VICTIMS OF VIOLENT CRIME IN MANHATTAN

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CONTENTS

MONDAY, APRIL 17, 2023

OPENING STATEMENTS

The Honorable Jim Jordan, Chair of the Committee on the Judiciary from the State of Ohio .................................................. 1

The Honorable Jerrold Nadler, Ranking Member of the Committee on the Judiciary from the State of New York .......................... 3

WITNESSES

Jose Alba
Oral Testimony ..................................................................................................... 7
Prepared Testimony ................................................................................................ 9

Jennifer Harrison, Founder, Victims Rights New York
Oral Testimony ..................................................................................................... 10
Prepared Testimony ............................................................................................. 12

Madeline Brame, New York State Chair, Victims Rights Reform Council
Oral Testimony ..................................................................................................... 25
Prepared Testimony ............................................................................................. 27

The Honorable Robert F. Holden, New York City Council, District 30
Oral Testimony ..................................................................................................... 28
Prepared Testimony ............................................................................................. 30

Rebecca Fischer, Executive Director, New Yorkers Against Gun Violence
Oral Testimony ..................................................................................................... 33
Prepared Testimony ............................................................................................. 35

Paul DiGiacomo, President, New York Police Detectives Endowment Association
Oral Testimony ..................................................................................................... 40
Prepared Testimony ............................................................................................. 42

Barry Borgen
Oral Testimony ..................................................................................................... 44
Prepared Testimony ............................................................................................. 47

Jim Kessler, Executive Vice President for Policy, Third Way
Oral Testimony ..................................................................................................... 49
Prepared Testimony ............................................................................................. 51

LETTERS, STATEMENTS, ETC. SUBMITTED FOR THE HEARING

All materials submitted for the record by the Committee on the Judiciary are listed below ........................................................................................................ 112

Materials submitted by the Honorable Sheila Jackson Lee, a Member of the Committee on the Judiciary from the State of Texas, for the record

Materials submitted by the Honorable Andy Biggs, a Member of the Committee on the Judiciary from the State of Arizona, for the record
A Legal Memorandum entitled, “The Blue City Murder Problem,” Nov. 4, 2022, The Heritage Foundation

(III)
Materials submitted by the Honorable Andy Biggs, a Member of the Committee on the Judiciary from the State of Arizona, for the record—Continued
An article entitled, “27 of Top 30 Crime-Ridden Cities Run by Democrats,” Nov. 04, 2022, Daily Caller
A report entitled, “Uncovering the Truth About Pennsylvania Crime Guns,” Brady, submitted by the Honorable Mary Gay Scanlon, a Member of the Committee on the Judiciary from the State of Pennsylvania, for the record

APPENDIX

Materials submitted by Madeline Brame, New York State Chair, Victims Rights Reform Council, for the record
A letter from the New York State Commission on Judicial Conduct, May 20, 2022
An Open Letter to Manhattan District Attorney Alvin Bragg, June 10, 2022


Also present: Representatives Stefanik, Goldman, and Espaillat.

Chair JORDAN. The Committee will come to order.

Without objection, the Chair is authorized to declare a recess at any time.

The Chair now recognizes the gentlelady from Wyoming, Ms. Hageman, to lead us in the Pledge of Allegiance.

All. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Chair JORDAN. The Chair would ask the press to maybe clear out of the middle here so we can see our witnesses and proceed with the hearing.

We welcome everyone to today’s hearing on Victims of Violent Crime in Manhattan. We are joined today by some of our colleagues who would like to participate in the hearing. Ms. Stefanik, Mr. Goldman, whose district we’re in, and Mr. Espaillat. Per an agreement with Mr. Nadler and without objection, these Members will be permitted to participate in today’s hearing for only the purpose of asking questions of the witnesses. Each side will have an additional five minutes for these Members to question the witnesses.

The Chair now recognizes himself for an opening statement.

Mr. GAETZ. Mr. Chair, I have a unanimous consent request.

Chair JORDAN. The gentleman from Florida is recognized.

Mr. GAETZ. Mr. Chair, I seek unanimous consent. I understand Mr. Alba may be utilizing the services of an interpreter today, and so that the interpretation time would occur off the clock so that we might be able to ask questions of Mr. Alba.
Chair Jordan. Without objection, so ordered.

While we're speaking of time, I know we have to be back in the Capitol tonight for some votes. So, the Chair will probably be pretty darn strict with the five-minute rule, but we want to make sure all our witnesses get their full five minutes and members get their time to question.

Today's hearing is about the administration of justice and keeping communities safe, something that has always been a central focus of the House Judiciary Committee. Our witnesses today have felt the effects of crime up close and personal. They've been victimized by a justice system that cares more about political correctness than punishing the criminals who have harmed them and harmed their family. We thank them for being here and sharing their story.

Their stories are emblematic of a city that's lost its way when it comes to fighting crime and upholding the law. As we all know, fairness under the law is a bedrock principle of American democracy. In this country, justice is supposed to be blind, regardless of race, religion, or creed.

However, here in Manhattan, the scales of justice are weighed down by politics. For the District Attorney, justice isn't blind. It's about looking for opportunities to advance a political agenda, a radical political agenda. Rather than enforcing the law, the DA is using his office to do the bidding of left-wing campaign funders. He's taken a soft-on-crime approach to the real criminals.

One of Mr. Bragg's first actions upon taking office in January 2022 was to put out a memo that directed his Assistant District Attorneys not to prosecute certain crimes, including trespassing and resisting arrest.

The memo also stated that armed robberies should not be prosecuted as felonies. Instead, they were to be considered as misdemeanor larceny unless someone was shot during the course of the robbery.

Thank goodness, after a backlash from police groups and the public, Mr. Bragg agreed to prosecute some robberies as felonies but left the rest of the memo in place.

The president of NYPD Detectives Endowment Association said, quote: "Bragg gives criminals a roadmap to freedom from prosecution and control of our streets." In Bragg's Manhattan, you can resist arrest, deal drugs, obstruct arrests, and even carry a gun to get away with it.

Guess what happened under this new policy? More crime. In 2022, Mr. Bragg's first year as District Attorney, New York City saw a 23-percent surge in major crimes. Felony assaults rose 13 percent. Robberies spiked 26 percent. Burglaries in New York City went up 23 percent. Grand larcenies were up 26 percent, and auto theft increased 32 percent. Transit crime surged nearly 30 percent. Imagine that. You leave criminals on the street; you get more crime.

Patrick Lynch, the president of the Police Benevolent Association, said: "Police officers don't want to be sent out to enforce laws that the District Attorneys won't prosecute." There are already too many people who believe that they can commit crimes, resist arrest, interfere with police officers and face zero consequences.
We should take a minute here to thank our brave men and women in law enforcement. We got a number of them right here in this building. Thank you for what you do.

[Applause.]

Chair JORDAN. In the last few years, police have been villainized and harassed by the left and even defunded. These men and women put their lives on the line every day, every single day, and they deserve our deepest gratitude. That's not what they're getting from left-wing District Attorneys here and around the country.

Police do their job. They do the hard work. They go out on the streets. They catch the bad guys, and then the DAs don't do theirs, don't do their job. Instead, they let bad guys roam the street. As we'll hear today, repeat offenders are plaguing New York City.

On April 6, 2023, NYPD Commissioner Sewell said:

Recidivism is the undertow pulling against everything we are doing to keep our city safe. It is counterproductive to public safety and, frankly, is a perpetual carousel of police resources.

Astonishingly, Sewell said that 327 individuals were arrested more than 6,000 times for retail theft. Think about that: 327 individuals responsible for 6,000 retail thefts, what we used to call stealing, taking someone else's property. Each person arrested, on average, 20 times. Maybe they wouldn't have had that problem if they'd arrested them and kept them in jail after the first, the second, or maybe even the 19th time. An average of 20 times.

Given the record level of crime we are seeing around the country, our plan this Congress has been to include field hearings in some of our greatest cities to analyze and highlight how soft-on-crime policies hurt families, hurt communities, hurt small business owners.

We believe it's important to hear from victims and their families, who simply want to share their stories, hoping, hoping that it will help create change so other families don't have to suffer like they did.

What better place to start than New York City, where videos of violent senseless attacks appear almost daily and where the DA of Lower Manhattan earned a reputation for caring more about the perpetrators of crime than the victims.

Thanks again to all our brave witnesses for being here, and thanks to the NYPD, the Capitol Police, and the Federal Protective Services for all they do to keep people safe.

I now recognize the Ranking Member, Mr. Nadler, for an opening statement.

Mr. NADLER. Thank you, Mr. Chair. Let me be very clear. We are here today in Lower Manhattan for one reason and one reason only. The Chair is doing the bidding of Donald Trump. Committee Republicans designed this hearing to intimidate and deter the duly elected District Attorney of Manhattan from doing the work his constituents elected him to do.

They have demanded access to the inner workings of an ongoing criminal case, information to which they know they are not entitled. They have subpoenaed a witness who used to work for the District Attorney whom they know cannot answer their questions, and they have earned a lawsuit that risks future Congressional oversight as a result.
They have perpetuated the anti-Semitic and racist tropes that Mr. Trump has directed at both the prosecutor and the judge in this case. They are using their public offices and the resources of this committee to protect their political patron, Donald Trump. It is an outrageous abuse of power. It is, to use the Chair's favorite term, a weaponization of the House Judiciary Committee.

I do not know if Mr. Trump will be found guilty—
Chair JORDAN. Will the gentleman suspend?
The gallery should refrain from commenting and let the gentleman from New York finish his statement.
The gentleman is recognized.
Mr. NADLER. I do not know if Mr. Trump will be found guilty by a jury of his peers here in New York or, for that matter, in Georgia or in Washington, DC, on charges that may follow, but I do know that he will have his day in court.

Using this Committee to undermine that process as it unfolds is cynical, unethical and, given the violence unleashed on the Capitol by the former President, just plain dangerous.

Now, we all grieve for the victims of violent crime, here in Manhattan and everywhere. It is shameful that the Republicans of this Committee would use the pretext of violent crime as an excuse to play tourist in New York and bully the District Attorney. It is particularly disgraceful that they would use this pretext after doing nothing—nothing—to stop the gun violence that terrorizes our Nation.

According to the Gun Violence Archive, there have been at least 146 mass shootings this year alone. That means there have been more mass shootings than days so far this year. Three people were shot dead, and five others injured at Michigan State University. Three children and three teachers were shot and killed at a private school in Nashville, Tennessee. Five people are dead and eight others, including two police officers, are injured after a mass shooting at a bank in Louisville, Kentucky.

These tragedies have taken place in nearly every corner of our Nation, although I note in a study by Everytown that, in States where elected officials have taken action to pass gun safety laws, dramatically fewer people die by gun violence.

Although there has not, thank God, been a recent mass shooting here in Manhattan, you must do more to stem the Iron Pipeline, the illicit flow of illegal firearms from States that do less to protect their citizens to New York and elsewhere.

Unlike our Republican colleagues, Democrats have consistently advanced policies to make all our communities, including New York, safer places to live, to work, to worship, and to go to school.

Last Congress, over the objection of every Republican here today, we passed the first gun violence prevention package in decades. We can and must do more. We must pass universal background checks. We must implement red flag laws to keep guns away from those who are a danger to themselves and others, and we must reinstate the assault weapons ban. Each of these proposals are overwhelmingly popular with the American public, and each is opposed by House Republicans.

We also advanced the VICTIM Act to provide funding to law enforcement to improve murder clearance rates. If my Republican col-
leagues were serious about violent crime and sincere in their efforts to law enforcement, they would have joined us in that effort. One hundred and seventy-eight Republicans opposed that measure last Congress on the House floor.

We supported legislation to improve policing through additional funding, better training, and accountability to strengthen public trust because we know that public safety requires law enforcement agencies and their community partners working together. Again, every Republican on the Committee stood opposed.

Here in New York, one of the largest and most complex cities in the world, local leaders have pursued violence intervention, diversion programs, targeted law enforcement and youth engagement programs that have pushed crime and incarceration to their lowest levels in decades.

Over the past year, under the leadership of Mayor Adams and District Attorney Bragg, crime in Manhattan has dropped in every major category, including murders down 14 percent, shootings down 17 percent, burglaries down 21 percent, and robberies down eight percent, all in one year. Compare that to Mr. Jordan’s Ohio, where the homicide rate is 73 percent higher than in Manhattan.

On the specific topic of gun violence, the District Attorney is to be commended for securing indictments against gun traffickers, ghost gun manufacturers, and other violent criminals, leading to a full 20-percent reduction in shootings last year.

The Chair says this hearing is about violent crime in Manhattan, but New York remains one of the safest big cities in America. I am sure my colleagues have talking points and anecdotes to the contrary, but the evidence is firmly on our side. The evidence shows, unfortunately, that the Chair could have held this hearing back in Washington or in Ohio or in any other jurisdiction where the numbers are trending in the wrong direction, but, instead, he rushed to hold a hearing here in Manhattan in defense of Donald Trump.

I understand that, in the days leading up to this hearing, Republican Members were instructed not to speak about Mr. Trump during these proceedings. Don’t take the bait, they were warned, as if we cannot draw a straight line from the Chair’s attacks on the District Attorney in the wake of the indictment to his attacks on the District Attorney here today. We know better. We all know better. The New Yorkers gathered outside of this building certainly know better.

You can pretend that you aren’t here on Donald Trump’s behalf, but you cannot stop the New York criminal justice system from running its course, and you will not intimidate New Yorkers with your brief visit to this city.

I thank the Chair and I yield back.

Chair JORDAN. I thank the gentleman for his statement.

Now, without objection, all other opening statements will be included in the record.

We will now introduce today’s witnesses.

Mr. Jose Alba. Mr. Alba was forced to defend himself while working at a bodega. He was attacked by a repeat criminal, who was on parole for assaulting a police officer. During the attack, Mr. Alba was stabbed and defended himself with a knife. Despite surveillance video showing that he acted in self-defense, Alba was ar-
rested and charged with murder. These charges were later dropped after public outrage, including from Mayor Adams and former NYPD Commissioner Bill Bratton.

Thank you, Mr. Alba, for being here.

Ms. Jennifer Harrison. Ms. Harrison is the founder of Victims Rights New York, an organization that advocates on behalf of victims and survivors of homicide victims. Ms. Harrison's boyfriend was killed in 2005.

We’ve heard you talk about this, Ms. Harrison. We appreciate you being here.

Two of the assailants were allowed to walk free while the third spent only a few years in jail.

Mr. Jim Kessler. Mr. Kessler is the Executive Vice President for Policy and Co-founder of the Third Way. He previously served as Legislative and Policy Director to Senator Schumer.

Ms. Madeline Brame. Ms. Brame is the New York State Chair of the Victims Rights Reform Council. The Victims Rights Reform Council was formed to provide a voice and advocate for victims of crime. Ms. Brame's son, Sergeant Hason Correa, was murdered in 2018 by four assailants. Sergeant Correa's father was also stabbed during the attack.

Ms. Brame, we're sorry for your loss. Thank you as well for being here.

The Honorable Robert F. Holden. Councilman Holden represents District 30 on the New York City Council. He co-leads the Common Sense Caucus with Councilman Joe Borrelli. He previously was a member of the Community Board 5, Queens, for 30 years, served as first Chair for seven years, and served as Chair of the board's Public Safety Committee for 13 years.

Mr. Holden, thank you for being here and for your public safety.

Ms. Rebecca Fischer. Ms. Fischer is the Executive Director of New Yorkers Against Gun Violence. Her organization seeks to inform the public, particularly youth, about the dangers of gun violence and ways to prevent and reduce gun violence.

Mr. Paul DiGiacomo is the President of New York Police Detectives Endowment Association. The association represents 20,000 active and retired New York City detectives. Mr. DiGiacomo served with NYPD for 40 years.

Thank you.

Mr. Barry Borgen. Mr. Borgen's son was the victim of a violent crime who was targeted because of his faith, his Jewish faith. While walking near a pro-Israel rally, Mr. Borgen's son was attacked and beaten by at least four men. They said all kinds of terrible things, sprayed mace in his face.

Mr. Borgen, we're sorry for that, what happened to your son. Thank you for being here today.

We welcome all witnesses, thank them for appearing today. You will each be given five minutes. The clock there, when it gets to the yellow, that means it's kind of close. Like I said before, we'll try to be pretty strict on the time. Again, thank you all for being here.

Mr. Alba, you are up first. We got to swear you in. I forgot about that.

Would you all please stand and raise your right hand.
Do you swear or affirm, under penalty of perjury, that the testimony you are about to give is true and correct, to the best of your knowledge, information, and belief, so help you God?

Chair JORDAN. Let the record reflect the witnesses have all answered in the affirmative.

Thank you. Please be seated. Please know that your written testimony will be entered into the record in its entirety. Accordingly, we ask that you summarize, as I said before, your testimony in five minutes.

Mr. Alba, you may begin.

STATEMENT OF JOSE ALBA

Mr. ANSARI. Representative Jordan, my name is Imran Ansari. I'm an attorney. I'm a partner with the law firm Aidala Bertuna & Kamins. I am Mr. Alba's attorney. I'm going to be delivering an opening statement on Mr. Alba's behalf before the testimony begins.

Chair JORDAN. Thank you.

Mr. ANSARI. This is an opening statement from Mr. Alba, so I am just the vehicle and his mouthpiece right now.

First, I want to make this clear. My testimony—

Chair JORDAN. Could you pull that mike really close there, sir. It's on, I think. Just pull it down right in front.

Mr. ANSARI. So, again, Imran Ansari. I'm sorry. On behalf on behalf of my client, Mr. Alba, I deliver his opening statement.

First, I want to make this clear. My testimony is not motivated by a political agenda. I am not here to support or side with any particular political party. I am not here because I am supporting Republicans. I am not here because I want to criticize the Democrats.

I just want to tell the public about the horrible experience I had to go through because of crime in this city, an experience that has changed my life and that I will never forget.

On July 1, 2022, I went to work at the bodega just like any other day. I took pride in the hard work I put in every day at the store to earn my own money and support myself and my family.

That is when I encountered a true and real threat to my life. After I simply told a woman that she could not have potato chips because her payment was declined, I was face to face with her boyfriend, who seemed ready to kill me. He attacked me violently, threw me around the store. The woman stabbed me herself. I truly believed they were there to kill me.

So, faced with this, I did what I knew I had to do to save my life, what the law allows me to do to save my life. I stabbed that man in self-defense. When the police came, even though I was injured myself, I was placed under arrest. I was taken to jail.

When I came before the judge, the prosecutor said I was being charged with murder in the second degree. They asked for bail even though so many people are being let go these days, and I couldn't afford it.

So, I went to Rikers Island. I was forced into a crowded and unsafe intake cell. Even though I was injured, in jail I didn't get the medical treatment I should have received. I spent almost a week in Rikers Island before bail was lowered and I could be released.
I was forced to endure the harsh conditions on Rikers Island as an innocent man.

I still don’t know why I was charged with murder. I believe that law enforcement and the DA’s office didn’t investigate the case fully. They rushed to judgment, and I suffered because of it. Even though the charges were ultimately dropped, they should not have been brought against me to begin with.

I am now traumatized from the incident. I am not working because I am terrified for my life that someone in the gang will come after me for revenge. I was injured physically and mentally because of the incident and my unlawful arrest and incarceration.

My story is one that should not happen again. Crime does not discriminate on the basis of a political party. It needs to be addressed by law enforcement on the street and by prosecutors in the court, but it has to be aimed at the people committing crime, not an innocent man like me.

The next time an innocent man does nothing but protect their own life in self-defense from a violent attack, they should not be made the villain but, instead, treated with care and compassion as the victim.

[The prepared statement of Mr. Alba follows:]
Jose Alba’s Opening Statement:

First, I want to make this clear. My testimony is not motivated by a political agenda. I am not here to support or side with any particular political party. I am not here because I am supporting Republicans, I am not here because I want to criticize the Democrats. I just want to tell the public about the horrible experience I had to go through because of crime in this city. An experience that has changed my life and that I will never forget. On July 1, 2022, I went to work at the bodega, just like any other day. I took pride in the hard work I put in everyday at the store, to earn my own money, and support myself and my family. That is when I encountered a true and real threat to my life. After I simply told a woman that she could not have potato chips, because her payment was declined, I was face to face with her boyfriend, who seemed ready to kill me. He attacked me violently, threw me around the store, the woman stabbed me herself. I truly believed they were there to kill me. So faced with this, I did what I knew I had to do to save my life, what the law allows me to do, to save my life. I stabbed that man in self-defense. But when the police came, even though I was injured myself, I was placed under arrest. I was taken to jail. When I came before the judge, the prosecutor said I was being charged with Murder in the Second Degree. They asked for bail, even though so many people are being let go these days, and I couldn’t afford it. So I went to Rikers Island. I was forced into a crowded and unsafe intake cell. Even though I was injured, in jail I didn’t get the medical treatment I should have received. I spent almost a week in Rikers Island before bail was lowered and I could be released. I was forced to endure the harsh conditions on Rikers Island as an innocent man. I still don’t know why I was charged with murder. I believe that law enforcement and DA’s Office didn’t investigate the case fully. They rushed to judgment and I suffered because of it. Even though the charges were ultimately dropped, they should not have been brought against me to begin with. I am now traumatized from the incident. I am not working because I am terrified for my life that someone in a gang will come after me for revenge. I was injured physically and mentally because of the incident and my unlawful arrest and incarceration. My story is one that should not happen again. Crime does not discriminate on the basis of political party. It needs to be addressed by law enforcement on the street and by prosecutors in the court – but it has to be aimed at the people committing crime, not an innocent man like me. And the next time an innocent man does nothing but protect their own life in self-defense from a violent attack, they should not be made the villain, but instead, treated with care and compassion as the victim.
Chair JORDAN. Thank you. Thank you, Mr. Alba. Thank you. Thank you so much.
Ms. Harrison, you are recognized for your five minutes.

STATEMENT OF JENNIFER HARRISON

Ms. Harrison. Good morning and thank you for the opportunity to speak today. My name is Jennifer Harrison. I am the founder of Victims Rights New York.

Sadly, I was thrown into this world and forced to become an expert on the issues we are here to discuss when, on January 15, 2005, both my boyfriend and his best friend were murdered. Three brothers were arrested and charged, but justice was not served as two of these brothers, both who had records, were freed in a sweetheart deal. Ultimately, only one person served just 9½ years for killing two people.

Through that horrible experience, I connected with support groups on both the national and local level. I became an advocate against some of the atrocities I witnessed and tried to help other survivors of homicide victims connect with the resources they need to navigate through this endless nightmare. I have been doing so for over 18 years.

I became more politically involved and got louder in 2017, when I learned of bail reform and other dangerous and deadly so-called social justice reforms. Nobody wanted to listen to us, though, the victims that have to live with the consequences of these decisions for the rest of our lives, when we warned of the harm that this would cause.

Victims have no voice in politics or government, so I want to thank this Committee from the very bottom of my heart for giving victims that voice today. There is a depraved indifference toward human life sweeping across our country, even among elected officials. Normally, the criminals exude this depravity, yet here we have the one that is supposed to prosecute them as the one showing it.

I would also like to say that, if Alvin Bragg was doing his job, none of us would be here today to talk. We are not politicizing our issues or our loss. From day one, Manhattan District Attorney Alvin Bragg announced he would not prosecute even very violent crimes in his now infamous memo.

We saw an immediate result. Two police officers were shot and killed, a 19-year-old girl was murdered while working at Burger King, and multiple police officers were shot in separate incidents.

Things have not gotten better, only progressively worse. Bragg’s office has downgraded 52 percent of felonies. Even when his office does decide to prosecute a case, they only have about a 50 percent conviction rate. No one is safer, as he promised, as a result of his delusion or diversions.

During Bragg’s first year in office in 2002, the crime index went up 25.57 percent borough-wide, violent crime up 11.73 percent, and in Manhattan South one precinct alone murders were up 40 percent.

You will hear many horrible stories today. We read about them almost daily, like Madeline Brame and Jose Alba, whose testimonies will speak for themselves.
I am here today on behalf of the many other victims that reach out to me and are afraid to speak out, who are completely distraught with the way they have been or are being treated by the career public defenders in Bragg's office. They are being told the office does not have the resources to prosecute their case. We have heard nothing about murdered victims Krystal Baron Nieves, Michelle Go, Christina Lee, or how their cases are being handled. Christina Lee was brutally murdered by a mentally ill homeless man who was supposed to be under supervised release in a shelter run by a nonprofit. Who was supervising this emotionally disturbed man? How did this happen?

The Manhattan DA's Office has the authority and the duty to investigate and indict or make recommendations in situations like this that will keep New Yorkers safe and prevent it from happening again. Yet, none of that has been done. Does Bragg's office not have the resources for this either?

I have heard from victims of domestic violence and hate crimes that have not been charged who are also unable to get the support services they are not only entitled to but that the Manhattan DA's Office receives Federal and State funding to provide. Why are they not providing these services efficiently?

Over 65 Assistant District Attorneys left the office in the first half of 2022. Most were experienced veteran prosecutors that cannot be replaced. Only a select few are left in that office to fight for victims. What resources is Alvin Bragg using to replace those that left instead of using their exit as a scapegoat for not prosecuting cases?

It is a very scary time to be here. God forbid you or your family are victimized. Who do you have to fight for you? No one. Alvin Bragg has given excuse after excuse to not prosecute violent crimes, forsaking not only the distraught and forever-changed victims, but the entire justice system.

We have no recourse when our rights are violated. We cannot file for prosecutorial misconduct, only the criminals can, even when they violate our fundamental rights to life, liberty, and the pursuit of happiness.

Alvin Bragg's dereliction of duty and malfeasance has caused tremendous harm. In our newfound progressive society, all the compassion and empathy are placed with those intentionally inflicting harm on others and not with the innocent casualty, the victim.

So, again, I thank you for giving victims a voice today and for allowing us to shed some light on what is happening here, in hopes that it will change everywhere.

[The prepared statement of Ms. Harrison follows:]
Testimony of Jennifer Harrison

Good morning and thank you for giving victims a voice today. My name is Jennifer Harrison and I am the founder of Victims Rights NY. Sadly I was thrown into this world and forced to become an expert on the issues we are here to discuss when on January 15, 2005 both my boyfriend of 6 years and his best friend were murdered. Three brothers were arrested and charged but justice was not served as two of those brothers, both who had records, were freed in a sweetheart deal. Ultimately only one person served just 9.5 years for killing two people. That brother was released in 2014 and they all spend every holiday together as a family. At 27 years old, while all of my friends were planning weddings and having babies I sat in courtrooms listening to the defense vilify the love of my life and learning how completely broken our system is for victims. It was life changing. Through that horrible experience I connected with support groups on both the national and local level. I became an advocate against some of the atrocities I witnessed and tried to help other survivors of homicide victims connect with the resources they need to navigate through this endless nightmare. I have been doing so for over 18 years. I became more politically involved and got louder in 2017 when I learned of “Bail Reform” and other dangerous and deadly “social justice” reforms. Nobody wanted to listen to us, the victims who have to live with the consequences of these decisions for the rest of our lives, when we warned of the harm this would cause. Victims have no voice in politics or government. So I want to thank this committee from the very bottom of my heart for giving victims a voice today. We live in a completely upside down world where somehow those of us thrown into it, through no choice or fault of our own have become the villains for simply wanting justice while those that have intentionally inflicted harm on others have become victims. In our newfound “progressive society” all empathy, compassion and logic have been replaced by a depraved indifference towards human life. And it is not just happening here in NY but in many places across the country. I am beyond grateful for the opportunity to shed some light on what is happening here in hopes it will make a difference everywhere.
From day one Manhattan District Attorney Alvin Bragg announced he would not prosecute even very violent crimes in his now infamous Day One Memo. We saw immediate results. A career criminal had his charges reduced when one of his assistant district attorneys knowingly omitted that a weapon was involved in a robbery. Two police officers were shot and killed, a 19 year old girl was murdered while working at Burger King and multiple police officers were shot in separate incidents. Things have not gotten better, only progressively worse. Bragg’s office has downgraded 52% of felonies and even when his office decides to prosecute a case they only have about a 50% conviction rate. No one is safer as he promised as a result of his delusion and diversions. And do not be fooled by cherry picked crime numbers. Violent crimes in NYC were up in 2022 from 2021 by 14.7 percent. You will hear many horrible stories, we read about them almost daily. Like Madeline Brame, Bragg released a woman who participated in the brutal murder of her son who was a US Veteran on time served after only 14 months. In Alvin Bragg’s NY you can literally get away with murder. But don’t you dare defend yourself or his office will prosecute you as the criminal while victimizing your attacker. Just as he did with bodega clerk Jose Alba while the woman who stabbed him still has not been charged with a crime.

