



TESTIMONY OF

**CHIEF EDDIE GARCIA
CHIEF OF POLICE
DALLAS, TEXAS**

Appearing on Behalf of the
MAJOR CITIES CHIEFS ASSOCIATION

BEFORE THE

SENATE JUDICIARY COMMITTEE

**“FEDERAL SUPPORT FOR PREVENTING
AND RESPONDING TO CARJACKINGS”**

March 1, 2022

Introduction

Chairman Durbin, Ranking Member Grassley, and distinguished members of the Committee:

Thank you for the opportunity to appear before the Senate Judiciary Committee today. In addition to being Chief of the Dallas Police Department, I also am here on behalf of the Major Cities Chiefs Association (MCCA). The MCCA is a professional organization of police executives representing the 79 largest cities in the United States and Canada. The Association's mission is to provide a forum for police executives from large population centers to address the challenges and issues of policing, influence national and international policy that affects police services, enhance the development of current and future police leaders, and encourage and sponsor research that advances this mission.

This hearing will focus on the rise in carjackings occurring throughout the country. This trend is part of a larger increase in violent crime that certainly warrants further discussion. The sustained increase in violent crime has disproportionately impacted MCCA members. The brave officers in these cities have continued to work tirelessly to tackle this challenge head-on and keep our communities safe. However, more must be done to support them, crime victims, and impacted communities.

My testimony will provide an on-the-ground, local law enforcement perspective on the current carjacking and violent crime situation in America's urban centers. More specifically, I will touch on some of the drivers contributing to the ongoing rise in crime and discuss how all federal, state, and local stakeholders can work together to address these challenges.

The Rise in Violent Crime

Nearly every major city in the United States is grappling with a rise in violent crime. While Dallas is one of the few MCCA members where violent crime decreased in 2021, many MCCA members experienced record-high numbers of homicides last year. According to the latest MCCA Violent Crime Survey, there were 9,548 homicides in major cities in 2021, a roughly 6% increase from 2020. However, when comparing homicide numbers over the past few years, the data clearly shows that America is in the middle of a violent crime wave. For example, in 2021, homicides were up approximately 49% compared to 2019 and 53% compared to 2018. These numbers are devastating and illuminate the unprecedented challenges local law enforcement has had to contend with over the past few years.¹

Carjackings in Major Cities

Similar to other types of violent crime, carjacking has also continued to rise steadily. Fortunately, here in Dallas, we have not experienced nearly the amount of carjackings as some of my MCCA colleagues. For example, in New York City, there were 510 carjackings in 2021, a roughly 55% increase from 2020. In Chicago, carjackings are up nearly 31%, increasing to 1,853 instances compared to 1,413 in 2020. Perhaps most troubling, however, is that when looking at carjacking data over several years, the rates in these and other cities have more than doubled. For example, in New Orleans, carjackings rose approximately 160% between 2019 and 2021. In Philadelphia, the number of carjackings nearly doubled between 2020 and 2021 alone.

¹The MCCA's Violent Crime Reports can be found here: <https://majorcitieschiefs.com/resources/>

Several factors are driving the increase in carjackings. The first is financial gain. In light of the ongoing supply chain challenges, the precious metals in catalytic converters and other car parts have become even more valuable, making them a popular target for criminals. Some perpetrators will commit a carjacking and then immediately take the vehicle to a chop shop to sell it for parts. The second is to further other criminal activity. In Dallas, we responded to serial carjacking crews who would use stolen vehicles to go on crime sprees, including robberies and aggravated assaults. It is also not uncommon for offenders to carjack vehicles that are later used in drive-by shootings or other violent crimes.

MCCA members have reported a marked increase in the number of carjackings committed by juveniles. These offenders can be as young as 11, 12, or 13 years old in some instances. Often, juveniles commit carjackings to go on joyrides or as part of a gang initiation. Even more concerning, there are instances where individuals commit these crimes for “clout” and to gain notoriety on social media. The most prominent example is the “Kia Boys” in Milwaukee. As part of this disturbing trend, groups of juveniles will steal vehicles, primarily Kias and Hyundais, and take them for joyrides. They’ll then post videos on social media in a bid to outdo each other. In addition to the thefts themselves, the reckless manner in which these individuals often drive is a public safety risk.

