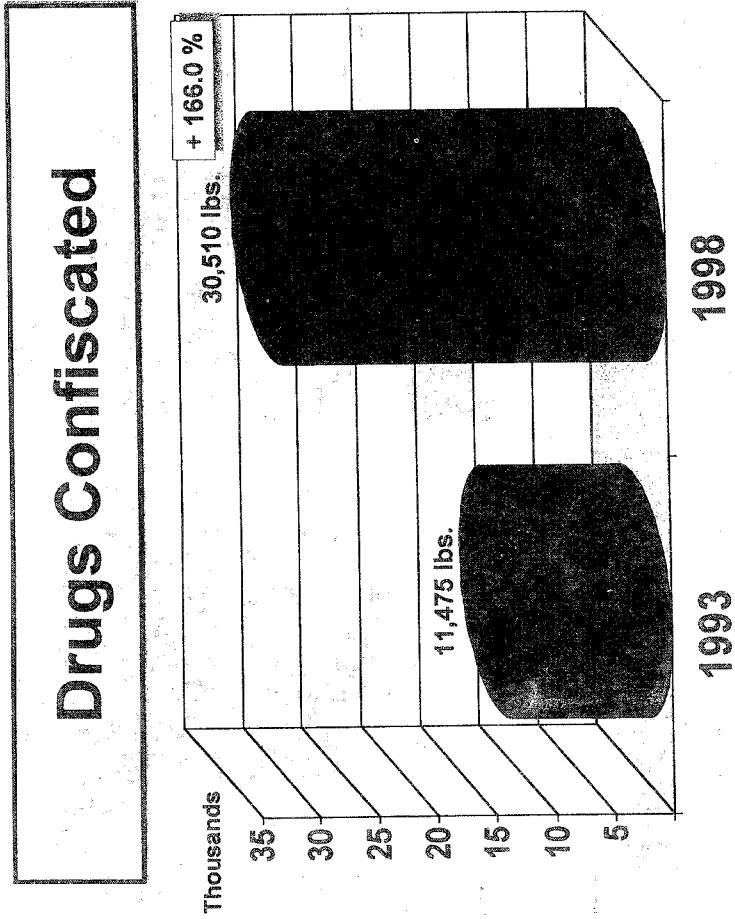
[The information referred to follows:]

**TOTAL FELONY & MISDEMEANOR NARCOTIC ARRESTS
CITYWIDE
(1980 THRU 1998*)**



*1998 ARREST DATA PRELIMINARY AND SUBJECT TO CHANGE





Mr. GIULIANI. It is a very, very labor-intensive effort. It is a very dangerous effort because drug dealers, as you know, are among the most violent and the most dangerous criminals that we deal with.

The end result is really a wonderful one. There are communities in the city of New York that I knew very, very well when I was a U.S. Attorney and a prosecutor, and when I ran for mayor the first time and the second time that were overwhelmed by drugs, where you can now go and there are no drug dealers.

Children are playing on the streets. Children are able to go to their schools. They are growing up not living in oppression. I used to feel that there were large segments of New York City where it did not make much difference whether you lived in New York City or you lived in the Soviet Union in those days because you were just as oppressed.

Except in New York City, you were oppressed by the drug dealers who controlled your block. They told you what to do. They told you where to go. They killed you if you turned them in to the police.

Now, those areas have, in very, very large measure, been liberated; not to perfection. We still have serious drug problems. That is why we need your help on a Federal level with assistance for these programs, but also with a much more intelligent and a much more focused Federal drug policy. I do not see, right now, the philosophy or the movement in the Federal drug policy.

Of the people that we arrest, 70 to 80 percent are involved in drugs, to this day, even with the crime declines. Maybe even more tragic, 70 to 75 percent of the children that we have to bring into foster care because their parents are beating them or abusing them, and we have about 40,000 children in foster care.

So, this is a large number and a tragic number. About 70 to 80 percent, at least one of the parents or the care giver, is a drug abuser and maybe more than one.

There is a clear correlation between the success that a child can have and their ability to be able to work, their ability to be able to succeed, and their ability to stay out of being involved in crime, and their exposure to drugs, or a family that is involved in drugs.

So, I am looking forward to working with you on constructive things that we can do. The local governments have an important responsibility here. I believe we are taking on that responsibility as best that we can.

The State governments do, but the Federal Government also does in the area of foreign policy, border patrol, and in cooperation with regard to the treatment, education, and law enforcement efforts that are absolutely necessary.

There is absolutely no way in which anybody could exaggerate the danger of drugs. I think the more concentration that we can have as a Nation and how we turn around this problem, the more successful, the healthier, and the better America we are going to have in the next century.

The people who we will help the most are the people who are the poorest sometimes and the most oppressed in our society because they are the ones who are most affected by this.

[The prepared statement of Mr. Giuliani follows:]

MAYOR RUDOLPH W. GIULIANI
 TESTIMONY BEFORE U.S. HOUSE OF REPRESENTATIVES
 SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES
 WEDNESDAY, FEBRUARY 24, 1999
 CHECK AGAINST DELIVERY

- Thank you, Chairman Mica (R-FL). I am honored to be able to address the subcommittee today and relate New York City's experience on a matter of such critical importance to the future of cities and the future of the country as a whole.
- **CONTEXT.** Over the last five years, New York City has gone from having 1,946 murders (1993) to 629 murders (1998)... from more than 111,000 grand larceny auto crimes to 43,000... and from a reputation as one of the most dangerous places in the country to the safest large city in America. There are a number of reasons the New York Police Department has been able to make such unprecedented progress: our implementation of CompStat, a very sophisticated, results-oriented tracking system that strengthens accountability all throughout the department...our attention to quality-of-life crimes, understanding that the "broken windows" theory makes sense... and our aggressive efforts to root out illegal gun possession.
- But no single factor has been as important as our coordinated, relentless, ongoing effort to combat drug abuse and drug dealing in the City of New York. We've strengthened prevention and education efforts, enhanced treatment, and stepped up our law enforcement with strategic anti-drug initiatives throughout the City.
- **THE SCOPE OF THE SCOURGE OF DRUG ABUSE.** First, let's look at the facts – facts with which I am sure you are well-acquainted – regarding the damage drug abuse causes in the City of New York and in our society as a whole:
 - 70 to 80 percent of those arrested in New York City each year test positive for drug use. And over 70 percent of our nation's prison population are substance abusers.
 - Substance abuse and addiction is estimated to cost New York City more than \$20 billion every year, with \$21 out of every \$100 in taxes paid to New York City subsidizing the consequences of substance abuse and addiction problems.
 - And a report released last month by the National Center on Addiction and Substance Abuse details the terrible, tragic consequences of drug abuse on the lives of our children. According to the study, drug and alcohol abuse causes or exacerbates 7 out of 10 cases of child abuse or neglect. Children whose parents abuse drugs and alcohol are almost 3 times likelier to be abused and more than 4 times likelier to be neglected than children of parents who are not substance abusers. Parental substance abuse and addiction costs the nation \$20 billion a

year: \$10 billion in federal, state, and local child welfare system costs and an estimated \$10 billion more in lost productivity and health care, law enforcement, criminal justice, family courts, welfare, and social service costs.

