

THE CONSEQUENCES OF SOFT-ON-CRIME POLICIES

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME AND FEDERAL
GOVERNMENT SURVEILLANCE

OF THE

COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES

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THE CONSEQUENCES OF SOFT-ON-CRIME POLICIES

Wednesday, September 11, 2024

HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE

COMMITTEE ON THE JUDICIARY

Washington, DC

The Subcommittee met, pursuant to notice, at 10:04 a.m., in Room 2141, Rayburn House Office Building, the Hon. Andy Biggs [Chair of the Subcommittee] presiding.

Members present: Representatives Biggs, Jordan, Gaetz, Tiffany, Nehls, Kiley, McBath, Nadler, and Johnson.

Mr. BIGGS. The Subcommittee will come to order. Without objection, the Chair is authorized to declare a recess at any time. Welcome, we welcome our witnesses, the public and members, and we appreciate everyone being here today on today's hearing on the Consequences of Soft-on-Crime Policies.

I now recognize the gentleman from Wisconsin, Mr. Tiffany, to lead us in the Pledge of Allegiance and following the Pledge of Allegiance, if you would remain standing for a moment of silence for the 9/11 victims.

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.

[Moment of silence.]

Mr. BIGGS. Thank you. I will now recognize myself for an opening statement. Again, we welcome you to this hearing on the consequences on soft-on-crime policies. Over the course of this Congress, our oversight has included hearings in Democrat-run jurisdictions like Manhattan, Chicago, Washington, DC, and Philadelphia. Revealed in those hearings was the dangers of the left's agenda that provides leniency toward criminals.

The witnesses at these hearings have told us the horrific and tragic stories of how soft-on-crime policies have hurt them and their families. Prosecutors who refuse to put criminals in jail routinely have downgraded felonies to misdemeanors and declined to prosecute entire categories of crimes that has resulted in increased criminality and violence.

Meanwhile, leftist policymakers are passing bill reform laws that make it easier for criminals to remain on the streets and harder for police officers to protect their communities. This hearing is a continuation of that oversight. If Democrats are successful in their policy goals, the left-leaning criminal justice policies of Manhattan, Chicago, Washington, DC, Philadelphia, California, and Minnesota will become common throughout the country and will actually have impact on Federal imposition of criminal codes.

I hope these hearings serve as a wake-up call to Americans to demand that their elected leadership abandon these policies that have made their communities less safe, and I hope it also reminds Congress of our requirement regarding Federal law.

Violent crime in Minnesota remains significantly elevated due to the lingering effects of the Summer 2020 riots in addition to the prosecution's refusal to hold criminals accountable. Following the rise in violence that occurred during the aftermath of the death of George Floyd, Minnesota's Twin Cities, Minneapolis and St. Paul, faced unprecedented damage and destruction and crime remains concentrated in those cities today.

During the Summer 2020, the riots of the Summer 2020, 1,500 businesses in the Twin Cities were vandalized, looted, or damaged with at least 67 of those buildings destroyed by fire. Additionally, the Minneapolis City Council attempted to disband, but ultimately defunded the police department by \$8 million.

Today, the metropolitan area still struggles with police recruitment and the aftermath of the riots where enforcements have had to cut back on proactive policing. Additionally, the two District Attorneys for the Twin Cities both practice and implement radical, soft-on-crime policies that enable dangerous criminals and exacerbate crime.

We will hear from two witnesses from Minnesota today. Forty years ago, a near decade long crime wave started in California. In the eight-year period between 1985–1993, violent crime across all categories increased 66 percent from approximately 202,000 to approximately 336,000 incidents per year. Rising violent crime in the State, including the brutal and brazen murder of Kimber Reynolds in 1992, and the rape and murder of 12-year-old Polly Klaas, were repeat offenders with lengthy criminal histories mobilized Californians to demand and enact a three-strikes law.

In March 1994, then Governor Pete Wilson, a Republican, signed into law the three-strikes and you are out criminal sentencing measure. The following November, California voters reaffirmed the measure when they voted overwhelmingly in favor of Proposition 184. That initiative was nearly identical to the legislation signed by Governor Wilson. The law increased the prison sentences of persons convicted of felonies who have been previously convicted of a violent or serious felony. As a result, violent crime in California between 1994, when the proposition was imposed, and 2010, showed a 49 percent decrease from approximately 319,000 to 164,000 incidents per year.

Twenty years later, California decided to adopt a soft-on-crime approach. In 2014, Californians approved Prop. 47, which in November 2014, California voters approved Prop. 47—I got that twice, sorry. In November 2014, California voters approved Prop. 47

which reclassified many felonies as misdemeanors. This includes many drug crimes and theft of items that are worth less than \$950. Reclassifying these crimes from felonies to misdemeanors mean that many defendants are no longer susceptible to the three strikes laws passed in 1994.

In 2016, the State approved Prop. 57 which reformed the parole system and allowed dangerous offenders to be eligible to be released from prison. After more than a decade of implementing these soft-on-crime policies, crime rates rose and continued to rise in California. In 2023, violence crime increased 15.1 percent from 2018 and increased 3.3 percent compared to 2022.

Similarly, between 2018–2023, the aggravated assault rate increased a staggering 30.6 percent in the State. While the homicide rate declined by 15.8 percent in 2023 compared to 2022, a substantial increase of 9.1 percent occurred between 2018–2023. In other words, implying a decrease from all-time highs as they do, this demonstrates that there is still a significant problem and that there has been an overall growth in increase in homicide rates. Further, despite having some of the strictest gun control laws in the Nation, aggravated assaults with firearms in California increased 63 percent between 2018–2023. California’s violent crime rate is 31 percent higher than the United States’ rate and is driven by the increase in aggravated assaults.

California also suffers from elected soft-on-crime prosecutors. One of our witnesses today will tell us how that has impacted her life. We are seeing similar policies being enacted at the Federal level as well. One clear example of this is found in the recent actions of the U.S. Sentencing Commission. The Sentencing Commission has begun changing their sentencing guidelines to shorten the sentences of criminals, as well as their post-incarceration terms of supervision. These types of changes will lead to the same results as we have seen in California and Minnesota, a rise in crime and a decline in safety at the Federal level. These recent changes are no doubt only the beginning. The same folks who implemented the soft-on-crime policies in California and Minnesota are now asking to run the Federal Government. Why, based on their records, will we believe they will be tough on crime and make our communities safer? Americans deserve to live in safe communities, and they deserve and want their elected officials to do everything they can to make sure that this happens.

I am looking forward to the hearing. I appreciate our witnesses being here and I appreciate the Members who are here today, and I will yield back and now recognize Ms. McBath for her opening statement.

Ms. MCBATH. Thank you, Chair, and thank you to our witnesses for being with us today. I appreciate it.

Before we turn to the subject of today’s hearing, I want to take a moment to acknowledge the four lives that we lost to gun violence at Apalachee High School in my home State of Georgia last week. According to the gun violence archive, this is just one of 389 mass shootings that have occurred so far this year. That figure does not include firearm suicides. As always, I continue to pray for the families of all those who have been lost to gun violence, for

those injured at Apalachee High School and for the community of Winder, Georgia. This simply has to end.

With the permission of the Chair, I would ask that we take just a brief moment of silence for the four lives lost and for their families.

As you said, please join us in the respectful moment of silence for those losses.

[Moment of silence.]

Mr. BIGGS. Thank you very much.

Ms. MCBATH. Thank you. I am here today because of my own personal lived experience, after my son was violently killed in broad daylight by a man with a gun. I did everything in my power to make sure that my child's legacy would live on. I endured two trials so that justice was delivered because the man who took him from me and my family, he deserved to be held accountable for what he did. My son's killer is now serving a life sentence in prison. Since his conviction, I promised myself that I would work every single day to prevent any mother or any other father in this country or any other family from feeling the pain of losing a loved one or fearing that their child will not return home at the end of the day. I carry the pain of losing my child every single day here in Congress, just as I carry it with me here in this hearing today.

Over the last four years, President Biden, Vice President Harris, and Congressional Democrats have acted time and time again to invest in law enforcement, prevent crime, and make sure that those who commit these crimes are held accountable. Together, we passed the American Rescue Plan, which included \$350 billion in flexible aid to State and local governments. This bill included \$15 billion for public safety and violence prevention. We also passed the bipartisan Safer Communities Act, the first major gun violence prevention legislation this country has seen in nearly 30 years. This legislation established enhanced background checks for buyers under 21 years of age and these checks have already prevented 800 gun sales to those who were prohibited by law from purchasing or possessing firearms. The bipartisan Safer Communities Act also helps law enforcement hold gun traffickers accountable by establishing new crimes for gun trafficking and straw purchasing.

Over 500 defendants have been charged under these new crimes including traffickers linked to cartels. These laws have been instrumental in making our communities safer and because of these efforts, this year we are on track to have the lowest level of crime this country has seen in 50 years. There definitely is more that we can do, and I welcome collaboration from my colleagues on the right, on any side of the aisle, to join me in our work to stop crime.

Last Congress, House Democrats passed numerous bills that would further promote public safety, invest in law enforcement and keep guns out of the hands of people who simply should not have access to them. Unfortunately, these efforts were repeatedly opposed by all, but a few House Republicans and this Congress, the Republican majority, has refused to consider these bills and has even made efforts to remove money from the budget of law enforcement agencies.

I urge my Republican colleagues to reconsider their opposition. I remain committed to working with anyone who will join me in our

efforts to make our country a safer place for every American, no matter who you vote for. I yield back.

Mr. BIGGS. Thank you. I now recognize the Chair of the Full Committee, Mr. Jordan, for his opening statement.

Chair JORDAN. Thank you, Mr. Chair. I don't have an opening statement. I just want to thank you for this important hearing, and I look forward to hearing from our witnesses. Thank you all for being here, talking about this very important issue. With that, I would yield back to the Chair.

Mr. BIGGS. Thank you, Mr. Chair. I now recognize the Ranking Member for the Full Committee, Mr. Nadler.

Mr. NADLER. Thank you, Mr. Chair. Mr. Chair, in our first week back from the August recess, this Subcommittee's first hearing is nothing more than a campaign event with Donald Trump. Rather than addressing policies that currently affect the American people, the majority's witnesses are here to talk about incidents from as far back as 2008. What happened to our two victims' witnesses is unacceptable. No person deserves to be a victim of crime, and I appreciate your being here to share your stories. The majority's attempt to use this hearing to prop up the Trump-Vance campaign is not even thinly veiled. There is no intent whatsoever to disguise the purpose of this hearing.