Gun Violence

A significant increase in gun violence has accompanied the ongoing rise in violent crime, evidenced by the uptick in aggravated assaults in many of our nation’s urban centers. According to MCCA data, while there was only a slight increase in aggravated assaults in 2021 compared to 2020, these incidents increased approximately 21% compared to 2019. Furthermore, several MCCA member agencies recorded record-high gun seizures last year.²

The nature of many of these shootings is extremely concerning. While every violent crime involving a firearm is troubling, these are no longer isolated incidents where only a few shots are fired. Local law enforcement officers are now routinely responding to situations with multiple victims and multiple shooters. During some of these incidents, violent offenders discharge hundreds of rounds. The grim reality is that shootings have become a daily occurrence in America’s cities. In some MCCA member cities, it’s common for there to be multiple instances of gun violence a day.

Unfortunately, there has also been an increase in gun violence perpetrated by juveniles. MCCA members are not only encountering more juveniles in possession of firearms, but more juvenile trigger pullers as well. This trend is likely driven by a lack of accountability, especially for juvenile offenders, which is discussed in greater detail later in this testimony.

A good portion of the guns used to commit violent crimes can be traced to a few unique sources. Although it’s not as large of an issue in Dallas, there is a proliferation of ghost guns in other major cities across the country. Some gangs have members whose sole job is to assemble these weapons. Firearms stolen from vehicles and homes are increasingly being used in crimes or recovered from violent offenders. Finally, several MCCA members have found that criminals are using various types of unemployment and other fraud to finance purchases of weapons that are later used to

² *Ibid.*

commit violent crimes. More must be done to keep guns out of the hands of violent offenders, and if these individuals are arrested while in possession of a firearm, they must be held accountable.

Attacks on Law Enforcement Officers

One of the most troubling recent violent crime trends is the rise in attacks on law enforcement officers. According to FBI data, 73 police officers were feloniously killed in 2021, a nearly 60% increase from 2020 and the highest total recorded in a decade.³ In addition, another 12 officers were shot and killed in January 2022.⁴ In the first two months of 2022 alone, MCCA member agencies have lost four officers in the line of duty, and many others have been injured.

Many of the attacks on these brave officers are brazen. They represent a complete disregard for the job officers do, the critical role they play in our communities, and the sanctity of life. Far too often, the perpetrators are violent offenders with lengthy criminal histories and previous felony convictions. In some incidents, the suspects were out on bond. The violence being directed towards police officers must stop immediately.

Criminal Justice System Accountability

Police are just one component of the criminal justice system. The shortcomings of other elements in the system have produced a situation where violent and chronic offenders cycle through the criminal justice system. This is undoubtedly a contributing factor to the rise in carjackings and other violent crimes, especially since these offenders continue to face no consequences for their actions. Our criminal justice system needs transparency, criminals need deterrents and accountability, and victims deserve justice.

The challenges with the lack of accountability manifest themselves in several ways. In some cities, there is a reluctance on the part of district attorneys to prosecute certain crimes. This includes some violent and gun crimes, such as a felon in possession of a firearm. Other MCCA members have reported that district attorneys and judges are not following sentencing guidelines. Finally, probation supervision has decreased, and some parole officers are unwilling to act when offenders violate the terms of their release.

Many areas throughout the country have implemented varying degrees of bail reform. Unfortunately, the impact of these policy changes is yet another example that highlights how a lack of accountability affects public safety. The MCCA strongly believes common-sense reform is needed to provide relief to non-violent offenders who pose a minimal risk to public safety. These individuals should not be held pre-trial simply because of their socio-economic status. However, some of these reform efforts have gone too far. As a result, in many major cities, violent offenders, including homicide suspects, and repeat offenders, are frequently released on either PR or very low bonds. The failure to remand these individuals allows them to continue to prey on our communities and contributes to cycles of retaliatory violence. There is a need for additional transparency throughout the criminal justice system so the American people can see how the actions of elected district attorneys and judges are impacting violent crime in their communities.