I have victims calling me almost on a daily basis who are completely distraught with the way they have been or are being treated by the public defenders in Bragg’s office. They are being told the office does not have the resources to prosecute their case. We have heard nothing about murdered victims Krystal Baron Nieves, Michelle Go, Christina Lee’s cases. Christina Lee was brutally murdered by a mentally ill homeless man who was supposed to be under supervised release in a shelter run by a non-profit. Who was supervising this emotionally disturbed man? How did this happen? The Manhattan DAs office has the authority to investigate and indict or make recommendations in situations like this that will keep NYers safe and prevent it from happening again. Why hasn’t either been done? Does Bragg’s office not have the resources for
this either? I have heard from victims of domestic violence and hate crimes that have not been charged who are also unable to get the support services they are not only entitled to but that the Manhattan DA’s office receives federal and state funding to provide. Why are they not providing these services efficiently? And why is Manhattan District Attorney Alvin Bragg flagrantly violating the federal “Crack House” statute codified in 21 USC § 856 which makes it a felony to knowingly open, lease, rent, use, or maintain any place for the purpose of manufacturing, distributing, or using any controlled substance.

https://definitions.uslegal.com/c/crack-house-statute/

Over 65 Assistant District Attorney’s left the office in the first half of 2022. Most were experienced, veteran prosecutors. Only a select few are left in that office to fight for victims. What resources is Alvin Bragg using to replace those that left instead of using it is as a scapegoat to not prosecute cases? It is a very scary time to be here. God forbid you or your family are victimized, who do you have to fight for you?

One victim I work with who did not want her name used since she is still being stalked and lives in constant fear while the Manhattan District Attorney refuses to help had a recent case pending and wanted her experience documented. This is what she witnessed:

• Egregious mishandling of evidence:
  She made Control Calls at the direction of, and in the presence of, a Special Victims detective — and was then subsequently arrested with the Control Calls used as evidence against her due to the mass dysfunction within the DA’s office
  The Result: It Is Not Safe To Report Sexual Assault in the State of New York

• Lack of accountability:
When a prosecutor discovered that mistake and tried to help her, he was eventually forced out and resigned.
The Result: If the DA makes a mistake, the victim is blamed and then denied help from DA’s office
• Failure to enforce Orders of Protection:
Her ex was arrested for violating her OOP but released without being charged
The Result: Endangering the safety of DV victims by leaving them open to retaliation
• Failure to uphold Victims Rights:
She was not given a chance to have a meaningful discussion with the prosecutor
when her ex was arrested/ Then not notified of his release
The Result: Treating people who are alone & scared like they are invisible or don’t matter
• Ignorance of common criminal tactics:
The prosecutors were unfamiliar with U-Visa fraud, [where a “victim” of DV and the victim’s family are issued U-Visas, which is a pathway to citizenship]. When she pointed out this common scam, she was treated like a racist for merely mentioning the obvious.
The Result: How dangerous is this, given the steady influx of migrants and the difficult economic times we are experiencing, for the DA’s office to overlook this most basic type of fraud?
• Blatant hypocrisy on race/religion/ hate crimes:

When she showed the prosecutors three years of Anti-Semitic insults by her ex and explained how personal property was stolen from her, she was treated as though she was being dramatic & manipulative. Note:
One of the items taken connected her to her great-great-great uncle, who left one of the only diaries from the Holocaust, a quote from which is famously used in books, museums, and institutions all over the world.
The Result: Selective prosecutions by the DA / Selective self-victimhood by the DA
• Mistreatment of the disabled or impaired:
When she told the DA’s office that the intimidation and fear she is experiencing is impacting her oncology treatment, her concerns were dismissed as her looking for sympathy.
The Result: Lack of protection & resources for vulnerable New Yorkers.

Alvin Bragg is not a champion for the little guy. His dereliction of duty and malfeasance has cost Nyers their lives and retraumatized the victims he is supposed to protect. He does not have the “resources” to take very violent people off of the streets yet he has the resources to prosecute a former President on charges everyone else decided he couldn’t be prosecuted for? $200 Million of resources that it costs taxpayers for just one day? He has given excuse after excuse to not prosecute violent criminals, forsaking not only their distraught and forever changed victims but the entire justice system. When Alvin Bragg indicted President Trump on charges no other prosecutor thought could or should be done he proved when there is a will there’s a way. No more excuses. He needs to stop using his office as an extension of legal aid and start doing his job by prosecuting all criminals, without the politics and ideology. NYers deserve better. They deserve to feel safe. And all real victims deserve justice and at the very least to be treated with the respect he has seriously lacked.

We have compiled and have attached a comprehensive “Victims Rights Reform Agenda” we hope to implement not only here in NY but that address many issues victims experience across the country. This list is constantly evolving and there is so much more that can be done both at local, state and federal levels. I am attaching the agenda along with the crime data highlighting Alvin Bragg’s dereliction of duty, and failures of
some of the programs Bragg and a few NY Congressmen including Dan Goldman support.

Manhattan Crime Stats in Bragg’s first year in office in 2022:

- Index Crime up 25.57% borough-wide
- Violent Crime up 11.73%

NYPD in Manhattan broken into 22 precincts with 2 administrative bureaus (Manhattan North and Manhattan South). Major crime up in 21 out of 22 precincts

**Manhattan South (commercial heart of the city):**

- Murder up 40%
- Rape up 12.10%
- Robbery up 26.29%
- Felony Assault up 11.54%
- Violent Crime up 18.32%
- Index Crimes up 34.55%

**Manhattan North:**

- Murder down 35.82%
- Rape up 29.63%
- Robbery up 9.89%
- Felony Assault up 4.5%
- Violent Crime up 6.68%
- Index Crimes up 15.28%
Alvin Bragg's Day One Memo:


Alvin Bragg's overreliance on dismissals and refusal to prosecute:

Alvin Bragg dismissed more felony cases in 2022 in his first year than any time since 2013.

<table>
<thead>
<tr>
<th>Year</th>
<th>Felony Cases Dismissed</th>
<th>%</th>
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<tr>
<td>2014</td>
<td>2914</td>
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</tr>
<tr>
<td>2015</td>
<td>2750</td>
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<tr>
<td>2016</td>
<td>2726</td>
<td>24%</td>
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<tr>
<td>Year</td>
<td>Arrests Screened</td>
<td>Arrests Declined to Prosecute</td>
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<td>------</td>
<td>------------------</td>
<td>-----------------------------</td>
</tr>
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Alvin Bragg is decline to prosecute cases at arrest screenings as a historical rate:

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<th>Arrests Declined to Prosecute</th>
<th>% Declined to Prosecute</th>
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<tr>
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<td>13.7%</td>
</tr>
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</table>

All data from: [https://data.manhattanda.org/](https://data.manhattanda.org/)
Daniel Goldman @danielsg... · 22h

The work @Avenues4Justice does to divert young people away from the criminal justice system is invaluable.

We need more community-based support programs to help at-risk young people succeed and improve their outcomes.

https://manhattan.institute/article/reforming-raise-the-age/
The Results of RTA

In New York City, adolescent crime trends in the wake of RTA’s enactment are concerning. Crime across the city has increased; so, too, has the adolescent recidivism rate. In the first year after RTA was enacted, 48% of 16-year-olds who were arrested once were arrested again. That’s up from 39% the previous year. For felonies, it rose from 26% to 35%; and for violent felonies, from 18% to 27%.[7]

Youth gun crime in the city has also increased by almost 200%. In 2017, 30 identified shooters were under 18. In 2022, as of August, there had already been 85. Youths are also the victims of gun crime about three times as often as they were five years ago, with 36 victims under 18 in August of 2017 and 111 to the same month in 2022 (Figure 1).
NYPD’s Office of Crime Control Strategies found that “the relationship between youth gun arrests and subsequent shooting involvement (i.e., as an offender or victim) has grown substantially worse over the past few years.”[8] In 2017, 4.4 out of every 100 individuals arrested with a gun while under 18 years old were involved in a shooting within a year. By 2020, that number had nearly tripled, to 12.9%. In 2021, it was
Sadly the list of the travesties of justice perpetuated by Manhattan District Attorney Alvin Bragg goes on and on:


Defense attorneys have even used Bragg’s memo as arguments for their clients https://nypost.com/2022/01/13/homeless-alleged-mugger-should-be-released-under-braggs-new-memo-lawyer/
Chair JORDAN. Thank you, Ms. Harrison.
Ms. Brame, you are recognized for five minutes.

STATEMENT OF MADELINE BRAME

Ms. BRAME. Thank you. Good morning. My name is Madeline Brame. I am the chairwoman of Victims Rights Reform Council. I'm also the mother of a homicide victim. My son, Sergeant Hason Correa, Afghanistan war retired veteran, was killed in Harlem in 2018. Hason was kicked, punched, stomped, and stabbed nine times by four individuals he did not know, nor had he done them any harm.

All four of these individuals were apprehended and all four charged with first-degree gang assault and second-degree murder. This case just resolved this year. So, this case drug on through the Manhattan criminal court system for 4½ years.

When Alvin Bragg came into office, he was handed a strong trial-ready murder case and gang assault case against all four of these individuals, where this brutal, savage homicide was captured on video. He was handed a strong trial-ready case, ready to go to trial.

As soon as he took office, the case immediately began to unravel. He dismissed—completely dismissed—gang assault and murder indictments against two of the defendants clearly on video participating in the brutal, savage slaughter of my son.

Mary Saunders, the sister involved in the homicide, he dismissed her indictment and recharged her with assault with a shoe and sentenced her to one year time served.

Travis Stewart, dismissed his gang assault and murder indictment and sentenced him to attempted gang assault. He pled guilty and sentenced him to seven years. Travis will be out in the next 18 months.

Mary Saunders, the savage, is currently walking the streets of Harlem like she didn't just participate in the brutal slaughter of another human being, home with her family, home with her children. If that's not a threat to public safety, I don't know what is. She's capable at any moment of snapping and attacking someone and holding them while someone else plunges a butcher knife into their body nine times and another person 12 times and then run away and leave their body in the street to bleed to death.

This is the type of criminal element that we have walking the streets of New York City on a daily basis. All types of criminal elements, free to do what they want, when they want, however they want, to whomever they want with no consequences, no deterrents.

We have these anti-gang violence, these Credible Messenger, millions and billions of our hard-earned tax dollars are going to fund these organizations that are doing absolutely nothing to deter this crime. They're doing absolutely nothing. I propose not another dime of our Federal tax dollars be pumped into these organizations until they can produce some measurable outcomes of effectiveness of what they're doing with our tax dollars to protect the public.

Chair JORDAN. Audience, there is no audience participation.
Ms. Brame, keep going.
Ms. BRAME. As far as the Manhattan District Attorney's Office, if he's receiving one penny of Federal dollars, you need to pull that funding until he starts doing his damn job and prosecuting crime.
I was totally disrespected. Me, my family, my grandchildren, we were treated like garbage, like garbage. I sat for 4½ years and saw mothers walk in and out. We have a mother sitting here right now whose son, two sons, one died and the other one is on a colostomy bag. This is out of Darcel Clark’s jurisdiction.

So, I’m not the only one. There are hundreds and thousands of us. We don’t give a damn about your politics. We don’t care. It could be the man from the moon who’s running for President, OK, as long as whoever’s in there stands for law and order and is going to return some civility and sanity to our city. Thank you.

(The prepared statement of Ms. Brame follows:)
Testimony of Madeline Brame

My name is Madeline Brame, mother of homicide victim Sgt. Hason Corea. Hason was gang assaulted and stabbed to death by 4 people whom he did not know, the entire incident was captured on video. All 4 defendants were apprehended, charged and indicted on 1st Degree Gang Assault & 2nd Degree Murder.

The case proceeded through the Manhattan Criminal Courts under DA Cyrus Vance prosecuted by ADA’s Jessica Troy and Sara Marquez who built and protected a strong trial ready Gang Assault and Murder case against all 4 defendants. There were never any motions submitted or plea bargains offered the case has been “Trial Ready” for over 3 years. In 2020 when Bail Reform went into effect, bail was reduced for the female defendant Mary Saunders from $750,000 down to $12,000 in which she bailed out of Rikers Island. Her charges and indictment remained the same; 1st Degree Gang Assault & 2nd Degree Murder. The case proceeded slowly dragging on for 4½ years.

When Alvin Bragg took office the original ADA Jessica Troy left the Manhattan DA’s Office like to many other Veteran ADA’s after Bragg’s day 1 memo of not prosecuting crime and reducing felonies down to misd. ADA Troy handed the “Strong Trial Ready Murder (Judge Althea Frydale)” case over to ADA Keith Savino & ADA Dafna Yoran both Restorative Justice and soft on crime ADA’s under DA Bragg. The case immediately began to fall apart with the complete dismissals of 1st Degree Gang Assault & 2nd Degree Murder indictments against 2 of the defendants; Mary Saunders & Travis Stewart. I was told by ADA Yoran “Murder cases with 4 defendants have never been tried in Manhattan Criminal Courts and they didn’t have the resources to try all 4 defendants”. Mary Saunders ultimately plead guilty to a completely manufactured charge of “Assault with a shoe” and sentenced to 1 year true served in which DA Alvin Bragg signed off on as well as for Travis Stewart on another bogus charge of “Attempted Gang Assault” in which he plead guilty and was sentenced to 7 years because of prior’s. None of the circumstances changed surrounding the brutal, savage butchering of my son. The only thing that changed was the Law and DA Alvin Bragg.

I sat through years of absolute torment and torture listening to the Defense vilify my son, referring to him as a “Fictional Character” and depicting the killers that killed him as upstanding members of the community. There were never any objections from the ADA Yoran or the Judge Carro. DA Bragg has demonstrated over and over again that he has no regard or concern for human life or victims of crime by instructing his ADA’s to not prosecute violent reoffenders and ultimately release them back to the streets to victimize and terrorize more innocent NYers.

Madeline Brame
Chair JORDAN. I said it a couple times. The audience should refrain from applause.

Ms. Brame, though, thank you for that powerful testimony.

Mr. Holden, you are now recognized for your five minutes.

STATEMENT OF THE HONORABLE ROBERT F. HOLDEN

Mr. HOLDEN. Thank you, Chair Jordan, and thank you, madam. Chair JORDAN. Pull that close, Councilman. Pull that real close.

Mr. HOLDEN. I am Robert Holden, Democratic City Council Member representing the 30th District in the borough of Queens and a Member of the Council’s Public Safety Committee. I am here to address the lawlessness that has taken over this city in recent years as a result of the failed progressive policies implemented by Manhattan District Attorney Alvin Bragg.

On his first day in office, Bragg issued a memo that would decriminalize a broad range of offenses and reduce charges for violent crimes. This was a signal for every criminal that it was open season on law-abiding citizens in New York County.

These failed progressive policies reversed 30 years of law and order delivered to the city by the hardworking men and women of the NYPD and professional prosecutors that put victims’ rights ahead of criminals.

Under Bragg, minor crimes, such as resisting arrest, trespassing, fare evasion, prostitution, are no longer prosecuted, which has led to a marked increase in criminal activity on the streets of Manhattan.

Serious offenses, such as knifepoint robbery, commercial and residential burglaries, weapons possession, and low-level drug dealing are being charged with lesser offenses or being plea bargained down, resulting in shorter sentences or no jail time at all.

Bragg’s first year in office was marked by a dramatic shift in the way his office approached criminal prosecutions. We are feeling Bragg’s soft-on-crime approach in the streets of New York.

We have repeat offenders receiving lenient sentences and committing multiple crimes shortly after being released. This is happening every day. From the day he took office, it seems Alvin Bragg’s top priority was to keep criminals out of jail and free to roam the streets.

District Attorney Bragg would be better off as a defense attorney than a prosecutor. He downgraded over half of the felony cases to misdemeanors and declined to prosecute 35 percent fewer felony cases compared to 2019. His office requested bail in 20 percent fewer felony cases in 2022.

Sadly, Bragg’s approach has resulted in lower conviction rates for serious felony charges, with his office winning a conviction rate of just 51 percent. It’s miserable. Such cases brought in 2022 down from 68 percent in 2019. Even his misdemeanor convictions fell dramatically, from 68 percent in 2019 in his office to 29 percent under his jurisdiction in 2022.

It is important to highlight that we must compare numbers to pre-pandemic levels about crime to get an accurate picture of crime in Manhattan and throughout the city. Moreover, while stats show that crime is still much higher than before the pandemic, they do not tell the entire story. Mentally ill homeless people verbally and
physically attack people randomly on the streets and in the subway. Pharmacies lock up their products. The police officers also feel pressured to undercharge perps they arrest. This is a daily reality in New York.

To address these challenges, we need our State legislators and district attorneys to prioritize public safety and work together to strengthen our criminal justice system rather than weaken it. The State legislature has failed us by passing laws that have weakened our criminal justice system and enabled criminals to evade justice.

Federal prosecutors could help put more career criminals behind bars by charging the worst offenders with Federal crimes instead of letting progressives like DA Bragg bring prosecutions under weakened State laws. We are losing people by the tens of thousands to safer cities and States that offer a better quality of life.

We must take swift action to ensure the safety and well-being of our communities. I applaud the House Judiciary Committee for examining the failed progressive policies in New York City and the refusal of DAs like Alvin Bragg to prosecute serious crimes. Public safety is paramount, and the Committee should take the appropriate action to ensure that justice is served and our communities are protected.

Thank you for your time.

[The prepared statement of the Honorable Holden follows:]
Written Testimony of Hon. Robert F. Holden
Council Member
New York City Council

United States House Committee on the Judiciary
Field Hearing on Crime in New York

April 17, 2023
Chair Jordan, Ranking Member Nadler, and Honorable members of the House Judiciary Committee.

I am Robert Holden, a Democratic New York City Council Member, representing the 30th District in the Borough of Queens and a member of the Council’s Public Safety Committee. I am here to address the lawlessness that has taken over this city in recent years as a result of failed progressive policies implemented by Manhattan District Attorney Alvin Bragg.

On his first day in office, Bragg issued a memo that would decriminalize a broad range of offenses and reduce charges for violent crimes. This was a signal for every criminal that it was open season on law-abiding citizens in New York County.

These failed progressive policies reverse 30 years of law and order delivered to the city by the hard-working men and women of the NYPD and professional prosecutors that put victims’ rights ahead of criminals.

Under Bragg, minor crimes such as resisting arrest, trespassing, fare evasion, and prostitution are no longer prosecuted, which has led to a marked increase in criminal activity on the streets of Manhattan. Serious offenses such as knifepoint robbery, commercial and residential burglaries, weapons possession, and "low-level” drug dealing are being charged with lesser offenses or being plea bargained down, resulting in shorter sentences or no jail time at all. Bragg’s first year in office was marked by a dramatic shift in the way his office approached criminal prosecutions. We are all feeling Bragg’s soft-on-crime approach on the streets of New York.

We have repeat offenders receiving lenient sentences and committing multiple crimes shortly after being released. From the day he took office, it seems Alvin Bragg’s top priority was to keep criminals out of jail and free to roam the streets. District Attorney Bragg would be better off as a defense attorney than a prosecutor. He downgraded over half of felony cases to misdemeanors and declined to prosecute 35% fewer felony cases compared to 2019. And his office requested bail in 20% fewer felony cases in 2022.
Sadly Bragg’s approach has resulted in a lower conviction rate for serious felony charges, with his office winning a conviction in just 51% of such cases brought in 2022, down from 68% in 2019. Even his misdemeanor convictions fell dramatically from 68% in 2019 to 29% in 2022. It’s important to highlight that we must compare numbers to pre-pandemic levels to get an accurate picture of crime in Manhattan and throughout the city.

Moreover, while statistics show that crime is still much higher than before the pandemic, they do not tell the whole story. Mentally ill homeless people verbally and physically attack people randomly on the streets and in the subway. Pharmacies lock up their products. And police officers feel pressured to undercharge perpetrators they arrest. This is a daily reality for every New Yorker.

To address these challenges, we need our State Legislators and District Attorneys to prioritize public safety and work together to strengthen our criminal justice system rather than weaken it. The State Legislature has failed us by passing laws that have weakened our criminal justice system and enabled criminals to evade justice. Federal prosecutors could help put more career criminals behind bars by charging the worst offenders with Federal crimes instead of letting a progressive DA like Alvin Bragg bring prosecutions under weakened State laws.

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Chair JORDAN. Thank you, Mr. Holden.
Ms. Fischer, you are recognized for five minutes. You may begin.

STATEMENT OF REBECCA FISCHER

Ms. FISCHER. Good morning, Chair Jordan, Ranking Member Nadler, and Members of the House Judiciary Committee. My name is Rebecca Fischer, and I am the Executive Director of New Yorkers Against Gun Violence, the only statewide gun violence prevention organization in New York. Thank you for the opportunity to testify today.

As a leader of New Yorkers Against Gun Violence, I have devoted my career to reducing gun violence in this State. I care deeply about the safety and well-being of New Yorkers and work day in and day out to support and uplift victims and survivors of gun violence.

I am committed to the safety of New Yorkers, not only because it is my job, but because I am a very proud resident of New York City, and I am a parent raising my children here.

Our team lives and works here also, and we all work with victims and survivors of gun violence and violence every day. We all want our city and our State to be as safe as it can be. We advocate for strong, sensible gun violence prevention laws and policies, and we also have a gun violence prevention, education, and victim service support program here in New York City public schools.

Because New York State has strong leadership, we have some of the strongest gun violence prevention laws and programs in the country and some of the lowest gun death and injury rates. New York ranks 47th lowest out of 50 States in gun violence rates.

New Yorkers are still being killed and injured by shootings each year, and that is because of the national gun trafficking crisis. The national gun trafficking crisis is largely the result of weak gun laws in other States and the fact that Congress has not enacted Federal gun violence prevention reforms.

Crime guns are illegally trafficked from weak gun law States in the South along the I-95 corridor known as the Iron Pipeline. In New York State, we are the model for the Nation on strong gun laws because it's not easy to acquire them here illegally. States along the Iron Pipeline have extremely weak laws, and as a result, traffickers travel to these States to buy guns without a background check from reckless and rogue gun dealers. They then illegally bring them back to New York, sell them on our streets, and then illegal guns are used in crimes.

From 2017–2021, New York City recovered and traced over 19,000 crime guns, and over 70 percent of those crime guns were originally purchased out of State from Iron Pipeline States.

The guns are flowing into our most under-resourced neighborhoods, disproportionately impacting Black and Brown communities, communities that need economic investment, affordable housing, better access to education and healthcare, and so much more.

This is why we strongly support community-led initiatives that are evidence-based and trauma-informed and they work, and also have our own school education and victim support program. Our school program, ReACTION, provides social and emotional support to youth victims of gun violence, their families, and their schools.
We partner with community violence intervention programs, local and national leaders and lawmakers, victim support organizations and prosecutors and law enforcement.

The COVID–19 pandemic of 2020 caused a national surge in gun violence across this country. However, as more resources are put back into the community suffering the most, public safety circumstances are improving, including in New York City and Manhattan.

In the last 12 months, according to NYPD’s own data, as of April, shootings and murder are down in all five boroughs, including Manhattan. Crimes unrelated to guns are also going down in Manhattan and across the city.

Yet, there is so much more that can be done by Congress to keep this city safe because even one victim of gun violence is too many. Congress must close loopholes in the Federal background check system, protect survivors of domestic violence, pass extreme risk protection order laws, pass safe storage laws, crack down on ghost guns, and hold rogue, reckless gun dealers accountable.

We need more investment in community violence intervention programs, and we need to hold the highest drivers of crime accountable. New Yorkers and all Americans, from Buffalo, New York, to Nashville, to last night’s victims of the Dadeville, Alabama, shooting and every place in between, deserve to go to school, to the park, to their office, to a concert, to a grocery store, to their houses of worship or to celebrate this Nation’s independence without the real and present danger of gun violence. Our children and our children’s children have the right to be safe. We need Congress, we need Federal leadership to stand up and protect us.

Thank you for inviting me to testify today, and I look forward to your questions.

[The prepared statement of Ms. Fischer follows:]
Testimony of Rebecca G. Fischer
Executive Director, New Yorkers Against Gun Violence

House Committee on the Judiciary
“Victims of Violence Crime in Manhattan”
April 17, 2023

Good Morning, Chairman Jordan, Ranking Member Nadler and members of the House Judiciary Committee. My name is Rebecca Fischer and I am the Executive Director of New Yorkers Against Gun Violence, the only statewide gun violence prevention organization in New York. Thank you for the opportunity to testify here today.

As the Executive Director of New Yorkers Against Gun Violence, I have devoted my career to reducing gun violence in this state. I care deeply about the safety and well-being of all New Yorkers and work day in and day out to support and uplift victims and survivors of gun violence. I am steadfast in my commitment to the safety of New Yorkers not only because it is my job, but also because I am also a very proud resident of New York City and a parent raising my own young children here. Our team at New Yorkers Against Gun Violence lives and works in New York City and they, too, have families here. Their parents, their siblings, their children and their neighbors are of utmost importance to me. We all know and work with victims and survivors of gun violence every day. And we all want this city and this state to be as safe as it can be.

At New Yorkers Against Gun Violence and New Yorkers Against Gun Violence Education Fund, we take a comprehensive approach to reducing gun violence. We advocate for strong, sensible gun regulations, such as background checks and extreme risk protection order laws, funding for evidence-based violence intervention and prevention services, and we also
have our own gun violence education and victim support program in New York City public
schools. I will tell you more about our work but first I want to explain why we do what we do.

Because New York has strong leadership, New York City and New York State have
some of the strongest gun violence prevention laws and programs in the country and, as a result,
some of the lowest gun death and injury rates. In fact, New York State ranks 47th out of the 50
states in gun violence rates.1 However, New Yorkers are still being killed, injured, and
traumatized by gun violence each year because we are ravaged by the national gun trafficking
crisis.2,3 The national gun trafficking crisis is largely the result of weak gun laws in other states
and the fact that Congress has not enacted comprehensive federal gun reform laws.

Crime guns are illegally trafficked from weak-gun-law states in the South along the I-95
corridor, commonly known as the Iron Pipeline.4 In New York State, we are a model for the
nation on strong gun laws—including a comprehensive background check system, a ban on
assault weapons, a ban on ghost guns, and we have one of the strongest red flag laws in the
country.5 In contrast, states along the iron pipeline like the Carolinas, Georgia, and Florida have
extremely weak gun laws and as a result, traffickers travel to these states to buy guns without a
background check and then illegally transport them into New York.6 Traffickers go elsewhere to
source guns quickly and illegally because gun purchasers are required to go through a

1 “Firearm Mortality by State,” Centers for Disease Control and Prevention / National Center for Health
2023.
4 “Five Things to Know about Crime Guns, Gun Trafficking, and Background Checks,” Everytown
5 “New York, NY: FFL Burglaries, Robberies & Larcenies 2017-2021,” Bureau of Alcohol, Tobacco,
Firearms and Explosives / National Firearms Commerce and Trafficking Assessment. Reviewed
6 Ibid.
background check and licensing process in New York. These guns are brought into New York illegally, illegally sold on our streets, and then have the potential to be used in violent crimes.

From 2017 to 2021, New York City recovered and traced 19,013 crime guns.7 Over 70% of the crime guns recovered were originally purchased out-of-state.8 The top three “source” cities for crimes traced to known purchasers in Georgia, South Carolina, and Virginia. These guns are then illegally trafficked to young people and communities that are the most vulnerable and impoverished. The guns are flowing to New York City neighborhoods that need and are entitled to more economic investment and small business support, affordable housing and stability, better access to education and healthy food, more social services, mental health support, survivor-centered programming, and so much more.9,10

Gun violence impacts New Yorkers across the state and disproportionately impacts Black and Brown New Yorkers.11 In New York State about 15% of the population is Black, yet approximately 65% of gun homicide victims are Black. In 2020, as the COVID-19 pandemic surged, New York’s Black and Brown were the hardest hit by poverty and unemployment and the same communities were and continue to be disproportionately impacted by gun violence.12

At New Yorkers Against Gun Violence, we work around the clock to ensure that we are doing our best to implement comprehensive solutions to reduce shootings and address the national gun trafficking crisis plaguing New Yorkers. Our gun violence prevention program for schools, ReACTION, is delivered to Black and Brown youth between the ages of 15-18 who are disproportionately impacted by the national gun trafficking crisis. The program is led by credible instructors from the communities we serve who work hand-in-hand with our social

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7 Ibid.
8 Ibid.
12 Ibid.
worker. Together, our team provides social emotional support to youth victims of gun violence, their families, teachers, school administrators, and communities. A research evaluation of ReACTION determined that after participating in the program, students gained knowledge about the gun violence crisis and evidence-based solutions, were less likely to pick up guns, and were more likely to turn to a teacher or peer if they were experiencing a crisis.