- **NEW YORK CITY'S RESPONSE.** I know that it comes as no surprise to this committee that drugs devastate families and tear communities apart. I know it comes as no surprise that drug abuse is a root cause of crime. The question we are addressing here today is how government – local, state, and federal government – can best respond to this crisis. I believe that with a concerted, cooperative, targeted, proactive effort we can make substantial strides in reducing drug abuse.
- That is why in October of 1997 I announced a major intensification of New York City's anti-drug policies and programs. **The approach has three components: law enforcement, treatment, and education/prevention.** The underlying philosophy, the thread that runs throughout every piece of the coordinated initiative, is to hold individuals – and government – accountable.
- Today, because this subcommittee focuses on drug policy as it relates to law enforcement, I want to concentrate on how the New York City Police Department has redoubled its efforts against drug abuse, and the dramatic results that these successes have had throughout our City.
- But first let me briefly outline how we are ensuring that our treatment programs are as effective as possible in promoting freedom from addiction and how we are conveying a zero tolerance message to all people – especially our children. It's important that when we discuss the overall drug strategy, we never neglect these two very important parts of the three-pronged approach.
 - **Education**
 - We have increased our commitment to DARE (Drug Abuse Resistance Education), reaching out to 315 schools last year alone, and expanding the program to after-school hours. Now we're working to reach out into high schools as well with DARE. And a related program, ASPIRE (After School Program for Interaction, Recreation and Education), is reaching 80 public housing developments every year with an intensive drug prevention curriculum. We are also increasing from 41 to 79 the number of Beacon Schools, which stay open after school as community centers in order to engage young people in productive activities.
 - We have doubled the number of Safe Corridors for Children – which intensify police patrols surrounding schools just before and after school hours to ensure that parents and children are safe on their way to and from school – from 120 to 240.

- We have assigned New York City Board of Education drug specialists to our family courts... and are in the process of implementing a curfew program for 1,000 juveniles on probation.
- We have initiated a major public education campaign to articulate the dangers of drugs and to publicize both our 24-hour law enforcement hotline and 24-hour treatment hotline. The second wave of advertising for both hotlines, in fact, was funded through the local law enforcement block grant component of the federal crime bill.
- **Treatment**
 - Drug treatment beds at Rikers Island have nearly quadrupled, from 400 to 1548... the New York City Department of Probation's residential treatment capacity is being expanded from 180 to 360, and its outpatient drug treatment capacities have expanded from 890 to 1007... and we are in the process of designing a central database of State-certified outpatient and residential drug-treatment providers to facilitate referral of addicts.
 - But more important, we are demanding that all drug treatment programs run and funded by the City get results. We are requiring that work be included as a fundamental part of any drug treatment -- because the most important part of any successful rehabilitation from addiction is reintegrating recovering addicts into society so that they are able to take care of themselves and their families. For example, a program initiated jointly by our Administration for Children's Services and our Health and Hospitals Corporation is providing targeted drug treatment to mothers with children in foster care to help them recover from drugs, move toward self-sufficiency, and rebuild their parenting skills at the same time.
 - I have also directed the New York City Human Resources Administration to develop a program that will prevent public assistance recipients from diverting their benefits to perpetuate their addictions and fund the drug trade. The best way to do this might be by paying cash assistance to known drug users through a third-party private contractor who will hold and release their benefits. We will determine how best to accomplish our goal and implement a system citywide.
 - And we remain committed to shifting the emphasis of heroin treatment programs so that methadone is not made the automatic, preferred form of treatment. Even though methadone may be a viable medical option for certain heroin addicts, in general as a long term solution it replaces one addiction with another. Methadone should ideally be thought of as a

shorter term transition to abstinence -- not as the ultimate solution to heroin addiction. As it stands now, under the direction of the New York State Office of Alcoholism and Substance Abuse Services, in New York City 36,000 of the 57,000 people in drug treatment, or 63%, are in methadone maintenance programs. We will work to turn things around so that within three years, 63 percent of drug abusers in New York City are moving toward abstinence in drug-free treatment programs, with the remainder -- or fewer -- addicted to methadone. Currently, there are only 4,800 drug-free residential treatment slots in the City.

- Law Enforcement. We're making great strides in both education and treatment. But it's in the area of law enforcement that our progress is probably most visible.
 - The core of these efforts has been the roll-out of 13 anti-drug enforcement initiatives all throughout the City. Four of these initiatives -- in South Brooklyn, Northern Queens, Central Bronx and East Harlem -- began just this week. The idea is to blanket the City and give drug dealers no place to hide.
 - How have we selected the drug initiative areas? We have carefully analyzed intelligence data and crime trends to determine which parts of New York City, when targeted in this way, would yield the most substantial crime decline internally and result in the largest citywide reduction in drug abuse and overall crime.
 - How do we staff the drug initiative areas? With specially trained police officers. And we do not deplete personnel in our precincts in the process; instead, we have accelerated the hiring of police recruits. Last week I attended the graduation of 700 police officers from the NYPD academy. Those officers are being used to fill the precincts, one for one, as officers from the precincts are dedicated to our new drug initiative areas. This is meant to ensure that we maintain and build upon the level of safety as we focus additional resources on rooting out drug dealing. There are currently over 3,400 police officers committed to anti-drug initiatives. This includes about 700 uniformed officers and 2,700 plainclothes narcotics investigators.
 - What strategies are implemented? Narcotics enforcement is based on complaint investigations, "buy and bust" operations, search warrant executions, and development of major cases. The NYPD's Detective bureau also makes a significant contribution. And in the 13 anti-drug initiative areas, we have recently

complemented the traditional focus on narcotics units with a renewed emphasis on tracer units – more visible uniformed officers whose presence on patrol supports the narcotics divisions and has a strong deterrent effect. In fact, we are now even adding tracer units to the first, largest and most successful drug initiative area – Northern Brooklyn's Strategic and Tactical Command (SATCOM) – to strengthen the currently operating narcotics force.

- **What are the results?** The success of our drug initiative areas has driven the citywide overall crime decline of 50 percent, and homicide reduction of 70 percent, over five years. And last year, the single-year decline in new drug initiative areas outpaced the citywide decline. In precincts with new narcotics initiatives, crime dropped over 16 percent – with a 22 percent decline in shooting incidents. Compare those statistics to the substantial, but lower, citywide drops of 10.5 percent in overall crime and 8.2 percent in shooting incidents. And to give you a sense of the effectiveness of the anti-drug initiative in one particular initiative area, in Northern Staten Island – where an initiative was put in place just last year – overall crime has declined 24 percent and narcotics arrests are up 29 percent over the past year.
- In New York City in 1991, 1992, and 1993 – when crime was at historic highs – narcotics arrests were at 10-year lows. In 1993, the City made just 65,043 narcotics arrests. Last year, with the City dramatically safer, that number had risen to 124,000 – a 91 percent increase. Some people are confused by this statistical correlation. They wonder why, if crime has declined, the NYPD is arresting more people for narcotics crimes. But the fact is that crime is down *because* of those arrests. Those arrests are driving the crime decline.
- Drug confiscations have increased 166 percent between 1993 and 1998, rising from 11,475 lbs. to 30,510 lbs. And drug currency confiscations have increased 65 percent, from \$57.5 million in 1993 to \$94.9 million in 1998.
- **Model Blocks.** The Model Block Program – a pioneering initiative that is successfully combating drug abuse and dramatically improving the quality of life for many City residents – is a partnership between the police and the community to improve the physical conditions on targeted residential blocks, make them safer for residents, and close them to the illegal drug trade.

- After a thorough evaluation by the NYPD, a particular block is targeted and strict enforcement of all crimes and quality-of-life offenses begins. In-depth criminal investigations identify and dismantle wholesale and retail drug organizations operating in the area. The idea is to remove the cover of anonymity from drug buyers and sellers by exposing them and isolating them from the law abiding residents in the area; prevent drug traffickers from returning to areas after they have been driven out; and help neighborhoods strengthen their sense of community through the formation of block associations and other organizations free of pressure and intimidation from drug dealers. The NYPD narcotics division, patrol, legal bureau, community affairs unit, and the Mayor's Community Assistance Unit all work together to ensure intelligent, coordinated and efficient implementation of these strategies.
- The Model Block program was first put in place in August 1997 on a block of 163rd Street in the 33rd Precinct which had been at the heart of the drug trade in Northern Manhattan. In the twelve-month period leading up to the program commencement date, 35 major felony crimes had been committed on the block, including two shootings and six robberies. In the twelve-month period after program implementation began, there were only six major felony crimes – with no shootings or robberies – representing an 83 percent reduction. And just as significant as these statistics is the transformation in the quality of life on the block. Children now play on the street until dark without danger. Residents no longer live in fear. They have a real stake in their community again, and that's reflected in a block beautification and maintenance program, block association, and community youth council. And the bond of trust between the community and the 33rd Precinct is strong. As a resident of that block said, "They cleaned up the block and made sure that it stayed clean. This is what we wanted all along, and I'm glad they finally found a way to do it."
- Now there are over 21 Model Blocks citywide, and this number is constantly in the process of expanding.
- **Drug-Free Parks.** Another key to taking back the City as a whole has been reclaiming our public spaces. That is why we designated eight parks known for being havens of drug abuse as Drug-Free Zones, putting in place reverse sting operations and aggressive pursuit of dealers who used to sell narcotics in the open.
- **Drug-Free School Zones.** We have expanded the number of Drug-Free School Zones from 40 to 100 – reaching elementary, junior high, and high schools throughout the City. And with the recent takeover of recruitment, training, and hiring of our Division of School Safety by the

New York City Police Department, we will be able to carefully coordinate our efforts.