³ “Law Enforcement Officer Deaths: 01/01/2021—12/31/2021” *Federal Bureau of Investigation*, January 1, 2022. <<https://crime-data-explorer.fr.cloud.gov/pages/le/leoka>>

⁴ “Official Line-Of-Duty Fallen Heroes: January 2022 Report,” *National Law Enforcement Officers Memorial Fund*, January 31, 2022. <<https://twitter.com/NLEOMF/status/1488212238687256580>>

The Dallas County District Attorney was elected on a reform and social justice platform. While we do not see eye to eye on everything, we have a good, open relationship. I truly believe that he does not turn a blind eye to violent crime. The District Attorney can do more to enforce some lower-level crimes, which may allow action to be taken before these offenders escalate to more serious offenses. Still, overall, I believe he'll hold people accountable. When we disagree, we can have a frank conversation about what happened and why. However, no matter what happens, I tell my officers that we need to focus on what we can control, and we won't let the police department be the broken part of the system. Dallas PD must continue to do its job, even if that means taking action against the same offenders multiple times.

The situation in Dallas is not akin to other major cities. Some of my MCCA colleagues continue to experience significant challenges with judges and prosecutors in their jurisdiction. Make no mistake, the failures of the criminal justice system to hold violent offenders accountable drains law enforcement resources, hurts officer morale and the public's perception of law enforcement, and is detrimental to public safety and the rule of law.

Accountability for Juvenile Offenders

The increase in juvenile offenders presents a unique set of challenges. As a society, we must do everything in our power to provide our youth with opportunities and resources. At the same time, repeat juvenile offenders, or those who commit serious, violent crimes must be held accountable. However, in some MCCA member jurisdictions, these juveniles are almost always released immediately instead of being placed in juvenile halls or other programs.

The lack of accountability has compounded current challenges with juvenile crime. While juveniles perpetrate many of the carjackings in major cities, few face serious consequences. As a result, there is no deterrent stopping other juveniles from engaging in similar, or more dangerous behavior. The lack of accountability also leads juveniles to commit crimes they may not have otherwise. For example, MCCA members have indicated that gangs are pressuring juveniles to carry out shootings or having them hold older gang members' firearms. This is because even if these juveniles are caught, there likely won't be any consequences.

Law Enforcement Staffing Challenges

Local law enforcement agencies are facing a variety of staffing challenges, which have complicated the law enforcement response to carjacking and other violent crimes. Police officers are retiring at an alarming rate and many are leaving for smaller police departments. As a result, several MCCA member agencies are understaffed by hundreds of officers. Understaffing has immensely impacted the day-to-day operations of law enforcement agencies. For example, some MCCA members have had to disband specialized units and can no longer conduct proactive policing to address violent crime. Call response times have increased in other agencies, and large portions of some workforces only have a few years of law enforcement experience.

Understaffing has also created other staffing challenges, such as requiring officers to work mandatory overtime or canceling days off, leading to officer burnout. MCCA members are taking various approaches to try and address these challenges. Examples include offering signing and retention bonuses or increasing civilian hiring for administrative operations to ensure enough sworn officers are available to respond to calls for service.

Law enforcement officers are frustrated by the current situation. Increases in violent crime, the failure of other elements in the criminal justice system to hold violent and repeat offenders accountable, and anti-police rhetoric have devastated officer morale.

Continuity of leadership is another staffing challenge. The average tenure of a major city police chief has decreased significantly, and the current turnover rate is unprecedented. Since January 2020, more than half of the MCCA's member agencies have experienced a change in leadership. This is detrimental to public safety overall, and frequent turnover can make it incredibly difficult to institute reform or change an organization's culture. As a result, law enforcement agencies must support leadership development efforts. These initiatives will help ensure interested and qualified officers have opportunities to rise through the ranks based on merit.