NYAGV also provides trauma support to victims and schools in the aftermath of a shooting and helps victims access the state’s victim compensation fund to cover funeral expenses, hospital bills, and other burdensome costs. We partner with community violence intervention and interruption organizations, local and national leaders and lawmakers, faith leaders, victims rights organizations, prosecutors and law enforcement.

After the outbreak of the Covid-19 pandemic in 2020, all cities—not just New York—experienced a surge in gun violence and crime. The pandemic caused unemployment, it caused a mental health crisis, more desperation and fear, more gun carrying, crimes of poverty, and violence. However, as more resources are put back into the communities suffering the most, public safety circumstances in New York City are improving. In the last 12 months, shootings and murder are down in all 5 Boroughs, including Manhattan. Crimes unrelated to guns are also going down in Manhattan and across the city.

Yet, there is more that must be done to keep this city safe and even one victim of gun violence is one too many. To make a significant change, we need bipartisan support in Congress to fight violent crime and make our communities safer. Congress can combat the national gun trafficking crisis plaguing New York City and the state by passing federal gun reform laws that are modeled after New York State’s. We need to close loopholes in the federal background check system, protect victims and survivors of domestic violence, strengthen extreme risk protection order laws, promote safe storage laws, crack down on ghost guns and hold rogue, reckless gun dealers accountable. Our federal, state, and local governments need to invest more

14 Ibid.
in community violence intervention and prevention programs, invest more in housing, healthcare, and education. Our state and our cities need more funding for victim services. And Congress must support and fund federal law enforcement efforts to investigate gun crimes and hold the highest drivers of crime and gun trafficking accountable.

New Yorkers—and all Americans, from Buffalo to Nashville to Louisville to Orlando to Uvalde to Parkland to Pittsburgh to Charleston to Highland Park to Newtown to Columbine—and every place in between—deserve to go to school, to the park, to their office, to a concert, to a grocery store, to their house of worship, or to celebrate this nation’s independence—without the real and present fear of gun violence. Our children, and our children’s children have the right to be safe and we need federal leadership to stand up for us and protect us.

Thank you again for inviting me to testify today, and I look forward to your questions.
Chair JORDAN. Thank you, Ms. Fischer.
Mr. DiGiacomo, you are recognized for five minutes. You may begin.

STATEMENT OF PAUL DIGIACOMO

Mr. D IGIACOMO. Good morning and thank you for this opportunity to speak here today.

I just want to say that, you know, District Attorney Bragg took an oath to uphold the law and not to downgrade crimes that have an effect on victims of New York City.

The Detectives Endowment Association has been saying this for three years now, that a lot of the laws that have been enacted here in New York City and New York State are counterproductive to the safety of the people of New York City.

The bail reform laws. There is a direct correlation for when the bail reform laws were enacted to day one to the uptick in violent crimes across New York City. Shootings have increased. Gun violence has increased. Illegal guns coming into New York City has increased dramatically.

We talk about the seven majors, the felony crimes that are affecting people in New York City. As important as those felony crimes that are violating the people across this city are many low-level crimes that are not even being addressed that affect the victims for many, many years to come.

Sexual-related crimes on the subways and throughout the city streets are increasing. Assaults on police officers are increasing. I ask everyone in this room to think about your daughter, wife, grandmother, sister, and aunt riding on a subway train trying to get to work and being violated or groped. Just for that poor woman to try and prosecute this crime through the Manhattan DA's Office, and that crime is reduced to disorderly conduct, which is no more than a traffic ticket. That is going on every day in the Borough of Manhattan, every single day.

It's sad, because many of the people in the Borough of Manhattan, the ones that vote for DA Bragg, they live here. Many people come to Manhattan every day to work. Hundreds and thousands of people come into this city, into Manhattan to work, and don't have the opportunity to vote for the District Attorney. Their safety is in jeopardy because of the District Attorney.

I add Police Officer Mora and Police Officer Rivera were executed. Two young men were executed in the Borough of Manhattan. I strongly believe it was because of the memos that were put out by the District Attorney's Office that they were not going to enforce assaults on police officers, resisting arrest on police officers. It sent a message to the criminal element that there are no consequences when you assault a police officer.

Now, my concern is the safety of my detectives and the people who we serve. It's sad what's going on in this city, because we have to start concentrating on the victims of crime and not the people that commit the crimes. It's very sad when people are afraid to come out of their house at night in Upper Manhattan or Lower Manhattan.

When defunding the police was popular, the New York City Police Department had a Homeless Outreach Unit that was very ef-
fective. It took these homeless people off the street, got them food, shelter, got them the medication or the help that they needed. Because of the defunding of the police, that unit was disbanded. Now, when you walk through every neighborhood in Manhattan, there are homeless everywhere, because they tied the hands of the police.

Laws have been enacted to tie the hands of the police. Our city council in New York City enacted a law called the diaphragm compression bill, in which you have a noncompliant individual fighting you and you can’t put any pressure or touch the person from the bottom of the neck to the top of the waist, back and front. Now, I challenge anyone in this room to try and do that. It’s impossible. That law was enacted, and it’s on the books.

We also should add, back in the late 1980–early 1990, there was a narcotics problem. They appointed a special narcotics prosecutor. Because guns are so out of control now, we need to enact and appoint a special firearms prosecutor, so everyone is on the same page in prosecuting gun-related crimes.

Thank you.
[The prepared statement of Mr. DiGiacomo follows:]
Talking Points

**Bail reform is not working** — the same people are being arrested over and over again for *violent* crimes. They need to be held in jail. There has been a reckless disregard for the law that has led to unprecedented gun violence, robberies, car-jacking, home invasions, burglaries, shoplifting, and disturbances by the mentally ill, such as subway violence and other random assaults on the streets. The City and State are dumping criminals back onto the streets to commit the same crimes over and over again.

**Failure toProsecute and Downgrading Crimes** — has led to violence, and grand larceny is completely out of control, with smash and grab teams targeting jewelry stores, luxury retail outlets, and even an auction house window was smashed the other evening, resulting in massive theft. Groups of teens are empowered to rampage through places: vandalizing and stealing from stores and restaurants. Every type of business — from large, box retailers to small mom-and-pop shops — is being effected. Businesses cannot afford the level of shoplifting and theft being perpetrated. Drug stores have to keep household items under lock and key, which makes shopping for even something as innocuous as toothpaste difficult. Employees of bodegas and retailers are being put in harm’s way and are being routinely assaulted and killed.

**The Diaphragm Compression Bill** — recklessly puts law enforcement in harm’s way by disallowing Officers to handle someone’s mid-section when the Officer is attempting to place someone — even a violent, combative subject — under arrest. It is not possible during a struggle for an Officer to worry about what portion of someone’s body might constitute a “diaphragm.” Officers now face arrest and prosecution for self defense and for doing their jobs.

**We need to focus on the victims** — Children, the elderly, and victims of all ages are being ignored while our politicians cater to the lawless and criminals. Children are dying. Gun violence is the leading cause of death for young people in the United States, surpassing accidents and cancer.

**Downward spiral** — The City started its downward spiral in 2012, when our local politicians demanded police back off from quality of life and low level crimes; but now this has made life difficult for citizens of our City — which went from the most pedestrian friendly City to one of the least. We now have an epidemic of reckless, electric bike riding, as well as an epidemic of turnstile jumping. Our transit employees are routinely assaulted. The MTA is hemorrhaging money. Their losses top $500-million.

**Judges need discretion** — Judges need to have their own discretion put back into their arraignment and sentencing options so they can hold, in prison, those who are
committing violent offenses like stabbings, assaults, attempted rapes, rapes, brandishing firearms, and shootings.

**Discovery Laws** -- new Discovery laws have created a backlog of paperwork that both defense attorneys and prosecutors are being buried under. What is particularly egregious is that rape victims must give rapists the ability to return to the scene of their crimes, so if a person has been raped at home, the rapist gets to visit the home, disgracefully traumatizing the victim again.

**Raise the Age** -- politicians insisted upon raising the age of culpability for teenagers to be held accountable for their crimes, so instead of a trying a killer as he or she should be tried (as an adult), hardened teens are still being tried as youthful offenders; of course, giving them the chance to continue their downward spiral.

**WE NEED TO FIX WHAT’S BROKEN**

Fix Bail Reform – give Judges back their discretion to hold offenders in prison.

Lower the age – and hold young adults accountable as adults for the crimes they commit.

Mandatory minimum for brandishing or using a firearm – at least 6 months to a year for possession, and more for use.

Appoint a Special Firearms Prosecutor, such as we did with Narcotics.

Stop re-victimizing rape and sexual assault victims. Stop traumatizing victims over and over by treating the crimes as misdemeanors, instead of the serious, traumatizing events that they are.

Prosecute fair-beaters. Many Officers have lost their lives while trying to uphold the laws for this crime; and now their lives seem taken in vain. Felons are routinely caught for their propensity for stealing from Transit, and the ultimate financial costs get passed along on to law abiding citizens. Our transportation system cannot be abandoned. Let’s process the fare beaters, recoup our losses, teach our young people not to steal, and find the felons while we’re doing it.

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Chair Jordan. Thank you, Mr. DiGiacomo.
We now recognize Mr. Borgen for five minutes.

STATEMENT OF BARRY BORGEN

Mr. BORGEN. I’d like to begin by thanking Congressman Jim Jordan and other Members of the Committee for giving me the opportunity to testify.

Nearly two years ago, on May 20, 2021, I received a call no parent should ever receive. On the other line was my son Joseph, who quickly told me he was OK, but savagely beaten out at Times Square. He was in need of medical attention. He handed the phone to the NYPD, who were extremely helpful and very supportive and did the best they possibly can. I was told they were bringing him to the emergency room in Bellevue Hospital. Without hesitation, I made a beeline straight to Manhattan, got in my car, and drove to Manhattan.

I got to the hospital. It was hard to believe what my son looked like. His face was beaten. His face was sprayed with mace. They punched him. One fellow hit him with crutches in Times Square broad daylight, all because he was wearing a yarmulke, going to a pro-Israel rally. I’m in New York my whole life. I’m 57. Never had problems like this. It was just very shocking to hear this.

It was just like horrible, horrible to my wife. She couldn’t come with me. It was COVID. Only one person could go to the hospital.

I sit in front of the Committee with the two-year anniversary of the attack rapidly approaching and the ongoing struggle with DA Bragg. This has been going on for two years. They have a film of this in Black and White from people on the street in Times Square. It’s an open-and-shut case.

DA Bragg has been schlepping this case along with no solution, offering deal after deal. One fellow, Waseem Awawdeh, who was hitting my son with crutches, was offered a sweetheart deal, didn’t take it yet. He was let out on probation.

As he’s getting out of the court, as he’s getting out of jail, the friends are dancing with him, on his shoulders: “I will do this again.”

He said: “I will do this again.”

He had no qualms about doing it again, about beating up another Jewish person.

In fact, while he was out on bail, he had an incident with road rage with an elderly man on the street. Bragg brought him in. Again, nothing, just: Go out and behave yourself.

This emboldens him to act, and he doesn’t care. I’ve been in three court hearings, and basically nothing has happened in three court hearings here in Lower Manhattan a couple buildings down. It’s just very disheartening that I sit here today and nothing is getting done.

My son Joseph was invited to the White House to appear in front of Joe Biden, our President, and Kamala Harris, and so forth. This was not a partisan issue. This was an issue where they were beating up Asians in New York nonstop, no repercussions, beating up Jews, pushing people in the subways, in the tracks. No repercussions. It’s hard to understand what goes on.
Here this fellow is offered—one fellow is offered a deal, no jail time. He only punched my son once. This is what Bragg was offering to someone. Hit my son once. OK, one time: OK, I'll give you a slap on the wrist. You go home and play video games for two months.

It's just disgusting.

Now, in the last couple years since the incident happened, my son had surgery on his wrist. He likes to play basketball. He is very uncomfortable playing basketball, and there's some other things. It affects his whole life. It's just a terrible, terrible thing. He has physical therapy three days a week. These six individuals are walking the streets, roaming around like nothing, not a care in the world. It's almost two years. Unfortunately, Madeline's son was four years. It's horrible. They're pushing plea bargains back and forth. Nothing gets done.

We have heard from—when my son got beaten up by these six individuals, we heard from many politicians, Mayor Adams or the candidate, Hochul, Governor Hochul.

I must take notice with Mr. Nadler. You're a Jewish New Yorker. I called your office numerous times. I called Mr. Schumer's office, another Jewish New Yorker, numerous times. No one called us back. Neither one of you came out with a statement on my son's incident. OK. You're a Jewish New Yorker. You have Jewish roots here.

Behavior like this enables DA Bragg to just do whatever he wants to do. If you guys would have come out with a statement from Washington and said we condemn this beating to Mr. Borgen's son, we condemn anti-Semitism, we condemn this act, maybe Mr. Bragg would have taken this case a little more seriously. I call you out on it.

Most of my friends are so disheartened with you and Mr. Schumer, you don't understand. We wouldn't vote for Mr. Schumer again if we stood on our head. If I lived in Manhattan, I wouldn't vote for you either.

I will tell you something else that bothers me. Everybody is here with gun control. Somehow the criminals can get guns, but the average person in New York can't get a gun. I just came back from Miami after two weeks. All my friends who moved down there, many, many of my friends, all have gun licenses. There's a deterrent there. If someone goes after you, there's a chance that the person they're going to attack has a way to defend themself.

Here in New York, we can't get guns. The criminals walk around shooting people, get guns nonstop. It's just, it's unbelievable. A gun charge comes to Mr. Bragg, misdemeanor, no problem, walk the streets.

I remember Plaxico Burress, if you remember the New York Giants, he was a wide receiver. He was in a nightclub. The Giants were 10–1. He went to a nightclub, accidentally shot himself with a gun. I think Robert Morgenthau was the DA at the time. Plaxico Burress went to jail for 18 months, if you remember. He was a football star in New York. They needed him; they would have won the Super Bowl again.

Here in New York now, you come with a gun: OK, don't do it again. We'll see you again.
It’s just disgusting, and it’s a hutzpah what goes on—it’s a Jewish word, hutzpah—what goes on in this district.

I haven’t been in Manhattan for social events. I will not come for a restaurant. I will not come for a ball game. I won’t go to a Broadway show. I will not set foot in Manhattan.

I have a friend of mine who likes to go to Broadway shows, matinees. You know what they do now? They get a group of 30 people. They get on a bus, park in front of the theater, walk into the theater. Don’t walk around, no shopping. They then get on a bus, go to a predetermined restaurant, and they walk out of the restaurant, go on a bus and go home. That’s the only interaction I have in Manhattan.

I’d just like to say thank you for listening to me and I hope some good comes from this.

[The prepared statement of Mr. Borgen follows:]
Testimony of Barry Borgen

I would like to begin by thanking Congressman Jordan and the other members of the committee for giving me the opportunity to testify. Nearly two years ago, on May 20, 2021, I received a call that no parent, mother or father, should ever receive. On the other end of the line was my son Joseph, who quickly told that everything would be okay, but he was savagely beaten in the heart of Times Square and was in desperate need of medical attention. He handed over the phone to the NYPD and I was told they were bringing him to the Emergency Room at Bellevue Hospital. Without hesitation, I made a beeline to Manhattan to be by Joseph’s side; the true horrifying circumstances of the attack began to trickle in as I got closer-and-closer to the hospital. It turns out my son was merely walking through Times Square en route to a pro-Israel rally when he was gang assaulted by a group of individuals that kicked him, punched him, struck him with weapons, sprayed him with mace and/or pepper spray, as well as bombarded him with anti-semitic slurs. The reason why they attacked him in the heart of Times Square with countless other people around? BECAUSE HE WAS JEWISH AND WEARING A KIPPA (JEWISH HEAD COVERING).

I sit here in front of the committee with the two-year anniversary of the attack rapidly approaching to speak of the ongoing struggle with Manhattan District Attorney Alving Bragg in the pursuit of justice and accountability. While the delays and continued holdups in the legal case are discouraging, it is the sweetheart slap-on-the-wrist deal offered to one of the attackers in my son’s case that is exemplary of DA Bragg’s incompetence when it comes to carrying out justice. Despite the fact that an individual in the case (Waseem Awaddeh) adamantly stated he would do it again, had previous run-ins with the law, displayed zero remorse after the fact, was arrested while out on bail for a road rage incident involving an elderly man, and has continually thumbed his nose at the legal process, not to mention is caught black-and-white on video striking my son repeatedly with his metal crutches on Police video in the heart of Times Square rush hour, Alvin Bragg deemed it appropriate to offer him a six-month prison sentence. How is this justice? How is this best serving the people of Manhattan? Moreover, there is another deal being offered to a defendant in the case for no prison time because “he only punched my son in the head once.” The Awaddeh deal especially has caused quite an uproar amongst our family, the Jewish community, and other communities across Manhattan. The notion that someone can engage in such conduct, act so emboldened afterwards, get arrested while out on bail, and be given a break by Alvin Bragg illustrates his inability to properly protect the citizens of Manhattan. The news of the plea deal being offered shocked everyone; efforts have continually been made since to illustrate to DA Bragg it must be revoked.

It is very important for me to point out that the ongoing case surrounding my son is not a political issue but rather an issue of what’s right and what’s wrong. No individual should ever feel that they are a target of verbal or physical abuse because of their race,
ethnicity, gender, religion, or appearance, especially somewhere like New York City. As a matter of fact, Joseph appeared at a summit at the White House over the summer to raise awareness about antisemitism, so this is not a Trump or Biden issue, this is about Alvin Bragg’s inability to be an effective Manhattan DA. I have lived in New York for my entire life and I have never seen New York City sink to the depths it has sunk, even relative to the troubled times of the 1980s. Moreover, I am a proud Jew who is shocked by the surge in antisemitism and giving deals to individuals like Waseem Awadheh, who said he would do it again and has shown no remorse, further demonstrates that law and order is a thing of the past for not only the Jews of Manhattan, but for all of its citizens under the guidance of DA Bragg.

The years since the attack occurred have been extremely challenging for my son Joseph. He was banged up the night of the attack and in a great deal of pain, but thankfully he made it out alive. If the NYPD did not intervene as quickly as they did, maybe we would not have been so lucky. Unfortunately, my son is still dealing with numerous lingering issues even after all of this time, and the notion that one of his remorseless attackers could be treated so leniently is a major slap-in-the-face. He has already been through one painful surgery on his right wrist and may need another. He still partakes in physical and mental therapy as a result of the traumatising events. Additionally, this deal has been open for months without any sense of urgency and no deadlines assigned. How is this indicative of a DA whose interested in seeking justice and accountability?

I would like to conclude by stressing the bipartisan nature of the events involving DA Bragg and my son Joseph’s ongoing case. Although Joseph was asked to testify today, he is unable to do so because even after two years of waiting; he still has not even begun the process of trial preparation due to no clear trial date being set. Our family has received support from both the left and right and we welcome anyone who is willing to support our cause of seeking full justice in Joseph’s attack. We have heard from countless politicians representing both the Republicans and Democrats, but I will say it is quite disheartening that it appears some politicians on the left are more concerned with defending DA Bragg than protecting the people of Manhattan. A prime example of this is Rep. Jerry Nadler, who will come out swinging in the defense of Da Bragg, yet has never reached out to my son or commented on the laughable deal offered to his attacker. (ADDRESS NADLER) Rep. Nadler – is it more important to stick up for DA Bragg than your fellow Jewish people? I would love to ask Mark Levine the same question, another Democratic Jewish politician seemingly more concerned with defending DA Bragg than victims of antisemitic violence. All in all, it is clear that DA Bragg is not equipped to protect Manhattan and seek justice for those affected by its rising crime. One needs to look no further than the inexcusable fashion in which he has handled my son’s ongoing case.
Chair JORDAN. Thank you, Mr. Borgen. Please pass along our best to your son.

The Chair would just ask the press, you'll have plenty of opportunity to get all the pictures, all the whatever you want, but if you could just maybe stay back a little bit, particularly when the witnesses are testifying, just in appreciation of the witnesses taking time to be here, that would be much appreciated by them.

Mr. Kessler, you are recognized for your five minutes.

STATEMENT OF JIM KESSLER

Mr. KESSLER. Thank you, Chair.

Chair JORDAN. Pull that mike close, Mr. Kessler.

Mr. KESSLER. Thank you to Members of the Committee and to fellow witnesses, some of whom have suffered the deepest and most unfair personal losses. Thank you to Kylie Murdock, my research assistant, sitting behind me.

To Members of the Committee, I've got to ask, why are we here? Why are we in New York City? Yes, in this massive city of 8.5 million people piled atop each other on a speck of land barely 300 miles in size, awful things happen. Awful crimes happen. Awful losses are suffered.

As unfortunate and tragic as it is, we live in a violent country like no other advanced Nation. The fact is that New York City is not only safer than most large cities in America; it is safer than most cities of any size, and, on a per capita basis, New York City is safer than most of the States of the Members sitting on the dais on the majority side.

In 2020, for example, New York City's murder rate was 18 percent below the national average for the entire United States.

Mr. Chair, Ohio's murder rate was 59 percent higher than New York City's. Louisiana's murder rate was 251 percent higher than New York City's. The murder rate in Texas was 42 percent higher than New York City; South Carolina, 126 percent higher; Florida, 32 percent higher; Kentucky, 70 percent higher; North Carolina, 57 percent higher; Indiana, 72 percent higher; Arizona, 35 percent higher; Alabama, 119 percent higher.

A hearing about the ravages of crime could be in Alabama, with its towering homicide rate and a mass killing that just happened yesterday; or Louisville, where five people were murdered in the blink of an eye at a downtown bank; or the murder capital of California, which is not Los Angeles or San Francisco or Oakland, but in Speaker McCarthy's district of Kern County with its county seat of Bakersfield, and it has been the murder capital of California for six years running.

I am focusing on the year 2020, but it's not just that one year. It's the entire century. From 2000–2020, if New York City was a State, its murder rate would rank smack dab in the middle at 22nd in the Nation and be about ¼ the murder rate of the entire State of Mississippi. The Borough of Manhattan is even safer than the rest of New York City. From 2000–2020, Manhattan's murder rate would rank 30th among the 50 States.

I need to say a word about guns and about the politics of crime because, (a) 79 percent of homicides are by firearm; and (b) I had both the pleasure and misfortune of working on the Mike Dukakis
for President campaign, and I know how potent and irresistible the issue of crime is in politics.

If someone is a victim of a gun crime in New York City, dollars to doughnuts that gun was not originally purchased in New York State. I'll double down and bet that crime gun originated from either Florida, Georgia, the Carolinas, or Virginia.

There is massive gun trafficking that ferries guns from those five Southern States with weak gun laws up I–95 to States like New York, New Jersey, Rhode Island, Connecticut, and Massachusetts. I know this because, in 1996, I was working for a Brooklyn Congressman from Park Slope named Chuck Schumer, and we FOIAed the FBI data for every gun in America that was recovered in a crime and successfully traced.

We uncovered gun trafficking patterns all across the Nation. Practically nothing has been done legislatively ever since except to make it harder, much harder to get data on the origin of crime guns.

That brings me to the politics of crime. Wouldn't it be great if this hearing was about how illicit guns are trafficked to places like New York City, Newark, Boston, Philly, Chicago, and on and on, and how those guns terrorize the innocent people living in those places and elsewhere? That's the sort of thing Congress would do if it really cared about what was happening with regards to crime in New York City.

Mr. Chair and Mr. Nadler, there are 8½ million people living in New York City on this tiny plot of land. Bad things happen here, no doubt. The miracle of New York City is how well this enormous chunk of humanity mostly gets along and suffers less crime than much of the Nation.

Thank you, Mr. Chair and the Committee.

[The prepared statement of Mr. Kessler follows:]
Testimony of Jim Kessler, Executive Vice President for Policy at Third Way

April 17, 2023 – Before the House Judiciary Committee

Thank you Chairman Jordan and Ranking Member Nadler. Thank you Members of the Committee. Thank you to fellow witnesses, some of whom have suffered the deepest and most unfair personal losses. And thank you to Kylie Murdock, my excellent research assistant sitting behind me.

But to Members of the Committee, I’ve got to ask: why are we here? Why are we in New York City?

Yes, in this massive city of 8.5 million people, piled atop each other on a speck of land barely 300 square miles in size, awful things happen. Awful crimes happen. Awful losses are suffered.

But as unfortunate and tragic it is, we live in a violent country like no other advanced nation. And the fact is that New York City is not only safer than most large cities in America. It is safer than most cities of any size and, on a per capita basis, NYC is safer than most of the states of the Members sitting on the dais on the majority side.

In 2020, for example, New York City’s murder rate was 18% below the national average. Not the national urban average, but 18% below the murder rate for the entire country.

Mr. Chairman, in 2020, Ohio’s murder rate was 59% higher than New York City’s murder rate. Ohio’s rate of rape was 280% higher. Ohio’s rate of assault was 34% higher.

Louisiana’s murder rate was 251% higher than New York City’s. The rate of rape was 183% higher. The assault rate 112% higher.

The murder rate in Texas was 42% higher than New York City. South Carolina’s 126% higher, Florida 32% higher, Kentucky 70% higher, North Carolina 57% higher, Indiana 72% higher, Arizona 35% higher, Alabama 119%.

If we wanted a hearing about the ravages of crime, why aren’t we in Baton Rouge or Louisville where 5 people were murdered in the blink of an eye in a mass shooting at a downtown bank? Or in the murder capital of California ... which is not Los Angeles or San Francisco or Oakland ... but in Speaker McCarthy’s district of Kern County, with its county seat of Bakersfield. And it’s been the murder capital of California for six years running!

Look, I’m centering on the year 2020 because we wrote a report on this (The Red State Murder Problem) and it was the most recent year with full statistics at the time. But it’s not just that one year of 2020.

From 2000 to 2020, if New York City was a state, it’s murder rate would rank smack dab in the middle at 22nd in the nation. And it’s murder rate would be about one-fourth that of the entire state of Mississippi. That’s 21 years of murders.

Not only that, we’re here in Manhattan and the borough of Manhattan is even safer than the rest of New York City. From 2000 to 2020, Manhattan’s average murder rate of 4.4 would rank it 30th among the 50 states.
I need to say a word about guns and about the politics of crime because A) 79% of homicides are by firearm, and B) I had the pleasure/misfortune of working on the Mike Dukakis for President campaign and I know how potent and irresistible the issue of crime is in politics.

If someone is a victim of a gun crime in New York City, I’ll wager you dollars to donuts, that the gun used in that crime was not originally purchased in New York State. And I’ll double down on that bet and guess that this crime gun originated from either Florida, Georgia, the Carolinas, or Virginia.

There is massive gun trafficking that ferries guns from those 5 southern states with weak gun laws, up I-95 to states like New York, New Jersey, Rhode Island, Connecticut, and Massachusetts.

I know that because in 1996, I was working for a Brooklyn congressman from Park Slope named Chuck Schumer and we FOIA’d the FBI data for every gun in America that was recovered in a crime and successfully traced, and we uncovered gun trafficking patterns all across the nation. And practically nothing has been done legislatively ever since, except to make it much harder to get data on the origin of crime guns.

That brings me to the politics of crime.

Wouldn’t it be great if this hearing was about how illicit guns are trafficked to places like New York City, Newark, Boston, Philly, Chicago and on and on ... and how those gun traffickers, along with those who get those guns, terrorize the innocent people living in those places and elsewhere.

That’s the sort of thing Congress could do if it really cared about what was happening with regard to crime in New York City.

Mr. Chairman and Mr. Nadler. There are 8.5 million people in NYC living on this tiny plot of land. Bad things happen here. No doubt. But the miracle of NYC is how well this enormous chunk of humanity mostly gets along and suffers less crime than much of the nation.