- **Implementation of Operation Night Light.** The NYPD and New York City Department of Probation are targeting probationers with court-imposed curfews to ensure compliance – including concentrating on probationers who have violated conditions of their probation and/or have outstanding warrants against them.
- **Moving Forward: Drug-Free Housing Authority Zones.** In the past, laws and procedures made it difficult to evict anyone for any reason except non-payment of rent, allowing drug users and dealers to operate out of public housing developments unchecked. The new federal housing law passed last year creates opportunities for us to be much more proactive and creative to reclaim housing developments for their residents – and to declare our public housing developments Drug-Free Housing Authority Zones.
- Our Drug-Free School Zones and Drug-Free Parks have been very successful not only in enhancing enforcement in those specific public spaces, but in sending the unequivocal message that New York City has zero tolerance toward drug abuse. We'll extend the approach to our public housing system – the largest in the nation – starting in a federally funded housing development in the Bronx that houses over 3,300 residents.
- Our four-phase plan will:
 - **Identify problems** by surveying community residents for crime and quality of life complaints; identify parolees residing in the development; identifying residents on the New York City Housing Authority's Permanent Exclusions List; reviewing crime statistics; reviewing narcotics complaints; interviewing confidential informants for intelligence information; and reviewing gang intelligence data.
 - **Root out drug use** through implementing a "buy and walk" operation; assigning a single narcotics module exclusively to the development; targeting perimeter commercial locations for nuisance abatement, where appropriate; and working with the New York City Housing Authority to fast-track eviction proceedings against offending residents. The idea is to attack narcotics problems from the inside and outside.

- **Establish strong uniform enforcement** with a field command post activated on site; support units; and vertical, interior and exterior patrols.
- **Maintain the gains we make** by establishing a protocol to address narcotic complaints immediately; improving community outreach programs, including resident patrols; coordinating capital improvements in the housing development with drug abuse enforcement; expanding use of cameras; and more.
- Contingent on the success of the initial implementation, we will refine the model and we expand it to public housing developments throughout the City.
- We believe this initiative can make a critical difference to the families living in our public housing developments – not only in the crime reductions that will result, but in the general stabilization of the community and the overall improvement in the quality of life. And it will work in concert with other public safety advances taking place in our housing developments. For example, we are expanding use of security cameras to give residents of public housing developments, who are increasingly demanding surveillance cameras, the same access to deterrent technologies that residents of luxury coops and condos enjoy. In the Grant Houses in Harlem, crime dropped 27 percent after cameras were installed; the Albany Houses in Brooklyn saw crime fall 34 percent last summer when cameras were installed.
- The creation of Drug-Free Housing Authority Zones will be a major step forward. I think Congress – which has a strong record of supporting our public housing – could play an important role in helping to accelerate this initiative and expand it to sites throughout the City of New York. I believe that it can be a model for drug enforcement policy in public housing developments throughout the nation.
- We are at a critical moment in our ongoing effort to address drug abuse realistically and relentlessly. If we work together and marshal our resources, we can make a tremendous difference and move closer to the drug-free New York City and the drug-free America we all so dearly want. I believe we will. I know you share with me the belief that President Reagan articulated so forcefully when he said, “Drug abuse is a repudiation of everything America is. The destructiveness and human wreckage mock our heritage.”
- Let's significantly reduce drug abuse and reclaim that heritage, for ourselves and for future generations. Thank you very much.

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Mr. MICA. Thank you, Mayor Giuliani.

I would like our staff director to give you a copy of the national drug control strategy. I know you have not seen it. It was just rolled out by the administration last week.

Tomorrow at 10 a.m., we will hear from the national drug czar, the Director of the Office of National Drug Control Policy on this strategy.

You cited, Mayor, that you felt the Federal Government has certain responsibilities. I think one of the first and primary ones that you alluded to is our responsibility to stop drugs at their source and interdict drugs.

We have reviewed this strategy on a preliminary basis. Last year the Congress put \$17.9 billion in the anti-narcotics effort, drug treatment, and all of the other programs.

This year the administration has proposed \$17.8 billion; \$109 million less. It is sometimes not how much money you spend or throw at a problem, but it is how you spend it. This strategy also would propose, over last year's budget, reductions in interdiction, eradication of drugs at their source and crop substitution.

How effective do you think these programs are? Should we closely visit these figures as, again, a Federal responsibility?

Mr. GIULIANI. I think it is a question of philosophy, approach, and commitment. Then I would be able to tell you if the dollars were sufficient. I do not see, on the part of the State Department, the kind of commitment to persuading in some cases, and pressuring in other cases, the governments that have to be dealt with to reduce the source of drugs in the first place.

I agree entirely with, I think it was Congressman Barr who said this. Part of that process has to be to reduce the demand for drugs in the United States. I mean that is our end of the bargain.

It is very, very hard to go to somebody in Colombia, or somebody in Pakistan, or somebody anyplace and say you put your lives at risk to reduce the drug dealing, but we are going to spend \$60 billion on drugs in the United States and not do anything about it.

So, this is a very, very coordinated thing that has to be done here. We have to show our commitment by reducing the demand for drugs in the United States by really very, very well-focused, very intense, and very disciplined anti-drug programs, advertising programs, educational programs in the schools.

Public officials from the President on down speaking out about the drugs often, and about the danger of drugs, and the alternatives to drugs. It should be a major commitment to doing it.

At the same time, we should be putting an enormous amount of pressure on the governments that are the source countries for drugs to take the risk that they have to take in order to do crop substitutions; literally changing their economies.

It has got to be a major focus of our foreign policy. It cannot be something that is a second level issue, or a third level issue, or occasionally a State Department hierarchy will get engaged in it, but it is not the major focus of what they are doing.

As far as the financial commitment to it, it would seem to me from the results that we have had over the last 10 or 12 years that we need more of a commitment to it, not less. We also need to very

much dramatically refocus the way in which we conduct foreign policy.

When an American ambassador, or the Secretary of State, or the Deputy or the Assistant Secretary of State are engaging diplomats in other countries that are source countries for drugs, this should be at the very top of the agenda.

This should be item No. 1. What are you doing about reducing the crops? What are you doing about cooperating with us if you are a trans-shipment country? You want help from us. We have got to see much better improvement on this. We should keep statistics on it.

We should publish the statistics. We should couple our efforts with foreign policy.

Mr. MICA. Our subcommittee is charged with putting together Congress' policy. We would like you to provide us with your recommendations as a local official.

Mr. GIULIANI. I will be happy to.

Mr. MICA. The other question that I had dealt with the pressure now to legalize drugs, to provide free needles, and methadone for those on narcotics.

You have stated that you have concerns about some of these programs that seem to keep people on drugs or addicted in some way. There is more and more pressure for Congress and for States to liberalize our laws relating to drug use.

Could you comment about your philosophy and maybe provide us with some direction from your experience?

Mr. GIULIANI. Well, the urge to legalize drugs, de-criminalize drugs, I think comes out of frustration for people who are well-motivated.

It comes out of the frustration of not seeing the kind of progress that we should be seeing on a national level in reducing the amount of drugs, the number of drugs, the amount of money that comes out of the drug industry.