Dallas Violent Crime Reduction Plan

As mentioned earlier, Dallas is unique in the fact that we are one of the few major cities where violent crime decreased last year. This trend has continued into 2022, and our violent crime thus far is down roughly 17% year to date. This would not be possible without the exemplary work of the officers and staff of the Dallas Police Department. I'd like to take a moment and use this platform to publicly thank them for the incredible work they do every day to keep our city safe.

Following my appointment to serve as the Chief of Police in February 2021, my team and I developed a Violent Crime Reduction Plan. The plan relies heavily on science and crime data and was developed in conjunction with criminologists. It includes short-term, mid-term, and longer-term strategies to reduce violent crime, and Dallas PD began implementing the plan in May 2021.

The short-term strategies in the plan focus on hot spots policing. We broke the city of Dallas down into microgrids and focused on the roughly 50 grids responsible for 10% of all violent crime in the city. Based on crime analysis and mapping, DPD deployed a highly visible police presence to these grids at the times when violence is most often reported. In addition, DPD teams focused on surveilling, deterring, and arresting repeat violent offenders on other high-crime grids. These hot spots are reviewed and adjusted as needed every 90 days. This approach has been successful, and the mix of engagement and enforcement have driven down violent crime in these grids by 50%.

The plan's mid-term strategies consist of Place Network Investigations. These consist of a variety of government agencies, non-profit and community-based groups, and other stakeholders working together to address crime and drivers of crime in a given location. Place Network Investigations combine traditional law enforcement efforts with code enforcement, abatement, environmental design changes, and other actions. By strengthening the neighborhood and reinvesting in the community, these strategies seek to alter a location's criminogenic nature.

The longer-term strategies included in the plan emphasize focused deterrence and urban blight abatement. Focused deterrence seeks to change the behavior of high-risk offenders through a combination of incapacitation, community involvement, and alternatives to violence. This consists of continued engagement between law enforcement and high-risk offenders, including providing these individuals with social services, education, and job training. Community violence interventions are also a key component of DPD's focused deterrence strategy. The police department will continue to work closely with other city agencies, non-profits and community groups, and other leaders in the community to implement this portion of the strategy.

I cannot emphasize enough that my fellow chiefs, regardless of the size of their department or jurisdiction, should look at the data and work closely with criminologists to develop a violent crime reduction plan that meets the unique needs of their community. These plans must properly mix community input, community engagement, and enforcement action focused on taking violent offenders off the street. Together, this will help drive down violent crime. Congress should consider providing additional grant funding or other assistance to help local law enforcement develop and implement violent crime reduction plans.

Federal-Local Law Enforcement Partnerships

Local and federal partnerships are crucial in addressing increases in both carjackings and violent crime. MCCA members enjoy close working relationships with their federal partners and frequently collaborate with them to address guns, gangs, and other threats via task forces and other joint efforts. As demonstrated by previous initiatives such as Operation Legend, crime tends to decrease during federal surges.

Many MCCA members are already working with our federal partners to address the rise in carjackings. These efforts have been successful and should be expanded. For example, federal agencies should consider sending additional agents to support these initiatives or expand the details of those already involved beyond the traditional 30, 60, or 90-day windows. However, federal resources are limited, so Congress must provide these agencies with the requisite resources, so they're able to continue to provide this support. Furthermore, MCCA members have found programs that promote federal-local law enforcement collaboration to address violent crime, such as Project Safe Neighborhoods, to be valuable. Congress must also adequately fund these programs.

Similarly, Congress must support efforts to build the capacity of US Attorney's Offices. In some jurisdictions, there is either no permanent US Attorney or a lack of urgency to support local law enforcement efforts to fight violent crime. MCCA members have found pursuing federal charges for violent criminals to be a successful strategy, especially considering the challenges described above with local district attorneys. By increasing the capacity of US Attorney's Offices, we can increase federal prosecutions for both violent crime and carjacking, which will serve as a powerful deterrent.