Not only is the majority desperate to attack the surging popularity of Vice President Harris and Governor Walz, but they are well aware that if they want to hold a hearing about the current levels of crime in the U.S., that hearing would show that crime has been declining dramatically and steadily under the Biden-Harris Administration. The murder rate, in particular, is down sharply this year in cities across America, as it was during the past two years.

Meanwhile, Red States continue to have murder rates that are higher than those of Blue States. Seven of the ten States with the highest murder rates are Red States and eight of the ten most dangerous cities in the U.S. are in Red States. As we hold this hearing about the alleged consequences so-called soft-on-crime policies, Republicans and their leader, Donald Trump, continue to call for pardons for the January 6th defendants who violently attempted to overthrow our Government on that bloody day three years ago. They continue to try to help Trump avoid accountability for his own serial criminal conduct in his numerous court cases by attacking the prosecutors, the judges, and the legal system itself.

Last, Congress under Democratic control, we advanced important public safety legislation such as the VICTIM Act which would have provided critical funding for law enforcement to solve murders and other violent crimes. Republicans opposed it. Now, that they are in the majority, Republicans have called for abolishing the defunding the ATF and they have repeatedly attacked the FBI and the Department of Justice through endless conspiracy-focused hearings and closed-door investigations that border on harassment.

It is Republicans who oppose sensible gun safety legislation that would curb the flow of illegal guns and stem the tide of gun violence in America. It has only been a week since the latest school shooting in which a teenager used an AR-15 to take the lives of two students and two teachers at a school in Apalachee, Georgia,

a place where students, parents, and teachers have a right to expect that they will be protected.

Republicans have made protection of deadly assault weapons a top priority this Congress over the protection of students. If they have the audacity to claim that it is Democrats who are soft on crime, Democrats are focused on actual legislation and policies that keep Americans safe. Democrats are keeping guns out of the wrong hands, addressing the root causes of violence, and investing in law enforcement. House Democrats have secured substantially more money for public safety investments in their districts, such as hiring police officers than House Republicans have secured, in some cases, as much as 15 times more. This disparity should tell us which party is more focused on public safety and which is soft on crime.

The data also shows us that criminal justice reform policies work. In 2018, both parties were able to unify behind the First Step Act, a comprehensive sentencing reform package that gave Federal inmates the opportunity to earn time off their sentences for completing productive courses designed to prevent them from re-offending. This legislation has been a resounding success, as the recidivism rate for inmates released early under the First Step Act is far lower than that of other inmates. In the cities in this country that have enacted bail reform by reducing or eliminating the use of cash bail systems, study after study has shown that the reforms have not led to an increase in crime.

Of course, no crime prevention or reform strategy is perfect. There will always be individuals who slip through the cracks and continue to break the law. That is what happened with the individual who snatched Ms. Kiefer's purse in 2008 when he was in the Back On Track program in San Francisco. It was when then-District Attorney Harris discovered that the program had mistakenly admitted undocumented immigrants who were not eligible for jobs in the United States, she quickly closed that loophole. What the majority won't tell you is that the person who took Ms. Kiefer's purse is the only undocumented person who was admitted into the program and failed to successfully complete it.

Instead, my Republican colleagues paint all immigrants with the same broad brush as the ones who break the law, this week going so far as to make fake and preposterous crime that they claim immigrants are committing such as killing and eating pets. Not only is this sort of demonization of immigrants dangerous, but it flies in the face of the data which tells us that U.S.-born citizens are nearly twice as likely to be arrested for violent crimes as those who are in the country illegally. That is why we do not legislate by anecdote. While it is important to hear from crime victims and other impacted persons, we must focus our policymaking on current data and on verifiable trends.

We must also focus on what we know works to combat crime. A combination of accountability and prevention that addresses not just punishment, but also the root causes of crime such as poverty, drug addiction, and structural inequalities. When and if my Republican colleagues are willing to have serious conversations about criminal justice policy, as we did when we passed the First Step Act in 2018, and the bipartisan Safer Communities Act last Con-

gress, I will happily join them. This hearing is nothing more than a campaign ad. I do not endorse this message. Thank you, and I yield back.

Mr. BIGGS. Without objection, all other opening statements will be included in the record and today's witnesses will now be introduced. We appreciate all of you being here.

We will begin with Mr. Brian Ingram over here. Mr. Ingram is a chef and owner of Purpose Restaurants based in St. Paul, Minnesota. He has over 30 years of experience in the restaurant industry. In addition to serving customers, Purpose Restaurants has focused on serving the community, having provided more than 300,000 meals, two million pounds of food, and \$225,000 in financial assistance to those in need since 2019. Thank you for being with us today, Mr. Ingram.

Ms. Kiefer, Amanda Kiefer, Ms. Amanda Kiefer, is a former San Francisco resident and crime victim. In 2008, she was attacked by an illegal alien in San Francisco who had been arrested on drug charges but was released to a job program instead of being incarcerated.

We have Mr. Jim Schultz, who is the President of the Minnesota Private Business Council, an organization that advocates for policies that promote job growth, business creation, entrepreneurship, and broad-based well-being for Minnesota's workers and their families. Thank you all, for being here.

Mr. Jim Kessler is Executive Vice President for Policy and a Co-founder of Third Way, a nonprofit organization and think tank. He previously served as a House and Senate staffer to Senator Chuck Schumer.

We welcome all our witnesses today and I thank you for appearing. We will begin by swearing you in. Would you please rise and raise your right hand?

Do each of 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?

Let the record please reflect the witnesses have all answered in the affirmative and you may be seated.

Please know that your written testimony will be entered into the record in its entirety. Accordingly, we ask that you summarize your testimony in five minutes, and you will see there is a timer in front of you and at some point, if you start rolling on past five too much, I will gently tap a reminder. If you go too far, then I will whack it pretty good and remind you that you need to wrap up. It is not to be rude. Nobody will be upset with you. We are just trying to keep this thing moving in an orderly fashion.

So, we are going to begin now with you, Mr. Ingram, for your five minutes.

STATEMENT OF BRIAN INGRAM

Mr. INGRAM. Chair Biggs and the Members, today, first, we are just so grateful to be here and have this opportunity. I am not going to talk to you about data. I am going to talk to you about real-life experiences. Really my prayer for today is that of open hearts and open minds. I am passionate about our community. We have stepped up since 2019 to create a better community. We set

out with the name of our restaurant, Purpose Restaurants, to have a safe, inclusive environment. We reached out to all different community members to understand what that looks like. We have made it our calling to be of service to our community.

We say we want to share meals with people that don't look like us, that don't believe like us, because that is what is important. I moved to Minnesota in 2012 from New York. In those first 5-6 years, I had one burglary that happened. Since 2019 and beyond, I know we are North of 12 burglaries. I cannot tell you how many incidents at one of our restaurants in downtown St. Paul that we have had overdoses, that we have had people on our patios overturning them. I can't tell you how many times we have seen violent acts taking place in our restaurants. I cannot tell you how many times I have heard from our District Attorney that we have reduced charges. We are letting them off. We reduced them to under \$1,000, even though our expenses were far greater than that.

The gentleman sitting behind me, Jeff, is my business partner. His son, Johnny, died of a fentanyl overdose above our restaurant. His drug dealer, we had all his information. We gave it to the police. That drug dealer was never arrested, and he is still on our streets today. These violent crimes and acts that happen in our restaurants and within our homes, St. Paul was my home from the time I moved there, except for a short time I was in Minneapolis. We moved after our car was recently stolen; house was broken into. My son's daycare, in St. Paul, Minnesota, recently had young kids stole the car again, again, I believe it happened several times and crashed it, but for the grace of God, into a tree that stopped them from going into the playground where three-year-olds are playing on our streets. This happens day in and day out in our community and nothing is being done about it.

I can't tell you how many times I have listened to St. Paul police officers. This man has been arrested over 50 times, Brian. I am sorry. There is nothing we can do. He got back out, came back, burglarized us again, got back out within 24 hours I am told, and burglarized us again. So, we can talk about data. We can talk about how you can manipulate data. We can talk about political parties, none of that means anything to me. What matters to me is that my community is safe. What matters to me is when I get a call saying can you help pay for our funeral? My daughter was killed, Trinity, by random gunfire in St. Paul.

What matters to me is that our streets and our community are taken care of and our first priority as citizens, as public services, it is to serve our community and that is what I am praying for that happens today. Hearts and minds are open. This is not a political issue. This is a human issue. We need to focus on human beings.

[The prepared statement of Mr. Ingram follows:]

PURPOSE RESTAURANTS

Updated statement

Chairman Biggs, Ranking Member McBath, and Members of the Subcommittee,

Thank you for the opportunity to testify before you today. I come to you as the owner of a small, family-owned business from Minnesota, deeply concerned about the policies that have negatively impacted not only my business and others like it but also the safety and well-being of our community.

My wife and business partner, Jeff Bornman, and I opened our first restaurant in Saint Paul, Minnesota, in September 2019, starting with just 12 employees. As we were beginning to establish ourselves, the COVID-19 pandemic hit, forcing us to shut down operations. Instead of closing our doors, we pivoted and turned our restaurant into a community kitchen and food pantry, serving over half a million free meals to families in need over the last four years. Even today, we continue providing free meals twice a week to families and homeless youth through an organization called Face to Face. While it has been a privilege to serve our community, we've also faced immense challenges due to rising crime and the failure to address repeat offenders.

Over the past few years, our restaurants and offices have been burglarized more than a dozen times. Shockingly, some of the individuals responsible have been arrested over 50 times. One individual burglarized our business three separate times—each time being released, only to return and rob us again. This is not an isolated incident. Offenders are often released with their charges reduced or dropped entirely. Even when the damage and theft far exceeded \$1,000, charges were reduced, allowing these criminals to walk free with minimal consequences.

Just last week, another one of our Saint Paul restaurants was burglarized. A few months ago, our office was broken into, and a trailer we use to transport equipment was stolen. Knowing our local police department is understaffed by more than 100 officers, we began conducting investigations ourselves. We tracked down the thief, who was attempting to sell our trailer on Facebook Marketplace. While waiting for the police to arrive at the suspect's home, one of my team members, who was parked nearby to prevent the suspect from fleeing, was nearly carjacked by four young teens. The police had to immediately respond to stop that crime.

The failure to control crime has affected more than just our business. At my 3-year-old son's daycare, a stolen car crashed into the playground where he and other children play every day. The teenagers responsible had been released after previous offenses.