I think it is a very, very, very dangerous debate to have because it reduces the ability to convince young people that drugs are dangerous.

To me it is very, very perplexing. In an era in which Americans, American opinion leaders, are much more concerned about the dangers to your health of smoking, of unclean air, and all other kinds of environmental problems and issues, all of which is a very, very good thing, to have people suggesting that we should de-criminalize, and by de-criminalizing you encourage. Make no mistake about that. The law is ultimately a teacher.

What it does is it creates dividing lines for us between what is right and wrong and the direction in which we move young people.

So, if you break down the barrier and now you say use all of the marijuana you want, that is OK, then you are going to see significant numbers of people that you are not seeing today using marijuana.

Then you are going to see a certain percentage, not all, start moving on to cocaine and to heroin. That is just the reality of life in the countries that have done it. The countries that have de-criminalized and legalized drugs, they have seen a significant in-

crease in the amount of drug use, not only of that drug, but of other drugs.

I will give you one other perspective on it that comes out of my experience of investigating and prosecuting organized crime for a good deal of my life. There are people who argue for legalizing and decriminalizing drugs.

They say it will take the profit out of drug dealing. It would be the best thing you could possibly do for organized crime.

You would end up in a very short while giving them the opportunity to make even more money than they are making today, as they have actually done in countries in which they have legalized drugs.

They would have a black market in which they would just adjust the price on the black market to meet the increased demand for the additional drugs that people want.

If you were to de-criminalize drugs, and you were to allow people to use heroin, they would not be able to get all of the heroin they need from legal channels.

A doctor is not going to give you a prescription that says have all of the heroin you want any time you want it, which is what a heroin addict eventually needs.

So, the heroin addict would supply their need for heroin in the legal marketplace. Then they would go to a black market to get the additional amount of heroin that they want or that they want to traffick in.

Organized crime would be able to make, by just adjusting its dollars—the price of drugs can vary dramatically as a function of supply and demand.

You would end up with a black market in drugs that would at least be the equal to or maybe greater than organized crime's involvement in the present availability of drugs.

It is a very, very damaging approach. We should be using our laws to make America healthier. We should be using our laws to move us toward a freer, more independent society as opposed to, in essence, caving into a vast social problem, admitting that as a government and as a society there is nothing we can do about this except letting a lot more people destroy their lives by using drugs, and we are just going to stand by and watch.

It should not be ignored in all of this that the people who will pay the biggest price for this abandonment of any kind of social responsibility here will often be the most powerless, and people with the least opportunity in our society.

Maybe it is a little bit easier to talk about this social experiment because it does involve significant numbers of people who are among the less powerful in society.

Mr. MICA. Thank you.

I would like to yield now to our ranking member, Mrs. Mink.

Mrs. MINK. I thank the chairman for yielding to me.

I do want to take this time to recognize the presence of one of our distinguished colleagues on this side of the aisle representing the city of New York; our colleague, Mr. Meeks. I would like, Mr. Chairman, to yield my 5 minutes to Mr. Meeks at this point.

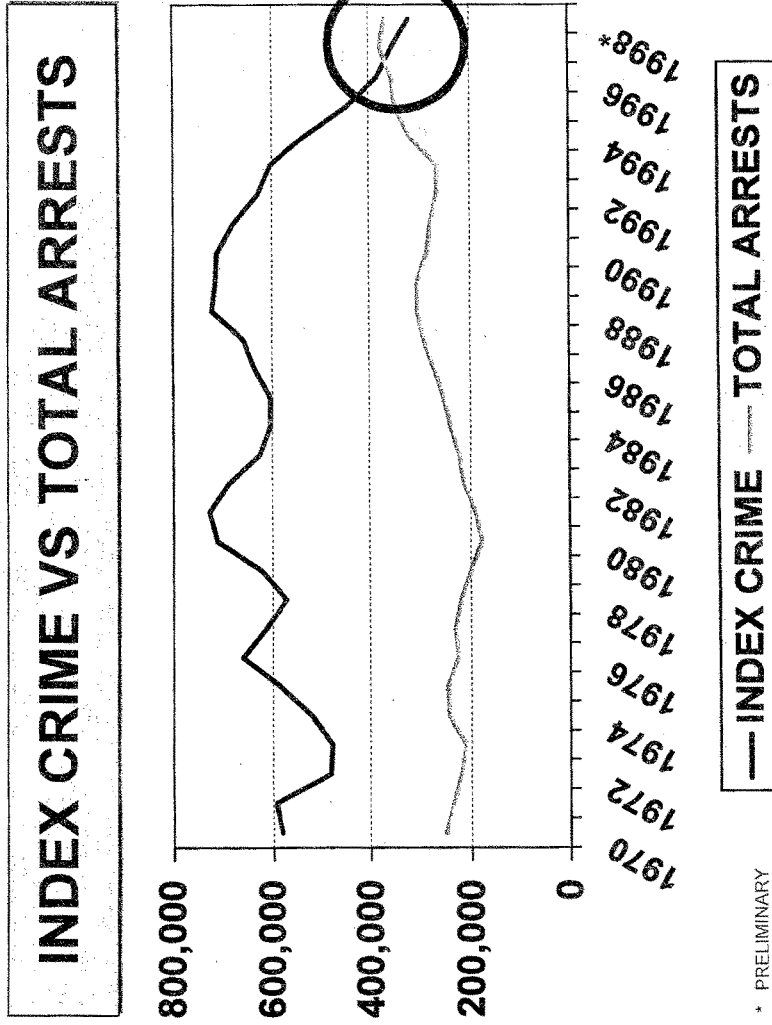
Mr. MICA. Without objection. You are welcome to join us. Thank you.

Mr. MEEKS. Thank you, Mr. Chairman.

Thank you Ranking Member Mink. Mr. Mayor, what I would like to start out with is your initial comments that you made at the beginning of your testimony where you have indicated initially with reference to crime rates going down under your administration.

The FBI's Uniform Crime Report tells us a different story. Given the crime index which combines violent crimes and crimes against property in the report, the report shows a clear decline long before your administration.

[The information referred to follows:]



Mr. MEEKS. A result of the economic boom and community policing that was actually started under Mayor Dinkins is that crime in fact had begun to decline; not only declining in New York City, might I add, but every major metropolitan city in this Union. Crime has gone down, as opposed to it just being within your administration.

So, would you not agree it is fair to say that the economic climate of this country has a lot to do with the reduction of crime?

Mr. GIULIANI. Well, I would say that the economic up-turn in America has a lot to do with the reduction of crime. That is quite true, but I would have to correct some of the other things that you have said.

First of all, in the 4-years before I came into office under the prior mayor, the city averaged 2,000 murders a year. I think it was 2,200; 2,100; 1,985; and 1,055.

Since I have been in office, we have been able to bring that number down to 629. The reductions that occurred in the last year of the Dinkins administration, the last 2 years, were very, very small percentage reductions.

Since I have been in office, they have been about 10 to 15 percent per year. They have been 5 times the national average. If New York City had a crime decline like the rest of the Nation, then New York City's crime decline would be about one-fifth of what it has been.

There may be another way to look at it. For the 5 years that I have been in office, New York City has accounted for 24 percent of the crime decline in America. So, the crime declines in New York City have been much more significant than in the rest of the country.

Since I have been in office, they have been much more dramatic than the small declines in overall crime that occurred during my predecessor's administration. In the area of murder, under my predecessor, New York City set records for murder that have never been reached at any other time; 2,100; 2,200; 1,955; and 1,985.

Although the economic up-turn had something to do with this, and would explain the baseline decline in crime, the fact that New York City's decline has been 4 to 5 times the rest of the country, and the fact that New York City's crime decline has been sustained over a longer period of time than any other city in the country. When I came into office, New York City was one of the more dangerous cities in America from the point of view of overall crime and murder.

It has now gone down to city No. 160 out of 180. There are things going on in New York that explain a good deal of the crime decline because it is much greater than the rest of the country.

