

**Questions for the record from Senator Charles E. Grassley
Hearing on “Protecting America’s Children from Gun Violence”
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1. You stated that over half of the guns used to shoot Phoenix PD officers over recent years have been obtained illegally.

a. What data does the Phoenix Police Department and the MCCA have on the firearms used in police shootings and what does that data show regarding how the types of firearms used in police shootings were obtained?

Over the past six months, 9 Phoenix PD officers have been shot, and 15 have been injured. I’m very fortunate that none of these officers have been killed. The violence being directed toward law enforcement is unacceptable and must stop immediately. Below, please find some additional information on recent incidents where officers were attacked in Phoenix:

- 3/29/2020—The suspect used a 9mm handgun. He was lawfully able to possess a firearm.
- 12/14/2021—The suspect was a prohibited possessor with previous armed robbery and aggravated assault convictions. The two handguns recovered during the incident were straw purchased.
- 2/11/2022—The suspect was a prohibited possessor on federal probation at the time of the incident. Three firearms were recovered, one of which was stolen from the suspect’s most recent girlfriend.
- 3/13/2022—The suspect was a prohibited possessor and wanted on a federal warrant at the time of the incident. The suspect was in possession of a ghost gun, which Phoenix PD was unable to trace.
- 4/14/2022—The suspect was a prohibited possessor. The firearm used in this incident was not recovered.
- 5/24/2022—The suspect obtained his firearms through burglary. The guns were stolen from the house where the incident took place.
- 6/14/2022—The suspects involved in this incident were legally allowed to possess a firearm under the law.

b. Would you agree it is important to stop the flow of illegal guns?

Yes, I agree that stopping the flow of illegal guns is important. Many crime guns are illegal guns. It’s important to note that illegal guns include those that are legally purchased and then enter the illicit market via trafficking or after being stolen from vehicles or homes when not safely stored.

c. Are criminal penalties helpful to do that?

Yes, criminal penalties are helpful. The MCCA's 2018 Firearms Policy called for stiffer penalties for illegal guns and aggressive federal prosecution of violent offenders using guns.

d. Are programs like Project Safe Neighborhood or Operation Trigger Lock helpful to do that?

Yes, programs like Project Safe Neighborhood and Operation Trigger Lock are invaluable. However, for these programs to be as effective as possible, they must adequately incorporate local law enforcement's perspective. For example, the PSN violent crime reduction plans are frequently developed without soliciting local law enforcement's input. Yet, nobody understands the threats facing a community better than the local law enforcement agencies in that jurisdiction.

e. Would stricter federal offenses and penalties for "lying and buying" firearms, straw purchasing, and gun trafficking have a potentially deterrent effect on illegal gun transfers?

Yes, stricter federal offenses would help deter illegal gun transfers. The MCCA's Firearms Violence Policy calls on Congress to "establish harsher penalties and aggressively prosecute straw purchasers, who are responsible for putting a substantial number of guns used in criminal acts. More aggressive prosecution with strong penalties would hold them accountable and act as a deterrent." The MCCA was pleased to see these penalties strengthened as part of the Bipartisan Safer Communities Act.

2. You testified about the increased attacks on police officers that have occurred over the past few years. I agree that the rise in violence against police officers is extremely troubling. Unfortunately, my home state of Iowa has not been immune.

a. How has anti-police rhetoric from elected officials and community leaders, decriminalization and non-enforcement policies by progressive prosecutors, and defund the police policies enabled this increase of attacks on law enforcement officers and spike in violent crime?

Anti-law enforcement rhetoric and actions related to de-policing and defunding have, in some circumstances, vilified the brave officers looking to serve their communities. Furthermore, a lack of accountability throughout the criminal justice system has contributed to increased violent crime, including attacks on officers, since violent offenders continue to face no consequences for their actions. For example, many of the attacks on officers are brazen and perpetrated by violent offenders with lengthy criminal histories and previous felony convictions.

b. What can we in Congress do to help reverse negative attitudes toward police?

Congress must express unequivocal support for law enforcement and ensure officers have the necessary tools to keep our communities safe. 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.

3. The Phoenix Police Department– like most police departments around the country – is suffering from severe staffing shortages, low officer moral, and an inability to recruit. Would you agree that “defund the police” rhetoric has contributed to these systemic problems?