Thank you.
Chair JORDAN. Thank you, Mr. Kessler.
We will now proceed with five-minute questioning. We’re going
to try to move through pretty quick and, like I said, stick to the
five-minutes with Members. If any of our witnesses need a break,
want a restroom break, just let us know. We’ll do that. We can
maybe go one at a time and keep going, or maybe we’ll take a five-
minute break. Just signal us and let us know.
The Chair now recognizes the gentlelady from Florida, Ms. Lee.
Ms. LEE. Thank you, Mr. Chair.
Thank you to all our witnesses for being here today and being
willing to share your stories with us.
I served my community as a prosecutor and as a judge, and a
prosecutor has an absolute responsibility to work with the men and
women of law enforcement to uphold the law, to protect the com-
community, and to consult with crime victims and their families to be
sure that their voices are heard in our criminal courts.
When crimes aren’t prosecuted and when judges are prevented
from setting appropriate bail or when violent criminals are re-
leased out on the street and allowed to re-offend because of reck-
less bail policies, the criminal justice system is failing victims of
crime.
It is not just my work as a prosecutor and as a judge that in-
forms me for this hearing today; I am also a mother. We need to
begin this hearing today by remembering that the victims of these
soft-on-crime policies, the victims of these reckless bail reform poli-
cies, aren’t just numbers; they are people and lives that are forever
harmed or lost. Each of them reflects a failure in our criminal jus-
tice system.
With that, Ms. Brame, I would like to return to your story.
Would you please begin by sharing with us a little bit more about
your son?
Ms. Brame. Excuse me. Is that the way my son was murdered
or my son as a person?
Ms. LEE. As a person, please.
Ms. Brame. Sergeant Hason is the oldest of my five. He was 35
years old at the time of his death. He is a father of three small
children, Jason, Jordan, and Jailani, my three grands, and also
Hason was a husband.
He was an amazing young man. He was a personal physical
trainer at Crunch gym at the time of his murder. He was also a
full-time student at Manhattan College.
Hason was a responsible, licensed and registered gun owner, all
right? He was a good guy with a gun.
Ms. LEE. Do you believe that the criminals who murdered your
son received justice?
Ms. Brame. That the criminals who murdered him?
Ms. LEE. Uh-huh.
Ms. Brame. Absolutely not. Even the stabber, they offered him
a plea deal. Instead of the 25 to life, they gave—he copped out to
20 years. OK?
The brother is the only—the other brother is the only one who
actually went to trial. He blew trial, he lost trial, and he also got
20 to life. All right?
Two of the other defendants got completely away with what they did to my son. If you take a life, you do life, OK? There should be no plea deals for murder. Those cases need to be brought to trial.

Ms. Lee. What about your family, Ms. Brame? Do you feel your family was treated appropriately in the criminal justice system?

Ms. Brame. Absolutely not. We were treated like garbage.

Ms. Lee. Tell me about that.

Ms. Brame. We got no answers. If it wasn’t for my persistence, all right, if it wasn’t for my not missing one court date, except for the one where they dropped the murder and gang assault charge against Mary Saunders, because Alvin Bragg’s office did not inform me that they were doing that—which is my right, to know that. I didn’t get a chance to give my victim impact statement when they sentenced her to that one year time served. OK?

So, they treated us like garbage. They didn’t reveal any information. I had to do a lot of research myself. That’s one of the reasons why I formed my Victims Rights Reform Council, to help others and families of homicide victims, to help them navigate that court system. Because we have no services.

There are no services in New York City for victims. If there is, I have no idea what they are.

Ms. Lee. Thank you, ma’am.

Councilman Holden, you’ve called for legislation that would give judges more discretion when setting bail conditions for defendants who may pose a threat to public safety.

Would you tell us a bit more about your proposals and why you believe they are important?

Mr. Holden. Well, New York State is the only State in the Union that a judge cannot consider how dangerous the defendant is. So, if he’s committed a number of crimes before, the judge can’t consider that. The only State in the Union.

So, that’s why you have repeat offenders out on the streets. This is so ridiculous, so absurd, that a judge cannot consider how dangerous an individual is who is arrested. That’s why people are walking.

So, we’ve made proposals to our State colleagues. Let’s change this. Why are we the only State in the Union that does this? I mean, you have to question that.

Chair Jordan. The time of the gentlewoman—

Mr. Holden. Again, so many people doing this—

Chair Jordan. The time of the gentlewoman has expired.

Thank you, Mr. Holden. I’m sure you’ll get more time.

Mr. Holden. OK.

Chair Jordan. The Chair now recognizes the Ranking Member from New York, Mr. Nadler.

Mr. Nadler. Thank you, Mr. Chair.

Ms. Brame, you failed to note that, as a result of DA Bragg’s prosecution, two men are currently serving life sentences for the murder of your son.

Mr. Kessler, in your testimony, you noted that New York City is safer than most cities and even most States in America. The police department’s own data show that, since DA Bragg took office, shootings in Manhattan have declined by 20 percent, homicides
There has been a decline in violent crimes, and the rates of virtually every other type of violent crime are lower during the first quarter this year than they were at this time last year. In the meantime, the homicide rates in places such as Ohio, Louisiana, Texas, and Arizona are much higher than in New York.

As someone who studies crime trends, what do you think accounts for this disparity in safety between Manhattan and other parts of the United States?

Mr. KESSLER. Thank you, Mr. Nadler.

So, I don’t think any place in this country is really safe, OK? Because we’re awash in guns. New York is safer. On average, New York City’s safer than Ohio, Texas, many other places.

No. 1 is gun ownership rates, OK? So, gun ownership rates in red States tend to be about twice the gun ownership rates in blue States. There are other factors as well. Poverty rates matter. Educational attainment is often a correlation with crime.

I also think that, in certain States, cities in those States are starved for resources, because, frankly, the Governors don’t really care about getting votes in those States. So, I think some of the urban areas in southern States, the amount of police that they have per capita is far less than in places like New York City, and all the resources for schools and after-school programs.

I think No. 1 is gun ownership rates.

Mr. NADLER. Thank you.

How does New York City’s murder rate compare to the national average?

Mr. KESSLER. New York City’s murder rate is 18 percent below the national average and, I believe, has been below the national average every single year since 2010 and, several years before that between 2000–2010.

Mr. NADLER. How about assault?

Mr. KESSLER. The assault rates are lower.

Mr. NADLER. Burglary?

Mr. KESSLER. Burglary rates are lower.

Mr. NADLER. Larceny?

Mr. KESSLER. Lower.

Mr. NADLER. Rape?

Mr. KESSLER. Lower.

Mr. NADLER. How do the incidence of those crimes in New York City compare to the national average?

Mr. KESSLER. In all those cases, New York City’s rates are lower.

Mr. NADLER. How does New York City’s murder rate compared to Ohio?

Mr. KESSLER. New York City’s murder rate in 2020—oh, I should say, Ohio’s murder rate in 2020 was 59 percent higher than New York City’s.

Mr. NADLER. What about the rate of rape in Ohio compared to New York?

Mr. KESSLER. The rate of rape in Ohio was 280 percent higher.

Mr. NADLER. Then in New York? Assault?

Mr. KESSLER. A 34 percent higher.

Mr. NADLER. Burglary?

Mr. KESSLER. A 146 percent higher.

Mr. NADLER. Larceny?
Mr. KESSLER. A 346 percent higher.
Mr. NADLER. Then in New York?
Mr. KESSLER. Then in New York City.
Mr. NADLER. How do the incidence rates of those crimes in New York City compared to the national averages?
Mr. KESSLER. OK. New York City’s murder rate is 18 percent below the national average; rate of rape, 58 percent lower; rate of robbery is 102 percent higher; rate of assault, 16 percent lower; rate of burglary, 44 percent lower; rate of larceny, 71 percent lower; rate of motor theft, 58 percent lower.
So, lower on six out of the seven.
Mr. NADLER. Now, let’s talk specifically about violent crime. Based on your review of crime data, does New York have a higher or lower rate of violent crime than Florida?
Mr. KESSLER. Lower.
Mr. NADLER. What about Louisiana?
Mr. KESSLER. Lower.
Mr. NADLER. Kentucky?
Mr. KESSLER. Lower.
Mr. NADLER. Arizona?
Mr. KESSLER. Lower.
Mr. NADLER. North Carolina?
Mr. KESSLER. Lower.
Mr. NADLER. If you were able to decide or given a choice of where to hold a hearing about violent crime in America, what are some of the cities or States where you think a hearing would be most needed and most effective? Why?
Mr. KESSLER. Well, I think you could certainly hold hearings in places like Louisville, very high rates; Jacksonville, very high crime rates there.
There’s a lot of—Alabama, Mississippi, extraordinarily high murder rates in those States, some in cities, some not in cities.
There’s—New York City is—look, there’s a lot of bad stuff that happens in this city, because there’s 8½ million people here. Relative to the rest of the country, it’s doing better.
Mr. NADLER. Finally, according to CDC data, the States with the highest rates of gun deaths are Mississippi, Louisiana, Wyoming, Missouri, Alabama, and Alaska.
What trends are you seeing with respect to gun violence generally in red States?
Mr. KESSLER. What we found when we looked at between 2000–2020 is the murder rate in red States—as defined by the 25 States that voted for Donald Trump in 2020 versus the 25 States that voted for Joe Biden—the murder rate in red States was higher than the murder rate in blue States in all 21 of those years. Over a cumulative 21-year period, it was 23 percent higher in those red States.
Even if you took out the largest blue city in each of the red States, the murder rate was 12 percent higher in red States.
Mr. NADLER. Thank you.
I yield back.
Mr. Cicilline. Mr. Chair, parliamentary inquiry.
Chair Jordan. The gentleman may State his parliamentary in-
Mr. Cicilline. Mr. Chair, our parliamentary inquiry is: In light of the testimony just heard, what is the mechanism for the Committee to transfer this hearing to Ohio, where the crime rate is significantly greater than here in New York?

Chair Jordan. That’s not a—

Mr. Cicilline. Is there a motion?

Chair Jordan. That’s not a parliamentary inquiry.

Mr. Cicilline. It is a—I’m asking a parliamentary—how do we move the venue so we can have hearing in a city or State that has a serious crime problem, the State of Ohio?

Chair Jordan. Not a properly stated parliamentary inquiry.

The gentleman’s time has expired.

Mr. Cicilline. Appeal the ruling of the Chair.

Chair Jordan. It’s not an appealable ruling.

Ms. Harrison. Mr. Jordan? I’m sorry. If Mr. Nadler is going to make derogatory comments toward the mother of a homicide victim, he could at least allow her some time to respond.

Chair Jordan. The gentlelady is not recognized. Hang on.

Mr. Nadler. There were no derogatory comments.

[Disturbance in hearing room.]

Chair Jordan. The Committee will be in order. The Committee will be in order.

The gentleman’s time has expired.

Mr. Issa. Pursuant to what you just said, I think it is important you have an opportunity to respond to the statement by the Ranking Member, that you—justice was served in the case of your loss.

Ms. Brame.

Ms. Brame. Sergeant Hason Correa is dead forever. Dead forever. There are four people directly responsible for his murder. Two people is not justice. Until there is justice for the murder of my son, there will be no peace, none. All four.

I’m asking for a special prosecutor to reopen those murder and gang assault charges against Mary Stewart—Mary Saunders and Travis Stewart. Present that evidence. Present that video to a jury and allow them to decide those homicidal maniacs’ innocence or guilt.

My son is dead forever. They deserve to be in prison forever.

Thank you.

Mr. Issa. Thank you.

Ms. Harrison, there’s been a lot of discussion at the end of the dais about gun violence, gun violence, gun violence.

All three of you at that end, were there guns involved in the murder?

Ms. Brame. No.

Ms. Harrison. No, there were not. Madeline’s son was stabbed, and my boyfriend and his best friend were both stabbed to death.

Mr. Issa. So, knives kill.

Ms. Harrison. When there’s a will, there’s a way. When evil wants to attack, evil is going to attack.

I would also like to say that New York might have strict gun laws, but we also have conflicting gun laws, which I haven’t heard from Ms. Fischer, regarding “Raise the Age.”
Immediately after the Buffalo incident, Kathy Hochul implemented a “Raise the Age” that placed a ban on purchasing weapons, certain weapons, for minors. We also have an original “Raise the Age” law that conflicts that completely, because it eliminates the criminal prosecution of anyone—any minor holding an illegal weapon.

Mr. Issa. In this State, you have a universal assault weapons ban and have for a long time. Isn’t that true?

Ms. Harrison. I’m not sure about the assault weapons ban. I’m sorry.

Mr. Issa. OK.

Mr. Alba, I think your testimony was very powerful. You, too, were attacked by other than a gun. Isn’t that correct?

If you’d pause the clock.

[Mr. Alba’s answers were delivered through an interpreter.]

Mr. Alba. That’s correct.

Mr. Issa. I’m sorry. I can’t hear you.

Mr. Alba. That’s correct. There was no gun involved.

Mr. Issa. Your response that saved your life was also not a gun. Is that correct?

Mr. Alba. Yes.

Mr. Issa. Well, I appreciate the fact that you were able to respond.

In New York, if I understand correctly, even though you were operating a store, you were not allowed to have a weapon to protect yourself in the way of a gun. Is that correct?

I’d like to—go ahead.

The Interpreter. Can you please repeat the question?

Mr. Issa. Yes. In New York, you defended yourself with a knife because, as a store operator, you were not allowed to have a gun. Is that correct?

Mr. Alba. No.

Mr. Issa. OK. You don’t own a gun. Is that correct?

The Interpreter. Yes, he doesn’t own a gun. He doesn’t really know much about gun laws.

Mr. Issa. OK. Thank you.

Then, Mr. Holden, you probably could answer this. According to the figures we were given earlier, at least 6,000 of the 19,000 weapons were New York-based weapons. Is it true that guns go missing and get stolen and get straw-purchased here in New York in spite of the most stringent laws in the country?

Mr. Holden. Exactly. You’re not going to get every gun off the street. The Iron Pipeline is a problem, we know that, but a lot of guns come from New York City. A lot of guns are made in New York City, put together in New York City.

The problem we have in New York State, in New York City, is, we have some of the toughest gun laws in the Nation, but they don’t enforce them. The courts are not enforcing them, the DAs are not enforcing them.

So, this is a big problem. You have multiple shootings, one individual, five arrests for shootings, and he’s back out on the street. How is that working?

Mr. Issa. Yes.
Mr. DiGiacomo, you represent so many of our brave men and women in blue. Can you comment on that failure to enforce existing laws, leading to the kind of both gun and non-gun violence that New York is seeing?

Mr. DiGiacomo. Well, like we said earlier, it was brought out in the hearing that New York City police and detectives took an amazing amount of firearms off the streets. Every time they do that, they put their life in harm's way. They confront an armed felon and they put their life in harm's way, just for that individual to walk out the door the next day and again get a firearm and use it either in a robbery or in gang-related violence.

Mr. Issa. Mr. Chair, I'm not going to take all the time that should've been paused, but I do want to comment that a lot has been made about moving the venue or other places we could be, and I will reiterate on behalf of my colleagues on the other side of the aisle: Yes, we could be having this in Los Angeles; yes, we could be having it in San Francisco. There are other places around the country in which, systematically, district attorneys are not enforcing the laws, leading to the kind of terrible stories we're hearing here today.

I yield back.

Chair Jordan. The gentleman yields back.

The gentlelady from California, Ms. Lofgren, is recognized.

Ms. Lofgren. Thank you.

I do think that there is a reason why we're in this jurisdiction. First, let me just say: All of us on this Committee, no matter our party, are opposed to crime, and all of us have sympathy for victims of crime. It's not acceptable.

I will say also that we don't have jurisdiction. The Federal Government does not have jurisdiction over State and local prosecutions. That's up to the voters of each State and each locality.

If we were going to have a hearing that we have no jurisdiction to deal with, I think we might go to a place in the Speaker's district, which has much higher crime rates than New York City. As has been mentioned, Bakersfield has a homicide rate of 13.7 percent per 1,000–100,000 people. New York is at 5.5 for the same amount of residents.

I'll note also that 100 percent of the fatal officer-involved shootings involved a gun.

Mr. Jordan in his opening statement mentioned his sympathy for the police. We all have that. I also have sympathy for the officers who defended us against a MAGA mob, unlike some Members on the other side of the aisle.

I think it's pretty obvious that we're in New York because of the case of New York v. Donald J. Trump. I'm also worried that we're not here about guns. Because 80 percent of all the murders in the U.S. are committed with a gun. We've had 155 mass shootings so far this year. Our colleagues on the other side of the aisle have prevented any kind of sensible gun violence legislation from passing to keep us safe.

Now, we're not the only country in the world with people who want to do bad things or with people who are unstable. We're the only country in the world that has mass shootings practically every
other day. That is something that’s within our jurisdiction, and we ought to take some action.

This is a choice that we are making, to allow all the children of America to go into school worried that they’re going to be the victim of a mass shooting. It’s a scandal that we have done nothing about it.

Now, talking about *The People v. Donald J. Trump*, we don’t have jurisdiction over that either. That’s something that is a local prosecution, and it’s entirely improper for the Federal Government or any committee of the United States to try and interfere in this matter.

So, having said that, I want to talk a little bit more about—or ask a little bit more about gun violence and what can be done about it.

Ms. Fischer, it’s been suggested—or, Mr. Kessler, either of you—that, somehow, having more guns would make us safer. Do the statistics actually back that up, that having more guns makes for a safer community?

Ms. Fischer. States with strong gun laws have lower rates of gun violence.

One of the things that’s important to say here is that crime is going down in New York City, thankfully, but there is more than can be done by Congress to enact strong universal background checks, a strong Extreme Risk Protection Order law at the Federal level, and to fund State laws. There’s more that can be done to enact safe-storage laws and to combat the trafficking crisis. Congress is standing idly by and not doing anything.

Ms. Lofgren. Let me ask you about—some of our colleagues have suggested that we defund the prosecutor’s office here in Manhattan. It’s my understanding that the majority of the funds comes from an annual grant to the office’s Witness Aid Services Unit that provides services to victims of crime.

What would the impact be of eliminating those services, if you know, Mr. Kessler or Ms. Fischer?

Ms. Fischer. Sure.

We need to be investing and putting more resources into victim services and supporting victims. As you heard here today, we need to be giving victims more mental health support and more social support. We need to be helping them find access to compensation, not only for funeral expenses, for hospital expenses, to make up for lost income.

Ms. Lofgren. Let me just say, I want to thank all the witnesses, including the victims of crime. I fear that you are being used for a political purpose, despite your sincerity.

[Disturbance in hearing room.]

Chair Jordan. The gentlelady’s time has expired. The gentlelady’s—the Committee will be in order. The Committee will be in order.

The gentlelady’s time has expired.

The gentleman from Florida, Mr. Gaetz, is recognized for five minutes.

Mr. Gaetz.

Our criminal justice system is insane. It’s dangerous. It’s harmful. And it is destroying the fabric of our city. Time and again, our police officers make
an arrest, and then the person who was arrested for assault, felonious assault, robberies, and gun possession, they're finding themselves back on the street within days, if not hours, after arrest.

Eric Adams, New York Mayor

Mr. Gaetz, My friends, the reason we are here in New York is because you have Democrats, you have citizens calling for some relief from this pain. We are here not to use anyone but to uplift the voices of brave people who are here to tell their story.

Ms. Brame, do you feel used in this hearing?
[Disturbance in hearing room.]

Chair Jordan. The gentleman is recognized.

Mr. Gaetz. Ms. Brame, do you feel used?

Ms. Brame. Absolutely not.

Mr. Gaetz. Ms. Harrison?

Ms. Brame. I'm a willing participant.

Mr. Gaetz. Ms. Harrison, do you feel used?

Tell you what, let me ask it this way: Do you feel more used by this Committee hearing, or do you feel more used by a criminal justice system that allowed people to kill people that you love and care about with no consequence?

Ms. Harrison. The latter. I'm beyond grateful for the opportunity to testify here on behalf of victims, because the Democrat Party, including Mr. Nadler and everybody here today, has ignored us in this city. We need Federal oversight. We need help. We're not getting any kind of help.

Mr. Gaetz. So——

Ms. Harrison. The services that she wants to keep funding are not being provided to the victims. I have a woman sitting outside who is a victim of domestic violence, who was conned by an immigrant, and she is receiving no services whatsoever.

So, until we get a thorough audit to the outcomes of the services being provided, no. We need to find out what's going wrong and get the services to where they need to be.

Mr. Gaetz. I am not here to criticize any New Yorkers, except maybe one, and that's because so many New Yorkers will soon become Florida voters.

This is an iconic city. It’s actually our Nation’s most iconic city. It’s not because of the beautiful architecture, and it's not because of the geography. It is because of the sense of hustle that is so inherent to the people who come to New York to achieve their dreams. Increasingly, that hustle is being replaced with fear.

Mr. Holden, Councilman Holden, you and I are from different parties. If we talked about a thousand things, we'd probably disagree about the vast majority of them. Here is my simple question for you: Is fear a rising feature of life in New York, or is fear a declining feature of life in New York?

Mr. Holden. It is increasingly worrisome, what we’re going through in New York City. Fear is an everyday event in New York City.

Taking the Subway. My wife is Asian-American. She will not get on a New York City Subway. My daughter will not get on a New York City Subway, for fear, because many Asian-Americans have been attacked.
Mr. GAETZ. Mr. Kessler says, there’s just a lot of people here in Manhattan; you just have to take it.
Mr. HOLDEN. Right.
Mr. GAETZ. You just have to understand that this is going to be a violent place.
Mr. HOLDEN. Which I found that insulting.
Mr. GAETZ. Well, Mr. DiGiacomo, you’re here as the voice of law enforcement, in many ways. Since the days of Cain and Abel, there has constantly been a violent criminal element as some feature of American society. The lives we all get to live are lashed to whether or not we put that violent criminal element in charge or whether or not we constrain it for the sake of people who want freedom.
So, my question for you is: When the “Day 1 Memo” of Alvin Bragg changes the way resisting arrest is treated, so people can resist arrest against law enforcement and not actually face a consequence for that, what does that do to the enterprise of police officers?
Mr. DiGiacomo. Well, it makes the officers and the detectives on the street, their job that much harder. Everything becomes confrontational or physical. They put themselves—the police officers and detectives are in harm’s way. Now, I—
Mr. GAETZ. Well, we don’t want to do that, but I have only a moment left, and I have to address this matter of crime rates that my colleagues keep talking about.
To the extent that there is an impact on crime rates in major cities, I would suggest that this is exactly what you get with the “Soros-ization” of the United States justice system. In places like New Orleans, Louisiana, in places like Tampa, Florida, in Jacksonville, Florida, in Tucson, Arizona, increasingly George Soros is putting in upwards of $40 million to elect 75 DAs to be able to engage in these downgrades.
By the way, not only are they downgrading the violent things, they can’t even win the cases they try.
Mr. Holden, you pointed out the fact that Alvin Bragg is actually terrible at losing in court. Since I don’t have time, I would ask you for the record, since he keeps losing all of his cases, we might opine as to why, and we might seek a better utilization of the Federal resources that we provide.
Thank you, Mr. Chair. I yield back.
Chair JORDAN. The gentleman yields back.
The Chair now recognizes the gentlelady from Texas, Ms. Jackson Lee.
Ms. JACKSON LEE. Thank you very much, Mr. Chair.
Let me indicate, I abhor crime. I abhor victimization, the victims that suffer. I want to prevent crime. I want to pay tribute to all the law enforcement in this room and outside and those in Houston, Texas, from where I come from, of which I have a deep and abiding affection and relationship with.
As a Democrat, I will not sit here, as my predecessor said, Barbara Jordan, and see the diminution of the Constitution, the diminution of the Constitution, the destruction of what we believe in and our values.
I want to stand here and be supportive of everyone who is before us, but I want to do it in a way that is befitting the patriotism of this Nation. The very soldiers that are on front lines wearing uni-
forms are people of color and otherwise. I abhor anti-Semitism, if you will.

I abhor people being violated through domestic violence. It was Democrats who fought extensively for the Violence Against Women Act, which has put a lot of money in the State of New York City and other States.

Let us work together. Let us find facts that really address this question. That is what I’m going to try to do.

First, I think it is important to note that the moneys that the Republicans want to cut are moneys that would help victims. We don’t want victims, but we need to have resources. My own crime victims in Houston say, “We are lonely. We need to be taken care of after the incident.” I agree and I brought money to the Houston Police Department.

Let me ask Ms. Vaughan: There are many things that we can do better—excuse me, Ms. Fischer: There are many things that we can do better. I’d clearly like you to talk about the importance of a storage bill. I’ve introduced the Kimberly Vaughan Safe Storage Act. What does that do in terms of bringing down gun violence?

Ms. FISCHER. Thank you—

Ms. JACKSON LEE. My time is short, so I appreciate it.

Ms. FISCHER. Thank you, Representative.

We need safe-storage laws to ensure that children can’t access guns that shouldn’t have them; to ensure that individuals who are in crisis can’t access them and potentially commit suicide and mass shootings.

Safe-storage laws work. We have a strong one here in New York State, and Congress should enact one as well.

Ms. JACKSON LEE. Can I just ask, yes or no, are mandatory red flag laws good?

Ms. FISCHER. Yes.

Ms. JACKSON LEE. Should we rush to Washington and implement a ban on assault weapons?

Ms. FISCHER. Yes.

Ms. JACKSON LEE. Can we do better in passing stronger gun safety legislation? We know we’ve had one bill, but can we do better?

Ms. FISCHER. We absolutely can do better, and we need comprehensive reform, and we need it urgently, for all Americans.

Ms. JACKSON LEE. Mr. Kessler, can you quickly respond to the question of violence? Can you, under oath, as you’ve taken, affirm that violence or gun violence, in a myriad of ways, has going down in this State? I just want to hear you say it again.

Mr. KESSLER. Yes, it is absolutely true. It’s also 18 percent below the national average in New York City. New York State has a far lower murder rate than the country as a whole.

Ms. JACKSON LEE. Quickly, thank you very much—Ms. Fischer, what percentage of guns found in New York come from other places?

Ms. FISCHER. Over 70 percent of guns that are used in crimes in New York City and across New York State come from out of State, the Iron Pipeline from weak-gun-law States, including Florida, the Carolinas, and Georgia.
Ms. JACKSON LEE. Let me ask Council Member Holden—thank you for your service. You said you’re a lifelong New Yorker?

Mr. HOLDEN. That’s correct.

Ms. JACKSON LEE. You therefore lived in New York in the 1970s, 1980s, 1990s, and so on?

Mr. HOLDEN. Yes. Yep.

Ms. JACKSON LEE. Did you say in an article recently, “I’ve never seen the lawlessness we’re seeing now”?

Mr. HOLDEN. Yep.

Ms. JACKSON LEE. So, do you realize and recognize this pamphlet, “Fear City,” in the 1970s?

So, apparently we’ve had some ups and downs. This is “Fear City: A Survival Guide for Visitors to the city of New York,” NYPD, 1975.

I’d ask unanimous consent to put this in the record.

Chair JORDAN. Without objection.

Ms. JACKSON LEE. So, we’ve had our moments. We do better if we work together. Rather than we cast about what is bad and what isn’t, let’s work together. Let’s get the funds, let’s get the appropriate justice for these victims.

I indicated to you my belief and love in democracy. I want justice for you. This is an absurd and poor reflection of who we are as Americans, who I am as a Houstonian. I believe in bringing people together. We need to bring people together and work on the solutions.

I ask unanimous consent to place in the record “3 Are Charged With Selling ‘Ghost Guns’ Including Assault Weapons.”

Chair JORDAN. Without objection.

Ms. JACKSON LEE. —I’m asking unanimous consent.

Chair JORDAN. Yes, without objection.

Ms. JACKSON LEE. The “Welcome to Fear City,” unanimous consent?

Chair JORDAN. Without objection.

Ms. JACKSON LEE. With that, I yield back. I thank you. I thank the witnesses out of the bottom of my heart.

The Chair now recognizes himself for five minutes.

Mr. Holden, you were born in New York City?

Mr. HOLDEN. Yes.

Chair JORDAN. You were raised in New York City, went to grade school and high school here in the city?

Mr. HOLDEN. Yep.

Chair JORDAN. Went to college in New York City? You got a—

Mr. HOLDEN. Yes.
Chair JORDAN. I think I looked. You got an associate degree, an undergrad degree, post-grad degree, all from universities here in New York City. Is that right?

Mr. HOLDEN. Yes, I did, Chair.

Chair JORDAN. You're a professor at a university here in New York City?

Mr. HOLDEN. Right. Forty-four years.

Chair JORDAN. All your professional career has been spent here in New York City. Is that right?

Mr. HOLDEN. Yes.

Chair JORDAN. You received a lifetime achievement award for your volunteer work from a Queens civic group. Is that right?

Mr. HOLDEN. Yes.

Chair JORDAN. For your work here in the city.

Mr. HOLDEN. Yes.

Chair JORDAN. You love this town, don't you?

Mr. HOLDEN. I love it.

Chair JORDAN. I think Mr. Gaetz is right. I think America loves this town.

Mr. HOLDEN. Right.

Chair JORDAN. Whether you're a Yankees fan, a Mets fan, a Giants fan, a Jets fan, we don't—the Statue of Liberty, Ellis Island, Broadway, and Wall Street. Americans love this city. Maybe most, I think Americans appreciate the people of this town and the example they showed the country after that tragic day of 9/11.

Mr. HOLDEN. Right.

Chair JORDAN. Do you agree with all that, Mr. Holden?

Mr. HOLDEN. I agree with that 100 percent.

Chair JORDAN. Right now, the policies being implemented by this District Attorney are going to ruin this great city. Do you agree with that?

Mr. HOLDEN. Yes, I do.