Mr. MEEKS. Yet in fact, Mr. Mayor, at least, based upon your earlier statement in reference to the decline of the number of shootings, the police has utilized as far as bullets are concerned.

In New York City, as you well-know, recently the shooting of Mr. Ama Dou Diallo, and incidents with reference to Mr. Abner Louima, Mr. Diaz; in cases of police brutality in the city of New York, particularly in reference to the minority community, your voice has not been as loud as it has been on other issues.

In fact, during the period between 1996 and 1997, over a 1-year period, the city has had to settle 503 police misconduct cases. The city's law department reports that police misconduct, assault, excessive force, false arrest, and shooting by the police cost the city's taxpayers more than \$44 million in your first 2 years as mayor.

That is an astounding average of about \$2 million a month for police misconduct cases alone. There has been an increase in the number of brutality claims. They have in fact tripled to 2,735 between June 1996 and June 1997, according to the city's comptroller.

Also, it seems clear that most of the victims of police brutality happen to be African American and/or Latino. They have filed 78 percent of the complaints against the police. While 67 percent of the officers involved in this happen to be white—was released in February 1997, found that 81 percent of blacks and 73 percent of Hispanics believe that police brutality is a serious problem in New York.

It seems to me that, at least from the district that I represent, I was just told on my way over here that another young man in my district was unarmed, was shot by the police yesterday.

I was also told by a number of African American men in my district that when they are pulled over by the police, they fear the police as much as they fear the common criminal on the street.

Now, what I will agree with you is on this—I would agree with you that the overall number of individuals in the police department, as a former prosecutor myself, do a great job in the city of New York.

However, they need the voice from the top, which it appears has not been under your administration, that says we will not tolerate police brutality and excessive force by the police department in the city of New York.

Mr. GIULIANI. First of all, I do not think you have ever listened to my voice. I have said over and over again, including—that was a long question. You have got to give me a chance to answer it, if you are being fair.

The fact is that I have over and over again said that police officers have to be respectful. We have taken action against police officers who have acted improperly. One of the cases that you mentioned, it was my administration that fired the police officer in question, even though he had been kept on by prior administrations.

We have worked very, very hard to make this police department more respectful and more restrained. In your selective use of statistics, you leave out the fact that incidents such as the one that you are talking about have occurred in New York City for the last 20 to 25 years.

That police brutality and the issue of police brutality has not been an issue just exclusively of my administration or while I have been mayor of New York City. Then you have got to start looking at, if you are interested in fairness rather than demagoguery, you have to look at the number of incidents.

The number of incidents of police brutality, for example, are less in my administration than in the administration of Ed Koch or David Dinkins. That is something you did not mention. 1993 was

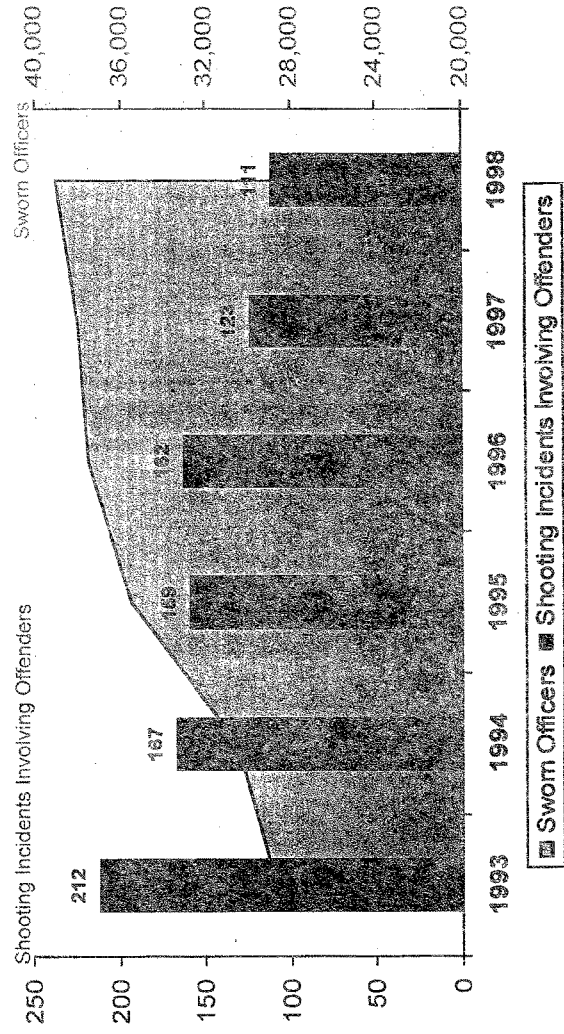
the last year of David Dinkins' administration. I just happen to have these statistics with me.

There were 62 percent more shootings by police officers per capita in the last year of David Dinkins' administration than last year which was my administration. In every year of my administration, something you left out of your statement, in every single year of my administration, the police officers have grown more restrained in their use of firearms, even as we have added 10,000 police officers and given them automatic weapons.

I will give you the exact number. In 1993, there were 212 incidents involving police officers in intentional shootings. In 1994, there were 167. Now, in 1998 it is down to 111. That is 2.8 shooting incidents per 1,000 officers.

[The information referred to follows:]

NYPD SHOOTING INCIDENTS INVOLVING OFFENDERS 1993 - 1998



Sworn Officers up +35.7% (98 vs 93)

Incidents down -47.6% (98 vs 93)

**NYPD SHOOTING INCIDENTS
INVOLVING OFFENDERS
1993 - 1998**

<u>YEAR</u>	<u># OF INCIDENTS</u>	<u># OF OFFICERS</u>	<u>RATE / 1,000 OFFICERS</u>
1993	212	28737	7.4
1994	167	30524	5.5
1995	159	35511	4.5
1996	162	37522	4.3
1997	123	37990	3.2
1998	111	39075	2.8

COMPARING 1998 vs 1993

# OF INCIDENTS	DOWN	-47.6%
# OF SWORN OFFICERS	UP	+35.7%
INCIDENTS PER 1,000 OFFICERS	DOWN	-62.2%

* The Transit and Housing Police Departments merged with NYPD in April, 1995

Mr. MEEKS. In 1993, David Dinkins' last year in office, there were 7.4 shooting incidents per 1,000 officers. That is 62 percent less per capita. So, yes, we have problems. Yes, we have difficulties. Yes, we have lots of things that we have to work on.

Yes, I have spoken out about it 100 times or 1,000 times. I was at a police graduation last week. I said to the 800 police officers that what we expect of them is restraint, almost an inhuman ability to be restrained when they have to be.

We expect respect for every single citizen of New York City. I have increased the size of the civilian review function in the police department. I have increased the number of inspectors and people who are involved in that.

Finally, on the incident that you just threw out there without any analysis, let me tell you what I know of that incident. That was an incident in which police officers were called to a man's home because he was beating his wife.

He apparently broke her jaw. The wife called because she said over 9-1-1, that this man was trying to kill her. These two police officers went there to save her life. They did not sit back and think about, oh, are we going to save this woman's life who is Catholic, Protestant, Jewish, white, or black?

Are we going to save this person's life and some kind of political demagogic debate that sometimes takes place in the area of politics? They put their lives at risk to go there to save her life.

He turned to them and said, "You will have to kill me." They shot him and wounded him. We had an incident in New York City—

Mr. MEEKS. Mr. Mayor—

Mr. MICA. I am sorry, Mr. Meeks. The time—

Mr. MEEKS. That is just—

Mr. GIULIANI. You have to—

Mr. MEEKS. You actually make a presumption in this case, but yet when Mr. Diallo was shot, you do not say the same thing where there are 41 bullets that are fired at one man.

Mr. MICA. Mr. Meeks.

Mr. MEEKS. So, you make a presumption on one and talk early on one instance and not on the other.

Mr. GIULIANI. I do not make presumptions and I do not make demagogic speeches without the facts.

Mr. MEEKS. Neither do I.

Mrs. MINK. Mr. Chairman.

Mr. GIULIANI. The simple fact is that I do not know the facts in the Diallo case. There were four police officers involved. There were no witnesses. I do not know the facts. So, I will not presume the facts.