Defunding rhetoric is one of many challenges that are contributing to staffing challenges. As mentioned earlier, this rhetoric has left officers feeling vilified, leading officers to leave the profession entirely or move to departments in areas where the climate is perceived to be supportive of law enforcement.

4. In your testimony, you discussed your frustration with prosecutors not charging crimes and criminals walking free.

a. Would you agree progressive prosecutors are contributing to the rise in violent crime?

An overall lack of accountability throughout the criminal justice system is contributing to the rise in violent crime. In many jurisdictions, violent and chronic offenders continue to cycle through the criminal justice system, facing no consequences for their actions.

b. Should violent offenders be held accountable?

Yes, violent offenders must be held accountable. Our criminal justice system needs transparency, criminals need deterrents and accountability, and victims deserve justice.

c. What can happen when a serious violent criminal or drug trafficker is released pre-trial?

The failure to remand violent offenders can have multiple consequences. When these offenders are released on either personal recognizance or low bond, it allows them to continue to prey on our communities. Furthermore, it contributes to retaliatory cycles of violence as today’s suspect is often tomorrow’s victim and vice versa.

d. Are tough federal penalties helpful in combatting serious violent crimes and drug trafficking?

Yes, tough federal penalties are helpful. MCCA members have found pursuing federal charges for violent criminals to be a successful strategy, especially considering the challenges some MCCA members are experiencing with their local district attorney.

5. You have discussed how criminal networks such as gangs have been behind the violence in Phoenix.

a. What gangs are active in Phoenix?

The most active gangs in Phoenix (not in order activity) are:

- Park South Crips
- Southern Crips
- West Side City Crips
- Broadway Gangsters
- Lindo Park Crips
- Vista Bloods
- Gangster Disciples
- Mexican Mafia
- Various Hybrid Gangs (ie. AOMG, Jungle Boys, PMSK)
 - Hybrid gangs are defined as those not following traditional gang culture.

b. How many are national gangs that appear in multiple cities throughout the United States?

The City of Phoenix is a diverse community, which also applies to our criminal street gangs.

Our local Black street gangs were heavily influenced by the street gangs from Southern California that migrated to Phoenix in the 1970s and 1980s. Under this influence, numerous smaller Crips and Bloods sets were formed in our Black communities under the larger Crips and Bloods umbrellas.

Our Hispanic criminal street gangs are the oldest and most historically rich criminal street gangs in Phoenix. Many began as barrio culture but slowly morphed into criminal street gangs when drugs infected their communities in the late 1970s and early 1980s. This caused a rise in violence over drug territory and control of those areas.

Phoenix also has numerous Outlaw Motorcycle Gangs, with the Hells Angels, Mongols, Vagos, and Pagans, along with various other “1%er” clubs having a stake and presence in the Phoenix area. Violence associated with these gangs tends to

come in waves, and much of their criminal activity is overshadowed by the violence associated with our local criminal street gangs.

Phoenix has seen many members from midwestern gangs such as the Gangster Disciples and Vice Lords moving to Phoenix to conduct illegal business dealings, including selling illegal drugs and prostitution.

c. How many are transnational organized criminal gangs?

There have been multiple instances of problems with transnational gangs and members coming to Phoenix and committing crimes. However, most of the violence perpetrated by criminal street gangs involves our home-grown local criminal street gangs.

MS-13, for example, is one of the most well-known transnational gangs in the world. Phoenix has had instances of members of MS-13 committing crimes in Phoenix. Still, the gang has been unable to take a strong foothold due to the lack of a large centralized El Salvadorian population, coupled with our already established criminal street gangs across the city. There is talk about MS-13 increasing their numbers in both Phoenix and Tucson, but these claims have yet to be substantiated.

Two other examples of transnational gangs operating in Phoenix are the Hells Angels and the Mongols. Phoenix currently has two Hells Angels clubhouses within our city boundaries, and the Phoenix Mongols' population is growing at an alarming rate.

d. How many are engaged in drug trafficking?