Chair JORDAN. It's scary, isn't it? It's scary what you see. It's scary what Ms. Harrison's had to endure, what Mr. Alba's had to endure, what Ms. Brame's had to endure, and what Mr. Borgen has had to endure.

It's driven by that “Day 1 Memo,” that “Day 1 Memo,” which sent a message to this town, to the bad guys in this town: You can do bad things, and you're not going to get prosecuted.

Do you agree with all that, Mr. Holden?

Mr. HOLDEN. Yes, I do.

Chair JORDAN. Yes, it's scary. Soft-on-crime policies are going to ruin this great city, and that's why we're here.

It's happened in other cities, as Mr. Gaetz pointed out. That's why this is not the only hearing. We're going to have other hearings. We'll go to wherever we need to go.

This is something that has to happen—that has to stop. Justice isn't supposed to be political.

Now, Mr. Holden, you're a Democrat, right?

Mr. HOLDEN. Yes, I am.

Chair JORDAN. It shouldn't matter. Republican or Democrat, I think as a lot of people said, it should not matter, should it?

Mr. HOLDEN. It should not.
Chair JORDAN. What’s the answer, Mr. Holden? What would you recommend?
Mr. HOLDEN. Well, my allegiance is to my constituents. I live here.
Chair JORDAN. Well said.
Mr. HOLDEN. For 71 years, I’ve lived in New York City. I’ve seen bad times, high crime, 2,000 murders a year in the 1980s. I’ve not seen the lawlessness that I’m seeing today in New York City in my lifetime. That means we’re afraid to go anywhere. There’s things—
Chair JORDAN. Let me just be clear. So, in 71 years, your life here in this great city, it’s never been as bad as it is today.
Mr. HOLDEN. I’ve had so many friends leaving this town because they just see the quality of life dropping. They go out on the street, there’s people driving down the wrong way with the electric scooters, there’s people robbing stores. You know that all the—
Chair JORDAN. Yes.
Mr. HOLDEN. —pharmacies in New York City have to be under lock and key, you have to go in a case.
It’s so bad, these small crimes, that Mr. Bragg has said he’s not going to prosecute. You don’t send that message out there. That’s why we disagree. We’re the same party, but we totally disagree on that.
Again, my allegiance is not to the party. It’s to my constituents and where I live. Again, I plan to live here until I die. I don’t want to see it go down the drain.
Chair JORDAN. Yes. You’re standing up for the folks you get to represent in Queens as part of the city council.
Mr. Borgen, Ms. Fischer earlier said, “bad guys go into other States and buy guns illegally.” The Democrats’ response is, take away guns from law-abiding citizens.
Is that going to work, Mr. Borgen?
Mr. BORGEN. Absolutely not.
I just want to say one thing. I sit here and listen. You’re on one side; you’re on one side. When Ronald Reagan was President, him and Tip O’Neill had regular meetings, got together and worked together in Congress.
Chair JORDAN. That’s right.
Mr. BORGEN. I don’t understand why I have to sit here, whether Republican or Democrat—I’m a Republican, by the way. I now vote in Florida, and I’m a registered voter in Florida. I have a Florida driver’s license. Based on—I’m not trying to stay.
The fact of the matter is, if everybody worked together and not sit here and say, this party says this about Trump, about this, it’s just—it doesn’t make any sense. The fact of the matter is, the criminals will get guns either way. You can do whatever you want; the criminals are going to get guns. They always have gotten guns. It’s not going to change. It’s not going to change.
So, you can sit here until you’re blue in the face. You can say, Congress, we’re going to outlaw gun sales across America. They’re going to get guns.
Chair JORDAN. Yep.
Mr. BORGEN. The criminals will get guns. There’s nothing you can do about it. Just that’s life.
Mr. Kessler sits here and says we have to sit here and take it. I've never heard someone say to me I have to take crime.

I live in Long Island. Crime has now come to my area, out in the Five Towns, a very nice, suburban area. We have had robberies now in stores. Now, the crime is coming toward me because, I guess, New York City is tapped out; they can't rob the pharmacies anymore.

Criminals are going to get guns. Nothing you can do about it, absolutely nothing.

Chair JORDAN. The bad guys aren't necessarily stupid; they're just bad.

Mr. BORGEN. They're just bad.

Chair JORDAN. They're going to figure out a way to do bad things. The key is to put bad guys behind bars so they can't harm others. When you send that message, things get better.

Mr. BORGEN. There's a segment of society that are always going to be criminals. It's been from day one. Nothing you can do about it. If Mr. Bragg would lock people up, then it'd save a lot of headaches in New York City and save lives.

Chair JORDAN. Thank you, Mr. Borgen.

Chair JORDAN. The gentleman—the Chair now recognizes the gentleman from Georgia, Mr. Johnson, for five minutes.

Mr. JOHNSON of Georgia. Thank you, Mr. Chair.

Mr. Chair, this is a sham hearing. It's not about crime in New York. It's an effort to impede and ultimately suppress the prosecution of Donald Trump. If you don't believe it, then all you need to do is connect the dots.

First, Manhattan District Attorney Bragg announced his criminal charges against ex-President Trump. Then, House Judiciary Republicans abused their power by subpoenaing testimony and records from DA Bragg about the ongoing prosecution. Next, they bring this sham hearing to Manhattan, supposedly about crime. If my colleagues across the aisle were really concerned and really cared about reducing violent crime, they'd work with Democrats to pass commonsense gun laws.

There are too many gun deaths in this country, and that's why I have joined with my fellow Democrats to cosponsor bills that would ban assault weapons, strengthen background checks, and fund research into gun violence prevention.

Meanwhile, MAGA Republicans continue to resist even the most basic reforms, like universal background checks. If Republicans really wanted to stop violent crime, they would be in D.C. right now working with Democrats to pass commonsense gun legislation. Instead, like jackbooted thugs, they've descended on New York City, using violent crime as their pretext.

The MAGA Republican extremists are not interested in gun violence—or even knife violence. The Republican witnesses who have used their time to criticize District Attorney Bragg have served as props in a MAGA Broadway production. The real purpose in coming to New York City—

[Disturbance in hearing room.]

Chair JORDAN. Hey.

Mr. JOHNSON of Georgia. The real purpose—
Chair JORDAN. Hey.
Mr. JOHNSON of Georgia. The real purpose in coming to New York City—
Chair JORDAN. The gentleman will suspend. The gentleman will suspend.
Mr. JOHNSON of Georgia. Stop the clock.
[Disturbance in hearing room.]
Chair JORDAN. For the audience, I've said several times now that the Committee has to be in order. If anyone continues, then we're going to have escort some people out.
Mr. BORGEN. Please don't talk—
Chair JORDAN. So—
Mr. BORGEN. Please don't talk down to us witnesses, please.
Chair JORDAN. Yes. The gentleman from Georgia controls the time. Mr. Johnson can proceed.
Mr. JOHNSON of Georgia. The real purpose in coming to New York City is to harass, intimidate, and threaten Manhattan District Attorney Alvin Bragg.
We are here because Manhattan District Attorney Bragg announced the indictment of former President Trump, and MAGA U.S. House Republicans have responded by using their power to try to help ex-President Trump beat the 34 counts of fraud that he has been charged with.
MAGA Republican extremists have defended the January 6th insurrectionists, and they are out here today serving as Trump's bulldogs, trying to scare a duly elected district attorney from following the facts where they lead and enforcing the law.
It is just one more sign that MAGA Republicans are a clear and present danger to our democracy and are actively working to undermine the rule of law, not just federally, but also on the State and local levels.
With that, Mr. Chair, I yield the balance of my time to the gentleman from New York's 18th District, Hon. Congressman Adriano Espaillat.
Chair JORDAN. The gentleman is recognized.
Mr. ESPAILLAT. Thank you, Mr. Chair.
Thank you, Ranking Member.
Thank you, my colleague, Hank Johnson, for yielding time.
Mr. Chair, first, I want to express my condolences, my deepest condolences, to both Ms. Harrison and Ms. Brame.
Mr. Alba, I was proud to see your community, our community, rally around you and other bodegueros, and I applauded DA Bragg's decision to drop the charges against you.
During the 1980s and 1990s, before I was involved in public service, as a regular citizen of New York, I fought crime and drugs during the crack wars in northern Manhattan. During those years, the 34th Precinct used to average over 100 homicides—let me repeat this—over 100 homicides a year.
Myself and my family members were held at gunpoint during those years, held up at gunpoint. I don't know if any of you here have been held up at gunpoint. This is deeply personal to me.
This year, the 34th Precinct has witnessed zero homicides. Last year, although far too many, that same precinct in northern Manhattan witnessed five homicides. From 100–5 to, this year, zero.
Let me say something to you, Mr. Chair. The common denominator in most homicides across the country is a gun. It’s a gun. Eighty percent of the homicides in this country are committed by guns.

Chair JORDAN. The Committee will be in order. The gentleman’s time—

Mr. ESPAILLAT. A young man—

Chair JORDAN. The gentleman’s time has—

Mr. ESPAILLAT. A young man murdered on 137th—

Chair JORDAN. The gentleman’s time has expired.

Mr. ESPAILLAT. A young man murdered on 137th Street, a gun.

Chair JORDAN. The gentleman from Georgia yields back.

Mr. ESPAILLAT. You guys brandish your pins with the AR–15?

Chair JORDAN. The gentleman—

Mr. ESPAILLAT. Reprehensible.

Chair JORDAN. The gentleman from Louisiana, Mr. Johnson, is recognized for five minutes.

Mr. JOHNSON of Louisiana. Thank you, Mr. Chair.

I wanted to begin by quoting a short excerpt from an important study and legal memorandum that was issued in November by The Heritage Foundation. Listen to this. It’s entitled, “The Blue City Murder Problem.” This summary statement is a message to all Americans—

Chair JORDAN. If the gentleman would suspend for just a second.

I would ask that the audience be quiet. The gentleman from Louisiana controls the time.

If we could stop press—if the press would please move so we can conduct the hearing. Move aside.

Capitol Police, if you could help us just clear that out.

The press will be given ample opportunity to talk to folks. We need to clear out and be quiet.

The Committee will be in order.

The gentleman from Louisiana is recognized for five minutes.

Mr. JOHNSON of Louisiana. Here’s the quote:

Your public safety as a resident is dramatically impacted by your district attorney and whether he or she is a George Soros-funded rogue prosecutor or a law-and-order prosecutor, by your police department, and by whether the local politicians support and adequately fund the police and prosecutors’ offices.

It goes on:

This is why the Soros rogue prosecutor movement has concentrated its fire at identifying, recruiting, and funding candidates for local district attorney races. By elevating pro-criminal and anti-victim zealots into office, the rogue prosecutor movement destabilizes the safety of our communities, treats criminals as victims and police as the criminals, and ignores real victims.

America’s sky-high murder rates, for example, are almost exclusively cabined in cities run by Democrats and with Democrat district attorneys, many of whom are bought and paid for by George Soros.

Why are we beginning our crime-wave field hearings in New York City? Because this is one of the most egregious examples in America. Alvin Bragg is the poster child for exactly what was just described.
Ms. Brame, I want to thank you for your compelling testimony today and sharing the shocking and tragic story of your son, Sergeant Hason Correa's gang assault and vicious murder by four criminals he did not know.

In your written statement submitted today, you wrote this. You said, quote,

DA Bragg has demonstrated over and over again that he has no regard or concern for human life or victims of crime by instructing his ADAs to not prosecute violent recidivists and ultimately release them back to the streets to victimize and terrorize more innocent New Yorkers.

You heard Mr. Nadler, Mr. Kessler, and others share their manipulated statistics this morning suggesting that New York City is, quote, “one of the safest big cities in America.” You and other New Yorkers don’t agree with that, I know. Mr. Holden just said, “our people are afraid to go anywhere because this is the worst lawlessness in the city’s history.”

How do you respond to these claims that this is just a magical, safe city right now?

Ms. Brame. Well, I think that the average New Yorker doesn’t care nothing about no statistics, OK, especially in the Black and Brown communities.

We care about the mothers who have to visit the morgue to identify their dead child’s body. We care about the mothers who have to lean into the coffin and watch them lower that top down on that child and they know they’ll never see them again. We care about being able to let our child go out to the park and play without getting shot in their stroller. We care about not getting raped in elevators.

We don’t care nothing about your statistics. You cannot convince us to not believe our lying eyes with your numbers. All right? Because we see it with our very eyes day-in and day-out, especially in the poor Black and Brown communities, where none of you in this room would even step foot in.

Mr. Johnson of Louisiana. Ms. Brame, you’re so right. They’re changing the subject. They’re doing their best to change the subject here and obscure the facts because the facts are difficult for them to face.

The objective fact is that Manhattan has instituted pro-crime, anti-victim policies that have resulted in an increase in violent crime and created this dangerous situation in the community, in America’s once-great city that was the symbol of freedom and opportunity and liberty.

According to the NYPD data, New York City saw a 23-percent surge in major crimes in one year since Alvin Bragg took over. That is the fact. We have a violent crime epidemic here. Everybody in America knows it, because we see the videos played out on our television local news every single night of what’s going on here in the city.

I just want to say this, and I’m almost out of time, but I’ve shared in this Committee before the long list of statements from leading Democrats in Congress and the leading Democrats on this very Committee who specifically and aggressively called for the defunding of the police. As a result, in 2020, in New York City, officials cut $1 billion from the police department’s 2021 budget.
These are the completely foreseeable and obvious effects of the soft-on-crime policies that are advanced by Soros-funded DAs. Alvin Bragg is, in my view, probably the worst offender. They’re trying to manipulate the facts, they’re trying to change it, but I thank you for being here.

I yield the remainder of my time.

Chair JORDAN. The Committee will be in order.

The gentleman yields back.

The gentleman from California, Mr. Schiff, is recognized for five minutes.

Mr. SCHIFF. Almost three weeks ago—is the microphone on?

Chair JORDAN. Yes. Just pull it closer.

Mr. SCHIFF. OK. Almost three weeks ago, Donald J. Trump was indicted by a grand jury in Manhattan on dozens of counts of fraud in connection with a hush-money payment scheme in which his personal lawyer, Michael Cohen, previously went to jail.

Since the former President’s indictment, the Manhattan District Attorney has been the subject of countless death threats and racist diatribes. Others have made ugly appeals to anti-Semitism in an effort to attack the proceedings.

This Committee has used every means at its disposal to disrupt, interrupt, and interfere with the prosecution, demanding documents it has no right to obtain and no jurisdiction to demand, subpoenaing a former district attorney, deputy district attorney, and threatening to subpoena the DA himself, and now holding this hearing in Manhattan in a vain attempt to intimidate or embarrass the prosecutorial authority.

Now, the majority denies that this is the purpose of today’s hearing. They would have you believe it is a mere coincidence that, all of a sudden and out of the blue, the Chair decided that the State of New York is a wonderful place to do a hearing—not the Chair’s home State of Ohio, with its high rates of murder, but New York State. Of all the cities in New York, they would pick New York City. Of all the boroughs in New York, they pick Manhattan. Apparently, Manhattan is just lovely this time of year.

What a remarkable coincidence, we are meant to believe. Of all the gin joints in all the towns in all the world, we just happened to walk into this one.

How absurd.

Of course, this is not a coincidence at all. Instead, it is the GOP leadership in Congress doing what it has done best for the last six years, and that is to act as the criminal defense counsel for Donald J. Trump.

Well, let me tell you this—let me tell you this—

[Disturbance in hearing room.]

Chair JORDAN. Capitol Police—the gentleman will suspend.

Capitol Police will remove the gentleman from the audience.

Mr. SCHIFF. Let me tell you this—let me tell you this—

[Disturbance in hearing room.]

Chair JORDAN. The gentleman—

Mr. SCHIFF. Let me tell you this—

[Disturbance in hearing room.]
Chair JORDAN. Stop. Stop. Stop.
[Disturbance in hearing room.]
Mr. SCHIFF. Donald J. Trump—
Chair JORDAN. The gentleman will suspend until we’ve got order.
[Disturbance in hearing room.]
Chair JORDAN. The gentleman will suspend. The audience has to be in order.
Capitol Police? Capitol Police? Sir?
[Disturbance in hearing room.]
Mr. SCHIFF. Can we have order?
Chair JORDAN. We are working on it, Mr. Schiff. Gentlemen, Capitol Police, please remove the gentleman from the audience.
No, you’ve gotta go. You’ve gotta go. I’m sorry. I’m sorry. I’ve given you several warnings. You’ve gotta go, unfortunately.
[Disturbance in hearing room.]
Mr. SCHIFF. That was a very unfortunate attack on Ralph Nader.
Chair JORDAN. The Committee will be in order. The Committee will be in order.
The gentleman from California.
Mr. SCHIFF. Those comments about Ralph Nader are way out of line.
Of course, it is not a coincidence that we are here in Manhattan. Instead, it is the GOP leadership in Congress doing what it has done best over the last six years, and that is to act as the criminal defense counsel for Donald J. Trump.
Well, let me tell you this: Donald Trump doesn’t need the lawyers on this Committee to be his criminal defense lawyer. He has plenty of those already.
Nor is that the role of Congress. Quite the opposite. Our role should be to defend the rule of law, not tear it down. We should be defending the principle that no one is above the law, not attempting to establish a new principle that if you’re politically powerful enough you get a pass. We should be defending the independence of the grand jury and the safety of a public servant enforcing the law, not adding to the dangers to both.
The Manhattan District Attorney has the burden of proving Donald Trump guilty beyond a reasonable doubt. A jury of ordinary citizens will have the responsibility of determining whether he has met that burden. That this process will be the same for a former President as it would be for his lawyer or his driver or his doorman or his neighbor is the strength of a democracy, not its weakness.
The first thing Chair Jordan said today was that this hearing is about the administration of justice. More accurately, it is about an effort to interfere with the administration of justice.
He said that, here in Manhattan, the scales of justice are being weighed down by politics. They are, but only today and by this Committee’s actions in trying to intimidate the Manhattan DA for having the audacity to believe that in America being rich, being powerful, even being President of the United States does not entitle you to violate the law with impunity.
There was a time in America when both parties used to believe in the rule of law, but, sadly, those days are over. One of America’s two great political parties believes that political might makes right. More than right, it means that you are beyond the reach of the law
and beyond accountability. The more power, the less justice. This is not democracy. This is the antithesis of democracy.

I yield back.

Chair JORDAN. The gentleman yields back. The gentleman yields back.

The gentleman from Arizona is recognized for five minutes.

Mr. BIGGS. Thank you, Mr. Chair. I appreciate all our witnesses being here today. Thank you for sharing your compelling stories.

I would just say, Mr. Borgen, after hearing what you’ve heard today, I think you probably understand why it’s real tough to sit down and have a logical, cogent argument on how we might jointly, with nonpartisan affiliation, try to solve so many problems. What do you think?

Mr. BORGEN. It’s funny Mr. Schiff sits there and talks about you guys, Republicans, about Trump. Hey, while Trump was in office, he’s been holding hearings trying to get him out for four years.

So, I don’t think you have the right to say that. You politicized when you were in power. You tried to get Trump out. You couldn’t get him out. Let’s face reality. You tried. The dossier was a fake, everything what it was. You tried to get him. He’s sitting there laughing. That’s very nice.

The other Democrats are telling us that we’re all props for sitting here. Please don’t talk down to us. It’s really not nice.

Mr. BIGGS. Thank you, Mr. Borgen. Thank you very much.

So, I wanted to just—read some—these are not by a Republican. These are just comments here. This is what an individual said:

I would add that, you know, is it’s not so much from necessarily Federal funding, but it’s something that I do want to spend more time on and focus on and use the plight—use the pulpit of representing the district in public safety.

I think a lot of people walk around this city very scared right now, and the violent crime wave is very concerning. This individual also said: “I think people are scared to go on the subway in the whole district.” I’ve heard it from all over the place, from the wealthy. The wealthy areas in Tribeca to Chinatown to Borough Park to Sunset Park. I think a lot of people are afraid. He also said: “I’m very concerned about the safety in the city.” He also said:

I’ve been a part of this community defending the victims and trying to protect the public for my whole career. And I think that those experiences resonate with people in different ways for different reasons.

We can’t allow people to just continue to cycle through the system because it’s demoralizing to the cops, and it gives everyone a perception of danger. He also said:

Whether or not the data says that it’s safe or not, there is a perception in the city that it is not safe, and one of the reasons for that is the perpetual recidivism that is going on.

He also said, quote:

You’ve got people randomly being shot on the subways. You’ve got people randomly being thrown into car trunks and driven to remote place and shot. There’s an insecurity not felt in 25 years. It’s scary to me and far away the No. 1 issue.

That didn’t come from anybody on this side of the aisle. It didn’t even come from any of you at the table. It came from Mr. Goldman
over there. We sit in his district. He knows that there’s a crime problem.
We’ve been hearing about a study. Let me refer you to the Heritage study that my colleague referred to, and I ask for its admission into the record.
Chair JORDAN. Without objection.
Mr. BIGGS. Thank you. Quote:
When you remove the crime-infested, homicide-riddled cities from the State murder rate featured in the Third Wave study you dramatically lower the murder rate for that State, upending their conclusions—his conclusions—and exposing the piece for what it really is: A straightforward attempt at political projection dressed up as a study.
This was coauthored by Mr. Kessler.
That’s what you’ve been hearing about to rebut the stories and the facts of the lives of the victims and the witnesses and those who live in this city today.
Mr. Holden, why won’t your family take the subway, the mass transit system in this city?
Mr. HOLDEN. What they’ve experienced—when my daughter took the subway the other day for the first time, she says: “I’m not going back, because I felt unsafe. People talk to themselves. People screaming. It is terrible.”
By the way, if you want to cherry pick numbers on the other side—and I’m a Democrat, but I’m against what I’ve heard about these stats. Downloaded from the NYPD this morning: 25 percent increase in all the seven major crimes in New York City in a two-year period, 26 percent in a 13-year period for Manhattan North. Manhattan South, 59 percent increase in a two-year period in the seven major crimes, 17 percent in the 13-year period.
For all of New York City—and this, again, is from NYPD, so cherry pick your own numbers, but this is overall—45 percent increase in the two-year period in crime in the seven major crimes and a 23 percent in the 13-year.
So, this is what we’re facing, and this is why we go to work. We fought so hard in the nineties to stop this crime wave that we had in New York City, and we did it, but now it’s being rolled back to the bad old days.
Mr. BIGGS. I yield back.
Chair JORDAN. I thank the gentleman. The gentleman yields back.
Let me just before going to Mr. Cicilline, we’ve been at this two hours. Are the witnesses fine? Because we’ll keep going, but if you need a break, just please let us know.
The gentleman from Rhode Island is recognized for five minutes.
Mr. CICILLINE. Mr. Chair, I yield 30 seconds to Mr. Goldman from New York.
Mr. GOLDMAN. I appreciate Mr. Biggs’ reference to some of the concerns that we have about public safety because it is something that is shared across the aisle.
The problem is that you are using this as a political stunt unrelated to real concerns about public safety around this country. Manhattan has the sixth fewest murders out of the top 50 cities in this country. So, we all know why you’re here. So, don’t play the
political games. You want to have a meaningful conversation? Let’s talk.

I yield back.

Mr. Cicilline. I want to thank the witnesses for being here today and, of course, sharing some very painful stories about your loss. I want to start by emphasizing that keeping Americans safe is one of the most, if not the most, important responsibilities that we have in government. It’s one of our most important callings as lawmakers. I was mayor of a city and presided over the lowest crime rate in 30 years serving as a public safety commissioner. So, I understand this very deeply.

My colleagues, sadly, are not here to meaningfully work on public safety solutions. This hearing was called for a purpose, to intimidate a district attorney for doing his job and upholding the rule of law.

You know how I know this? Because our colleagues consistently vote against laws that would increase public safety and ignore facts on what actually decreases crime. Gun violence is now the leading cause of death of children in America, and it kills 40,000 Americans a year.

[Disturbance in hearing room.]

Chair Jordan. The Committee will be in order.

Would the gentleman suspend just for a second?

Mr. Cicilline. I’d ask that the clock stop, please.

Chair Jordan. Yes, the clock stopped. We’ll be happy to do that.

We need to stop the conversations over here. The gentleman deserves to be heard. The Committee guests will please refrain from talking and chatting so that Mr. Cicilline can make his presentation and ask his questions.

The gentleman is recognized.

Mr. Cicilline. Thank you, Mr. Chair.

Gun violence is now the leading cause of death of children in America and kills 40,000 Americans a year. My colleagues vote repeatedly against even the most commonsense gun violence prevention measures.

They vote against getting assault weapons off the streets, despite the previous assault weapons ban that drastically reduced gun violence. They vote against alerting people to active shooters. They vote against safe storage and red flag laws. They vote against community-based crime prevention programs. They vote against background checks. The list goes on and on.

More than that, they brought us here today to attack a district attorney who has actually seen a decrease in violent crime during his tenure—all because he dared to hold Donald Trump accountable.

So, please spare me this suggestion that this is about a sincere interest in finding solutions to crime. This is about your agenda to earn the admiration and support and good wishes of the former President of the United States.

I, for one, would actually like to hear about some actual solutions to public safety and particularly to gun violence in our communities.

That brings me to my first question: Ms. Fischer, how do our gun laws, or lack thereof, contribute to America’s gun violence epi-
emic? Is the rate of gun violence in this country and the rate of
gun death comparable in any other developed country in the world?

Ms. Fischer. Thank you, Representative.

The gun violence rate in the United States is 26 times higher
than every other high-income country. So, we are comparatively a
much more dangerous place to live. Though violent crime—and I
strongly push forward that gun violence is violent crime and should
be considered as a part of this hearing. Violent crime is going down
in New York City, according to law enforcement’s own data.

However, we could be doing so much more to ensure that New
Yorkers are protected, and all Americans are protected by enacting
comprehensive universal background checks, by having a licensing
system and requiring a permit to purchase. We could also be ban-
nning the assault weapons that are most commonly used in mass
shootings that are killing our children every day.

Mr. Cicilline. One of the things I think that Congress has a re-
sponsibility to look at, although we don’t have jurisdiction over
State criminal prosecutions, obviously, or local prosecutions, what
is the evidence with respect to the focus on exclusively arrests and
incarceration, but how do we prevent crimes? What are the good
strategies?

Because, frankly, by the time someone is a victim of a crime,
we’ve already failed. Our goal should be to prevent crime. So, what
does the evidence say with respect to those two different strategies?

Ms. Fischer. We need to be investing in prevention, largely be-
cause there are so many guns that are being trafficked from out
of State. We need to be investing in our communities. That’s with
resources toward community violence intervention strategies and
prevention programs, including in schools, more trauma support for
victims, more resources, better housing.

All those issues in terms of the inequities that are impacting es-
pecially impoverished Black and Brown communities in this coun-
try and in this city need to be addressed as a public health crisis,
and we need to be investing in prevention.

Mr. Cicilline. Thank you.

With that, I yield back, Mr. Chair.

Mr. Johnson of Louisiana. [Presiding.] The gentleman yields
back.

The gentleman, Mr. Tiffany, is recognized for five minutes.

Mr. Tiffany. Thank you, Mr. Chair.

Mr. DiGiacomo, would you rather have sympathy for the police,
or would you rather have respect from elected leaders?

Mr. DiGiacomo. Well, respect and sympathy. It’s a very difficult
time. In my 40 years now, this is probably the most difficult time
in policing that I’ve ever seen. Yes, respect is important, of course.

Mr. Tiffany. Do soft-on-crime policies lead to less gun violence?

Mr. DiGiacomo. I believe so, yes.

Mr. Tiffany. So, you believe going soft on crime is going to cause
there to be less gun violence in your city?

Mr. DiGiacomo. No, not less. Soft on crime is going to cause
more gun violence.

Mr. Tiffany. OK. I’ll State it this way then: Do soft-on-crime
policies lead to more gun violence?

Mr. DiGiacomo. Yes.
Mr. TIFFANY. Ms. Harrison and Ms. Brame, the Ranking Member said this city is safer. Is this city safer, in your mind, Ms. Harrison?

Ms. HARRISON. No. I have a lot of friends through my advocacy that live here that are considering moving their entire families.

Mr. TIFFANY. Ms. Brame, is this city safer under District Attorney Bragg?

Ms. BRAME. Absolutely not. There are all kinds of criminal elements roaming the street, free to do whatever they want.

Mr. TIFFANY. Mr. Holden, the District Attorney’s Office conceded they used $5,000 in Federal funds, which are authorized by us here, for purposes other than fighting violent crime here in Manhattan.

Do you agree with the District Attorney’s decision to do that?

Mr. HOLDEN. No, I don’t. I disagree with most of what DA Bragg is about, especially the soft on crime.