I will not presume the facts against the victim in any way. I have great sympathy for the victim and his family. You left out of your statement the fact that I called the victim's father.

I reached him in Viet-Nam. I arranged for him to get a visa. The city offered to pay for getting him to New York City, as well as the family. I spoke to the father; expressed my sympathy.

I told him how sorry I was about it. I am in the position where I do not know the facts, and neither do you, of what happened in the Diallo situation. The four police officers were involved. There

were no witnesses. The four police officers have exercised their privilege against self-incrimination.

Anybody who is telling you the facts is making them up on either side of it. We have, unfortunately, prejudiced people on both sides who will give prejudicial viewpoints rather than speaking from the facts.

The facts that I just gave you about the incident, if it is in your district, come from four discussions with the police commissioner, from several witnesses to the incident, including the police officer's partner, the woman whose jaw was broken by the man who was shot, and I believe the man's mother.

They were witnesses to the incident. In the other incident, we do not have any witnesses. I would be happy to give you the facts, if I had them.

Mr. MICA. The gentlelady's time has expired.

Mrs. MINK. Mr. Chairman, may I ask consent to insert at this point in the record, FBI data and a chart?

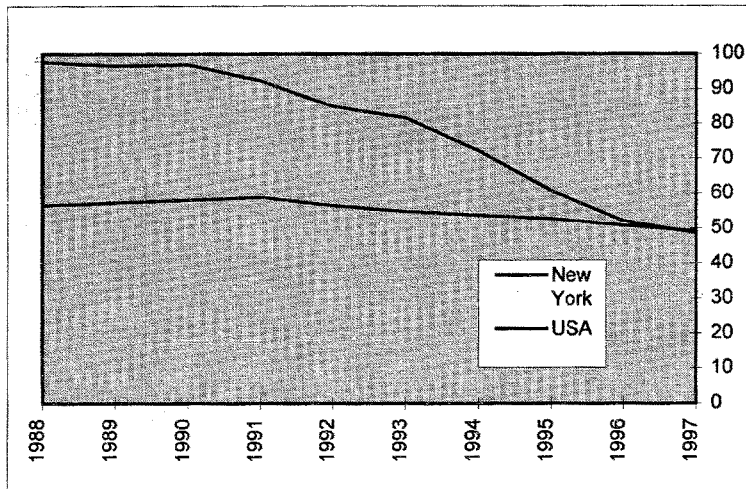
Mr. MICA. Without objection; so ordered.

They will be made a part of the record.

[The information referred to follows:]

**FBI Uniform Crime Reports
Crime Index for NY and USA
(Offenses per 1000 People)**

	NY	USA
1997	48.616	49.227
1996	52.122	50.866
1995	60.763	52.759
1994	72.261	53.735
1993	81.710	54.844
1992	84.905	56.602
1991	92.361	58.978
1990	96.991	58.203
1989	96.672	57.410
1988	97.801	56.642



Mr. MICA. I do want to thank the gentleman for coming. Also, I try to give a free opportunity for folks to enter their questions.

Mr. Towns, when he was chairman, always allowed me that courtesy when I served under him. Other Members are always welcome. I think that is a part of our process here, to keep it open.

Sir, I would welcome you submitting questions to the mayor as our witness, written questions. I will leave the record open for 2 weeks for additional commentary.

Mrs. MINK. For me too?

Mr. MICA. You are in the deal.

I cannot do anything without my ranking member. She has done a great job.

Mrs. MINK. I have so many questions.

Mr. MICA. If we have another round, you will be welcome. We will also leave the record open. I do want to be fair to all Members. Mr. Barr has waited patiently.

So, I am pleased now to recognize the gentleman from Georgia, Mr. Barr, our vice chairman.

Mr. BARR. Thank you, Mr. Chairman.

I think your record, which I am very familiar with, Mr. Mayor, speaks for itself. It speaks for our country and for the very best of our effort to fight mind-altering drugs. Let me ask you, some of you did not touch on it.

It may be that you all do not have this problem in New York. I suspect you do to some extent. We have it in communities in my district where I live in Smyrna, GA; perhaps not to the same degree, but certainly it is a serious problem.

That is with illegals; illegal aliens coming into our communities. Some of the problems that our local law enforcement are facing I know are the same sorts of things that you grappled with when you were at the Department of Justice and likely as U.S. Attorney.

That is what do we do? How do we address the problem of the illegal aliens being detained on drug charges? We are seeing some particular problems with INS, the Immigration and Naturalization Service.

Just recently, Commissioner Meisner has indicated an intent to start releasing felon offenders from detention, including drug traffickers and other criminals.

This comes at a time when we in the Congress and the President by signing the appropriating and authorizing legislation have greatly increased the amount of money going to INS.

Specifically, to assist them in working with local law enforcement and State law enforcement to keep the illegals detained so that they are not released back into the community.

Is this a problem that you are seeing in your jurisdiction? Is this helping or hindering your ability to fight the drug problem in New York City?

Mr. GIULIANI. The failure of the Immigration and Naturalization Service to timely deport people convicted of drug dealing, even though if they finished their sentences, is a very damaging thing in the city of New York.

On a comparative basis, I do not know if it would be as damaging to New York as it is to Los Angeles or Miami where there

might be a higher level of it. It certainly is something that creates additional difficulties for the police.

The number of deportations that take place in the city is just a very, very small percentage of the number of people that could be deported who have actually been convicted of felonies.

So, we have the problem of not only finding the people who are doing it and incarcerating them, but when they finish their sentences then they are returned to society. They are not all deported.

So, they remain in the city of New York. As unfortunately is the case, because of the recidivism rates, particularly in the area of drug crime, are pretty high, they go back to selling drugs again. Now, I have to say that the INS over the last 2 years, with some urging and some cooperation that we have given them, have increased the number of deportations.

It is something that they are trying to do something about. Frankly, they do not have the resources and the funding to do the number that they should. I am sorry. I do not have the exact numbers. I will get them for you.

If they deport 20 percent of the number that could be deported who have not—not just accused of selling drugs, but are convicted of it, that would be a lot. So, it is probably about 80 percent that are returned to society. I will get you the exact numbers.

Mr. BARR. Thank you. I would appreciate that because I would like to compare it to some of the problems we are seeing in some of the communities in my jurisdiction.

One thing that impresses me about your approach is not just that you have a very sound, a very, very strong handle on the big picture, but you understand some of the nuts and bolts.

Frankly, I am amazed. I do not know how you do it. Either you are a rocket scientist or you have a tremendous staff that works with you to be able to put together this sort of—

Mr. GIULIANI. I am no rocket scientist. So, it has got to be the staff.

Mr. BARR. There would probably be some folks that would disagree with that. Even in your summary remarks here, one thing that impressed me was your recognition that before you go into an area, you have the chart up here.

I know in your comments you also talked about your targeting of model blocks and your drug initiative areas. You do not just sort of go into an area willy-nilly and sort of catcher's catch can.

Apparently, what you have done is to look very carefully at each individual area, develop the data and the information that you can then analyze before you target your resources. I think that is perhaps one reason why you are seeing such tremendous results.

Could you comment briefly on how you have been able to do that and if there are any particular pointers that you can give us? How can we replicate that under other communities? Also, if you are familiar with one program in the Atlanta area we are working with Justice on, the PACT Program, Pulling America's Communities Together, and some of the grant money that has been available through that to do on a smaller scale?

I think some of what you are doing here, stressing the need to develop computer software, data collection, and analysis techniques so that we can better target. Could you give us some pointers on

how you have been able to do that and the importance of coordinating that effort among different jurisdictions?

Mr. GIULIANI. Probably the thing that I could say most relevant to that is to describe very briefly the COMSTAT Program. The COMSTAT Program is a program that the police department started 5 years ago.

It won the award last year from the Kennedy School as the most innovative program in government. It is an information gathering computer program of massive proportions.