These policies—soft on crime and lenient on repeat offenders—are failing us. They are failing small businesses, families, and the community at large. Something must change. We need stronger enforcement, consequences that reflect the severity of the crimes, and a justice system that prioritizes the safety of our citizens over leniency for habitual criminals.

We are heartbroken over the loss of life in our community. Our business has personally contributed to funeral expenses for young children killed in our streets. This year alone, we've stood with the families of three fallen police officers. In every instance, our company donated 100% of a day's sales—over \$30,000—to support Officer Mitchel's family. \$25,000 to the families of two fallen Burnsville police officers. We don't share this for accolades but to show how our community stood with us and these fallen officers, united in grief and support.

We have put our money and resources into more than just talk. Over the past four years, we have opened 10 restaurants and created nearly 500 jobs in our community. We stand with our community and the people of Minnesota. Now, we need our government and elected officials to stand with us and with the police officers and first responders who work every single day to make our communities safer and better places to live.

We are pleading for your action. Please consider the stories of business owners like myself and the communities we serve as you evaluate the policies in place. The safety of our businesses, our employees, our children, and our neighborhoods depend on it.

Thank you for your time and for listening to the voices of those most affected by these ongoing challenges.

Sincerely,
Brian Ingram
Owner, Purpose Restaurants
Saint Paul, Minnesota

Mr. BIGGS. Thank you, Mr. Ingram. Appreciate that. Now, Ms. Kiefer, we will recognize you for your five minutes.

STATEMENT OF AMANDA KIEFER

Ms. KIEFER. Thanks for giving me an opportunity to speak about my experience. I was a victim of crime in San Francisco back in 2008. I was robbed and my skull was fractured in two places. I had about a dozen staples in the back of my head and nearly lost my hearing in my left ear. The guy who did it was a convicted felon, illegal immigrant that should have been in jail instead. As Congressman Nadler mentioned, he was enrolled in this job training program on the taxpayers' dollar for jobs he couldn't legally hold. That was crazy to find out afterwards.

This type of program is happening throughout the country, too. That program was touted as a success, and it is hard to believe that there isn't more than one illegal involved in that.

The journalists and politicians like to repeat the statistics that immigrants commit less crimes than Americans, even if not manipulated. I think I find that kind of irrelevant. If we are letting in any more criminals, that is one too many. We already have enough criminals in this country, and we really do little to keep them from committing more crimes.

Certain politicians no longer hide their commitment to that Marxist principal that criminals are just victims of capitalism that not a job or handout will eliminate their tendency toward violent crime and jails and prisons have become a revolving door. No bail laws, later sentencings, and again, politics for leniency put violent people on the streets again to harm others. There is no fear of being caught or any reason to stop committing crimes.

Our Vice President encouraged defunding police in the Summer 2020 and supporting a bail fund to let violent repeat offenders out of jail. Many of them went on to commit horrible crimes and that same Summer, her running mate opened his windows and marveled at the smell of his city being burned down.

One of the most heart-wrenching part of hearing from victims' families is when they lose a loved one is that it could have been prevented. It is rarely a first-time offender. It is the backlog of sexual assault kits have been processed, if they had served time for their prior time, if they hadn't been let into our porous border, their loved one would still be with them and the gut punch, it is unfair, heart breaking, and Americans need to stop putting up with it. No one is taking accountability for failing to keep the American people safe.

[The prepared statement of Ms. Kiefer follows:]

Testimony of Amanda Kiefer

House Judiciary Committee
2138 Rayburn House Building
Washington, DC 20515

To the Honorable Chairman Biggs, and the Honorable Ranking Member McBeth,

Thank you for giving me the opportunity to speak today on the subject of crime in America. I am concerned that our government is not protecting law abiding, hardworking American citizens and our families from those that wish to do us harm.

I was a victim of crime in San Francisco where I was robbed and left with a fractured skull. I was walking in a nice, wealthy neighborhood during daylight hours. He grabbed my purse, I stepped into the street, the car he jumped into started coming at me, I jumped on the hood to avoid getting run over and he floored it and hit the brakes, laughing. The man who did it was an illegal immigrant, a convicted felon that the San Francisco DA at the time, Kamala Harris kept out of prison to train for jobs that he couldn't legally hold. This was paid for by taxpayers. This type of thing is happening throughout the country, in fact this program was touted as a success and repeated in other cities. The fact that illegals were enrolled was accidental they said. I don't think anyone believes that.

Journalists and politicians like to repeat a statistic that immigrants commit less crime than Americans. Even if not manipulated, which I suspect it is like most media nowadays, personally I find that argument irrelevant. Every additional criminal we allow to enter this country is one to many, we have enough already and have done nothing to deter them from committing more crimes.

While the person who harmed me was an illegal immigrant, crime in this country is certainly not limited to those here in this country illegally. District attorneys in cities across America are not keeping those convicted of violent crimes off the streets and in prison where many of them belong.

Certain politicians no longer hide their commitment to the Marxist principle that criminals are just a product of their circumstances. In their view, the criminals are just victims of capitalism, and somehow a job or handout will eliminate their tendency toward violent crime, no matter how many times that is proven wrong. Jails and prisons have become a revolving door. No bail laws, lighter sentencing, and identity politics-driven leniency put

violent people on the streets again to harm others. The fear of being caught or prosecuted is nonexistent. The crimes just get more heinous, recidivism is almost guaranteed.

Our law enforcement's hands are often tied, in cities across the country they are losing the ability and motivation to do their jobs. When caught, criminals just get let out the next day with no bail. Why would an officer risk their lives and get shot at, to capture a criminal that will not be prosecuted, and then be constantly criticized and villainized while doing it?

Our Vice President encouraged supporting a bail fund to let violent, repeat offenders out of jail during the rioting summer of 2020. Many of these criminals went on to commit other horrible crimes. That same summer, her running mate opened his windows and marveled at the smell of his city burning down.

One of the most heart wrenching part of hearing from the families of victims of violent crime after they lose a loved one; it's almost always something that could have been prevented. It's *rarely* a first-time offender. If only the backlog of sexual assault kits had been processed and prosecuted, if only that offender served time for their prior violent crime, if only they wouldn't have been let in through our porous border, these families' loved one would have been spared. It's a gut punch. It's unfair. It's heartbreaking and Americans need to stop putting up with it. No one is taking accountability for failing to keep the American people safe.

Americans need to go out and vote in November for the only person who wants to do anything about it and has demonstrated he can and will.

Best Regards,

Amanda Kiefer

Mr. BIGGS. Thank you, Ms. Kiefer.
Mr. Kessler, I now recognize you for five minutes.

STATEMENT OF JIM KESSLER

Mr. KESSLER. Thank you, Chair Biggs, Ranking Member McBath, and the Members of the Committee, and also to the fellow panelists here.

I also want to acknowledge Kylie Murdock, the Third Way Policy Advisor for her work on this issue and also Jeremy, our fellow, who's done great work on this issue.

I've been obsessed with crime since the 1976 All-Star Game in Philadelphia when I was mugged. I've also had the privilege of working for a former Chair and Ranking Member of the Crime Subcommittee. Now, I get to testify, but I'm baffled by this topic. We're here to talk about soft-on-crime policies and have been offered up Minnesota Governor Tim Walz and California under Attorney General Kamala Harris as object lessons, yet both of these States are safer than the rest of the country, or most of the rest of the country.

I did not say safe; I said safer.

Forty years ago, I had a gun pressed to my forehead in downtown Boston. Thirty years ago, I had a gun leveled at my chest in rural Maine. No place in America is safe. Today the murder rate in Minnesota under Tim Walz is 12th lowest in the Nation, is less than half that of the national average. It is lower than the murder rates of all the 11 members of the States of the Subcommittee Members here.

If America had the same murder rate as Minnesota, since the start of this century there would be 186,000 more Americans alive today. If Arizona had the same murder rate as Minnesota, since the start of the century there would be 5,600 more Arizonans alive. There would be 12,800 more Floridians, 16,600 more Texans, 5,800 more South Carolinians.

California under AG Kamala Harris had a murder rate also below the national average and a murder rate half that of Red States like Mississippi, Louisiana, and Alabama. If all of America had the same murder rate as California, from the State of this century there would be 62,000 more Americans alive.

If you look at what has made Minnesota and California successful relative to the rest of the Nation, it is accountability, holding criminal accountable, and prevention, investing in efforts to give people a path away from crime. I want to touch briefly on four areas.

Police funding. Minnesota ranks 10th in the Nation in police spending per capita. California is No. 1. Under Attorney General Harris convictions rates hit a 15-year high. Across the Nation per capita spending on police is 33 percent higher in Blue States than in Red States. If you're not funding police and convicting criminals, you're soft on crime.

Poverty. Strong correlation between poverty rates and crime. If you're addressing poverty, you're soft on crime.

Prevention programs. Most violent crimes are committed by people between the ages of 16–25. Many are mentally ill and on drugs.

If you're not addressing substance abuse, mental health, idle kids, you're soft on crime.

Guns. Eighty-six percent of all murders are by guns. If guns are only seen as a solution to the crime problem and not a cause, if there isn't a balance between gun rights and gun accountability, you're soft on crime.

Walz and Harris have successful results on crime because they check the accountability and prevention boxes. Police funding under Walz is up and after the murder of George Floyd he called on investments in community policing.

Police funding under Biden-Harris, both Federal law enforcement and local law enforcement, is also up. They each address poverty: School lunches, child tax credit, et cetera. They invested in substance abuse, mental health, after school programs, and summer jobs. Within the confines of the Second Amendment, they each passed gun safety laws.

A word about illegal immigration: It was soft on crime to not pass the bipartisan border security bill. That's water under the bridge. Studies show undocumented immigrants commit fewer violent crimes than general population. I know are skeptical of that study and that doesn't help people who were victims, but I want to say something that is irrefutable:

The three States that have by far the highest murder rates in America: Mississippi, Louisiana, and Alabama, have among the lowest immigrant populations of any State in the country. The bulk of America's crime problem comes from Americans, not migrants.

In 2020, the last year of the Trump Administration, we had an unprecedented 30-percent spike in murders. By 2022, under Biden-Harris, crime and murder rates fell. It's continuing again in 2023-2024. For each year of this century, each and every year this century, Red States have had higher murder rates than Blue States.

I truly believe that Republicans believe they are tough on crime because they talk tough on crime. The results should make people skeptical. Thank you.

[The prepared statement of Mr. Kessler follows:]

Jim Kessler Crime Subcommittee Testimony – 9/11/2024

Thank you Chairman Biggs, Ranking member McBeth, members of the Committee and fellow panelists. I also want to acknowledge Kylie Murdock, a Third Way policy advisor who has worked hard on this issue.