Most, if not all, criminal street gangs are involved in drug trafficking in some form or another, on a local or national level. The fentanyl epidemic has presented criminal street gang members with a new revenue source that has fueled their violence. Additionally, Phoenix being a major drug corridor allows our gang members more access to drug cartels and cheaper product. This allows cartels to set up distribution networks of criminal street gang members across the country to traffic their drugs.

e. How many gangs are engaged in firearms trafficking?

Most criminal street gangs are involved in firearms trafficking at a local or national level. It is common to find criminal street gang members in possession of firearms that have been reported stolen across the country or used to commit crimes elsewhere. We have also learned through our investigations that guns purchased or stolen in Phoenix are often trafficked across the country and across the border using a network of trusted gang members or associates.

f. How many murders are attributable to gangs?

Due to how Phoenix PD tracks homicides, it was not possible to answer this question before the deadline provided. We will follow up with additional information as soon as possible.

g. Is gang violence increasing nationally?

Yes, and there are many factors contributing to this.

One is the fentanyl epidemic sweeping the nation. Drug cartels have successfully marketed and supplied our city and state with fentanyl, converting the once-lucrative illegal marijuana trade into the most dangerous widespread drug law enforcement has ever encountered. The ever-decreasing price of fentanyl is evidence of the successful supply chain established by the drug cartels. The quick and easy money to be made by criminal street gangs from the sale of fentanyl has given gang members increased access to firearms and ammunition not seen since the crack epidemic of the 1980s. In addition, there has been an increase in the use of high-capacity magazines and conversion devices known as “Glock switches,” which allow a semi-automatic handgun to function as a fully automatic firearm.

Gang violence is also underreported due to Phoenix’s ever-evolving gang culture. Local criminal street gangs continue to feud with each other, evidenced by the violence consistent with retaliatory behaviors. In addition, there has been a flood of hybrid-style street gangs made up of gang members of different criminal street gangs that often do not claim a territory or even wear a specific clothing type or color. Further complicating matters is an increase in gang members willing to break from traditional gang allegiances to work with rival gang members for a shared criminal interest.

Assaults against law enforcement by criminal street gang members have also increased. In recent months numerous officers were injured by gang members using ambush tactics across the city and state. In the last seven months, at least seventeen police officers in Arizona have sustained injuries from gunfire by criminal street gang members, with thirteen of those being Phoenix Police Officers.

Ambush scenarios are among the most concerning and difficult situations our officers encounter because of their unpredictability. While no single gang or source is responsible for these attacks, investigations into the suspects’ backgrounds in these incidents have consistently shown gang affiliation or membership. These acts of violence are consistent with the culture of violence adopted by gangs as a form of conflict resolution and their general disdain for law enforcement. Recent shifts in public opinion regarding law enforcement have legitimized and glorified violence against police. Social media, street intelligence, and field interrogations have confirmed gang support and premeditation for these attacks. These acts of

violence against law enforcement are opportunities for individuals to elevate their status within a gang and serve to bolster the gang's street reputation.

6. Do you agree school resource officers serve an essential role in keeping children safe from gun violence?

Yes, school resource officers play an important role in protecting children from gun violence. In addition, school resources officers serve a vital community policing function and help provide guidance to students. While they sometimes need to take enforcement action to maintain a safe learning environment, the claim that this is their sole purpose is misguided. The value of school resource officers is underscored by the fact that many jurisdictions that removed them from their schools over the past few years are now trying to get them back.

7. Does the use of threat assessment increase fair and evidence-based outcomes when screening whether a person may engage in violence?

Yes, threat assessments can help improve outcomes when screening whether a person may engage in violence. Law enforcement uses threat assessments for a variety of purposes to carry out its responsibilities and keep your communities safe. However, it is also critical that these assessments utilize a validated process and be data-driven and evidenced-based to the greatest extent possible.

8. We often hear that a shooter followed a predictable path of mobilization to violence and many people around the shooter did not know what to do.

a. Is training on threat assessment for those in the school environment helpful?

Yes, this training can be helpful. However, threat assessments must be part of a balanced approach to prevent violence in schools. We can't deny that school violence is a reality, and anything we can do to protect our children is worth considering.

b. Is access to school resource officers helpful when the shooter is mobilizing to violence in the school environment?

Yes, access to a school resource officer can be helpful. As mentioned above, a school resource officer serves many functions and can help link students in crisis with critical support services, both inside and outside of the school environment.