

United States Senate

WASHINGTON, DC 20510

September 14, 2022

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

We write regarding the recent shocking and tragic episodes of violent crime in Memphis, which are symptomatic of a rise in violent crime across the country that demands decisive federal law enforcement action. The most basic, important duty of government is to protect the life and liberty of its citizens, and substantially more resources must be put toward protecting innocent life.

On September 2, Eliza Fletcher was kidnapped and murdered while jogging near her home in Memphis. The person who has been charged with these offenses was released from prison in 2020 after serving a sentence for kidnapping someone else and had a lengthy history of criminal violence dating to when he was eleven years old, including rape and aggravated assault convictions as a juvenile.

A few days later, on September 7, a nineteen year old went on a shooting rampage across Memphis, killing four and injuring at least three others. At one point during this rampage, the suspect walked into an auto parts store and fired at the first customer he saw. He subsequently murdered a female medical assistant after carjacking her. This suspect was recently released from jail after being incarcerated in 2020 for aggravated assault involving a firearm, and before that, was reportedly convicted of aggravated robbery as a juvenile, among other offenses.

As Memphis Mayor Jim Strickland aptly put it: “This is no way for us to live and it is not acceptable.”

This jarring escalation in violent crime is part of a national trend. A recent study from the Council on Criminal Justice found that, across 22 major U.S. cities, murder offenses skyrocketed by 44 percent from 2019 to 2021.¹ At least 12 American cities set annual records for homicides in 2021,² including Memphis.³ Another recent report notes that “homicide rates have risen by an average of 18% in 50 of the most populated U.S. cities

¹ <https://counciloncj.org/crime-trends-yearend-2021-update/>.

² <https://abcnews.go.com/US/12-major-us-cities-top-annual-homicide-records/story?id=81466453>.

³ <https://www.actionnews5.com/2022/01/01/memphis-sees-record-342-homicides-2021-ends/>.

between Q2 2020 and Q2 2022, and are still rising,” with Memphis and Nashville experiencing some of the most significant increases in the last two years.⁴

A clear cause of this undeniable deterioration of public safety is the anti-law-enforcement movement that has wrought soft-on-crime policies—from the eradication of bail and pretrial detention to prosecutors declining to prosecute or seek jail time for serious crimes—as well as emboldened criminals who are often quickly returned to the streets. Importantly, support for this sentiment by certain leaders at the highest levels of our government has led to restraints on and attrition within law enforcement. Measures and rhetoric that limit law enforcement must be reversed immediately—Tennesseans should be able to live their lives in peace and go to the store or for a run outside without worrying about their safety.

Public safety must come first, and this inarguably starts with strong enforcement of the law. Therefore, law enforcement must be provided the resources it needs to swiftly and severely punish violent crime so that dangerous offenders are taken off the streets for good. The brave men and women of law enforcement deserve the unequivocal vocal and material support of all elected officials.

At a minimum, your Administration should immediately take the following actions:

- The Department of Justice should maximize the resources devoted to prosecuting felons in possession of firearms under 18 U.S.C. § 922(g) and fully utilize the Armed Career Criminal Act, 18 U.S.C. § 924(e), and the 15-year mandatory minimum sentences it carries, including by hiring more Assistant United States Attorneys dedicated to prosecuting these cases. This is a critical means of getting dangerous, repeat offenders off the streets, and more prosecutors would make a huge difference in Memphis, according to city officials, by allowing the local U.S. Attorney’s Office to prosecute more of the many federal firearms offenses that occur there each year.
- The Department of Justice should revive Operation Legend, which was initiated by the Trump Administration in 2020 and named for a 4-year-old boy who was shot and killed by a stray bullet in Kansas City. This Operation deployed federal law enforcement officers in nine major American cities to help state and local law enforcement partners combat violent crime. From July to December of 2020, under Operation Legend, over 6,000 arrests were made, including approximately 467 for homicide, more than 2,600 illegal firearms were seized, and over 17 kilos of fentanyl were seized. In Memphis, this Operation resulted in 266 arrests, with 124 individuals charged with federal crimes of violence or narcotics.
- Relatedly, the Administration should provide substantial federal grant funding to state and local jurisdictions that must be used to hire more law enforcement officers and provide retention bonuses to those who continue to work tirelessly to protect their communities, as well as to acquire the necessary resources and

⁴ https://www.thecentersquare.com/tennessee/report-memphis-nashville-rank-among-top-cities-with-increased-homicide-rates/article_00d54544-0e8a-11ed-a8a8-07c62e35332b.html.

equipment to fight violent crime. This funding should not be accompanied or limited by anti-law-enforcement constraints. Recent attrition among law enforcement agencies around the country has been well-publicized, and we cannot allow a lack of resources to be an impediment to combating the ongoing crime wave. Whether to fund the police should not be a difficult question, and as President of the United States, you should firmly and clearly denounce the individuals and groups who continue to push defund-the-police rhetoric and stand in the way of additional federal funding to support state and local law enforcement officers.

- Joint task forces to combat violent crime consisting of local, state, and federal law enforcement should also be prioritized and strengthened where they can help.
- The Administration should stop wasting federal taxpayer dollars on jurisdictions that refuse to utilize basic public safety tools to prevent dangerous offenders from returning to the streets and reoffending, including jurisdictions that ignore the law and refuse to prosecute or seek jail time for serious crimes and jurisdictions that have curtailed the use of bail and pretrial detention, thereby allowing criminals to immediately return to the streets and resume their criminal activity.
- The Administration should support law enforcement in the United States by detaining and deporting all illegal aliens who have been convicted of a criminal offense in the United States. In fiscal year 2021, Immigration and Customs Enforcement arrested more than 12,000 illegal aliens with aggravated felony convictions. An all-time record number of illegal border crossers entered our country last year. Yet, on August 7, 2022, every Democrat senator voted against a measure to detain and deport a greater number of illegal aliens who have been convicted of a criminal offense in the United States. The President implementing a clear policy that entering the United States illegally and then committing crimes here will not be tolerated would go a long way toward reversing this dangerous tolerance of conduct that endangers American communities.
- The Administration should secure our southern border to prevent the endemic drug and human trafficking and criminal violence traveling across it. In 2021, a record number of Americans (107,622) died of drug overdoses⁵—in large part fueled by fentanyl that is being trafficked across the border—and our border was open to a record-setting degree, with border crossings setting an all-time record (more than 2,000,000),⁶ though this record is on pace to be quickly eclipsed in 2022. It is well past time that your Administration stop ignoring and denying this national security crisis, which fuels a drug trafficking and violent crime crisis across our country, to prevent hundreds of thousands more tragic and preventable American deaths and the crime wave that accompanies them.

Rampant crime is not inevitable—tough law enforcement can stop it. But that requires a commitment to law enforcement. The above initiatives are obvious, easily

⁵ https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2022/202205.htm.

⁶ <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

implementable steps that should be immediately taken to make our communities safer. There are no doubt other measures that are readily available to the Administration.

We must do whatever it takes to stop the escalation of violent crime across our nation. The cost of failing to do so has become tragically clear in our state. We would welcome the opportunity to work together to address this critical and worsening threat.

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Sincerely,



Bill Hagerty
United States Senator



Marsha Blackburn
United States Senator