I have been obsessed and fascinated by crime since the 1976 All-Star game at Philadelphia's Veterans Stadium where I was mugged! I've also had the privilege of working for a former Chair and ranking member of this Subcommittee in the 1990s. And now I get to testify.

I have to say, however, I am baffled by the topic.

We are here to talk about soft-on-crime policies and have been offered up Minnesota under Gov Tim Walz and California under AG Kamala Harris as object lessons ... yet a clear-eyed look at the results show that both of these states are safer than the rest of the country, at least when it comes to murder.

I didn't say "safe", I said "safer." 40 years ago, I had a gun pressed against my forehead in downtown Boston. 30 years ago, I had a gun leveled at my chest in rural Maine. No place in America is safe.

But today, the murder rate in MN under Tim Walz is 12th lowest in the nation. The murder rate in MN under Tim Walz is less than half of the national average. The murder rate in MN under Tim Walz is lower than the murder rates of all 11 of the states of members on this Subcommittee.

If America had the same murder rate as MN under Tim Walz, since the start of this century there would be 186,000 more Americans alive today. If Arizona had the same murder rate as MN under Tim Walz, since the start of the century there would be 5,600 more Arizonans alive. There would be 12,800 more Floridians. 16,600 more Texans. 5,800 more South Carolinians.

California under AG Kamala Harris – with Los Angeles, San Francisco, and Oakland – also has a murder rate below the national average, and a murder rate less than half that of Red States like Mississippi, Louisiana, and Alabama. If all of America had the same murder rate as California, from the start of the century there would be 62,000 more Americans alive.

Results matter. So what does it mean to be smart on crime?

If you look at what has made MN and CA so successful relative to the rest of the nation, it is a balance of accountability and prevention. Accountability – holding criminals accountable for their actions. Prevention – investing in efforts to give people a path away from crime.

I'll touch on 4 areas.

- 1) Police funding: Across the nation, per capita spending on police is 33% higher in Blue States than in Red States. Minnesota ranks 10th in police spending per capita. California is #1. Under AG Harris conviction rates hit a 15 year high. If you're not funding police and convicting criminals, you're soft on crime.
- 2) Poverty: There is a strong correlation between poverty rates and crime. In general, poverty rates are higher in red states than blue states. If you're not trying to address poverty, you're soft on crime.

- 3) Prevention programs: Substance abuse, mental health, after school programs, summer jobs. Most violent crimes are committed by those between 16 and 25. Many are committed by those on drugs or mentally ill. If you're not addressing substance abuse, mental health, idle kids – you're soft on crime.
- 4) And guns: 86% of all murders are by guns. If, like many Red states, guns are seen as only a solution to the crime problem and not a cause – if there isn't a balance between gun rights and gun responsibilities and accountability – you're soft on crime.

Walz and Harris have successful results on crime because they check all of the accountability and prevention boxes. Police funding under Walz is up, and he worked with Democrats and Republicans in his state to secure it. After the murder of George Floyd, he called for investments in responsible community policing, bucking the defund movement. Police funding under Biden-Harris – both federal law enforcement and local law enforcement aid – is up.

They each actively addressed poverty – school lunches, child tax credit.

They invested in substance abuse, mental health, after school programs and summer jobs.

And within the confines of the Second Amendment, they each passed gun safety laws.

A word about illegal immigration. It was soft on crime to not pass the bipartisan border security bill, but that's water under the bridge. There are studies that show undocumented immigrants commit fewer violent crimes than the general population. Even conservative groups like Cato agree. I know some of you are skeptical, so here is something irrefutable.

Between 2000 and 2022, three states have by far the highest murder rates in America. Each of these states – Mississippi, Louisiana, and Alabama -- have among the lowest number of immigrant residents of any state.¹ That's a fact. Over the last few years, states with high immigrant populations have actually seen a decrease in crime. The bulk of America's crime problem comes from Americans, not migrants.

In conclusion, in 2020, in the last year of the Trump Administration we had a massive and unprecedented 30% spike in murder and crime. By 2022, under Biden-Harris crime and murder rates fell, in 2023 we saw the largest drop in murder in history and that trend is continuing in 2024.

For each and every one of the last 23 years – that's every year this century – red states in America have had higher murder rates than blue states in America. Republicans can't blame that on Democrats.

I truly believe that elected Republicans believe they are tough on crime, because they talk tough on crime. But the results say otherwise.

We are a nation of 330 million flawed, imperfect people – many with lots of problems, with easy access to firearms, social media with algorithms that profit from making us angry – I hope that one day this Committee will embrace this complexity to come up with the next crime bill that ushers in a safer America.

¹ Mississippi ranks 49th, Alabama ranks 45th, Louisiana ranks 41st in % of population that is foreign born.

Mr. BIGGS. Thank you, Mr. Kessler.
Mr. Schultz, you are recognized for your five minutes.

STATEMENT OF JIM SCHULTZ

Mr. SCHULTZ. Chair, Ranking Member, and distinguished Members of the Committee, thank you for the opportunity to speak today.

I'm here because the American people deserve to hear the unvarnished truth. Tim Walz' record on crime has left Minnesota in crisis. During his tenure the State has become a place where criminals run free, where law enforcement is assailed, and where families are without the safety and security they deserve.

Here is the question we all must ask: If Tim Walz can't protect his own back yard, how could we possibly trust him to protect the entire Nation?

In January 2021, my sister, a resident of Minneapolis, called me terrified. Her home had just been in the middle of a shootout involving a violent criminal. A police officer had to rush her out of her home, shielding her from stray bullets. Her home was left pockmarked with bullet holes, an experience far too many Minnesotans are now familiar with. Under Tim Walz the streets of Minneapolis went from a place to walk your dog to a place to dodge gunfire.

Let's go back to the Summer 2020 when the George Floyd protests spiraled into riots. As Governor Tim Walz refused to deploy the National Guard for days, allowing violence to escalate unchecked. While flames engulfed his cities Walz twiddled his thumbs. By the time he finally acted Minneapolis suffered over \$500 million in damage and his inaction inspired violence across the country. The riots were ultimately the second costliest in U.S. history. Those terrible days demonstrated that Tim Walz has at least mastered one skill: The art of standing idly by while his State spirals into chaos.

Fast forward to today. Violent crime is Tim Walz' legacy. Homicides have surged by 75 percent and gunshot victims have doubled. Carjackings were once so rare in my State that they weren't separately tracked. Now, there are hundreds every year. This surge in crime is not just a pile of statistics. It's a harsh reality affecting everyday lives and livelihoods.

As a leader of the Minnesota Private Business Council, I have seen the impact firsthand. Businesses are closing left and right due to break-ins, theft, and vandalism. Large parts of Minneapolis and St. Paul, after decades of successful growth and investment, have become ghost towns, substantially driven by violent crime.

Once a powerhouse for generating companies like Target and Best Buy and General Mills, Minnesota, boasts the distinction of having the sixth slowest growing economy in the entire Nation, of course driven meaningfully by its rate of violent crime.

Worst of all, Walz has seen all this and sat idly. Case in point, Walz did nothing about the Minnesota Freedom Fund. The fund, which was endorsed by Kamala Harris, raised \$40 million in 2020 to bail out countless violent criminals including individuals charged with rape, assault, and attempted murder. One man, George Howard, who had been charged with domestic assault, murdered an in-

nocent man named Luis Damian Martinez Ortiz just weeks after being bailed out. Thanks to Kamala Harris' favorite charity and Walz' tacit endorsement, violent offenders have received get-out-of-jail-free cards and Minnesotans have paid the price with their lives.

I have just scratched the surface of Tim Walz' ignoble record. He has refused to stand up to radicals in the Democrat Party who pushed to defund the police. He has refused to stand up to hard-left prosecutors who prosecute police for simply doing their jobs and excuse the criminality of violent criminals. He has refused to protect our schools by forcing law enforcement out of them.

As we consider the possibility of Tim Walz in the White House, we must ask ourselves do we want a Vice President whose legacy is defined by hesitation, cowardice, submission to radicals, and policies that have emboldened criminals, taken lives and scarred families, and broken entire communities? Absolutely not.

Minnesotans deserve better than Tim Walz and so does America. Thank you.

[The prepared statement of Mr. Schultz follows:]

Testimony of Jim Schultz

Chairman, Ranking Member, and distinguished members of the committee:

Thank you for the opportunity to speak today.

I am here today because I believe it is immensely important that Americans be told an important truth:

Tim Walz's record on crime in Minnesota is one of catastrophic failure. Thanks to Tim Walz Minnesota is now a state where the criminals run free and the cops run for cover. And if Tim Walz is elected to the vice presidency, America should prepare for the violence that has gripped Minnesota to go national.

Let me begin by sharing a deeply personal story, one that brings the reality of Minnesota's crime crisis into sharp focus. In January 2021, I received a phone call from my sister who lives in Minneapolis, and I could immediately hear the fear in her voice. She told me that as she was cleaning up in her kitchen after breakfast that morning, gunshots rang out right next to her home. Looking out the window, she saw a man firing at police officers, who were returning fire.

She dropped to the floor, heart racing, as the shots continued to be exchanged. A police officer banged on her door, yelling that he needed to get her out of her home to protect her from stray bullets. Together, they ran behind her garage, where the officer used his own body as a shield to protect her. Miraculously, no one was killed that day, but her home was left with bullet holes, including the bedroom prepared for foster children she was set to take in.

This was not an isolated incident. It's just one story from a city—and a state—where violent crime has spiraled out of control. Minneapolis, once a vibrant city known for its strong communities, descended into chaos in 2020 and 2021 and has not recovered. Under Tim Walz, the streets of Minneapolis went from being a place to walk your dog to a place to dodge bullets. And that crime has not stopped at the edge of Minneapolis but has deeply affected all of Minnesota.

And Tim Walz is responsible.

A Catastrophic Response to the George Floyd Riots

Let's go back to the summer of 2020. The death of George Floyd sparked protests nationwide, but nowhere was the impact felt more acutely than in Minneapolis. What started as peaceful protests quickly devolved into riots, and the city descended into chaos. And Governor Walz's refusal to deploy the National Guard for days allowed the violence to escalate unchecked. While the flames of chaos were engulfing his city, Walz froze like a deer in the headlights—only, in this case, the headlights were Molotov cocktails.

And so Minneapolis burned. Businesses were looted, buildings set ablaze, and residents terrorized. By the time Walz finally made the decision to call in the National Guard, the damage had already been done. The cost? More than \$500 million in property damage, making it the second-costliest instance of local unrest in U.S. history, behind only the 1992 Los Angeles riots.