I guess to simplify it, what it does is every single day statistics are gathered from the 77 police precincts of the city on every conceivable kind of crime. Statistics are gathered on civilian complaints. Statistics are gathered on complaints by the community about the conduct of the police and about corruption that might be charged against police officers. So, it is a complete management tool.

It is reviewed on a weekly basis by the leadership of the police department and on a weekly basis by me. Then the police commanders are brought in on a regular basis in a room that looks like the room at the Pentagon with big maps of the city and maps of their community.

What they try to do is to focus on where the crime problems are emerging and how they should move around their resources. Police commanders are expected to have a strategy for how they deal with it.

They are also expected to have a strategy for how they deal with some of the problems that might arise in policing, including civilian complaints. Ultimately, what that allows you to do is to manage your police department to reduce crime, instead of manage your police department just to arrest people.

So, if during those meetings which take place twice a week, every day of the year, so they are on a rotating basis. A police commander would be back there four or five times a year. Basically, you can look at an area of the city.

We have a map up there. Let us say this is what would happen at the COMSTAT meeting. They would notice that there was all of a sudden an increase of car thefts in this area. There were 20 percent more car thefts going on for 2 months in this area in the Bronx. The COMSTAT process would review that. The police commanders would be expected to add additional police officers to focus on that and reduce that problem before it became a long-term problem.

Suppose we have gang violence in the lower part of Manhattan or in areas of Brooklyn or Queens, the same thing. We expect them to address that immediately. So, that is the core of the program.

When you have these meetings for a year, 2 years, or 3 years, that is why I could say to you before that when we did the first drug initiative, we did it in the part of the city that had something like 19 percent of the population, but 29 percent of the crime.

That part of the city was exporting more crimes to other parts of the city. In other words, we were picking up people who came from that area who were committing crimes in other parts of Brooklyn, committing crimes in Manhattan, committing crimes in the Bronx.

So, it made sense to do the first drug initiative there. Having done it there, we ended up with double the overall rate of crime decline in that area of the city than in the city in general.

Since then, we have moved out to 11 other areas of the city of New York. It is a very, very information, data-intense computer program. I would invite you, the subcommittee members, if you would like to come to a meeting. The Vice President has been there. A number of other public officials have been there.

It is an excellent program. It can be replicated with a lot of changes, depending on policing, the interrelationship between police, and problems in different communities. It can be replicated anywhere.

It is being replicated now in a number of communities in the United States and overseas. I would invite you to come and see it. I really cannot do it justice in just describing it generally.

You have to sit through the 1 hour, 1½ hour program. Immediately, you will see what the concept is and why it works.

Mr. BARR. Thank you.

Mr. MICA. I thank the gentleman from Georgia.

Mr. Towns, you are recognized.

Mr. TOWNS. Thank you very much, Mr. Chairman.

Let me begin by a question I think was asked by our chairman. I did not quite get the answer. If you answered it, I probably missed it. So, I will not say you did not answer it.

I did not get the answer. I think the chairman asked your position on the Needle Exchange Program. I did not hear your answer.

Mr. GIULIANI. My position on the Needle Exchange Program is that we have it in the city of New York. It is done under State law, State authorization with Federal funding. I honestly do not know if it works.

It concerns me greatly. It concerns me because I understand the purpose of it. The purpose of it is to avoid the spread of HIV-AIDS and try and reduce that method of spreading that terrible disease.

On the other hand, it concerns me because what we should be about is convincing people not to use drugs, not facilitating them in the use of drugs.

I have to say that in the areas that have the clinics, although people anticipated this, including me, that it might have an impact on higher levels of crime, there are lower levels of crime now than when the clinics began, and significantly lower levels of crime.

Now, whether that is in any way a reflection of the clinics or it is a reflection of the overall reduction in crime that is going on, I cannot tell you. From a practical point of view, I understand the need for them.

From a philosophical point of view, they continue to concern me because I worry about underscoring or helping people use drugs and not trying to deal with those people by trying to get them into drug-free programs. Ultimately, there is nothing the city can do about it.

It is authorized. All of those programs are permitted by and licensed by the State Board of Health. They have Federal funding for them. I cannot tell you that they have caused any significant problems.

The people in the communities that have them do not like them. They worry about them, but there is no additional—I knew I would be asked the question. I tried to get all of the statistics out on crime in those areas. Crime has gone down in the areas in which the clinics are located. That could be for different reasons.

Mr. TOWNS. In the other part, from the health standpoint in terms of hepatitis, and in terms of AIDS in particular.

Mr. GIULIANI. I think there is no question that depending on the report that you read, and I have read maybe six or seven different reports, five or six that say they are very useful and very helpful in the sense of the health-related things that you are talking about.

I get one or two that say they are exaggerated in that direction. In any event, I think from that point of view, yes. It probably is helpful in reducing the spread of diseases.

There is a different concern that I have which is I am uncomfortable with the idea of the State being involved in giving you a hypodermic needle to facilitate your remaining dependent on heroin. I would rather see those programs put at least some emphasis on trying to move the people who want to utilize the program into drug-free treatment programs so we can give them a chance to lead a decent life and a life free of drugs.

Mr. TOWNS. Thank you.

You know, I think that you have sort of moved to my next question. I think that is a real problem with our treatment in terms of our approach to dealing with the drug problem. I think it is really not coordinated.

I think that is the problem. I will give an example, when you talk about opening a drug treatment facility of any type in any community, I mean of course the community is up in arms.

I understand that and rightfully so because of problems around it. I think that what we have created we can deal with it. Most clinics in every hospital close at 4 p.m.; almost every clinic. At 4 p.m., it closes down.

Why not at 5 p.m., it opens up to treat addicts, even in the Methadone Program, whatever it is? You can have all of the support systems there in terms of the backup of the hospital.

You can have the police, the guards, everybody is there. The lights are already on. The telephones are already in there. So, all of this is there. So, you cut down on the tremendous amount of cost because you do not have to go out there and build a facility. You do not have to go out there and fight with a community to be able to get them to accept the facility, and you waste all of the money, the time, and the energy in that.

Even in the Needle Exchange Program, they could work toward counseling patients to come off of whatever they are on and to encourage them to go into a certain type of program based on the assessment of that person.

I think that we need to be concerned about the type of program that a person goes on. I think some people would fit better in one type of program than they will another. So, I think the coordination of it has not been there.

The other part is that an idle mind is the devil's workshop. If you have a person that comes off of drugs, and he or she cannot get

a job, then I think it enhances their chances of going back on whatever they were on.

So, I think that if we have a hospital or other facilities that are working along with this particular program, then I think they could move them into jobs, do all kinds of things to be able to help them to stay away from drugs.

I just do not feel that it is coordinated. I mean from the moment a person goes to be detoxified as to what happens to them in terms of the next steps. So, even the Methadone Program, I do not think the coordination is there because of the fact that if a person is on methadone, who is working with them to move them to the next step?

So, I just think that the coordination—I think we are spending a lot of money. I think that the money is being wasted. If we have a facility that we can use after 4 p.m., why go build one?

Mr. GIULIANI. Mr. Towns, I agree with you completely. I think that there is a lack of coordination. There is a lack of specific purpose. There is a lack of really having thought through how can you really help somebody?

Then unfortunately, in many of these areas these things become businesses. There is a methadone business. You make a lot of money for doing this. You get lots of Federal matching money.

Therefore, the more people that you can be giving the drug to as quickly as you can give it to them, the more money you are going to make. You will even see hospitals that have clinics.

They have already projected how much money they are going to make on their clinic based on Federal and State matching dollars. So, what I would like to see happen and what I am trying to do, and I am trying to get the State to turn drug treatment from the State over to the city, is to put the maximum amount of emphasis, not every dollar, but reverse the percentages on putting people in drug-free treatment programs where people work as a part of the drug therapy.

Good programs require work as a part of the drug therapy. They require that as soon as the person is detoxified, and as soon as the person is stabilized, then they should have a job. They should be working.

Their drug treatment should be coordinated with their being a part of the work force and developing a work discipline. If you can do both, get them off drugs and develop a work ethic and a work discipline in the person, we are going to give them the best defense to leading a drug-free life.