What’s happened in New York City, the reason why our crime—and it’s not going down, it’s going up if you look at the trends. We have the lowest incarceration rate of any major city in the United States. I’ll repeat that: The lowest incarceration rate of let’s say 40 of the biggest cities. New York City has the lowest. That’s because Mayor de Blasio before Mayor Adams started releasing everyone from jail.

So, of course, crime was going to go up. It skyrocketed in 2020. So, that’s the reason. We still, I believe we have to arrest more people—DA Bragg will disagree—and they should go to jail when they commit a crime.

Mr. TIFFANY. Mr. Holden, so there’s this Federal funding that comes in and it’s not being used to fight violent crime. As an elected Representative, do you view it as inappropriate that those of us that are responsible for those dollars going to fighting crime using Federal funds, is it inappropriate for us to review how those dollars are being spent?

Mr. HOLDEN. Yes, certainly we should review it, yes.

Mr. TIFFANY. Mr. Holden, have you been asked to be on any of the major networks to deliver your message? Have you been asked, for example, to be on CNN to deliver your message?

Mr. HOLDEN. I’ve been asked not from CNN, but I have been asked on other major networks, yes.

Mr. TIFFANY. You’ve shared those comments.

Ms. Brame, Ms. Harrison, have you been asked to be on one of the major networks to tell your story?

Ms. BRAME. Not CNN.

Mr. TIFFANY. Ms. Harrison?

Ms. HARRISON. No, not CNN, not MSNBC. They refuse to even acknowledge that victims are a part of this hearing.

Mr. TIFFANY. So, let’s talk about—we hear percentages. Time after time we’re hearing percentages. In 2022, as a result of a seven-percent increase in rapes, that’s 110 more people that got raped here in New York City. Those are almost all women, I’m sure, 110. Auto theft, 3,256 more car jackings here in New York as a result of this soft on crime. Transit crimes, people being pushed off subways, right? Five hundred and twenty-one more people; 521 more people. Thirty percent more, that’s 521 more people.
That’s what we’re seeing, ladies and gentlemen. These are real people that are being harmed.

I just want to conclude with this, Mr. Chair. I’m so glad we’re having this first hearing in New York, but I want you to come to my State. I want you to come to Milwaukee where we had a District Attorney, here’s his quote when he started out:

> Is there going to be an individual I divert or put into a treatment program who’s going to go out and kill somebody? You bet.

Milwaukee has 10 percent of the population, and they have 25 percent of the crime.

Mr. Kessler, that’s the problem is the Soros prosecutors are not doing their job. In Wisconsin, now we’ve got a Soros Supreme Court justice. The people of Wisconsin better hang on because violent crime is going to get worse. Come to Milwaukee, Mr. Chair, for the next hearing.

Mr. JOHNSON of Louisiana. The gentleman’s time is expired.

Ms. SCANLON is recognized for five minutes.

Ms. SCANLON. Thank you, Mr. Johnson.

Our constituents elect us to make their lives better. They send us to Washington to work on the issues that impact American families, whether it’s healthcare, jobs, the cost of prescription drugs, infrastructure, clean air and water, climate rescue and, of course, safe communities and schools.

Every day in Congress, we are seeing the right-wing extremists who control the House failing all of us, choosing publicity over progress, choosing politics over people, and choosing protecting the disgraced and now-indicted former President rather than protecting our democracy.

Today, at the urging of the former President and his lawyers, the Chair has dragged the entire House Judiciary Committee to New York, inserting the Federal Government into a purely State and local matter with no credible pretense of jurisdiction.

He’s making the American taxpayer and especially the New Yorkers who he claims to be so concerned about, paying those taxpayers pay for this foolishness. This isn’t governance. It’s not working for the American people. It’s grandstanding. It’s a stunt. Just look at all the cameras here. Every second of it is preventing us from being able to do the real work that the people who elected us expect us to do in Congress.

To our witnesses here today who shared their pain and trauma in being victims of crime and violence, I am so sorry for the impact that has had on you and your families. Anyone listening to you has to be moved by what you’ve experienced. I applaud your courage in trying to take that pain and move to change things going forward.

I fear that you have been revictimized by this hearing because this hearing is not going to provide that change. It’s not a serious effort to make our communities safer. Our Republican colleagues aren’t in New York City to prevent crime. They’re here to protect someone who’s been charged with committing crimes.

How do we know that? Look at the time, place, and manner of this hearing. We know that the timing isn’t a coincidence because, as soon as it became obvious that the Manhattan District Attorney was getting ready to charge Mr. Trump with crimes, Mr. Trump’s
lawyers sent a letter to the Chair telling him to use the full powers of Congress to go after the Manhattan DA.

We know that the place is important because the choice of place for this hearing isn’t a coincidence. It’s about protecting Mr. Trump because it’s being held in the city where Mr. Trump was indicted and arrested just two weeks ago. If this hearing were focused on fighting crime, as several people have mentioned, there are other jurisdictions that have much higher rates of crime.

As to the manner of this hearing, we know that it’s about protecting Mr. Trump because it’s being led by the disgraced former President’s closest allies, the ones who benefit the most if he can beat the criminal charges here in New York or if they can intimidate the Manhattan DA or the other prosecutors across the country who are investigating other alleged crimes.

Crime prevention is a serious topic, and it deserves serious discussion, but that’s not what this hearing is about. Instead, we’re seeing a circus, a performance by partisan politicians who have hitched their wagons to the Trump train.

So, I and my colleagues refuse to sit idly by while families across this country, from Alabama to Louisville to Nashville to Uvalde to Buffalo to Boulder, while they’re mourning the loss of their loved ones to gun violence. We stand ready to pass legislation to address the serious issues facing all Americans if our Republican colleagues will let us.

Now, Ms. Fischer, you and several others have mentioned the Iron Pipeline, the route through which many of the crime guns in States like New York and Pennsylvania are acquired. Just last year, the ATF intercepted 400 illegal guns from southern States that were being sent to my community in Philadelphia.

Can you speak to the impact of less gun laws in States that lack more specific gun laws, the impact that it has on gun violence in cities like New York, Pennsylvania, and Philadelphia?

Ms. FISCHER. Absolutely. Thank you, Representative.

Because traffickers are able to easily and illegally obtain guns in States with weak gun laws, like Florida, Georgia, or the Carolinas, they are able to easily purchase lots of guns and traffic them into neighborhoods that have been disproportionately impacted by structural and systemic inequities for decades.

We’re talking about vulnerable communities that are already lacking in access to resources. Because of that, those guns are being used in crimes, and also because gun carrying is more likely when people feel afraid and they are feeling more powerful.

Chair JORDAN. [Presiding.] The gentlelady’s time has expired.

Ms. SCANLON. Mr. Chair, I would just seek unanimous consent to enter into the record a report entitled, “Uncovering the truth about Pennsylvania crime guns.”

Chair JORDAN. Without objection.

Ms. SCANLON. Thank you.

Chair JORDAN. The gentleman from Texas—

Ms. HARRISON. Mr. Chair, I’m sorry. They keep addressing us, the victims who are here to testify and make change—we’re here to effectuate change—and then not allowing us to comment at all.
Chair JORDAN. If you can hang on just a second, Ms. Harrison. I’m sure Mr. Gooden will give you a chance to respond. The time belongs now to Mr. Gooden. Thank you.

Mr. GOODEN. Thank you.

Ms. Brame, I heard you saying how disrespectful this was. I share your concerns. We’re going to come back to you, but I’d first like to yield to the Chair.

Chair JORDAN. That’s fine. I’ll yield. Go to Ms. Harrison.

Mr. GOODEN. Ms. Brame, I’m disgusted with what I’m seeing. This is a serious event. We’ve called you all in here to share your experience. We’ve been called jackbooted thugs by the opposing party for having this hearing. It’s been called foolishness. I don’t believe your stories are foolish.

We’ve heard from the Congressman that represents this district just six months ago who said, quote:

You’ve got people randomly being shot on the subways. You’ve got people randomly being thrown into car trunks and driven to remote places and shot. There’s an insecurity not felt here in 25 years.

If the local Congressman is saying that then, I don’t believe you are crazy for saying the same things. I thank you all for being here.

Ms. Brame, you’ve shared so much, and we thank you. Is there any further comments you’d like to have? We hear all the talk about the former President from the other side. This is not a political hearing, despite claims from the other side. I’ll give you the floor.

Ms. Brame. The only people I hear talking about politics or President Trump is from the other side. I don’t hear no one, I don’t hear anyone else talking about President Trump except from the people from the other side. From the other side of where? The other side of the moon? The other side, whatever that is.

Let me tell you something. Victims can care less about anyone’s political ideology or party. Neither do criminals. They don’t go up to a person and ask them if they’re a Democrat or a Republican before they bust them in the head, OK, or before they push them in front of a train, before they stab them to death.

These are real-life people that we’re dealing with. We pay you guys. Our tax dollars pay you. You work for us. We do not work for you.

Chair JORDAN. The Committee will be in order. The Committee will be in order. The time belongs to the gentleman from Texas.

Mr. GOODEN. Ms. Brame, I want to thank you again. While the other side wants you to stop talking, I hope you’ll continue well after today.

Ms. Brame. Absolutely, absolutely.

Mr. GOODEN. Thank you. I’ll yield the balance of my time to the Chair.

Chair JORDAN. I was just going to say, Ms. Harrison, are you grandstanding?

Ms. HARRISON. No. It seems like, as Madeline mentioned, that the other side is here on taxpayer dollars. The least that they could do is listen to our side of it, ask us questions. They brought witnesses in to counter our horrific stories for their agenda.
All they want to do is talk about gun legislation. Well, you can have all the gun legislation on the books, but if it’s not enforced, which is what Alvin Bragg is doing, then it’s not going to matter, and people are going to die. That’s why we’re here. I appreciate your oversight because we do need help. If they continue to ignore it, people are going to die.

Chair Jordan. Is this Committee victimizing you, Ms. Brame, as the Democrats said?

Ms. Brame. Absolutely not. This Committee has given me a platform, has given me a seat at the table to be able to tell my story and raise awareness for victims all over not just New York City but all over this country, especially from Philadelphia.

Chair Jordan. Ms. Fischer, if guns are the problem, why didn’t the Democrats fix it?

Ms. Fischer. The Democrats have worked hard to pass comprehensive—

Chair Jordan. Well, they had control. They controlled all the House and all the Senate. They still have the White House. Why didn’t they fix it last Congress? If the answer is—

Ms. Fischer. We need comprehensive gun violence prevention legislation to be passed, and this Congress has the ability and the capacity to do that.

Chair Jordan. I was in the Congress last session. Mr. Nadler was the Chair.

Ms. Fischer. So, we can do it now.

Chair Jordan. They could have passed it. They didn’t pass it.

Mr. Nadler. Would the gentleman yield?

Ms. Fischer. You need Congress to go back to Washington and pass strong gun violence prevention legislation.

Chair Jordan. Would the gentleman yield?

Mr. DiGiacomo. No, I’m going to go to Mr. DiGiacomo.

Chair Jordan. Mr. DiGiacomo, are you grandstanding?

Mr. DiGiacomo. Not at all. Honestly, I am here—

Chair Jordan. You’re representing the detectives of this great town, right?

Mr. DiGiacomo. Absolutely, and very proud of it. I am not here other than to ask for help. Someone just said that we can’t do anything here. Well, if the people of the U.S. Congress can’t do anything to help us, we’re in a lot of trouble because there are some powerful people around this table that could help and stop the violence and make the streets safer for the people of New York City and the police officers and detectives that serve them. We’re here for help. We need help.

Chair Jordan. Thank you. I thank the gentleman from Texas, and the gentleman yields back.

The Chair now recognizes the gentlelady from Pennsylvania, Ms. Dean.

Ms. Dean. Thank you, Mr. Chair. I thank all the witnesses for being here today.

Mr. Nadler. Would the gentlelady yield for a moment?

Ms. Dean. Yes, Mr. Nadler.

Mr. Nadler. Thank you. I just want to answer Mr. Jordan’s question. Last year, when we were in control, the Democrats in the House passed very comprehensive gun control legislation. The
Democrats in the Senate voted for very comprehensive gun control legislation. Because of the filibuster, you needed 60 votes. We got no Republican votes, and that's why it didn't pass.

I thank the gentlelady. I yield back.

Ms. DEAN. I echo the statistics that were just offered by the Ranking Member, Mr. Nadler.

Democrats have been working to reduce crime, to reduce gun violence crime wherever we can. Let me say everyone, I believe everyone in this room has sympathy for the horrific stories, the horrific losses of life, the horrific attacks, the anti-Semitic attack on your son. We have great sympathy. We hear you.

You are properly raising your voices. Don’t let anything that we have to say indicate that we don't think you should be lifting your voices. There is an underlying sham going on here. I know you don't like to hear it. Your voices are important. Two things can be true at the same time.

We are not properly here. It is not our jurisdiction to oversee or to interfere with an independent District Attorney's Office. We are not properly here. This is not our jurisdiction. I wish—

Ms. HARRISON. None of us are asking you to interfere.

Chair JORDAN. The gentlelady controls the time.

Ms. DEAN. It is proper that you raise your voices, but it is hypocritical that we are here. If this Committee wants to do something about violence in this country, about the horrific losses of life, do something. Work on legislation with us.

This weekend, two more mass shootings. Is that calling your attention? Are you up in arms to say, what in God’s name can we do to reduce the slaughter of our children, your children, our children?

It's the third Monday of April, and so far, this year more than 5,000 people have been killed by gun violence; another 9,200 caught in the crossfire. Nearly 500 children and teenagers have died because of rampant gun violence. We know that number of families devastated, and lives forever altered is even larger. We’re only in the fourth month.

None of this is new. Hearing after hearing, one Congress to the next, the numbers keep repeating themselves. More than 200 people a day shot; 40,000 people a year killed by guns. We know all this. Facts are supposed to influence action. Horrifying facts are supposed to elicit a response. Yet, my Republican colleagues prefer gesturing about violent crime rather than doing something about it.

I'm reminded of the character in Succession, the late Logan Roy, said: “You are not serious people.” If you are serious about doing something about violence, gun violence, and other:

… the House passed a universal background checks bill: Sixty-three percent of Republican gun owners support it, yet only eight of my Republican colleagues supported the bill; 202 of them voted against it, including every Republican Member in this room.

Again, not serious people.

Assault weapons are the firearm of choice in mass shootings. The Democratic House last Congress voted to ban these weapons of war. Only two Republicans out of 211 voted for it. Neither is in this room today. When Senate Republicans were finally motivated to ac-
tion by the horrific slaughter of babies in Uvalde, did my Repub-
lican colleagues here join? No, not a single one of them voted for
the bipartisan Safer Communities Act.

Make no mistake. If the concern about addressing violent crime
addressed by my Republican colleagues was genuine, they would
have acted. There would be more for us to be talking with you
about here. We’re only here today because Chair Jordan and his
colleagues want to make a show of defending a former failed, twice-
 impeached, crooked President.

This is not serious. Violent crime is a grave national issue. It de-
mands serious consideration by legislators who want to make a dif-
ference and to save lives. That is reserved for us.

I yield the remainder of my time to Mr. Goldman.

Mr. BORGEN. Can I ask you, why isn’t anybody blaming the
shooter? You’re always blaming guns. No one blames the shooter.
They’re crazy people. Everybody blames the guns.

Chair JORDAN. The Committee will be in order. Mr. Borgen, the
Committee will be in order.

The gentlelady had I believe like 18 seconds, and she’ll be yield-
ing to Mr. Goldman.

Mr. GOLDMAN. Yes.

Chair JORDAN. The gentleman is recognized.

Mr. GOLDMAN. I want to be very clear to all of you, as reflected
in my statements, that we are all very, very concerned about your
stories. We are concerned about every victim. I was a prosecutor
for 10 years. Victims’ rights are essential.

What we’re talking about here is something that the State needs
to deal with. The reason why we’re saying this is a political theater
is that we don’t have jurisdiction to do anything about what you’re
concerned about. So, I just want you to understand that.

Chair JORDAN. The gentlelady’s time is expired.

The Chair now recognizes the gentleman from Oregon, Mr.
Bentz.

Mr. BENTZ. Thank you, Mr. Chair. Thank you for holding this
hearing.

Thank you, witnesses, for being here and sharing with us your
incredibly challenging stories.

Quote: “The justice system is not cooperating.” This is a quote
from one of the retailers here in your town: “The justice system is
just not cooperating.” It’s getting to a point where you either have
to padlock every item that has to be stolen or could be stolen or
you have to fight back, and if you fight back, you take the risk of
going to jail for protecting your property.

That’s one of the reasons we’re here. Here’s several more because
I’ve heard a lot of suggestions that we’re here for reasons having
nothing to do with why I’m here.

This city has 8.5 million people. That is twice what my State has.
It has 58 million people within 250 miles. It is four million larger
than our next largest city, which would be Louisiana. It has a GDP
of $1.56 trillion. This is an asset we should be doing everything to
protect, and particularly the people within it.

Mr. Holden, drawing your attention to the next-to-last paragraph
in your testimony, it appears that you believe that we in Congress
can actually do something. You actually talk about what we might do.

So, I would like you just to elaborate just a bit so that people aren’t thinking that we’re just here for show, we can actually do something. Can you go to that next-to-last paragraph and share your thoughts?

Mr. HOLDEN. Yes. When the public is not being protected, when we fear for our safety day in and day out, we lose our freedom. If Congress can’t do something, then I don’t think anyone can.

You can do this with funding. You can do this with certainly Federal attorneys jumping in, prosecutors. There’s a lot of things I think Congress can do. I’m here because—and as a Democrat, I don’t agree with a lot of my party’s stances on things, and I’m more of an independent person, but I’ve been on six years in the city council, and they’ve never held a hearing on victims’ rights. They hold hearings on criminal rights and how they’re not being treated properly. I get that; that’s important to have. What about victims’ rights? Six years on the city council, on the Public Safety Committee, not one hearing.

Mr. BENTZ. Mr. Holden, I’m going to interrupt, if I may. I’m going to stick with you, though.

Because you also say in your letter—and this is a response to Ranking Member Nadler’s questions about percentages and crime reduction, but you note in your testimony about cherry picking of statistics. So, I want you to talk about that for just for a second.

You note that it’s easy to twist these numbers around. I’m kind of reminded about something that was said a little earlier, that it’s easy to focus on percentages, but we should be focusing on the real numbers, as Mr. Tiffany pointed out, the thousands when we talk about percentages as though it’s meaningless. Tell me what you say in your letter.

Mr. HOLDEN. It’s a real thing because I have businesses, and I have one individual who owns four gas stations in my district. He’s from Southeast Asia. He’s an immigrant. He is living the American Dream until recently, until 2019 is when the bail reform package went through the State. He says: “A good day for me in my four gas stations is when I’m not held up. We consider it a good day.”

He’s losing 2,000 or 3,000 dollars a day in the four gas stations with petty theft and being held up.

It’s a serious issue. We fought to get crime—we had 17 straight years in New York city of crime reduction up until 2019, when they pushed the bail reform and discovery through the State. Now crime is going up. Again, 13 years we’ve had an increase in crime.

So, anybody cherry picking those numbers, anybody who is a real New Yorker knows that we had low crime, and we were proud of that. We were the safest city in the United States. Not anymore.

Mr. BENTZ. Thank you. We’re just a few seconds left, and I just want to say that I’m happy we’re here in New York, but for those of you who want to see the consequences of lax prosecution practices, come to Portland, Oregon, and look at what’s happened to that beautiful city where I went to law school years ago, and you can wander around in downtown Portland without fear of anything happening. The restaurants were great. The cultural scene was great.
In the last three years, that has changed so dramatically it is ridiculous. If you want to see what happens when you don't prosecute people for throwing bricks through windows, starting fires in downtown, running everybody else out, come to Portland. It's so incredibly sad.

I'm going to come back to New York for a moment. My last little phrase here is, despite what you folks are enduring here as a result of runaway progressivism, you still have these wonderful people, the police working for you, and I'm happy for that.

I tell you, as I sit here listening to Democrat politicians use rampant crime and violence to justify more restrictions on possession of firearms, I must say, please, let's turn our attention to the good things we can do in Congress.

With that, I thank you all and yield back.

Chair JORDAN. The gentleman yields back. I thank the gentleman.

The gentleman from Maryland, Mr. Ivey, is recognized for five minutes.

Mr. IVEY. Thank you, Mr. Chair.

Just a brief response to that. I mean, yes, we're thinking about gun control and trying to reduce gun violence, because of Nashville and Louisville and Alabama yesterday. So, it seems to me that it's unsustainable. We need to do something to address it. You know, I believe the Second Amendment is important, but I think protecting second-graders from being killed is important as well.

Ms. Harrison, Ms. Brame, and Mr. Borgen, I want to commend you. I was a prosecutor for 12 years, four as a Federal prosecutor, eight as a local prosecutor in Maryland, which is kind of the birthplace of the victims' rights movement.

So, I understand that what you're doing and the role that you play. In fact, it really transformed the criminal justice system in the nineties and in the 2000s, and I encourage you to continue on. You don't need that. I can tell just by what I've heard from you today, you're going to sustain it and keep fighting on behalf of your loved ones, but I commend you for what you've done.

I did want to say this with respect to whether this is serious or not. I'm not going to look in people's hearts and try and judge the motives for whether these hearings are serious or not or what's behind them, but I'll say this: We've got Republican colleagues who have introduced legislation to eliminate the ATF, eliminate the FBI. Mr. Trump called for defunding the Department of Justice and the FBI.

As a former Federal prosecutor, I can tell you that, if you get rid of those three agencies, there's no Federal mechanism or arm to actually prosecute violent crime at the Federal level. That means terrorism. That means gangs. That means multi-State issues.

The big takedown of the Sinaloa Cartel on Friday, I think the reason we were able to do that was because we had a strong Federal Government that was able to cross Federal lines and international lines and complete those prosecutions. So, I certainly oppose the defund the Federal law enforcement arms that we've had discussions about.
With respect to the funding in general, I think even at the local level the Federal Government can and has been helpful and should be more helpful too from a funding standpoint.

I think it’s right we can’t really meddle in local prosecutions per se, but funding for victims’ rights, for resources for training, for hiring and retention of police officers, because I know police departments are competing now for a shortage of officers, so I think it’s important for us to try and step in in that way.

I would encourage my colleagues on the other side to speak about the specific types of proposals they would put forward at the Federal level to address the local crime issues that you’re talking about here today because I haven’t heard any so far.

With that, I’ll yield the remainder of my time to Mr. Goldman.

Mr. Goldman. Thank you, Mr. Ivey.

Mr. Borgen, I understand that your son was the victim of an anti-Semitic attack. I’m terribly sorry to hear this. Anti-Semitism hits all of us, regardless of party.

Now that we have recently learned that George Santos, who not only remains in Congress but is announcing his reelection campaign today, is not actually Jewish, the Ranking Member and I are the only Jewish members from the entire State of New York. We are deeply concerned about anti-Semitism in New York, which has increased more than 400 percent in the past eight years.

Now, today we’ve already heard two Members of the majority reference what one called the Sorosization of criminal justice, the criminal justice system, which is, of course, a reference to George Soros, a Holocaust survivor who lived the American Dream. Many more have said the same.

My constituents are very concerned that these smears related to Mr. Soros-supported prosecutors are anti-Semitic. Do you believe they’re anti-Semitic?

Mr. Borgen. Well, here’s my answer to that. I know Soros is Jewish. He can’t be anti-Semitic. I can’t believe that, especially—

Mr. Goldman. No, what people say when they use Soros.

Mr. Borgen. Soros is politics. He’s just a liberal lefty politician. I don’t think it has nothing to do with what his beliefs are. What he wants to create, whatever he wants to create, it’s his business.

Mr. Goldman. All right. I appreciate that. I don’t have a lot of time, I’m sorry.

Mr. Borgen. Mark Levin, who just got elected from Lower Manhattan, got a petition signed with 29 signatures protesting this conference. I don’t know if you’re aware of it.

Mr. Goldman. Can I just reclaim my time, because I only have 20 seconds.

I want to mention that when I was walking in here today, there was a man outside with a sign. I would just like to hold this sign up.

Mr. Borgen. I saw it.

Mr. Goldman. You saw it, right? There’s a Star of David with two-dollar signs and Soros.

Mr. Borgen. That’s disgusting.

Mr. Goldman. Would you say that’s anti-Semitic?

Mr. Borgen. It’s 100 percent anti-Semitic, and it’s disgusting.

Mr. Goldman. Right.
Mr. BORGEN. It's disgusting.

Mr. GOLDMAN. I yield back my time.

Chair JORDAN. The gentleman yields back.

The Chair now recognizes the gentleman from Virginia, Mr. Cline.

Mr. CLINE. Thank you, Mr. Chair.

I want to echo the comments from Mr. Holden. Your allegiance is to your constituents. Each one of us is here because of our constituents. Our allegiance is to our constituents as well.

My constituents live in the Shenandoah Valley of Virginia. It feels about as far away from New York City sometimes as you can get. The floor that I was on in my hotel last night was taller than any building in my entire home county, Botetourt County.

Our hearts are with the people of New York City. Our hearts are with the victims of these crimes that are being committed against the people of New York City. Every crime has a victim. It's not just about numbers. It's about real people, as Mr. Tiffany was saying.

We are hearing some of the stories. I want to thank you all for being brave to come here and share your stories with us. We're grateful to you. My constituents are scared because they're watching what's happening in New York City, and they know that the Shenandoah Valley, if they adopt the wrong policies, if they elect the wrong prosecutors, their lives could turn for the worse and their cities and counties could be full of crime as well.

The policies that have been adopted in New York City are policies that were just adopted in Virginia. When Democrats took over the House and Senate and the Governor's Mansion between 2019–2021, they reversed policies that were put in place in 1995 that abolished parole, instituted mandatory minimum sentences and presumptions against bail. Those are all gone now.

We're worried, quite frankly, in Virginia, because we see the impact of those policies here in New York, along with the falling apart of what I consider to be a three-legged stool. When it comes to the fight against crime, you need three legs of a stool: You need police who are going to arrest, you need prosecutors who are going to prosecute, and you need judges who are going to put people in jail.

Here in New York, you don't have those three legs. I'll let you decide how many legs you have and how strong those are. When you get rid of the policies like a presumption against bail that we got rid of in Virginia, like the bail policies that you have here, the ending of cash bail here in New York City, it's like termites eating away at that stool.

So, no matter how strong you have in terms of your mayor, who's a former police chief, or your police chief now, if you lose those legs or if you have the stool being eaten away, you see the spike in crime that's happened. We have a spike in crime here in New York City: 1,500 rapes, up seven percent, robberies up 26 percent, felony assaults up 13 percent, burglaries up 23 percent, grand larcenies up 26 percent, auto thefts up 32 percent, all accounting for a 23-percent increase in major crimes in just the last year.

So, you have a problem in New York, one that we're afraid could spread to other places, like my area of Virginia. We talked about the use of taxpayer dollars.
Ms. Brame, you talked about the lack of services that you received. So, we inquired about how many taxpayer dollars go to New York City and to Alvin Bragg's office. The DA's Office receives $204,730 in Federal grant money during current award period from the Department of Justice's Justice Assistance Grant Program, which is subgranted to the city of New York, goes toward addressing violent and other felony crimes in our jurisdiction.

More interestingly and more to your point, the DA's Office received $583,111 in Federal grant money yearly this past year from the Victims of Crime Victim and Witness Assistance Grant Program, which is subgranted through the New York State Office of Victim Services. Use of these funds is to be used to provide information to victims and their families related to the prosecution of cases and assisting victims with understanding the criminal justice system. Over half a million dollars sitting in Alvin Bragg's office to help people like you.

Do you feel like you got help from Alvin Bragg as the case was going forward?

Ms. Brame. No, I received no help from his office. Me and my family, we were treated like garbage. I can't describe it any more than what I have already. It was the most horrific experience that I've ever experienced. It was just bad.

Mr. Cline. Were you alerted? When the plea deals were cut for two of those offenders, were you alerted to those plea deals when they were cut?

Ms. Brame. No.

Mr. Cline. Were you allowed to put a victim statement into the record?

Ms. Brame. Not for Mary Saunders, not upon her sentencing. For Travis Stewart, I did and for the other two. They dismissed those gang assault and those murder indictments behind my back.

Mr. Cline. That's abhorrent and did not do justice to you or to the son that you lost, and we apologize.

Ms. Brame. Not at all, not at all.

Mr. Cline. I yield back.

Chair Jordan. The gentleman yields back.

Before recognizing the gentleman from New York, I see we're joined by one of our other colleagues, the gentlelady from here in New York City, Staten Island.

Ms. Malliotakis, thank you for joining us and for your concern about what's happening here.

We now recognize, pursuant to the agreement reached with Mr. Nadler's staff, the gentleman from New York for 2½ minutes.