But the financial toll pales in comparison to the human cost. Lives were lost. Communities were shattered. And the trust that Minnesotans once had in their leaders to protect them was eroded. Governor Walz's failure to act decisively allowed this destruction to continue, and it's a failure Minnesotans will remember for generations. In addition to the devastation in Minnesota, Tim Walz's failure to swiftly quell the violence during the George Floyd riots had far-reaching consequences. His inability to take decisive action and restore order in Minneapolis set a dangerous precedent that reverberated across the nation. As other cities watched Minneapolis burn with little response from state leadership, they, too, saw their streets erupt in chaos. From Portland to New York, cities across the country experienced widespread violence, looting, and unrest, emboldened by the lack of leadership in Minnesota. Walz's paralysis during this critical moment contributed to a national wave of disorder, as the rioting inspired other malefactors and communicated to the world that lawlessness would be tolerated.

The year of 2020 demonstrated that Tim Walz has mastered one leadership skill: the art of standing idly by while his state spirals into chaos. I must ask: if Governor Walz couldn't muster the courage to defend his own backyard, how on earth can we expect him to protect an entire nation?

Crime Continues to Soar Under Walz

Fast forward to today, and Minnesota remains in the grip of a violent crime wave. The statistics are damning. During Tim Walz's governorship, crime rates in Minneapolis have soared. Homicides are up by 70%, and gunshot victims have doubled.

Statewide, the situation isn't much better. Murders in St. Paul have doubled, and crime has spilled into the suburbs, affecting Minnesotans far beyond the urban core. For the first time in Minnesota's history, Minnesota is a high-crime state. Homicides and gun violence have skyrocketed and under Walz's watch Minnesota went from the land of 10,000 lakes to the land of 10,000 carjackings.

As the leader of an organization representing small businesses across Minnesota, I've seen firsthand the devastating impact of rising crime on our local entrepreneurs and their employees. Businesses that were once thriving are now grappling with break-ins, theft, and vandalism at unprecedented levels. Many business owners are forced to divert resources toward security measures rather than their business, with some even closing their doors for good. The crime surge under Governor Walz's watch isn't just a statistic—it's a daily reality that's crushing the backbone of Minnesota's economy.

Illegal Immigration

Governor Tim Walz's embrace of illegal immigration policies has only added to the broader crime crisis plaguing Minnesota. By passing legislation that grants free college and healthcare to illegal immigrants, providing drivers' licenses to those here unlawfully, and supporting his party's push to make Minnesota a sanctuary state, Walz has created an environment that invites lawlessness. These policies not only strain already limited resources but also undermine the rule of law, further contributing to the sense of disorder gripping the state. At a time when Minnesota's streets are

overrun with crime, Walz is busy handing out taxpayer-funded freebies to those here illegally—while law-abiding citizens are left wondering who's looking out for them.

The Minnesota Freedom Fund and Kamala Harris's Support

One of the most egregious examples of Walz's failed leadership was the Minnesota Freedom Fund—a group that raised millions of dollars in the wake of the George Floyd riots to bail out violent criminals. Vice President Kamala Harris, who was then a senator, publicly encouraged people to donate to this fund. And what did that money go toward? Bailing out individuals charged with serious crimes, including rape, assault, and attempted murder. In one shocking instance, the Minnesota Freedom Fund bailed out George Howard, a man who had been charged with domestic assault. Just weeks after his release, Howard went on to murder Luis Damian Martinez Ortiz in a road rage incident. This tragic event demonstrated the recklessness of the fund's mission and the devastating consequences of bailing out dangerous individuals. Thanks to Kamala Harris's favorite charity, violent offenders got a get-out-of-jail-free card—and Minnesotans paid the price with their lives.

Yet Governor Walz remained silent. This should have been a moment of leadership—a moment where Walz could have stood up and said, "This is not the way forward." Instead, he stood idly by as his party and Kamala Harris herself undermined public safety. When violent criminals are bailed out with the governor's silent blessing and Kamala Harris's endorsement, it's not just reckless—it's a ticking time bomb.

Tim Walz's Cowardice in the Face of Radicalism

This pattern of inaction is not limited to the riots or the Minnesota Freedom Fund. Throughout his tenure, Walz has consistently refused to stand up to the radicals in the Minnesota Democrat Party, even as they push policies that put Minnesotans at risk.

There was of course the defund-the-police movement, launched into orbit by the Minneapolis City Council and ultimately recklessly embraced by politicians nationwide, including members of Congress and, I am sorry to say a member of this Subcommittee, Congresswoman Cory Bush. The defund-the-police movement resulted in countless lives lost nationwide, and Tim Walz refused to stand up to it.

Or take the case of Mary Moriarty, the chief prosecutor for Hennepin County, Minnesota's most populous county. Moriarty has built a reputation as one of the most radical district attorneys in the country, with a soft-on-crime agenda that directly endangers the public. Her policies and decisions reflect an alarming disregard for public safety, prioritizing coddling violent criminals instead of justice for victims.

I should also note, particularly on September 11 as we commemorate that terrible day on which so many police officers and other first responders demonstrated such remarkable heroism, the remarkable hostility Moriarty has shown to law enforcement throughout her tenure. Among Moriarty's most despicable actions was the attempted prosecution of Minnesota State Trooper

Ryan Londregan. After Londregan lawfully discharged his weapon during a dangerous confrontation with an armed suspect – and convicted violent felon – in the summer of 2023, Moriarty inexplicably charged him with murder, ignoring the clear and imminent threat that Londregan and his partner faced. This was a baseless prosecution. Moriarty was intent upon prosecuting a cop no matter the facts and no matter the law. Following immense opposition from law enforcement, public safety advocates, and even members of her own office, and, more importantly, the disclosure of key facts Moriarty had tried to hide from the public, Moriarty was forced to drop the charges. However, the damage was done. The case sent a chilling message to police officers across Minnesota: even when acting within the law to protect themselves and the public, they could still find themselves unjustly targeted.

As governor, Tim Walz had the exclusive authority to remove this baseless prosecution from an out-of-control county attorney hell-bent on persecuting a decorated member of law enforcement – as he was encouraged to do in a bi-partisan request of six Minnesota Members of Congress. Instead, as with so much else, Tim Walz couldn't find the courage to stand up and do what was right. Instead, he stood with the radicals rather than our law enforcement professionals.

Governor Walz's silence throughout this debacle and in the face of other indefensible conduct by members of his party was deafening, further solidifying his pattern of enabling radicals.

Governor Walz treats law enforcement like an afterthought—just like the safety of his own citizens. If this is what 'leadership' looks like, we can't afford any more of it.

The National Consequences of Walz as Vice President

As we consider the possibility of Tim Walz being elevated to the role of Vice President, we must ask ourselves a critical question: What kind of leadership can America expect from a man whose legacy in Minnesota is defined by chaos and failure? Based on his track record, the answer is clear. More hesitation in moments of crisis. More capitulation to radical agendas. More policies that weaken our police forces while empowering criminals. If Walz becomes Vice President, we'll see his disastrous Minnesota model exported to the entire nation. We'll witness violent criminals bailed out instead of held accountable, police departments defunded instead of supported, and lawlessness left to flourish unchecked, all while innocent Americans pay the price.

Conclusion

Governor Walz's record on crime is not just a local problem; it's a warning for the entire country. If he couldn't protect the people of Minnesota, how can we possibly trust him to protect the people of the United States? Under his leadership, Minnesotans have suffered from soaring crime, weakened law enforcement, and reckless policies that put their safety at risk. And if Walz is elevated to the national stage, the rest of the country could soon follow.

Minnesota deserves better than Tim Walz. And so does America.

Thank you.

Mr. BIGGS. Thank you, Mr. Schultz.

Now, I am going to go to—I recognize Mr. Tiffany, the gentleman from Wisconsin, for his five minutes of questioning.

So, we are going to proceed with five minutes of questioning that will wrap up with a question you—if you are in the middle of giving an answer, don't worry. I will let you go on to finish the answer providing you are not filibustering. We will go ahead, give you some time to respond.

Mr. Tiffany?

Mr. TIFFANY. Mr. Chair, this hearing is so timely.

Mr. Schultz, a Minnesota Senate panel was investigating the 2020 riots, and a Minneapolis police officer said they were prepared to defend the city but were instead instructed to stand down and let demonstrators take it. You think allowing the city to burn down while law enforcement watched was the right call?

Mr. SCHULTZ. It was not the right call. My sister actually during that time, she—this was prior to her incidents. She lived in Minneapolis at that time and there were people who were stashing cans of gas under porches and so forth for later use during the riots. The fact that—yes, please?

Mr. TIFFANY. Didn't Governor Walz have the ultimate authority to be able to deal with this issue by calling out the National Guard?

Mr. SCHULTZ. He did. He did. He sat on his hands for three days. It was the most—looking back on that time as a Minnesotan—I'm a fifth-generation Minnesotan. My roots go back very deep into the State. It was the most painful time in my State's history and in my memory. We had a Governor that watched everything happening, that watched his largest city, Minneapolis, descend into chaos, that watched other cities, including St. Paul and other cities, have incredible violence. He sat on his hands while Minneapolis burned. It was an absolute disgrace. It was something for which Minnesotan will be dealing—Minnesota will be dealing with for decades, and Tim Walz was ultimately responsible for that incredible failure.

Mr. TIFFANY. Mr. Ingram, on the night the third precinct burned I received a message from a very good friend of mine who managed a chain of restaurants in the Twin Cities area. He sent a message to me at one point saying could you call anyone, including the President, to try to get this under control? What was going through your mind that night as this friend of mine—his restaurant burned down?

Mr. INGRAM. What I can say is our experience as a restaurant owner—we had the same thing. One of our restaurants became a staging ground for folks that were going into communities to steal from them. Our restaurant, the Gnome, has a large parking lot. SUVs with no license plates, trailers with no license plates. Called our police and they said I unfortunately we don't have the resources; we can't protect it.

This is 140-year-old firehouse that we had recently taken possession of. So, me and my family went and posted up in our parking lot to protect our restaurant. We were then given information that we could not protect our business, the direction was to flee. We can protect ourselves, but we cannot protect our business.

So, I understand the heartache of what he had to have been going through. I also understand the heartache of Minnesotans over the death of George Floyd. What is inexcusable is that we didn't act to save our community and to step up to save our community.

