Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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October 26, 2022

Mr. Stephen Gardner
President and Chief Executive Officer
Amtrak
1 Massachusetts Ave NW
Washington, DC 20001

Dear Mr. Gardner:

Amtrak's mission is to provide intercity passenger rail service throughout the United States.[1] Unfortunately, recent criminal activity on Amtrak's network and infrastructure demonstrate that Amtrak is not immune from the effects of the crime epidemic plaguing the country. The Major Cities Chiefs Association (MCCA), which represents law enforcement executives in the United States and Canada, recently noted that its member cities experienced a 50 percent increase in homicides and a 36 percent increase in aggravated assaults.[2] We want to ensure Amtrak passengers are safe during all aspects of their trips, and we also wish to gain a better understanding of how Amtrak is dealing with the ongoing crime crisis.

In particular, we are concerned by recent reports of violent crimes within or near stations served or owned by Amtrak. Union Station in Washington, DC is a major stop on Amtrak's Northeast Corridor that has experienced several high-profile crime incidents over the past year.[3] For example, in June 2022, a man was stabbed on a Thursday afternoon outside of the station.[4] In January 2022, an individual spraypainted hate symbols on the station's entrance.[5] Starbucks coffee indicated that its popular Union Station location would close due to "a high volume of challenging incidents that make it unsafe to

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[1] *See* 42 U.S.C. § 24101.

[2] Press Release, MCCA, MCCA Releases Crime and Gun Violence Reports (Aug. 5, 2022), *available at* https://majorcitieschiefs.com/wp-content/uploads/2022/08/MCCA-RELEASES-CRIME-AND-GUN-VIOLENCE-REPORTS.pdf.

[3] ANC 6C Metropolitan Police Department Crime Data, METRO. POLICE DEP'T, https://crimecards.dc.gov/all:crimes/all:weapons/1:year to date/in:ANC:6C (last visited September 29, 2022).

[4] Peter Hermann, *Man stabbed at Union Station*, WASH. POST, June 30, 2022, https://www.washingtonpost.com/dc-md-va/2022/06/30/man-stabbed-union-station/.

[5] Sarah Fortinsky & Kelly Murray, *Arrest made over swastika graffiti at DC's Union Station,* CNN (Jan. 30, 2022), *available at* https://www.cnn.com/2022/01/30/us/swastikas-washington-dc-union-station-arrest/index.html.

continue to operate."[6] Late last month the United States Capitol Police responded to a shooting at a popular restaurant within the station.[7]

Such crime is not unique to Washington, DC. In August 2021, an Amtrak police officer at Chicago's Union Station encountered a man with multiple California arrest warrants, including one for murder.[8] The suspect injured an Amtrak employee and proceeded to open fire on police officers.[9] In April 2021 at Los Angles' Union Station, two maintenance workers were bludgeoned by an individual wielding a mallet.[10] In August 2022, in St. Louis, Missouri, a teenager sitting in the St. Louis Gateway Transportation Center was shot and killed in the middle of the afternoon.[11] This crime wave is not limited to Amtrak's stations, but includes Amtrak's trains. In January 2022, a man was shot and killed aboard an Amtrak train in Lee's Summit, Missouri.[12] The assailant then deboarded while the train proceeded to Independence, Missouri, with the deceased victim still on board.[13]

Amtrak's own statistics confirm crime is a growing problem on its system. Since 2016, the Amtrak Police Department (APD) has experienced a rise in calls for service.[14] From 2019 through 2021, APD received over 400,000 emergency calls annually.[15] These statistics represent over twice as many requests for help as in 2016, when calls numbered under 178,000.[16] In 2021, the APD divisions that service Amtrak's Northeast Corridor constituted the highest call volume on the network.[17]