Reopening the Courts and Addressing Case Backlogs

More must be done to fully reopen our judicial system. In many MCCA member jurisdictions, warrants are being signed, and people are being arrested, but suspected offenders are waiting months for a trial. The COVID-19 pandemic also exacerbated existing case backlogs in courts across the country. Congress should consider providing additional funding to address the shortage of prosecutors, defense attorneys, and courtrooms that have contributed to the current situation.

The backlog in the courts is compounding the current violent crime situation. When coupled with the continued release of violent and repeat offenders pending trial, the long delay for a hearing increases the amount of time during which these individuals may continue to prey on the community or become victims of retaliatory violence. In some jurisdictions, due in part to case backlogs, district attorneys and judges are allowing violent offenders to plead down to less serious charges just to get cases moving.

The Need for Additional Resources

Addressing the various challenges highlighted throughout this testimony will require an influx of resources and a public commitment to support law enforcement. Police departments need assistance to address staffing shortages, enhance forensic and investigative capabilities, and provide services and support to victims of violent crime. Recently, the Administration has emphasized that state and local governments may use the funding provided in the *American Rescue Plan* to help address violent crime. Unfortunately, despite the Administration's guidance, officials in major cities have dedicated limited, if any, *American Rescue Plan* funding for law enforcement purposes. As such, the MCCA strongly encourages Congress to provide local law enforcement with the requisite resources to respond to both carjackings and violent crime. This should include fully funding both COPS Hiring Grants and the Byrne JAG Program through the FY 2023 appropriations process.

Several MCCA members have started multi-agency initiatives, created specialized task forces, and launched education and outreach campaigns to address the rise in carjackings. These efforts require both personnel and a significant investment of resources that some law enforcement agencies simply don't have. There has also been some debate about the role of the private sector in responding to the increase in carjackings. In my opinion, countering this threat is law enforcement's responsibility. While tools like LoJack and OnStar are helpful, if you're using those tools to locate a vehicle, it means someone has already been victimized. Law enforcement needs to take proactive action to drive down robberies and violent crime overall, which in turn will drive down carjackings. Unfortunately, proactive policing has become a luxury for many departments that are contending with high murder rates and low staffing. As such, we need to make sure law enforcement is adequately resourced, so it can carry out this vital work and quickly respond to emerging threats.

Support for Law Enforcement

In recent years, anti-law enforcement rhetoric and actions related to de-policing and defunding have left officers feeling vilified. Support for the law enforcement professional has never been more vital. Reform and public safety are not mutually exclusive and supporting public safety should not be political. Every day, MCCA members work to protect and serve their communities while implementing professional law enforcement practices that are fair, equitable, transparent, and procedurally just. The reality is that communities in major cities, especially those most impacted by the increase in carjackings and violent crime, don't want fewer police in their communities. Here in Dallas, the support of our mayor and city council have been an instrumental part of our efforts to reduce violent crime. The MCCA encourages elected officials at every level of government to follow suit, express their unequivocal support for law enforcement, and ensure officers have the necessary tools to keep our communities safe.

Conclusion

Law enforcement is currently in the midst of one of the most challenging periods in the history of our noble profession. Carjacking and other violent crime rates have steadily risen over the past few years. A lack of accountability has emboldened criminals, and brazen attacks on law enforcement officers have become disturbingly commonplace. A collaborative, targeted, and holistic approach to combating violent crime is required to make our cities safer. The success we've achieved in Dallas exemplifies how our communities are safer and more prosperous when investments are

made, police officers are supported, and stakeholders work together. The MCCA's members look forward to working closely with the Committee to achieve our shared goal of driving down crime.

Thank you again for the opportunity to participate in today's hearing, and I look forward to answering any questions you may have.