That is what we are trying to do. The obstacles in terms of State and Federal mandates, all of the money moves. The money basically moves toward the quickest, easiest form of drug treatment that can bring in the most dollars, as opposed to understanding the drug treatment.

It is very difficult. It is very intense. It requires asking a lot of the person addicted to drugs in a lot of the programs. That is where we should be putting our emphasis. Then we are going to have the maximum number of people free of drugs rather than people continue to be dependent, which is a shame. It really is a shame.

Mr. TOWNS. Mr. Chairman, I know my time has expired, but can I ask one more question?

Mr. MICA. We are running close, but go right ahead, Mr. Towns.

Mr. TOWNS. I will try to make it short.

We will have law enforcement officers, people involved in interdiction of drugs come before us. They will make a case. We will learn that the criminals have better resources than they have. By the time they finish, they almost make you want to cry.

During peace time, how do you feel about the military being involved in the interdiction process? If their boats are faster than our boats, and their planes are faster than our planes, I mean, you know at least their planes are not faster than our military planes. They are not faster than our ships.

Mr. GIULIANI. I do not see any reason why the military should not be involved in drug interdiction that is taking place beyond the borders of the United States or even close to the borders of the United States.

Obviously, the line should be a very strict one. The military should not be involved in any form of internal law enforcement, at least not in this kind of area. That would be a terrible mistake.

Beyond the borders of the United States it is perfectly appropriate for the military to be involved. When I used to be involved in that kind of work as Associate Attorney General, I was constantly encouraging more military involvement, more of their resources being used for this purpose.

I think, obviously, it is very, very good from the point of view of drug interdiction. They do have sophisticated equipment. They have trained personnel. At times the Defense Department would disagree with me when I would make this argument.

I also think it is good for them. I think it keeps them trained. It helps them. It assists them in a lot of their training functions as well.

Mr. TOWNS. Thank you very much.

Thank you very much, Mr. Chairman.

Mr. GIULIANI. I was corrected on one thing by my very, very capable staff, which is the reason why we were able to do this. That is that the Needle Exchange Program is funded by the State of New York. There are no Federal funds. There are no city funds for it. It is all State-funded.

Mr. MICA. Mr. Mayor, I noticed that also. I did not say something because I knew your staff would correct you before I had the chance to.

I have agreed to an additional question from the ranking member.

Mrs. MINK. I will try to be very brief, Mr. Chairman.

Mr. MICA. Thank you, Mrs. Mink.

Mrs. MINK. I will send my other questions for the record.

Thank you, Mr. Mayor.

One of the discussions that I have had with others concerns your statements last summer having to do with the Methadone Treatment Program.

Your description in your testimony today that this program is a mere substitution of one addiction for another. Therefore, you

wanted to see a phase down of this program, and certainly no linkages in establishing the program for eligibility for Federal funding.

I have received from my staff an NIH report of people who have researched this whole issue who feel very strongly that it is a supportable treatment program and should be continued.

My question, however, does not go to the medical evidence which, of course, is relevant. I will ask you to submit what medical evidence you have.

What concerns me is a news article that appeared in the New York Times recently which said that, while New York City has 36,000 heroin addicts, only 6 percent are currently able to be treated under your program in the city hospitals.

I wanted your comment on that. What other efforts your administration is embarking in order to provide services and treatment in this drug-free context in which you are pursuing for the other remaining 30,000 addicts who, under the Methadone Program, are voluntarily admitting to their illness or addiction, and coming to the government, and to various agencies for some relief so that they can have a reasonable expectation of returning to a useful life; one free of addiction?

My concern is that however good the intentions might be to pursue a drug-free, non-addictive type program that there really is not much evidence of a capability to pursue that. Therefore, a much more balanced approach toward your view of methadone is really required.

Mr. GIULIANI. Well, first of all, I should explain to you that New York City does not do drug treatment. The State does. As a part of the arrangement between the city and State, the responsibility for drug treatment is overwhelmingly a State responsibility. So, when you look at the small number of slots, those happen to be the small number that we supply at the city hospitals. The overwhelming amount of drug treatment that is done in the city of New York is done by the New York State Department of Health.

Mrs. MINK. But they are in city hospitals.

Mr. GIULIANI. But that is the contribution that we are making. The city of New York does not handle drug treatment. We have city hospitals. So, we make those positions available.

Overall, the jurisdiction for drug treatment is the State of New York. Roughly, they spend about \$155 million to \$160 million a year on drug treatment; largely their funds. Some of it is State funds.

Unfortunately, the State, which is the one that does drug treatment, and we have a tremendous number of drug treatment slots. When you just look at the city hospitals, you are looking at a small contribution to it.

The overwhelming amount of money and positions are spent on methadone rather than on drug treatment. What I am proposing is reversing the percentages. I am not saying cut out Methadone Maintenance Programs.

Although, it would be ideal if at some point we could. What I am saying is we should not have 70 percent of the slots be for maintaining somebody on chemical dependency and 30 percent being for drug-free programs.

I have asked that the State give those programs to the city so that the city could run them and then we could reverse the percentages.

We could have 70 percent of the people in drug-free slots and 30 percent in the Methadone Programs, which are maintenance programs. So, I think my position is a little more complicated than maybe was described in the New York Times.

Mrs. MINK. Of the 2,000 that you do have in the city hospitals under this treatment program, what is the success rate of actually getting these addicts off of drugs all together?

Mr. GIULIANI. I cannot tell you just individually what it would be for the city hospitals because they do not end up getting measured that way. The city hospitals are a part of 35,000 or 40,000 drug slots. They are just a small portion of it.

The success rates of the drug-free programs that are long-term treatment programs, 50 percent, 60 percent. I mean they are pretty good. They are good rates of success, but they require long-term commitment to treatment; 2 years, 3 years.

They require things like work therapy. They are intense efforts. They are harder to do. So, any bureaucracy, whether it is the city, the State, or the Federal Government, if you confront it with two things that it can do, one of which is very hard and one of which is very easy, but it can give you a lot of money, all of a sudden your priorities are going to get distorted.

The thing that is going to happen over and over again is the thing that is very easy and it gets you a lot of money. That is the unfortunate part of what we do with methadone. It is easy. It brings a lot of money.

Whatever the help benefits of it, there is not a single thing in any of that literature you have that does not say the following: that it is addictive. You must remain on it for the rest of your life.

There are people who are strongly committed to methadone because it is an industry. They make a tremendous amount of money from it; millions, and millions, and millions of dollars.

If you were to require them to do what the Phoenix House does or what Detox Village does, which is a 2 year drug treatment program, they would not be getting the money. Somebody else would be getting the money and the work is much, much harder.

So, a part of the policy direction that the Federal Government should be not to eliminate methadone, but to try to move more of the percentage of dollars and funding to the more difficult programs that give people a better chance of leading an independent life than having them addicted to a chemical substance for the rest of their lives. That is the point that I am now trying to make.

Do not wipe one out, but see if you can move the percentages toward a much more life-affirming form of therapy.

Mrs. MINK. Thank you, Mr. Mayor.

Mr. Chairman, I ask unanimous consent that the news article, plus the NIH report that I referred to be admitted to the record at this time.

Mr. MICA. Without objection; so ordered.

Mrs. MINK. Thank you, Mr. Chairman.

Mr. MICA. Mr. Mayor, we want to thank you for being generous with your time this morning.

Mr. GIULIANI. Thank you.

This was very, very instructive. I wish you would take up the invitation to come to the COMSTAT Program. I think you will find it very interesting.

Mr. MICA. We would like to take you up on that invitation, but we thank you for your leadership, for your insight into some of the successes you have had, and also for your candid responses to some of the problems that you have experienced.

We also look forward to hearing from you. We are particularly interested in Federal programs that affect our cities and States, and how we can do a better job in working and coordinating our efforts with you.

There being no further business to come before this subcommittee this morning, this meeting is adjourned.

[Whereupon, at 11:05 a.m., the subcommittee was adjourned.]