Mr. TIFFANY. Is it any surprise to you—and perhaps you saw the news story that in one of the counties I represent in Western Wisconsin, St. Croix County, there was a Sheriff's Deputy that was shot as a result of soft-on-crime policies in the Twin Cities. A guy came out of the Twin Cities, repeat offender, came over, was drunk driving, got stopped, shot a Sheriff's Deputy in St. Croix County. Is it surprising at all that this happened?

Mr. INGRAM. My heart breaks for law enforcement in the Twin Cities. Unfortunately, out of our business in the last year-and-a-half we've paid—we've contributed to—I believe we're over 60,000 to help pay for the funerals of these first responders. We've donated 100 percent of every dollar of our sales to help pay for these funerals.

What I can tell you is the men and women that I speak to on a daily basis are heartbroken. The rhetoric that goes around about these men and women, on this day of all days, on 9/11—why these heroes are not celebrated and why this continues to happen in our city is unfathomable.

Mr. TIFFANY. Mr. Schultz, yes or no, are you surprised people are leaving Minnesota in droves at this point in part because of the increase in crime?

Mr. SCHULTZ. I hear that story every day around the State and hope people will stay, but I understand it.

Mr. TIFFANY. Are people in Western Wisconsin right to be concerned that this crime wave in the Twin Cities may end up over in their back door as suburbs of the Twin Cities?

Mr. SCHULTZ. Yes, absolutely.

Mr. TIFFANY. Mr. Chair, I grew up in the shadow of the Twin Cities in Western Wisconsin. We were always proud to go to Minneapolis and St. Paul. I went to college at UW River Falls. Minneapolis and St. Paul were two of the finest cities in America. Just like San Francisco it is going downhill because of these soft-on-crime policies.

Mr. BIGGS. The gentleman yields back.

The Chair recognizes the Ranking Member of the whole Committee, Mr. Nadler.

Mr. NADLER. Thank you, Mr. Chair.

Mr. BIGGS. Before that, Mr. Nadler, apparently Mr. Johnson has a—

Mr. JOHNSON. I would ask unanimous consent to submit for the record this article entitled, quote, "Audio shows Trump praised Waltz in 2020 for response to unrest over George Floyd's murder," in which, Trump is recorded saying, quote, "What they did in Minneapolis was incredible. They went in and dominated, and it happened immediately."

I would also ask for unanimous consent to enter into the record a research report from *The Brennan Center for Justice* entitled, "Bail Reform and Public Safety Data From 33 States Across the Country."

Mr. BIGGS. Thirty-three cities.

Mr. JOHNSON. Also, “Bail Reform and Public Safety: Evidence from 33 Cities: Methodological Supplement,” and a letter from Kara Gotsch, Executive Director of the Sentencing Project, September 10, 2024.

Mr. BIGGS. Without objection.

Mr. JOHNSON. Mr. Chair, your skills in reading are really good.

Mr. BIGGS. Reading over your shoulder?

Yes. I was a lawyer. I needed to read upside-down.

Mr. JOHNSON. Well, I had to do that myself from time to time.

Mr. BIGGS. Yes. All right. Now, Ranking Member Nadler, I yield five minutes to you.

Mr. NADLER. Thank you, Mr. Chair.

Mr. Kessler, in June of this year you co-authored an opinion piece entitled, “Crime is Way Down—Why Aren’t Democrats Talking About It?” Now, is as good a time as any, so let’s talk about it.

From your research what have you found with respect to murder rates in the United States?

Mr. KESSLER. Well, one of the things that we’ve found—and if you look at over the last 23 years, from 2000–2022, murder rates in Red States, the 25 Red States, which we define as the States that voted for Donald Trump, and the 25 Blue States that voted for Joe Biden—the murder rates in Red States have been higher than the murder rates in Blue States for every one of those 23 years. In 2022, they were 33 percent higher.

Mr. NADLER. How about the trend in murder rates over those—

Mr. KESSLER. Murder rates spiked in 2020 under Donald Trump. Whether it’s his fault or not, who knows? They peaked in 2021. They’ve declined in 2022. They declined again in 2023 and they’re declining again in 2024. The decline in 2023 was the largest one-year decline in murder rates in recorded history.

Mr. NADLER. Thank you. What have you found with violent crime more broadly in the United States?

Mr. KESSLER. Violent crime is dropping in the United States. I would still say this is not a safe country. OK? We have 500 million guns in private hands. The stakes are very high, but violent crime is down.

Mr. NADLER. What have you found about crime rates generally, not just violent crime?

Mr. KESSLER. Crime rates are declining in America. They peaked again in 2020. Definitely an explosion in crime in 2020. Crested in 2021 and dropping in 2022–2023. They continue to be dropping now. Again, I would still say we are not a safe country. This is still a country that’s not safe enough, but it’s safer than it was.

Mr. NADLER. I think you may have answered this, how do these rates compare across Red States and Blue States or cities?

Mr. KESSLER. Yes, so look, in general crime rates are higher in Red States, not all Red States, but eight of the top—typically eight of the top 10 murder States are Red States and the very top are Mississippi, Louisiana, and Alabama. They have murder rates that are four times the murder rates of places like—certainly, Minnesota, probably twice—that’s twice the murder rates of California, three times the murder rate of New York.

Mr. NADLER. Thank you. Are your findings in all this research consistent with other authorities such as the FBI, the Major City Chiefs Association and the Council on Criminal Justice?

Mr. KESSLER. They are. I just want to say on murders we use the Center for Disease Control data because that is the most accurate on homicides since every death as a cause of death with a death certificate.

Mr. NADLER. Can you explain why accountability and prevention are important to respond to crime, and more specifically to violent crime?

Mr. KESSLER. Look, I don't think you can solve crime doing just one thing. You're not going to incarcerate your way out of this problem; you're not going to police yourself out of this problem, although those are both important. You've got to prevent crimes before they happen. Most of the people who commit crimes are between the ages of 16–25. Making sure kids aren't idle. A lot of kids have emotional problems, mental health problems. There's substance abuse out there. Like you just have to have a whole-of-person, whole-of-community approach to crime.

I would say what is happening in Red States, they really skimp on all the prevention side. There's an over-reliance on guns as being a solution to the crime problem and not how it can be part of the crime problem. They also tend to fund police a little bit less than Blue States.

Mr. NADLER. In your article, you said that voters want a balanced approach of accountability and prevention. You went on to say that is what the Democrats are doing. They already walking a walk. Can you explain what you mean by that?

Mr. KESSLER. Yes. So, if you look, we did public opinion polling on crime. We've done it several times and found some very interesting things. Voters believe you just need a dual approach. Like they get it. They know that it's complicated. They see it in the neighborhoods. They're experienced in it. They see that Republicans are overly reliant on what they think is harsh-on-crime. Frankly, they think Democrats are overly reliant on prevention. Democrats actually do both, but that's what voters believe. They want to see both because they think both parts work.

Mr. NADLER. Thank you. I have 13 seconds left; I yield back.

Chair JORDAN. Thank you. The Chair recognizes the Chair of the entire Committee, Mr. Jordan.

Chair JORDAN. Thank you, Mr. Chair.

Mr. INGRAM, who told you that you couldn't defend your property?

Mr. INGRAM. I believe it was our police chief who I was on the phone with that said—I believe it's a Minnesota statute, I believe is what I was told, that you can't protect your business with force. You can protect your home and your person, but not your business. We were told that we needed to flee.

Chair JORDAN. A State law that says you can't protect the property that you worked for, you invested in, your family put money into, that serves your community being fire-bombed, looted, and destroyed? You weren't allowed to protect it?

Mr. INGRAM. That is my understanding.

Chair JORDAN. You went to protect it. How were you going to protect it if, in fact, you were allowed to?

Mr. INGRAM. Yes, so we showed up at our place of business armed. We showed up to protect our business and that's—

Chair JORDAN. Well, think about this. Think about this: You were told by your government you couldn't protect your property and Mr. Kessler and Democrats want to take away your ability to protect yourself because they don't want you to have a gun.

Mr. INGRAM. Yes, I—

Chair JORDAN. You can't make this stuff up.

Mr. INGRAM. You cannot.

Chair JORDAN. This is where the left is today. Don't protect your business even though the bad guys are looting it and burning it down. By the way, we also want to take your guns so you can't protect yourself, your kids, your wife, your family, and people you care about. In America with the Second Amendment.

Mr. INGRAM. I will tell you an instance where we had—

Chair JORDAN. By the way, the people who told you that, you pay their salary.

Mr. INGRAM. We had an instance—

Chair JORDAN. That is such a deal the Democrats have for the American people.

Mr. INGRAM. Yes. We had an instance where we had somebody that was flipping tables over, spitting on members of our team. The police were told they could do nothing about it. I came down from one of our other restaurants, went hands on with the person, and was told that I would be the one that would go to jail.

Chair JORDAN. You don't blame the police because they are busting their tail trying to deal with all this chaos going on, but your Governor had the opportunity to call in the National Guard. The President of the United States told him he would do that if he wanted it, but he has to request it. He waited how long to do it?

Mr. INGRAM. Three days is my understanding.

Chair JORDAN. Three whole days. Did you lose one of your businesses, one of your restaurants?

Mr. INGRAM. We did not lose our business by the grace of God. Our businesses were all affected. We had gunshot holes in our restaurants.

Chair JORDAN. A lot of your friends and families, or people in your community did lose businesses, didn't they?

Mr. INGRAM. They did. They did.

Chair JORDAN. Yes, Mr. Tiffany talked about a friend of his—I think it was a Wendy's restaurant burnt to the ground.

Mr. INGRAM. It was truly heartbreaking what happened in Minnesota.

Chair JORDAN. Yes. By the way, Mr. Kessler and the Democrats want to take away your firearm. It is crazy. It is crazy. I yield to the Chair. I yield back to the Chair.

Mr. KESSLER. Mr. Chair, can I just respond for 10 seconds on that?

Mr. BIGGS. Thank you, Mr. Chair.

No, sir, you don't control the time. This is not an open forum. Sorry.

Thank you, Mr. Chair, and I will take that two minutes and ten seconds, because Mr. Ingram said—doesn't care about statistics because these are personal issues that deal with real human beings. We just heard a lot of statistical spouting that there are lies, damn lies, and there are statistics, right?

So, let's consider this: Say you got Columbus, Ohio. What do they show? They show a drop in violent crime of 41 percent. That is what they show. Now, why do they show that? Because our officers and the citizens they serve are still battling crime daily, but it is recent changes in crime reporting that have done little more than create the illusion is all is well.