Also alarming is the lack of clarity surrounding the data on the most severe incidents. APD's 2021 Annual Report ("2021 Report") divides crime data into "Group A" and "Group B" based off their categorization in the National Incident-Based Reporting (NIBRS) System.[18] Group A offenses are the most serious, and include homicide, assault, and robbery, whereas Group B incidents constitute lesser crimes like loitering, drunkenness, and trespassing.[19] The 2021 report shows significantly high incident counts for both Group A and Group B. For example, the Mid-Atlantic South Division shows an incident

[6] Emily Heil, *Starbucks is closing 16 locations due to worker, customer safety fears*, WASH. POST, July 13, 2022, https://www.washingtonpost.com/food/2022/07/13/starbucks-closures-worker-safety/.

[7] Peter Hermann, *Police Investigate Shooting at Union Station*, WASH. POST, Sept. 29, 2022, https://www.washingtonpost.com/dc-md-va/2022/09/28/shooting-union-station-dc/.

[8] Sarah Freishtat, *Man dies after being shot in exchange of gunfire with Amtrak police officer at Union Station*, CHI. TRIBUNE, Aug, 25, 2021, https://www.chicagotribune.com/news/breaking/ct-union-station-shooting-20210824-qqa5gb7pcfbgzhw5xkgeimv6cq-story.html.

[9] *Id.*

[10] Rachel Uranga, *Violent crime and verbal abuse at Union Station have become unbearable, some workers say*, L.A. TIMES, Apr. 29, 2022, https://www.latimes.com/homeless-housing/story/2022-04-29/assaults-at-union-station-strike-fear-in-janitors-and-retail-workers.

[11] Robert Townsend, *Teen shot, killed inside transit station on Monday in St. Louis*, KSDK (Aug. 2, 2022), *available at* https://www.ksdk.com/article/news/crime/teen-shot-killed-inside-greyhound-station-st-louis-missouri/63-f9ee95fa-dd35-49ae-a77c-8ad9d4fc2cb7.

[12] Jack Anstine, *1 dead in Friday night Amtrak train shooting*, KSHB (Jan. 15, 2022), *available at* https://www.kshb.com/news/crime/1-dead-in-friday-night-amtrak-train-shooting; Brian Dulle, *Kansas City man charged in deadly shooting on Amtrak in Lee's Summit*, FOX 4 KC (Feb. 1, 2022), *available at* https://fox4kc.com/news/kansas-city-man-charged-in-deadly-shooting-on-amtrak-in-lees-summit/.

[13] *Id.*

[14] APD, 2021 ANNUAL REPORT 11 (2021), *available at* https://police.amtrak.com/images/2021_annual_report.pdf [hereinafter APD 2021 REPORT].

[15] *Id.*

[16] *Id.*

[17] *Id.*

[18] *Id.*

[19] *See* FEDERAL BUREAU OF INVESTIGATION, NIBRS OFFENSE DEFINITIONS (2019), *available at* https://ucr.fbi.gov/nibrs/2018/resource-pages/nibrs_offense_definitions-2018.pdf.

count above 800 for Group B and over 600 for Group A.[20] Despite providing a breakdown of Group B crimes by offense, there is no breakdown in the 2021 Report that examines the more severe Group A offenses.[21] Even with these clarity issues, the data makes obvious that crime represents a serious problem for Amtrak.

Unfortunately, the Biden Administration and Amtrak have chosen to prioritize spending taxpayer funding on the expansion of rail service and the creation of new routes rather than earnestly address crime and passenger safety.[22] The *Infrastructure Investment and Jobs Act* (*IIJA*) represented the largest investment in passenger rail service since the creation of Amtrak.[23] Progressive crime policies—both from the Biden Administration and within major Democrat-led metropolitan communities—are undermining the effectiveness of our passenger rail network and the funds being used to improve it. It is dangerous and careless for Amtrak to prioritize expansion of services and growth in ridership with scant regard to safety and security of its passengers. Amtrak must first address the underlying problems plaguing its network before prioritizing expansion.