Mr. Espaillat. Thank you, Mr. Chair, again, and thank you, Mr. Johnson for giving me some previous time.

I want to continue my previous statement. Back in the late eighties and nineties, this was a tough town. It was tough to live here. Crime was really very violent. As I said earlier, during that period, I had the opportunity to work for a victim services agency, providing services for crime victims. I was also the president of a 34-precinct community council.

If there's one thing that I really learned during those two decades was that you cannot really simply talk about crime without talking about guns. You just can't do it because 80 percent of the
homicides are committed by guns. Now, we’re not minimizing the other 20 percent. They’re also equally important. Eighty percent are committed by guns.

This past Easter Sunday, a young man gets shot and killed on 137th Street, not too far from where Mr. Alba used to work. Why? A gun. Just this weekend in Alabama, just this weekend, this Saturday, four people shot and killed. With what? A gun. A shooter in a Louisville bank kills five people. With what? With a gun. The horrific elementary school shooting in Tennessee that left six people killed, including three children. With what? With a gun. Some of my colleagues after that shooting wore their AR–15 pins on their lapels and tie clips—I think mocking the death of those innocent kids.

So, a gun is the common denominator in eight out of 10 homicides. How can we take that away? We cannot do that. We must continue to fight for commonsense gun law. You know why? I’ll ask you all that are here today. You want to find out why guns are not being talked about? Follow the money. Follow the money.

Go into each and every one of our campaign accounts and figure out who’s getting money from the NRA. Just follow the money. That’s a phrase that’s usually used on a common basis here in New York City. Very simple. Who is the NRA supporting?

Chair JORDAN. The gentleman’s time has expired. The gentleman yields back.

The gentleman from South Carolina, Mr. Fry, is recognized.

Mr. FRY. Thank you, Mr. Chair. I want to thank you for holding this hearing today in one of the most iconic cities in the world, New York City.

I want to especially thank the witnesses, the victims, for your bravery today. It’s not easy to come here to talk about this in the public square, but thank you for doing that.

When people think of the United States, they think of this city, as was talked about earlier. If you can make it here, you can make it anywhere. Underneath all of those twinkling lights, something is not right in New York City. Shootings in Times Square, robberies in broad daylight, stabbings on the subway.

I got into a cab yesterday. The gentleman who was driving had been doing it for 25 years. Without knowing who I was or why I was here, he proceeded to talk about the city. He said: “This city has changed.”

I asked him what he meant by that. He immediately started talking about the crime: “It’s gotten so bad. It’s out of control.”

This, unfortunately, is what we get in Joe Biden’s America and Alvin Bragg’s New York City. To the good people of New York, we hear you. We are here in New York today because we want to hear from you, and we hope that your local leaders start to listen to you as well.

When the hearing was first noticed, the District Attorney released a statement that we were coming to the, and I quote, “safest big city in America and that this hearing was a political stunt.”

You want to know the real political stunt? Politicians in New York and other places continually pushing failed policies, despite knowing that they don’t work. Let’s talk about this for a second.
According to the New York Police Department, in Alvin Bragg’s first year in public office in 2022, rapes are up seven percent, felony assaults rose 13 percent, robberies spiked 26 percent, burglaries were up 23 percent, grand larcenies up 26 percent, auto theft has risen 32 percent. There were 170 felonies in New York City in 2022 alone, the most since 2006. Does that sound like the safest big city in America? I think not.

The question is why? New York State eliminated cash bail for most crimes, tying the hands of judges and law enforcement. Alvin Bragg’s “Day 1 Memo,” which outlined his office’s position that he would not prosecute certain types of crimes. In addition, rather than approach each case on the facts of the offense committed, his office is focused on how much money you make, your circumstances, or your immigration status before deciding whether to charge a crime. Of course, as was already talked about, defunding $1 billion out of the New York Police Department’s budget.

Fifty-two percent of felony charges are downgraded to misdemeanors in this District Attorney’s Office, the highest number in years. Of the felonies they actually decide to prosecute, his office was only successful in securing the conviction on 50 percent of those, the lowest number in years. On misdemeanors, 29 percent of misdemeanor charges resulted in conviction.

If you listen to the District Attorney, he sounds and acts more like a public defender than a prosecutor. If you want to defend criminals, be a public defender. If you want to change policy, run for the State assembly.

Instead of partnering with the New York Police Department to prosecute these crimes, he seems hostile. It’s no wonder that officers in the New York Police Department are resigning at a record rate. According to a recent article by the New York Post, there is a 117-percent increase in cops resigning in 2022 alone. That’s the most since right after 9/11.

Regarding New York’s bail law, the John Jay College of Criminal Justice found that approximately 72 percent of violent felony offenders who were released without bail were re-arrested.

Recidivism is so bad in New York that 327 individuals were arrested for more than 6,000 crimes of retail theft. That’s not giving somebody a second chance. That’s letting them do the same thing over and over again to about 20 times and still letting them off the hook. If at first you don’t succeed, try, try again. Maybe the 21st time they’ll wake up.

From an interview in January, District Attorney Bragg said he knows what’s going on in the streets. Does he? It doesn’t sound like it.

Ms. Brame, I want to start with you and then to the other victims. Who benefits more in this city, law-abiding citizens or criminals?

Ms. BRAME. Can you repeat that, please?

Mr. FRY. Who benefits more in this city, law-abiding citizens or criminals?

Ms. BRAME. Oh, absolutely criminals, 100 percent.

Mr. FRY. Ms. Harrison?

Ms. HARRISON. The criminals.

Mr. FRY. Mr. Borgen, the same question?
Mr. BORGEN. Unfortunately, it’s the criminals who are getting all the perks.

Mr. FRY. Ms. Brame, have you spoken to the District Attorney about your son’s case?

Ms. BRAME. Absolutely not, no response.

Mr. FRY. If you could speak to him today about it, what would you say?

Ms. BRAME. I would demand that he reopen that gang assault and that murder case against Mary Saunders and Travis Stewart. If no one is above the law, prove it. Prove it by prosecuting them. Bring that case to trial.

Mr. FRY. Thank you for your time today.

Mr. Chair, I yield back.

Chair JORDAN. The gentleman yields back.

The gentleman from New York is recognized for 2 1⁄2 minutes.

Mr. GOLDMAN. Thank you, Mr. Chair.

Ms. Brame, you said earlier that you are only hearing about Donald Trump from one side and not the other. I want to tell you that’s very, very intentional because they know that they are using taxpayer money to defend a private citizen in his own criminal investigation and that is an abuse of their power.

The day before this investigation began, public reporting revealed that Donald Trump and his legal team directed House Republicans to initiate an investigation into Alvin Bragg.

They’re now scrambling to justify this investigation with after-the-fact explanations, including the preposterous explanation that he spent $5,000 of Federal money on this years-long investigation. They have spent many multiples of that amount of money on this hearing alone to hold it in Manhattan.

Now, I’ve asked the Chair and other Members of House leadership to tell the American public what kind of collusion they have been doing with Donald Trump to use the power of this Committee and of this Congress to interfere in this prosecution. They have thus far refused. We will learn about that collusion because the Manhattan District Attorney has a lawsuit against the Chair, and they will be able to compel disclosure of the communication and coordination as part of that lawsuit. That’s why we are here, and that’s what we want to emphasize to you.

We’re not insulting you. Your experiences are devastating. The problem is, is that this is a charade to cover up for an abuse of power that they are going around talking incessantly outside of this hearing about Donald Trump, and the purpose of this hearing is to cover up for what they know to be an inappropriate investigation.

Now, I look forward—many of you in New York City—

Ms. BRAME. Can I respond to you, please?

Mr. GOLDMAN. Not right now, because I only have 20 seconds. I’m sorry. I do want—

Ms. BRAME. Don’t insult my intelligence, that you’re not going to do.

Chair JORDAN. Hang on. The gentleman’s time.

Ms. BRAME. You’re trying to insult me like I’m not aware of what’s going on here, OK? I’m fully aware of what’s going on here. OK?
Chair JORDAN. The gentlelady will suspend.
The gentleman gets another 15 seconds.
Mr. GOLDMAN. Thank you.
Ms. BRAME. That’s why I walked away from the plantation of the Democratic Party.
Chair JORDAN. The Committee will be in order.
Mr. GOLDMAN. Ms. Brame, what I was about to say is that, as a Representative of this city, I’m looking forward to working with you, with Ms. Harrison, Mr. Holden, Mr. Borgen, all of you who are involved and engaged in our criminal justice system because, as I said and my colleagues have referenced, we do have a problem not only in New York City but around the country.
Chair JORDAN. The gentleman’s time has expired.
Mr. GOLDMAN. So, hopefully we can work together—
Chair JORDAN. The gentleman yields back.
Mr. GOLDMAN. —to reach real solutions, not charades like this.
I yield back.
Chair JORDAN. The gentlelady from New York, Ms. Stefanik, is recognized for five minutes.
Ms. STEFANIK. As a native New Yorker, born and bred, I think it’s important to note that many of the Democrats on this Committee have smeared brave victims and fellow New Yorkers here today, calling them “props,” a “circus,” a “performance,” “MAGA Broadway props,” and an “underlying sham.”
What have Republicans focused on? We’ve focused on giving victims a voice. We’ve focused on crimes.
We’ve focused on your story as a father visiting your son at the hospital, seeing his face beaten in with an anti-Semitic hate crime.
We’re focused, Ms. Brame, on your story as a mother grieving the loss—rightfully grieving the loss and advocating on behalf of your son and his legacy.
Ms. Harrison, we heard your story about losing your loved one.
Mr. Alba, we heard your story, just the personal challenges you face dealing with the consequences of the vicious crime committed, perpetrated against you.
In addition to House Democrats belittling the victims here today, Democrats have politicized this hearing, mentioning Donald Trump 38 times. That number for Republicans is zero. We are focused on victims and making sure that we support law and order in this country.
There is a catastrophic crime crisis across America, specifically in our great cities and great cities like New York. New Yorkers know it. Americans know it.
While Democrats on this committee may claim that New York is not the epicenter, look no further than the last November election where we flipped four Congressional seats, delivering the House majority. What was the number-one issue? It was crime. Because voters are smart. The people are smart.
Mr. DiGiacomo, as a member—as a longtime member of law enforcement, I wanted to get your testimony today. How long have you served in law enforcement?
Mr. DiGiacomo. Approximately 40 years.
Ms. STEFANIK. In those 40 years, would you say the crime crisis today is worse than you’ve ever seen it?
Mr. DiGiacomo. That’s correct.

Ms. Stefanik. Crime is up.
Is it fair to say it is a result of failed bail reform policies in Albany and Alvin Bragg’s “Day 1 Memo”?
Mr. DiGiacomo. One hundred percent.

Ms. Stefanik. Here are some important numbers. In 2022, District Attorney Bragg’s first year as DA, New York City saw a 23 percent surge in major crimes. Is that true?
Mr. DiGiacomo. That’s correct.

Ms. Stefanik. From 2019–2022, murders are up 93 percent.
Mr. DiGiacomo. That’s correct.

Ms. Stefanik. From 2019–2022, robberies are up 43 percent.
Mr. DiGiacomo. Correct.

Ms. Stefanik. Felony assaults are up 32 percent.
Mr. DiGiacomo. Correct.

Ms. Stefanik. It’s fair to say that law enforcement strongly opposed Bragg’s “Day 1 Memo” and failed bail reform policies in Albany?
Mr. DiGiacomo. One hundred percent.

Ms. Stefanik. Mr. DiGiacomo, in fact, you have said, quote, Bragg gives criminals the roadmap to freedom from prosecution and control of our streets. In Bragg’s Manhattan, you can [resist] arrest, deal drugs, obstruct arrest, and even carry a gun to get away with it.

Can you please expound about why law enforcement opposes Alvin Bragg’s “Day 1” policy and opposes failed bail reform?
Mr. DiGiacomo. Well, because, again, every time a detective or a police officer puts himself or herself in harm’s way arresting a felon or anyone for any crime, they’re released immediately with no consequences.

Ms. Stefanik. Mr. Borgen, as a family member of a victim of a heinous violent crime, your son, as you talked about, was a victim of a violent anti-Semitic hate crime committed at a pro-Israel event. Your son was jumped, beaten, and sprayed with mace.
In fact—and I think it’s important for the American people and my colleagues across the aisle to hear this—your son describes this as,

A whole crowd of people proceeded to kick me, punch me, beat me down. I felt a liquid being poured on my face, and, at first, I thought I was getting urinated on, but it turned out I was getting maced and pepper sprayed. My face was on fire. That pain was worse than the concussion and all this other stuff that followed.

Yet, the attacker said, “If I could do it again, I would do it again.”
Yet, District Attorney Alvin Bragg gave him a sweetheart deal.

What is your message to District Attorney Alvin Bragg?
Mr. Borgen. Well, the man is incompetent, obviously, in the big scheme of things. Unfortunately, our hands are tied. He can come to us—he offered him other deals; my son did not accept them.

Right now, the court case is pending, and different deals are passing on from back and forth, but between me and you, I lost faith in the justice system with Alvin Bragg. I don’t feel anything’s going to get done. Like in the other cases also, her son’s attackers walking around scot-free like nothing happened. It’s a disgrace.

I just want to say to you, Mr. Ivey, I compliment you. You’re the only one who sat here on the Democratic side, didn’t bring up Don-
ald Trump. You’re a mensch. You talk straight. You didn’t look to make partisan politics here. I want to compliment you.

Ms. Stefanik. Ms. Harrison, what’s your message to Alvin Bragg?

Ms. Harrison. I’m a walking example of not ever being whole, 18 years after losing a loved one under horrific circumstances and not seeing justice. My life will never, ever be complete without Kevin.

Knowing that the murderers’ families are walking free, spending Christmases and Easters with their family—it’s beyond comprehension.

So, I hope that he will pay attention to what’s happening here today and realize the effect that he’s having on survivors of homicide victims for the rest of their lives.

Ms. Stefanik. Thank you to the victims for the bravery, sharing their stories.

Thank you to our former law enforcement officers for your leadership.

Yield back.

Chair Jordan. The gentlelady yields back.

Just to the witnesses, now we’ll just be on this side. I think the Democrats have all went. It’s about 40 more minutes. If you’ve got to step out, just please let us know, but we want every member to get a chance to talk to you. If you need to step out, please excuse yourself, and Capitol Police will make sure you know where you’re going out there.

With that, I yield five minutes to the gentleman from Texas, Mr. Roy.

Mr. Roy. I thank the Chair.

Much has been made about why we are in New York City. In a memorable moment shortly before he was elected, former Mayor Rudolph Giuliani told an editorial board meeting he cared about statistics, but the real measure would be whether people actually feel safer. That, he said, “was the ultimate test to policing and political leadership.”

He said that in 1993, when New York was averaging 2,000 murders a year. By 2013, it was down to 333 due to the strong support of law enforcement and the anti-crime policies adopted by the city. It got down to 288 by 2018, but now it is back up to the mid–400s.

I think this is the question: Whether or not you feel safe. The question I’d ask of Ms. Brame, Ms. Harrison, others: Do you feel safe in New York City right now?

Ms. Brame. No.

Ms. Harrison. No.

Mr. Roy. Mr. Alba, do you feel safe in New York City?

The Interpreter. He said, “At this moment, no.”

Mr. Roy. All right.

Mr. DiGiacomo, your history in law enforcement. You said it’s as unsafe as you’ve ever seen it, today, in New York.

Mr. DiGiacomo. Yes, that’s correct.

Mr. Roy. Isn’t that the ultimate measure? Isn’t that the question?

I think one of the things that I think merits focusing on is the question that my colleagues on the other side of the aisle have been
talking about in terms of jurisdiction. What is the jurisdiction here?
Mr. DiGiacomo, are you familiar with 922(g) and 924(c) in the Federal Code?
Mr. DI GIACOMO. No, I'm not. I'm sorry.
Mr. ROY. The 922(g) being felons in possession, 924(c) being the ability to be able to go after somebody and give them a heightened sentencing for their use of firearms in crimes.
My question here—
[Disturbance in hearing room.]
Mr. ROY. If we might suspend.
Ms. HAGEMAN. [Presiding.] The Committee will suspend.
The gentleman is recognized to continue.
Mr. ROY. All right. So, we're back on.
The 922(g) and 924(c), these are Federal crimes, right? They're Federal crimes that—we have programs like Project Safe Neighborhoods that work with local law enforcement where we have the United States Attorney's Office in coordination to try to combat crime and the use of firearms in crimes.
Now, I suppose we could go through and look at the laundry list of legislation that my colleagues on the other side of the aisle have introduced to repeal said Federal laws, that these Federal laws should not exist. If we want to have a debate about federalism, about that, I'm happy to have it. We're not doing that, are we? Because that's not what this is about. It's about show.
The fact is, we do have Federal laws on the books to go after criminal misuse of firearms, but they're not being enforced, and they're also not being enforced at the local level. Those are the facts. The facts are we are letting criminals out of jail.
If you look at the data, the data is clear. The average criminal has 11 prior arrests, five criminal exhibitions. Seventy-seven percent have five-plus prior arrests.
Ms. HAGEMAN. We need the crowd to be quiet, please.
Thank you.
Mr. ROY. Seventy-four percent have prior violent arrests. Thirty percent have prior arrests for guns and weapon offenses. Even though these individuals have lengthy criminal records, 52 percent served a year or less. Sixty percent are re-arrested within two years of release. The fact is, we have a recidivism problem.
We have now gone down the road of decarceration. Hundreds of thousands of criminals have been released. Just since 2020, the incarcerated population is down about 300,000, when it was 2.1 million, which, by the way, was pretty far down from the levels when we had the safest numbers and the safest streets in this city.
This isn't about some libertarian world view of letting out a few potheads who are allegedly rotting in jail. Eighty-eight percent of prisoners are incarcerated in State systems for murder, rape, robbery, and assault. That's responsible for most of those sentences. A mere 14 percent are in custody primarily for narcotic offenses, and the vast majority of these are felony trafficking crimes and misdemeanor possession.
My question is for you, Mr. DiGiacomo: Do you think that we have a problem with the gun issue, or do you think we have a problem with letting criminals out on the streets?
Mr. DiGiacomo. Well, the criminals are being let out at an alarming rate. I just want to make it clear here that the guns—I’m speaking for New York City—the guns that are being used here in New York City are illegal guns. They’re illegal guns that are brought here into New York City and being used to victimize the people of New York City.

Mr. Roy. Are they being prosecuted heavily by the DA here?

Mr. DiGiacomo. No, they’re not.

Mr. Roy. Right. Isn’t that the problem?

Mr. DiGiacomo. That is a major problem.

Mr. Roy. Are they being prosecuted in coordination with the United States Attorney’s Office, using 922(g) and 924(c) to prosecute them?

Mr. DiGiacomo. Not that I’m aware of, no.

Mr. Roy. Right. Isn’t that fundamentally the problem?

Mr. DiGiacomo. Correct.

Mr. Roy. The question I have—my colleagues on the other side of the aisle have mentioned former President Trump a number of times. I would just ask, was it former President Trump, Ms. Brame, that killed your son?

Ms. Brame. No.

Mr. Roy. Ms. Harrison, was it former President Trump that killed your loved ones?

Ms. Harrison. No.

Mr. Roy. Was it former President Trump that stabbed Mr. Alba?

Mr. Alba. No.

Mr. Roy. Was it former President Trump that prosecuted Mr. Alba, prosecuted him for defending himself?

Mr. Alba. No.

Mr. Roy. No.

I yield back.

Ms. Hageman. The Chair recognizes the Representative from Texas, Mr. Nehls.

Mr. Nehls. Thank you, Chair.

All right. Check, check. Am I on? All right.

As a former law enforcement officer for 30 years, sheriff of a large county in the great State of Texas, what I seen happening in our country is disturbing and should be of concern to all of us.

Crime is at an all-time high. The American people can’t trust their government. The left wants to defund the police because of law enforcement shootings where police acted inappropriately, and those officers were rightly charged and sentenced.

What we saw in 2020 with riots, rioting across our country, led to numerous attacks on law enforcement and citizens, with hundreds of millions of dollars in damage to buildings.

The left will rally their troops, they’ll rally them, they’ll get them all together in the name of social justice, but little is being made of the hundreds of victims of crime in Chicago and New York and other large cities run by liberals, because the victims and suspects of those crimes are predominantly Black and, in those cases, Black lives don’t matter. They don’t matter.
Shame on them and the dishonest media. The dishonest media is the greatest threat, folks. You in the back, you are the greatest threat to this country. We’ve seen it, and the American people know it.


If you’ve watched the news lately, it’s no shocker, Alvin Bragg likes to prosecute. He’s even a fan of increasing misdemeanors to felonies for certain individuals he doesn’t like. Some of those individuals—he said, “he’s the greatest danger to our country.”

Mr. Bragg, I hope you’re watching. I hope you’re watching today, sir. You’re a disgrace. You’re a danger to this country, I will do everything I can in my power to hold you accountable. Your job, Mr. Bragg, is to protect the residents here in Manhattan. Decreasing felonies to misdemeanors—decreasing felonies to misdemeanors is dangerous and places the victim last.

Mr. Kessler, I’ll start with you. You worked for Senator Schumer and other Members on crime policy. That’s great. So, I want to get your perspective on this “Day 1 Memo.” You’re familiar—are you familiar with this?

Mr. KESSLER. I am not.

Mr. NEHLS. You’re not familiar with this “Day 1 Memo,” and you’ve come here today? I should provide you a copy.

According to the Manhattan DA, the aim of the “Day 1 Memo” is to reduce Manhattan’s over-incarceration issue and to deliver safety and fairness for all.

So, I ask you—you’re familiar—you’re not familiar with the memo. The “Day 1 Memo” stated: The DA’s office will not prosecute minor offenses that, quote, “have no impact on public safety,” end quote. So, let’s talk about some of the things Alvin Bragg considers minor offenses.

Resisting arrest. Can you tell me how not prosecuting this makes New York safer? Resisting arrest.

Mr. KESSLER. I’d have to see—

Mr. NEHLS. We’re not going to prosecute it in New York.

Mr. KESSLER. OK.

Mr. NEHLS. We’re not going to do it.

Mr. KESSLER. All right.

Mr. NEHLS. We’re not going to do it.

Did you ever ask law enforcement?

Mr. DiGiacomo, how do you feel about that? How do your law enforcement officers feel about not prosecuting resisting arrest?

Mr. DiGiacomo. They weren’t happy about it, that’s for sure.

Mr. NEHLS. You wonder why 1,400 officers left New York PD in 2022. Why in the hell would you work here? I’d go out into the suburbs, where you can go out there and fight crime and be respected. You’re not getting that in these large cities such as Manhattan.

You want to defund NYPD a billion dollars in 2020, and you wonder why we are in the State of Emergency we are in.
Mr. Bragg laid out five sections of law that covers armed robberies and says, New York will not prosecute them. In short, according to this memo, if you hold a gun to a clerk's face and ask, "Empty the trash"—"Empty the cash register, sir," we are going to take that and that's going to be a misdemeanor, no big deal. That's no big deal.

How do you feel about that, Mr. Kessler? What if I come over there and I put my pistol and screw it in your ear, and I don't say anything bad to you, and we're just going to say, "Mr. Nehls, that's just a misdemeanor here in the great State of New York"?

Mr. KESSLER. Well, that has happened to me.

Mr. NEHLS. Well, sad, isn't it? How'd you feel about that?

Mr. KESSLER. I was pretty scared.

Mr. NEHLS. Pretty scared.

Mr. KESSLER. Yes.

Mr. NEHLS. We're going to consider that a misdemeanor here in the great New York.

It's unacceptable. It's disgraceful. I wish I had more time.

Ms. HAGEMAN. Thank you.

The Chair recognizes the Congressman from Wisconsin, Mr. Fitzgerald.

Mr. FITZGERALD. Thank you, Madam Chair.

Pretrial release decisions. New York State law requires an annual report of pretrial release decisions made by New York City courts. The latest data, released in September 2022, shows the statistics of pretrial release granted to individuals across all categories of offense between 2019–2021. Here's a few takeaways from that.

Since New York City repealed cash bail for certain nonviolent felonies in 2019, the instances of imposing bail have decreased across all categories of offense, including violent felonies.

Release was granted in more than 75 percent of nonviolent felony cases in 2021. Of those released, 40 percent went on to commit another crime within 180 days, with 10 percent of those being violent felonies.

In those cases where bail was actually set, which in 2021 was about 12,000 cases, more than 3,700 of those had bail set at $1.

I wanted to highlight those statistics for a couple of reasons. The first is to show that weak bail policies in New York City do, in fact, have an effect on violent crime. Thousands of violent felony offenders are being released under their own reconnaissances, and in some cases, as I said, for a dollar and then within six months are back in front of the same judge.

Then the second is to say that the pretrial release statistics play an important role in helping the public and Congress, actually, understand whether a State’s bail policies are contributing to a spike in violent crime.

So, I'd ask this, and I'd ask Congress, that we should take up a bill, a bill that we've worked on in past Congresses, the Pretrial Release Reporting Act, so we can see how other States' bail policies are contributing to really an epidemic that's nationwide right now.

So, Ms. Harrison, I was going to ask you, can you just comment, in general, on pretrial release statistics and the issues related to that not just in New York but nationwide?
Ms. Harrison. As you mentioned, we see it across the board, all over the news, that people are killed or victimized by people that are released under pretrial least restrictive conditions—bail reform, cashless bail, and whatever you want to call it.

We have over 305 people that are dead in New York because of bail reform. Christina Lee was murdered here in New York by somebody that was on supervised release, which really is nonexistent.

So, across the board, across the country, it's awful, and it's victimizing people.

Mr. Fitzgerald. Thank you.

Mr. DiGiacomo, I just wanted to get your opinion on how these types of pretrial decisions erode the relationship between law enforcement and the District Attorney's Office.

Mr. DiGiacomo. Well, I've always remembered the police and the District Attorney's Office worked together to help the victims of crime. I don't see that happening in Manhattan, and it's caused more people to die.

Mr. Fitzgerald. It's got to be disheartening for officers on the street to go out, do their job on a daily basis, make the arrests, do the right thing, put their lives at stake, and then find out on the back end that the DA didn't follow through on either prosecuting or—at the end of the day, kind of a slap in the face when you find out that they were released on a $1 decision?

Mr. DiGiacomo. Well, absolutely. Like I said earlier, every time you engage the criminal element, you're putting your life in harm's way.

Mr. Fitzgerald. Very good.

Thank you.

Chair Jordan. [Presiding.] I thank—

Mr. Nehls. Can I take—


Mr. Fitzgerald. I yield to the gentleman from Texas.

Mr. Nehls. Thank you.

When I think of victims of crime, being a sheriff, having to deal with it pretty much all my life, and I think about an individual having to protect himself, and when you have some type of a knucklehead—we've got one over here on this poster board—Mr. Alba, you had to deal with this guy's in your face, I felt and you felt scared, didn't you?

Mr. Alba. Yes.

Mr. Nehls. Maybe cause serious bodily injury, if not death?

Mr. Alba. Yes.

Mr. Nehls. Then you have a right—you have a right, as an American citizen, to use deadly force, sir, and eliminate that threat. You have a right to do that.

Everybody in this room would agree with that, wouldn't you?

I mean, when is it OK in America—

Mr. Goldman. Would the gentleman yield for a minute—for a second, sir? Will you yield over here?

Mr. Nehls. No.

When is it—when can we look—if somebody puts a knife to you or a clerk at a cashier anywhere in this country and he's threat-
ening to say, “I’m going to kill you if you don’t give your money.” I would encourage the residents in the great State of Texas in my county to defend yourself. You are given that God-given right. That means pulling out a weapon and putting two at center mass. You’ll reduce recidivism, won’t you? You won’t have a repeat offender.

Chair JORDAN. The gentleman’s time has expired.

The gentlelady from Indiana, Ms. Spartz, is recognized.

Ms. SPARTZ. Thank you, Mr. Chair.

I’m a person that always believed that the greatest of our country is the freedoms and greatness of our people. As someone who came from a communist country, it appalled me, what’s happened in our country. I’m sad that unfortunately the Congress became a circus and charade.

Unfortunately, what’s happened in your district is also a circus and charade. I appreciate people being here—Mr. Alba, Ms. Harrison, and Ms. Brame—and actually sharing your personal story, and I apologize on behalf of the Congress.

I also appreciate Mr. Holden sitting here and actually willing to challenge your own party. I actually do it quite a lot. A lot of people in your party don’t have that strength, and I hope we can see more of that.

On the way here, one of my constituents texted me. We had a police officer suicide; we had a police officer killed in the district last year. We have a serious problem with our criminal justice system.

Our government was stood up to protect people’s rights to life, liberty, and property, and it’s not doing it. People playing politics. It is one of the core functions, and this Committee has that function.