If you recategorize violent crimes like aggravated assault and you say this is a misdemeanor now, you are going to really drive statistics down on violent crime. If you say we are not counted as a theft if it is not above 950 bucks, or in one of the towns in my State 2,000 bucks, you are going to drive your theft and burglary statistics down. They are going to go down. You are going to be saying this is the best time. We have really seen an improvement in law enforcement and if you are not counting everything, if you are not getting everything, the data.

I am going to introduce into the record later on here, and I am going to talk about it in my next time, you are going to find that there are jurisdictions that have not received reporting requirements for six months at a time. They are not even there. Then, if you want to talk about Red States, take Phoenix out of Arizona and tell me what your murder rate is then. Because when that happens, it goes down precipitously.

With that, I now recognize the gentleman from Georgia, Mr. Johnson, for his five minutes.

[No response.]

Mr. BIGGS. Microphone, brother.

Mr. JOHNSON. I am sorry. Thank you. Before the clock start running, I would like to ask unanimous consent to submit for the record this article from *ABC News* entitled, "FBI's Latest Data Shows Historic Drop in Crime." I ask unanimous consent to submit this article from *PolitiFact* titled, "Joe Biden is Correct That Violent Crime is Near a 50-Year Low." Notably that article and analysis are based on the FBI violent crime statistics from 2022, and we know violent crime has fallen even more since then.

Mr. BIGGS. Well, does it say that last part? Does that say that in the title of the article?

Mr. JOHNSON. I believe it may.

Mr. BIGGS. I don't think it does, brother. No, but is that the name of the article? The answer is no. Without objection we will admit that, but that is not the name of the article, brother.

Mr. JOHNSON. Well, thank you, sir. I am going to start shielding my work.

[Laughter.]

Mr. BIGGS. I would like to play card with you, man.

Mr. JOHNSON. Well, yes.

Mr. BIGGS. You probably show your cards.

Mr. JOHNSON. That is right. You look at all my stuff.

Thank you, Mr. Chair. This issue of crime is an important issue, but unfortunately it has been reduced to a political spectacle com-

ing the day after a debate debacle by Donald Trump, followed by a very timely endorsement by Taylor Swift. So, I am really humbled to be here today at this particular time when the future President of the United States acquitted herself so well last time. A former prosecutor.

Mr. Kessler, you talked about some statistics out of California that demonstrate the prowess of our Presidential nominee, Kamala Harris. Could you go over some of those? Before you do that though, I know you had some response that you were itching to get out. Please feel free to do that at this time.

Mr. KESSLER. Thank you, Congressman. I just want to say first for the record I believe in the Second Amendment right. I believe that it is an individual right. Those rights come with responsibilities; that is what the *Heller* decision was in 2005, and allow for reasonable restrictions. If we had reasonable restrictions, I think this country would be a safer place.

Mr. JOHNSON. At this point we don't have reasonable restrictions on things like assault weapons.

Mr. KESSLER. I was working for Congressman Chuck Schumer when we passed the assault weapons ban 216 to 214 in 1994. It was one of the highlights of my career.

Mr. JOHNSON. What were the impacts of crime during that 10-year period when the assault weapons ban was in place? Violent crime.

Mr. KESSLER. So, we saw a huge drop between 1994–2004 in murders and violent crime because of the assault weapons ban, because of the Brady law, which passed in 1993, and I would also say because of the Federal bipartisan crime bill that put more cops on the street and had a lot more after school programs. Also, we had some tough sentencing in there, too, that not everybody liked, but it also had drug courts and other things to remove nonviolent criminals out of the court system and seek treatment. That types of whole-of-government, whole-of-person, and whole-of-community approach seemed to work.

Mr. JOHNSON. Well, that aspect of draconian sentences though has proved to not have been effective. So, this tough-on-crime mentality of lock them up and throw away the key does not work, but things like poverty prevention, crime prevention policies, sexual abuse, mental health, and stringent gun laws—those things have proven to be effective, have they not?

Mr. KESSLER. They have. If you think of the most violent criminals are between the ages of 16–25. Like if they have something to do, if they're dealing with their mental health issues, their sexual abuse issues, their poverty, and all those things—if you're doing those things and also working to stop the illegal market in firearms that are funneling guns to underage kids, those are things that you can do that can make a real difference.

Mr. JOHNSON. So, the young man who took four lives last week at his high school in Georgia, he was not an immigrant, was he?

Mr. KESSLER. He was not. Most of the crimes in this country are committed by Americans.

Mr. JOHNSON. This young man had been gifted a AR–15-style assault weapon by his parent for Christmas. He was only 14 years old. A child. What does that say about the gun culture that exists

in this country that is so promiscuous with regard to guns on the street and in the hands of everyone? How does that affect crime?

Mr. KESSLER. It is a fact of life, in the United States there are about 500 million guns in private hands, OK? That's a lot. If the owners of those guns aren't treating them with the utmost responsibility, including themselves and their family members, like there's going to be tragedies like this over and over and over again. We've seen it. We've seen it.

Mr. JOHNSON. Thank you. I have got four seconds to yield back, and I will gladly do so.

Mr. BIGGS. Thank you. Thanks, Mr. Johnson.

The Chair recognizes the gentleman from Texas, Mr. Nehls, for his five minutes.

Mr. NEHLS. Thank you so very much. A lot of this data quite honestly is sickening. I was an old sheriff of Fort Bend County, Texas. Big, big county outside of the city of Houston. Familiar with reporting crime. We had this crime data we would send. It was called the UCR, the Uniform Crime Report. We would send it. The FBI took it all.

Now, the FBI has changed it. Now, it is called NIBRS. Much more difficult. Many, many large cities—it is so confusing many, many large cities couldn't even comply with NIBRS to submit this crime data. Many agencies have failed to reach compliance. So, the idea that crime is down is all malarkey.

Chicago, LA, and New York City failed to even report in 2021, because it is just too damn complicated. Matter of fact, what is interesting about the FBI, in 2023 now, city of Baltimore, they claim they wouldn't know how many murders they have, right? They said 262 murders in Baltimore 2023. The FBI reports, 225–225. Now, why would they do that?

So, Mr. Kessler, bad information. You got a lot of bad information.

I want to say this: The 10—talking about dangerous cities in America. You look at these cities:

St. Louis: Democrat-run, a long time Democrat-run.

Detroit: Democrat-run, long time.

New Orleans: Scary, don't go without a weapon, Democrat-run.

Memphis: Go ahead, go ahead with me there, Democrat-run.

People leaving, everybody wants to come to the great State of Texas and Florida, Democrat-run.

Milwaukee. If you want to say it with me, you can. Democrat-run.

Minneapolis: Democrat-run.

I feel for you, sir. I feel for you up there in that great State. You not only have a very liberal socialist as the Governor up there. You also have a very liberal State House and State Senate.

Austin, Texas: Democrat-run.

San Fransicko: Democrat-run.

Denver: Democrat-run.

Many of these individuals have the district attorneys that are supposed to prosecute these violent offenders and keep them locked up. George Soros funded DAs. Letting them all out.

I have got a graph here that shows incarceration rates in Minnesota, Minneapolis. Incarceration rates are down while crime is up. Crime is up. Violent crime is up in Minneapolis. It is up in Minnesota. In 2021, it reached its peak. You got a little bit—it is going down a little bit, but it is still very, very high. Because they don't want to put anybody in jail, don't want to offend anybody. Don't want to offend anybody. Let's not put the victims first. Let's put the suspects first. I tell you something: The American people are seeing it.

We had a hearing yesterday, Chair, did we not, with families that lost loved ones due to the Kamala Harris border crisis, border czar she is. I am not the border czar. I am the border czar. I am not the border czar. Last night we saw nothing but a bunch of lies, misinformation in that debate.

I think the American people can see through this. They see what is happening to our country with the invasion at the Southern border. They can see it. I tell you they can see it in Minnesota, they can see it in Wisconsin, they can see it in every State now, folks, is a border State. The criminals are coming through. Poor Colorado. That violent gang out of Venezuela. They are there. They are eating ducks or chickens, cats or whatever there in Indianapolis.

The problem is this administration, Kamala Harris doesn't put the American people first. Doesn't put individuals like you, sir, and your hard-working business, your family—they don't put them first. They put you last. They put you last. They put the American people last.

When you have to sit in these hearings yesterday and listen to the pain of these mothers that have lost their loved ones to brutal violence from these animals that this administrative has let into this country—shame on them. Don't worry, I will say this, miss, help is on its way. The greatest President in my lifetime is coming back on November 5th, because the American people can see through this charade with this dangerous, dangerous administration. I yield back, sir.

Mr. BIGGS. The gentleman yields.

The Chair recognizes the gentleman from California, Mr. Kiley, for five minutes.

Mr. KILEY. Thank you, Mr. Chair.

Just a couple weeks ago the Governor of California Gavin Newsom referred to California's crime policy as a national model. Vice President Harris, of course herself from California, has said that California is a, quote, "role model for what can be done around the country." So, I think that this hearing, looking specifically at California's crime situation, is a timely opportunity to evaluate that thesis as to what kind of a national model California provides when it comes to its approach to crime.

That approach consists of three main elements:

First, a systematic effort to defund police departments in cities like Los Angeles, San Francisco, and Oakland.

Second, a systematic effort to not enforce criminal laws with the election of so-called progressive prosecutors like George Gascon, Kamala Harris, and Chesa Boudin in San Francisco; Gascon again in LA; Pamela Price in Oakland.

Third, is just taking a hatchet to the criminal code with laws like Prop. 47, for example, which passed in 2014 and effectively legalized retail theft spawning this crisis of retail theft and smash-and-grabs across California.

Prop. 47 also effectively legalized drug possession even for Class A drugs, even for fentanyl. What that has done has made it impossible for us to get folks who have drug addiction the help that they need so that you have them just living on our streets and tragically all too often dying on our streets in these open-air drug markets that you have to walk through, wade through in many of our major cities.

Two years after Prop. 47 came Prop. 57, which made tens of thousands of very serious heinous criminals eligible for early release.

Now, of course, California voters would never have passed such a thing if it were properly described to them, but unfortunately the initiative was described on the ballot as only applying to nonviolent offenders. It was described as such by the then-attorney general, Kamala Harris. In reality, it made criminals eligible for early release who had committed crimes like rape, human trafficking with minors, assault with a deadly weapon, and drive-by shootings. All this was described as nonviolent activity by the Attorney General.