To better understand the crime issues facing your network and Amtrak's plans for corrective action, please provide the Committee with written answers and relevant materials, no later than Wednesday, November 9, 2022:

1. Please provide the latest APD crime data and up-to-date figures for the data provided in the 2021 Report. Additionally, the Committee is interested in more detailed information on what crimes are occurring and where than are provided in that standardized report. Specifically, we request:
   a. A numerical breakdown of NIBRS Group A and B offenses for each APD division and system wide including both Groups.
   b. A numerical breakdown of NIBRS Group A and B offenses committed in the following Amtrak stations:
      i. New York, NY (Moynihan Train Hall at Penn Station);
      ii. Washington, DC;
      iii. Philadelphia, PA (Gray 30th Street Station);
      iv. Boston, MA (South Station);
      v. Boston, MA (Back Bay Station);
      vi. Los Angeles, CA;
      vii. Baltimore, MD;
      viii. Albany-Rensselaer, NY; and
      ix. New Haven, CT.
   c. For each of the stations listed above, please provide a ratio of the aggregate amounts of crimes committed per rider through that station.
   d. Has Amtrak experienced high employee turnover in stations with high incidences of crime? Please provide data on employee retention and turnover for the stations listed above.

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[20] APD 2021 REPORT *supra*, note 14.

[21] *Id.*

[22] Luz Lazo et al, *Amtrak is a top travel choice in the Northeast. With an ally in the White House, it wants trains in the rest of America*, WASH. POST, June 15, 2021, https://www.washingtonpost.com/transportation/2021/06/15/amtrak-train-map-expansion-us/.

[23] *President Biden's Bipartisan Infrastructure Law*, THE WHITE HOUSE, https://www.whitehouse.gov/bipartisan-infrastructure-law/#passengerrailbiden.

2. Does Amtrak maintain records on the individuals placed under arrest by APD? If so, please provided the following:
   a. The frequency of those arrested with an existing warrant.
   b. The number of individuals arrested by APD on multiple occasions.
   c. For any individuals arrested by Amtrak who have been arrested within Amtrak facilities over three times, please indicate for each individual how many times they have been arrested and provide a list of offenses.

3. In addition to APD, Amtrak must rely on local police forces and municipal governments to prevent and prosecute crimes within its system.
   a. Have any municipalities or local law enforcement agencies scaled back their cooperation with the APD formally or informally? Please provide examples and any relevant documents, such as memorandums of understanding or correspondence.
   b. Do prosecutors decline to prosecute those arrested and charged by the APD? If so, how often? If possible, please provide examples of correspondence with prosecutors in which they declined to prosecute.
   c. Has Amtrak experienced a decrease in prosecutions of arrests made by APD due to the imposition of more lenient policies by local district attorneys (or the equivalent chief prosecutor of a municipality)? If so, please explain where this is occurring and provide examples.

4. Does Amtrak ever bar or ban individuals from using its services or facilities? If so, please, provide the following:
   a. Written justification which explains the grounds for barring someone from the use of Amtrak. Provide any relevant materials including written policies or guidance documents that Amtrak follows in making this decision.
   b. Identify the number of individuals barred by Amtrak and provide a list of reasons these individuals were barred.

5. Given the apparent crime problems throughout the Amtrak systems and within several major metropolitan areas in which it operates please explain:
   a. How is Amtrak working to address crime within its system?
   b. How does Amtrak plan to address these problems should it scale operations for its planned expansion?
   c. How does Amtrak plan to work with municipalities to prevent crime?

Thank you for your attention to this matter. If you have any questions, please contact Drew Feeley, Republican Staff Director, Subcommittee on Railroads, Pipelines, and Hazardous Materials at (202) 225-9446.

Sincerely,

Eric A. "Rick" Crawford
Ranking Member
Subcommittee on Railroads,
Pipelines, and Hazardous Materials

Troy E. Nehls
Member of Congress