So, I appreciate Mr. Chair actually having a field hearing. I actually appreciate my Democrat colleagues showed up this time. Because I hope we’ll do more, because my city of Indianapolis has higher murder rates than city of Chicago, and we have a Democrat prosecutor. He is not enforcing the crimes—the laws.

The problem with what we have right now—and I actually agree with Mr. Goldman and Ms. Lofgren about jurisdiction. It’s a challenge. I want to hear what we can do, what we should be doing. I hope we will have more discussion about jurisdiction, because we’re overreaching significantly on the States’ rights. As a former State Senator, I have huge problem with that.

I also agree with—at least appreciate Mr. Ivey said, “You know what? It’s all about gun control.” At least he’s honest, OK? Not, like, do all these talking points.

Like, I was listening to TV this morning. They already say, oh, OK, media came, talking about all the—I honestly don’t give about him. I actually care what is happening in this country. I think it’s important for us to hear from “we the people” because people are not heard and there is no lobby for the people in Washington, DC. So, hopefully you decide to be more active in that.

I also think [inaudible] and Mr. Espaillat said, “Follow the money.” I actually would like to follow the money. Why are we not dealing with hospital monopolies the taxpayers are supporting so much? Why are we not dealing with the border situation that all
those NGO’s get money? Who knows what the hell they’re doing with that and why we have the crises with all the situations?

I want to try to ask you if we’re going to find common ground, I actually on the Criminal Justice Subcommittee tried to pass some laws on a bipartisan basis, but is there any in your party except gun control?

I know that Ms. Fischer, you mentioned about the safe storage and everything. I just don’t see anything how I am and my kids are going to be safer if I lock up my guns. Actually, as a female, I feel not as safe. I don’t know how long [inaudible] police officer will take them now to get to help us.

So, I think we now—it’s really strange for me. We try to take protection from law-abiding citizen and believe that criminals are not going to get guns?

I mean, is there anything else except gun control? Maybe we should reform education and have some wraparound preventative services and have more competition in education, that these kids are actually taught some values, that don’t have a 10 percent or eight percent literacy rate, that they have to get into gangs.

Is there anything else you can say except gun control?

Ms. Fischer. So, comprehensive solutions to reducing violence in New York City have actually been incredibly effective. That’s why if I—

Ms. Spartz. Not do any in Congress—

Ms. Fischer. —set the record straight, because we’ve been talking a lot about statistics, the NYPD’s own data has shown that shootings are down in the first quarter 19 percent.

Ms. Spartz. Yes, I think I don’t need statistics.

It doesn’t sound like—

Ms. Fischer. Homicides are down nine percent.

Ms. Spartz. OK. OK.

Mr. Kessler, my question for you: You’ve been talking a lot about trafficking and are we going to be talking about child trafficking, human trafficking, drug trafficking of the border and cartels actually doing this gun violence associated with it? Can we find common ground on that?

Mr. Kessler. Let me try to—

Ms. Spartz. I mean, is cartel not a problem? Can you tell me that trafficking of guns done by Mexican cartels and now subsidized with taxpayers’ money—is it not a problem? Can we find a common ground on that?

Mr. Kessler. Perhaps. So, if I—

Ms. Spartz. Let’s talk about that. I mean, why cannot we talk about that?

Mr. Kessler. If I could just have 30 seconds to answer.

Ms. Spartz. OK. Well, I don’t have 30 seconds, but—

Mr. Kessler. Back in the “wayback machine,” I helped with—Chuck Schumer worked on the 1994 crime bill, which I know not everybody loves, but one of the things about that crime bill—and it was a huge, comprehensive—it was one of the things that brought down crime in this country.

One of the most important things about that crime bill—Schumer gets a lot of credit for it. Henry Hyde, the Republican Ranking
Member, worked on it closely with Schumer too. It was a bipartisan effort, and solutions was taken from both sides—

Ms. SPERTZ. Let’s talk about it, but not right now do it.

Mr. KESSLER. —it wasn’t perfect, but the rates started to come down, and it was—

Ms. SPERTZ. My time has expired, but we need to stop playing politics with people’s life.

I yield back.

Chair JORDAN. The gentlelady yields back.

The gentleman from Alabama, Mr. Moore, is recognized for five minutes.

Mr. MOORE. Thank you, Mr. Chair. Let me say first, I appreciate you having this hearing.

Let me set the record straight for the people in New York. This is not the first hearing on crime we’ve had since Mr. Jordan’s been Chair. A few weeks ago, we went to Yuma, Arizona. We saw where people were coming across the border—106 different Nations.

A hundred-and-seven-thousand fentanyl deaths. We talk about mass shootings. We only had 74 people killed by mass shootings last year in America. We’re losing more than that today, just in this hearing alone, to fentanyl poisoning.

So, we’ve been out here, and we’re going to go other areas where there’s crime, and we’re going to have hearings, because it’s a concern. I mean, Victoria’s right. We have to begin to address these issues that are threatening American citizens.

So, Ms. Brame, you actually took one of my talking points a while ago. Crime doesn’t—the criminal does not differentiate between a Republican and a Democrat. I was stabbed a few years ago, and I was glad the DA actually charged the man for attempted murder and put him behind bars. It made us all feel a little safer.

So, thank you for being here. Ms. Harrison, thank you for being here.

Mr. Alba, thank you for being here.

Mr. DI GIACOMO. Well, I lost—600 detectives retired this year alone.

Just to give a clear consensus on what that means, in 2001, in the terrorist attacks, we had 7,500 detectives. Right now, I’m working with 5,400 detectives. We’re doing more investigative steps now than we were doing then because of the video canvasses. We’re also doing counterterrorism duties, as well, here in New York City.

Mr. MOORE. What do you think the primary reason the detectives—you’re losing that experience level. Why are they leaving?

Mr. DI GIACOMO. Well, when you’re a detective, you investigate crimes, and sometimes it takes months to investigate those crimes. There are reports that are this high, and the detective puts many, many hours, days, and weeks sometimes investigating those crimes, just for the individual to be let go. They’re getting frustrated. They are frustrated is the real fact.

Mr. MOORE. I guess they risk these lives as they’re investigating these crimes, as well, and they’re risking their health?
Mr. DiGiacomo. Always. Always. Yes, always—New York City detectives do everything from patrol to climb the bridges and everything in between—homicide, special victims, and narcotic divisions. So, detectives and all police officers here in New York City do very dangerous work 24 hours a day.

Mr. Moore. Mr. DiGiacomo, I’ve got a question. I find it interesting that when a law enforcement officer uses a weapon to defend himself or even in pursuit of a criminal, it’s always the law enforcement officer’s fault, but when it’s the criminal using the gun, it’s always the gun’s fault.

How do we address that in society? Why does the left always drive that narrative?

Mr. DiGiacomo. Well, it’s very simple. It’s the person that is handling the gun. It’s the criminal element that’s using the gun and victimizing other people here in New York City and across this country.

Mr. Moore. So, in some sense, it must be the person, the individual, responsible, not the law enforcement officer himself.

Mr. DiGiacomo. One hundred percent.

Mr. Moore. How do you find a man that—or a lady that wants to be a law enforcement officer—if she pulls her weapon in a life-threatening situation and she shoots somebody, she’s going to be tried for murder or he’s going to be tried for some sort of crime, but if he doesn’t pull his weapon, he ends up dying. How do you recruit people to go into that industry?

Mr. DiGiacomo. It’s a dying profession.

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Mr. DiGiacomo. It’s a dying profession.

Mr. Moore. That’s scary for me, for our society, in general, if we cannot recruit good law enforcement officers. Then they’re crucified by the left and the media when they act to save their selves or their partner’s lives.

Mr. DiGiacomo. If I may?

Mr. Moore. Yes, please.

Mr. DiGiacomo. There’s no profession, at least here in New York City, that has more oversight than the New York City Police Department.

Mr. Moore. Uh-huh.

Mr. DiGiacomo. There are about 10 levels of oversight. No one else has that level of oversight like the New York City Police Department.

Mr. Moore. Typically in society—and this is for all folks, in blue cities or any other cities. Often, they want to disarm law-abiding citizens, and they say, “Well, call the police. If you have an intruder, call the police,” and then, at the same time, they’re defunding the police.

What kind of situation, Ms. Harrison, does that put society in, when you can’t defend yourself?

Ms. Harrison. A horrible situation.

At the same time, in the name of ending mass incarceration, as they like to gaslight everybody with, they’re releasing very violent recidivists with no oversight, because they’re removing any kind of parole supervision, bail supervision.

So, we really do need to be able to defend ourselves in some way, shame, or form.
Mr. MOORE. Is that weapon—I mean, my daughters have concealed-carry permits. It’s the equalizer, correct? For a lady who’s being attacked by an assailant who’s much bigger, much heavier, and much stronger, does it not equalize the playing field?

Ms. HARRISON. I believe it does.

Mr. MOORE. Thank you.

With that, I’ll yield back, Mr. Chair.

Chair JORDAN. I thank the gentleman.

Witnesses, we’ve just got a few more, but these are very important Members, great people.

We’re going to go now with the gentlelady from Wyoming, Ms. Hageman.

Ms. HAGEMAN. Thank you.

Thank you, for everyone, for being here.

I represent the State of Wyoming. There are 560,000 people in my State. I grew up outside of a town of 350 people. I currently live in our largest city of 60,000 people.

I want you to know, Mr. Alba, Ms. Harrison, Ms. Brame, and Mr. Borgen, we pay a lot of attention to what goes on here. We know about you.

When I read about your situation, Mr. Alba, and what happened to you the next day after it happened, I prayed for you. I prayed for your family.

As I read the testimony that you have provided to us today, it makes my heart break to know that you, as family members, have gone through something so devastating. To make it even worse, our criminal justice system has treated you so poorly since you have gone through these things.

I will tell you; it has been interesting to listen to you talk about your loved ones, talk about the fear that you faced with this situation, Mr. Alba; the loss that you’re still suffering from 18 years later after losing your loved one; how much love you have for your son, how much love you have for your son and your family and your community.

I do want you to know that we’re not here for grandstanding. We’re not here for anything other than the fact that we’re recognizing that across the country there is a sickness pervading our communities that is destroying who and what we are. It’s not just about guns.

I watched you, Ms. Fischer, as you secretly smiled at some of the Congress Members on the other side as people on our side talked about the gun issue. I understand you believe that it is an inanimate object that somehow can create the—or cause the mass shootings, that it’s not the individual.

One of the things that has struck me today is that, as we talk about these mass shootings, nobody has talked about the drugs that these people were on. Nobody has talked about the psychology of this.

We just had a woman shoot and kill three young children and three teachers, and yet no one has talked about what kind of drugs she may have been taking, what kind of psychosis she was suffering from. Clearly, she was suffering from a psychosis. She claimed that she was a boy when she was a girl.
We have to be looking at those kinds of things. It’s not the guns. It’s what we’re teaching in school. It’s the rot in our culture. It is the fact that we are losing our society because we’re unwilling to recognize that there is evil, and when there’s evil, we need to address it.

When someone does something to your family members that is illegal, we need to take them off the streets. We don’t need to try to figure out what may have happened in their background. If they’ve done something, if they’ve stabbed a beautiful young man, as they did your son, they need to be taken off the street and they need to be punished.

We need to protect our law-abiding citizens, and we need to protect our communities. We also need to protect our police officers.

Mr. DiGiacomo, the thing that has struck me, as I listen to the testimony, is the fear that I have—and you were just speaking about it a moment ago with my colleague Mr. Moore, about the impact that this is having on our law enforcement officers. You said something that was extremely jarring, which is, it’s a dying profession. What that means is we’re heading toward anarchy and lawlessness.

When I was driving in last night from the airport, what struck me as I drove down the streets of this city that I love—I’ve spent a lot of time in New York City. Coming from Wyoming, I love this city. What I started seeing out the window was almost an “Escape from New York” feel.

We don’t want our big cities to die. We don’t want to lose the culture that we have here. We in Wyoming love New York. We love Portland. We love Austin, Texas. We love these places. They’re part of our culture and the fabric of our society.

We have to address the fact that there are people who are willing to kill and stab and hurt other people. It is the responsibility of our law enforcement and our prosecutors to make sure that they can’t hurt anyone else.

With that, I want to tell you, there have been many times today that you’ve been called victims, and I don’t see you as victims. I see you as very, very brave, brave people for being willing to come in here today and tell your story and make sure that everybody in this country knows your names and knows the names of your family members.

With that, I yield back.

Chair JORDAN. Well said.

The gentleman from Texas, Mr. Hunt, is recognized.

Mr. HUNT. I cannot thank you all enough for being here. Thank you for sharing your lives with us. Thank you for sharing your stories. I greatly appreciate it. Being from Texas, it’s an honor to be in your presence.

In the 1990s, the mid–late 1990s, New York City was considered one of the safest cities in America. When I was at West Point from 2000–2004, I took that train down here many a day, had a pretty good time in this city, and I felt relatively safe when I did just that.

While Alvin Bragg is a Manhattan District Attorney, his policies are not isolated to this borough. His pro-criminal policies are just an example of what Soros-funded district attorneys are implementing across our great Nation. Their ideology is responsible for
the death, rape, and robbery of innocent people across America, and it is disproportionately impacting poor Black and Brown people.

In Democrat-run cities across America, criminals are given deference and victims are left to fend for themselves, as you have articulated today. Why do these Soros-funded district attorneys put criminals first and victims last? It’s what they believe. It’s who they are.

Our cities are crumbling around us. Criminals are running rampant. That’s because district attorneys in San Francisco, Los Angeles, Chicago, and even my home city of Houston are advocating for pro-criminal policies. Alvin Bragg fits this profile, in my humble opinion.

Let’s talk about Alvin Bragg. He’s a woke, progressive district attorney no different than any other progressive DA in our country right now. He was elected as the Manhattan DA in 2021. His policies should not be surprising given that he was heavily supported by the Black Lives Matter PAC that was directly funded by George Soros. In fact, George Soros donated $1 million to that PAC less than a week after endorsing Bragg.

Under the guise of helping people of color, he causes them more harm with his pro-criminal policies. Since Bragg has taken office, New York City residents are worried about increasing threats of violence.

Do you know who doesn’t have to worry about violence? Alvin Bragg. Bragg is surrounded by men with guns every single day. If you’re a regular New Yorker coming home late at night on the Subway, you may be robbed, stabbed, raped, or even pushed in front of a train.

Do you know what the fastest-growing demographic of gun ownership is in America? Black women. Black women. Why? Because they know they have to protect themselves in Democrat-run cities where criminals are allowed to roam free. That is a fact.

Now, many of my colleagues on the left like to say that our justice system is two-tiered, that it favors the powerful and connected at the expense of poor people of color. In Bragg’s office, there’s a two-tiered justice system: It’s criminals first and victims second, especially victims of color.

We have an opportunity to vote out DAs just like this to make people that look like me and you, ma’am, safer. Let me take it one step further. Not just people that look like you and me. Every single American that lives in this country should feel safe to live in their own streets, end of discussion.

I’m sitting here right now, and I’m hearing “Trump, Trump, Trump, Trump, Trump, Trump.” At the end of the day, the people that are sitting here right now, they don’t want to hear that. The only thing you want is safety.

We are not grandstanding. I am not grandstanding. I can assure you; I would love to be holding my four-month-old boy right now. I am here to fight for you and to hear your stories and to allow you to tell your stories. For that, I am forever grateful.

Ma’am, you aren’t the only one that’s actually left the plantation. It’s happening all over the country.

With that, I yield back. Thank you.
Mr. Johnson of Louisiana. [Presiding.] The gentleman yields back.

Mr. Kiley is recognized for five minutes.

Mr. KILEY. Thank you, Mr. Chair.

In recent years, we have seen a movement to fundamentally change America's approach to law and order by defunding police departments and by putting so-called progressive prosecutors in district attorney's offices.

Mr. DiGiacomo, you are the head of the New York Detectives' Endowment Association. What connection do you see between these two things, defund the police and progressive prosecutors?

Mr. DiGiacomo. Well, they're following the progressive line and not backing the police, not caring about the victims, and putting the criminal element back out onto the street to victimize the people of this city and State and country.

Mr. KILEY. That's right. Both seek to eliminate or neutralize the capabilities of law enforcement, correct?

Mr. DiGiacomo. It's been compromised already.

Mr. KILEY. That's right. Thereby removing or reducing the consequence of criminal activity, correct?

Mr. DiGiacomo. Correct.

Mr. KILEY. So, these policies have gained a major foothold in several cities, including the one that we're in right now, so we can assess what the impact has been. One way to assess that impact, of course, is looking at the effect on crime rates.

Now, Mr. Holden, you're an elected city council member in New York, a member of the Democratic Party, and you testified today about failed progressive policies. So, just to be clear, when you say these are failed progressive policies, is that because they've caused crime to go up or to go down?

Mr. Holden. Again, I'm a critic of my party's stance on crime. Everything's gone up. All their policies have led to an increase in crime.

I think we saw it come to a head with the war on police that started after George Floyd. It went national. So, you saw this kind of crime wave go throughout the entire country.

Mr. KILEY. That's right. In fact, if you look at yesterday's The New York Times, it reported that major crime in New York this year is 45 percent up from two years ago. This is from The New York Times.

To your point, in Los Angeles, violent crime is 86 percent higher than national average. In San Francisco, overall crime is 111 percent higher than the national average.

So, you can also then look to assess the impact of these policies about how people are responding to them.

Would you say, Council Member Holden, that these failed progressive policies have caused more people to move to New York City or to move away from New York City?

Mr. Holden. Certainly, away from New York City. I've never seen it this bad. Like I said, I grew up in the 1980s and 1990s in New York, and I saw horrific crime numbers, but now it's much, much worse because it's all over. The lawlessness, mayhem is all over.
Mr. KILEY. In fact, the State of New York is second in the Nation in terms of one-way U-Haul rentals, people who are leaving.

First place, of course, is California now, three years running. Los Angeles County, where George Gascon is the District Attorney, accounts for half the people leaving California. San Francisco, its population is declining faster than any major city in U.S. history.

Now, a final way we can assess the impact of these policies is by the judgment of voters.

Council Member Holden, would you say that Mayor Eric Adams made the issue of crime a major plank in his successful campaign for mayor?

Mr. HOLDEN. Well, that was and certainly is. He’s not getting much support from his colleagues.

Mr. KILEY. Correct.

In Los Angeles, George Gascon has been subject to a vote of “no confidence” by 36 different city councils within his jurisdiction.

San Francisco voters went so far as to recall their progressive prosecutor from office overwhelmingly. Now, this is not a red city. The Trump-Pence ticket got 12 percent in San Francisco. Yet, voters overwhelmingly recalled that progressive prosecutor.

So, the verdict is very clear: That these policies have led to crime skyrocketing, to people fleeing, and they’re being rejected by voters.

Yet, today, on the other side of the table, we by and large saw Members of Congress standing by those policies. For folks who are watching and, for that matter, the victims and the families who are here today, it must be disheartening.

I’d say it’s actually not as bleak as it sounds, that, in fact, the voices that we have heard today on the other side are not representative. For proof of that, just look what happened in D.C. after the city council there passed a reckless crime bill.

In the House majority, we passed legislation to undo what the D.C. City Council had done. President Biden sided with us and signed that bill. Two out of three Democrat Senators sided with us and voted for that bill. Do you know how many Members of this Committee in the minority voted for that bill? Just one. Every single other Member voted to keep the reckless, pro-criminal D.C. crime bill in place.

So, I would say there’s a lot more consensus in this country right now than today’s hearing makes out and that the pendulum is swinging back toward supporting victims, supporting law enforcement, and supporting law and order.

I look forward to working with people of good faith on both sides of the aisle to restore sanity to our criminal justice system.

Mr. JOHNSON of Louisiana. The gentleman’s time has expired.

Mr. Moran is recognized for five minutes.

Mr. MORAN. Thank you, Mr. Chair.

There’s a greatness in America that has often been reflected over the history of our Nation by the greatness in some of our largest cities, like New York City, like Philadelphia, like a couple cities in my State—Austin and Houston, to name a few.

Widespread movements in these cities to focus support for criminals instead of victims, to put progressive liberal politics ahead of the lives of all individuals regardless of political affiliation, to put sound bites ahead of sound policy, and to focus on social justice
rather than actual justice have resulted in these Democrat-run cities, like New York City, being less safe.

Of course, if you’re talking about the safety and protection of criminals, that’s different.

Mr. DiGiacomo, let me see if I understand a couple of statistics correctly. I’ll ask you a couple questions about this.

When it relates to Alvin Bragg’s Manhattan District Attorney’s Office, not even going back before that but just looking at what he’s done and looking at the process, in particular, let’s start with somebody that’s committed to criminal offense, a felony offense.

Since 2019, if you compare 2019–2022 statistics, Alvin Bragg has declined to prosecute 35 percent less felonies than before. Even with those felonies that were charged, he’s downgraded 52 percent of those felonies down to misdemeanors. Even when you get past that, of those felonies that actually make it to trial, Alvin Bragg’s office is only successful in about half of those cases.

So, when you start doing the mathematical calculations, if you’re a criminal in this city that commits a felony, by the time he declines to prosecute and then downgrades a portion of what’s left and then actually prosecutes those that are left and is unsuccessful in about half of those cases, probably only one in five at best, maybe one in six or one in seven, that commit a felony criminal offense in the city of New York City and in the Manhattan district in particular actually get convicted of that felony conviction.

Is that true?

Mr. DiGiacomo. That’s counterproductive to the victims of crime.

Correct.

Mr. Moran. Once convicted, then, based on Alvin Bragg’s “Day 1 Memo,” he’s encouraged less and less of those criminals to actually receive jail time. Isn’t that true?

Mr. DiGiacomo. That’s correct.

Mr. Moran. Now, how does that work with the morale of the NYPD?

Mr. DiGiacomo. Well, we’re seeing it now, where we’re having so many members of the NYPD leaving for other departments and detectives with years and years of experience and knowledge retiring. It’s going to have a major impact on public safety here in New York City.

Mr. Moran. Yes. Does it actually affect their ability to perform their duties?

Mr. DiGiacomo. Oh, absolutely. Again, if you’re not prosecuting the crime, again, you’re putting your life on the line every time you encounter a criminal or a criminal element, and just for this individual to be let out again, and all your work was done for no reason.

Mr. Moran. I’d like to know what you’re hearing, because you have your ear to the ground. What are you hearing from the men and women, the brave men and women, of the NYPD about their desire to continue to serve under these kinds of circumstances?

Mr. DiGiacomo. Policing here in New York City is the most difficult I’ve seen it in 40 years. It’s almost impossible for these young cops, and old, and detectives to do their job effectively, because you don’t have a clear understanding and working relationship with the District Attorney’s Office.
Mr. Moran. How does it affect their job and their ability to perform their job, that about half of those actually charged with felonies are out on—without any bail at all, awaiting trial, and only about half are in?

Mr. DiGiacomo. Well, it breaks the morale, and it breaks your desire to serve and protect the people of this city.

Mr. Moran. Do you see often times when these that have committed felonies that are awaiting trial are actually out there committing more felonies while they’re in their pretrial state?

Mr. DiGiacomo. That’s the sad part about this. They’re out again victimizing the people of the city. That’s why the morale in the NYPD is so low right now.

Mr. Moran. One of the things that you mentioned in your testimony, your written testimony, is about juvenile offenders.

Mr. DiGiacomo. Uh-huh.

Mr. Moran. Talk about juvenile offenders under Alvin Bragg’s District Attorney’s Office, whether or not they’re committing more crimes, whether or not they are incentivized to be part of gangs more than they were before.

Mr. DiGiacomo. Well, it used to be two percent of the crimes in New York City. It’s now double digits. They’re committing more crimes, carrying more firearms, because they know there are no consequences.

Mr. Moran. Yes. These are the illegal firearms that we’ve been talking about, so much that—

Mr. DiGiacomo. Correct.

Mr. Moran. —Alvin Bragg’s office has decided not to prosecute under existing law. Is that true?

Mr. DiGiacomo. That’s correct.

Mr. Moran. All right. Thank you for your time.

I yield back.

Chair Jordan. [Presiding.] I thank the gentleman.

The gentleman yields back.

Last, but certainly not least, my friend and colleague, the gentleman from New Jersey, is recognized.

Mr. Van Drew. Hi. You guys got to be tired. I know after a while you almost have your eyes glaze over.

I want to tell you—and I really mean this, and there’s a lot of people in this room who mean it—we appreciate you. We appreciate your bravery, your strength, your love for the ones that you lost. We appreciate the professionals who are here who are willing to speak up against all odds.

This is a big deal. Without folks like you, without good Americans like you, without individuals who have the courage and strength to stand up the way that you do, we’re definitely doomed.

I also want to promise you something else. I think the Chair would stick with me on this, and I think the Members here would stick with it. We’re going to do something. We absolutely didn’t do this for an exercise. We absolutely didn’t do this for politics.

So, I do want to say this to my friends on the other side. They threw out all kinds of stuff today—numbers that weren’t real, a whole discussion of guns. You can have a lot of discussions on guns, but that wasn’t what today was about. It wasn’t a discussion about the guns. It was a discussion about Alvin Bragg.
They talked about George Santos, anti-Semitism, Donald Trump, money going from the NRA to Members—which, by the way, I don't think it does, or else I'm surely the only one not getting it. I asked a few people. I don't think that's accurate either.

That’s an old political trick. Just so that you who are sitting here at this table know, you put the shiny object up here, and the shiny object is Donald Trump. So, hopefully—you hope that you and that we get so focused on his issues and get drawn into that.

I don’t give a damn about his issues right now. We'll deal with his issues—and they're important issues—at another time. I care about your issues. We care about your issues. They should care about your issues, not all this other crap they threw out there.

I'm sorry, I'm a little rough around the edges sometimes, but I'm just telling you the truth. It's about time we hear the truth. That's what the truth is.

The truth is this—I did write some things down, too—that crime rates in our biggest cities have risen to staggering levels. When you say the crime rate or what's really going on, you can't just talk about somebody who has actually been—was going to be prosecuted but was released. That's why these numbers look down, because we're releasing everybody. We're not putting them in jail.

Bad people should go in jail. That's where they belong. They shouldn't be out so they can hurt your wives, children, mothers, fathers, and grandfathers. We want to be safe, and it doesn't matter what color, what race, what origin we are; we want to be safe in our homes.

I think of what goes on in Chicago. It's not only New York. My God, how many little Black babies get shot every single week in that town? We can stop it. We could stop it if we had good prosecutors.

Who's funding these progressive district attorneys? We should know that. Well, it's George Soros. With this increase in crime, you would think their DA would be actively trying to slow it down. He's not. He's taking money from George Soros.

I don't know about money from the NRA, but I'll tell you, there's tons of money, tens of millions—in fact, he spent $170 million—that's a lot of dough—$170 million in 2022 and $40 million which was for local prosecutor elections. We never had money spent like that on prosecutor elections. It's wrong. Prosecutors should run because they want to defend the law, help their police, and, most of all, help you.

God bless you, after being a victim and losing people you love, that you're here. I can't believe how strong you are.

You know what begs the question too? Who's worse? Is it a prosecutor who doesn't enforce the law, or the criminal? Well, the prosecutor who doesn't enforce the law has a broad effect across the whole city and should know better and is taking his position, that position of such importance, to be the legal guardian, to be the person that's the caretaker of our America, of our cities, of this great city of New York, and what does he do? For politics, he doesn't care.

The fact that he didn't sit down and shed some tears with you, it's unbelievable to me.
The fact that he put you—and accused you of murder. Troy was right before. A man tries to kill you, you've got to stop him. It's your right. I guess he would've rather that you got killed. I don't understand it.

It's in New York City. It's in Chicago. It's in San Francisco. This is the facts.

Aww, shoot. I need a few more seconds. A few more?

The bottom line is, the facts are that all the Soros-backed district attorneys are doing this everywhere. It leads to more crime.

I'm going to say this—I'm going to finish up.

Chair JORDAN. The gentleman—

Mr. VAN DREW. I think the answer is—I think he should resign. I swear to God, he should resign, and he should be disbarred.

Chair JORDAN. The gentleman's time has expired.

I want to—this concludes our hearing today.

I want to thank our witnesses. I've been in Congress a while, not quite as long as Mr. Nadler, but I've been there a while, and I don't know if I've ever been a part of a hearing with more powerful witnesses telling your stories. So, thank you for your courage. Thank you for your patience, for being here. God bless you all.

That concludes—without objection, all members will have five legislative days to submit additional written questions for the witnesses or additional materials for the record.

Chair JORDAN. Now, without objection, the hearing is adjourned. [Whereupon, at 12:58 p.m., the Committee was adjourned.]

All items submitted for the record by Members of the Committee on the Judiciary can be found at https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=115663.