So, with the passage of these measures: Prop. 47, Prop. 57, the defunding of the police, the so-called progressive prosecutor movement, we have seen crime go up in California. The results speak for themselves. Just over the last five years violent crime has gone up 15.1 percent; aggravated assault, 30.6; homicide, 9.1 percent; aggravated assault with a firearm, 62.9 percent. The violent crime rate in California is 31 percent higher than the rest of the country.

Those statistics don't even tell the full story. If you look at San Francisco, for example, businesses are closing left and right. In just a short span of time in the last year you had the closure of Nordstrom, Whole Foods, T-Mobile, Anthropologie, and Saks. The iconic toy store that this movie "Toy Story" was based had to close. In-N-Out had to close its first restaurant ever citing the danger to customers and to their workers.

If you just walk into any—many of our major cities, you have to—if you want to go to the grocery store, you have to dodge needles, you have to wade through encampments. When you go into the store, if you want to buy basic goods like frozen foods, or shampoo or conditioner, you have to go get a clerk to open up the cabinet to get it for you because everything is under lock and key.

In Los Angeles the police have specifically told people, warn people that you shouldn't go outside when you are wearing jewelry. This is the reality of life in many parts of California following this dangerous decriminalization experiment.

The good news is this, that while Gavin Newsom says this is a national model, while Kamala Harris says it is a role model for the rest of the country, the people of California are rendering a very different verdict. Those cities that defunded their police have now refunded their police. Several of these so-called progressive prosecutors have been recalled or are currently being recalled or being removed from office.

There is a bipartisan initiative right now to largely reverse Prop. 47 and end the Prop. 47 experiment in California. It has received broad bipartisan support. I was just on a bipartisan panel supporting it with our colleague Ami Bera. The mayors of San Jose, San Diego, and San Francisco are supporting this initiative even though the Governor of California Gavin Newsom has continued to stand by Prop. 47 and fought our reform effort every step of the way.

So, Mr. Chair, while there are some who will point to California's crime policies as a national model, I would encourage folks across the country to listen to the people of California themselves who are saying very clearly this is not a model for the Nation; it is a warning to the Nation. I believe.

Mr. BIGGS. The gentleman yields back.

The Chair recognizes the gentleman from Florida, Mr. Gaetz.

Mr. GAETZ. Yes, I have questions for Mr. Ingram, but that was a remarkable presentation from Congressman Kiley about how things have gone in California. When I heard that they had to close an In-N-Out and a Whole Foods, that is a broad swatch of the constituency in California when you get both of those establishments having to close. It is remarkable.

Mr. Ingram, so we have this dynamic now that Mr. Kiley just laid out perfectly where you are seeing more and more crimes not really being counted as crimes and you are seeing more and more criminals just being let out and not really deemed part of the criminal justice system for any meaningful period of time.

So, I want you to bring like the average American who has heard the presentation: All the crime rates are down, we are safer now under these policies that don't really punish people for things like theft—but what does that actually mean on the streets of America? What would you say to an American that encountered that information, but it didn't jive with how they felt?

Mr. INGRAM. What I would equate it to—we see it every day in our city where we sit right now. It's mind-boggling on how we talk about crime. For us—again, somebody that has been in Minnesota since 2012, the five-years we had one burglary. Now, we've had 12–13.

Every time I get a thing from our District Attorney, it says we've reduced the charges to under \$1,000 even though it may have cost me 20,000 to repair the building. A safe they rolled down three flights of stairs, ripped out walls, and ripped out staircases. We reduced it down to under \$1,000 and the person is back on the streets. He robs us again and we reduce it down. He robs us again and we reduce it down. To me that is the madness of it.

Recently, our breakfast restaurant called Hope—somebody broke into it, busted out the garage door, and went into the space. Then, we get a letter saying we've reduced the crime down to under \$1,000 where the glass on the garage door costs more than that. To me it's when we have these—again, this isn't a political thing for me. It's real life. This is real humans. These are real businesses. We're having businesses close every single day.

We're having people murdered. We have a drug dealer that provided laced drugs with fentanyl to my partner's son. He died. He texted him something is wrong. He said you'll be fine. We had his

address. That drug dealer to my knowledge is still on the streets to this day.

Mr. GAETZ. Mr. Ingram, Vice President Harris filled out a questionnaire for the ACLU when she was running for President back in 2019, and she advocated for the position of decriminalizing fentanyl making it where that wasn't something where people would interface with the criminal justice system, but would have a different path. Do you think that would make your streets safer?

Mr. INGRAM. I don't believe that will make our streets safer. You must be held accountable for your actions. Words don't really matter. Actions matter. We can all say—I can sit, say whatever I want to say. Any of us can say. Actions are what matter. What is happening every single day is what matters. That's really what we need is commonsense to take over. If you've been arrested 50 times in three years you shouldn't be out to do it again.

Mr. GAETZ. Here is what I don't get, Mr. Ingram: I have never been a prosecutor, but why would you want to become a prosecutor to then not prosecute the criminals? That would be like opening restaurants and not wanting to make food. That would be like opening a bar and not wanting to make drinks.

Like do you ever get to talk to some of these folks in your community and say, hey, I just sort of assumed that me being the restaurateur I would run a restaurant, and you being the prosecutors, you would prosecute the criminals? Is that too much to ask?

Mr. INGRAM. Yes, unfortunately, I just get to speak to our first responders that show up onsite and I see the look in their eyes, how defeated they are because they've arrested—they know them by name. We show them the picture and they tell us their name. They know where they live. They're so demoralized and defeated it's—

Mr. GAETZ. Well, we don't live like this in Florida. You don't have to live like this. Florida is ready when you are, as a matter of fact. I do worry that these bad ideas that we have seen emerge in some of our Democrat-run cities could spread to other parts of the country.

In our last few seconds what would be your warning to a community thinking about adopting these policies that reduce theft thresholds and allow this type of conduct?

Mr. INGRAM. My biggest thing, I would say love people. Love is hard. My dad had to discipline me because I made mistakes. Discipline sucks, but it has to happen. Love people. That includes discipline.

Mr. GAETZ. That is terrific advice. I very much appreciate you being here. I see my time is expired. I yield back.

Mr. BIGGS. The gentleman yields back.

I now recognize myself for five minutes.

I will turn to you, Ms. Kiefer. What changes would you like to see to ensure that victims are better protected, and offenders are held accountable? You have a microphone button there.

Ms. KIEFER. Yes. Prosecutors need to prosecute. People need to be held accountable. Gun laws need to actually be enforced. Instead of taking away guns, why don't we enforce the laws on the books?

Mr. BIGGS. So, you think that law enforcement—by enforcing laws you would get deterrence and people are less likely to commit the crimes?

[No response.]

Mr. BIGGS. Interesting concept.

Ms. KIEFER. Crazy.

Mr. BIGGS. We were just in El Salvador. We saw that. They arrested 70,000 gang members. Now, they have the safest country in the Western Hemisphere. It is an interesting thing down there in El Salvador when they chose to start enforcing the law.

Mr. Ingram, I have a question for you: When you were talking about the first—the police come out. They know who it is. They make the arrests. Now, the prosecutor reduces the charges. Now, in Arizona we have something called the Victim's Bill of Rights. If that is going to happen typically, there is going to be consultation with the victim and say this is why or some kind of information. Did you get that from the prosecutor there?

Mr. INGRAM. I did not. I did get a letter from an advocate saying this is happening. We responded and said we're not in agreement. Then we would get a letter in the mail a month or two later that's saying here's what happened.

Mr. BIGGS. So, Mr. Ingram, in Arizona we also would say we are going to have this individual plead. You are the victim. If you wish to make a statement or submit something to the court—and you could come in for the sentencing. Sentencing is going to be XYZ date. None of that had happened for you?

Mr. INGRAM. That's never happened to me.

Mr. BIGGS. Did that happen for you, Ms. Kiefer, in your case?

Ms. KIEFER. To testify against—

Mr. BIGGS. Yes, you testified?

[No response.]

Mr. BIGGS. You actually testified? OK. Mr. Schultz, what changes to your business—do you have a business in—

Mr. SCHULTZ. I do not, no.

Mr. BIGGS. OK.

Mr. SCHULTZ. No.

Mr. BIGGS. So, what is the crime rates doing to the business community in Minnesota?

Mr. SCHULTZ. So, there's a lot of ways to cut that, but from a statistical perspective Minnesota is at its slowest growing period in its history. We're growing incredibly slowly. We're losing people, we're losing businesses to other States. One of the causes of that is clearly the violent crime.

Mr. BIGGS. It is an amazing thing to me. I don't know why we got the music going. That is wild.

Here, I am going to submit for the record an article called, "4 Reasons We Should Worry About Missing Crime Data."

Without objection.

So, here we go. The 2022 crime data. How many reported? Mr. Nehls talked about it, but I want to put in an article about this. Agency's that participated and actually reported it: 8,358. That was 44 percent of agencies. How many participated partially? Like you said, "it is so complex." Some participated for part of it; not all of it. Another 4,400, or about 24 percent. How many agencies didn't

participate at all including some of the Nation's largest cities? 6,097. Thirty-two percent of all that didn't even participate. So, when you give us statistical data based on, as my colleague was mentioning the FBI statistics, they don't even get all the statistics.

So, I know and I respect Mr. Ingram does as well. We need to take the people part of it, too. As policymakers we also look at the data, and the data is woefully inaccurate because it is woefully incomplete. That is the reality of it.

Then, how much data did you—is analyzed to say this number, like in our case, how many cases were dropped down and busted down? I was a prosecutor and a defense attorney. I will tell you that 95 percent of cases plead out. Ninety-five percent of cases are busted down from the original charge. So, we don't get what is being charged. We don't know how they are breaking them down.

A cop is shot in the United States every 22 hours this year. This year. Every 22 hours a police officer is shot. I submit that for the record without objection.

Mr. BIGGS. I submit a document called the "Blue City Murder Problem," which gets as the point I was trying to make. What is Arizona's homicide rate when you take Phoenix out of it? Not just all of Maricopa County, which has six million people in it. When you take out Phoenix, the rest of Maricopa County is pretty darn safe. That is the reality. That is the Blue State problem again that Mr. Nehls brought up.

Then I am going to submit also for the record in my last act here this morning—I am looking for the title of it. Here we go. "Violent Crime Creating Dystopian Hell Despite Biden's Claim America is Safer."

Without objection, that will come in.

We have no more Members to ask questions and you have been—all of you participated and we appreciate all of your testimony today. Thank you for being here.

With that, we are adjourned.

[Whereupon, at 11:31 a.m, the Subcommittee was adjourned.]

All materials submitted for the record by Members of the Subcommittee on Crime and Federal Government Surveillance can be found at: <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=117634>.

