



Testimony of Adam B. Schiff
Before the House Judiciary Subcommittee on Crime, Terrorism and
Homeland Security
November 6, 2007

Mr. Chairman, thank you for inviting me to testify before the Subcommittee. This hearing focuses on legislation that Congresswoman Mary Bono and I introduced earlier this year. The Managing Arson Through Criminal History Act – the MATCH Act – would create a national arson registry, which would provide an important tool for law enforcement officers to track arsonists and share information across jurisdictions.

When I was a prosecutor with the U.S. Attorney's Office in Los Angeles, I worked on cases related to arson, and I saw then the damage that arson can cause.

Over recent weeks, the nation saw the destruction caused by the fires in Southern California. Over 1,500 homes were destroyed and half a million acres of land burned. 7 people died, and 85 more were injured, including 61 firefighters. These brave heroes put their lives on the line everyday for us to protect people, homes and wildlife, and I thank them for their service.

In climate like California, with hot weather, drought and the Santa Ana winds, a small fire can become particularly devastating. When I first learned that some of fires last month were caused by arson, I was sickened. Such incredible damage and destruction that was completely unnecessary and malicious.

In California, arson ranks in the top 3 known causes of the state's wildfires. Nationwide, each year, arsons cause serious damage to homes, wilderness areas and too many deaths. In 2006, 31,000 arsons were reported across the country, which resulted in 305 deaths and \$755 million in property loss. It is for this reason that it is critical that we give law enforcement and firefighters the tools to quickly and efficiently investigate arsons and prevent future acts of arson from occurring.

The MATCH Act would create a national arson registry and would require convicted arsonists to report where they live, work and go to school. The database would include finger and palm prints of the arsonist, a recent photograph, vehicle information, criminal history and other relevant information. The length of time that a convicted arsonist would be required to register is based on how many acts of arson they have committed – 5 years for one offense, 10 years for two offenses and lifetime for a serial arsonist who committed three or more offenses,. The information would only be made available for law enforcement agencies and other relevant personnel and not the general public. Most important, when a convicted arsonist updates his or her information with a change of residence, notification would be sent to the appropriate law enforcement agencies.

When an arson has occurred, it is critical to quickly find the individual involved to prevent future acts of arson and prosecute the individual responsible. Frequently arsonists use the same trademark tools – such as a unique incendiary device, a manner of starting a fire, or similar targets, such as houses of worship, or auto dealerships. In a case where the arsonist may have come from another jurisdiction or state to commit the act of arson, the information in the database will give law enforcement an important tool to identifying convicted arsonists that may be connected to very similar acts of arson.

The national registry created by the MATCH Act will build on the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Bomb Arson Tracking System – or BATS. In

2004, the Attorney General consolidated all of the Justice Department's arson and explosives incident databases into a single database, based on the BATS model. This has helped jurisdictions collect and share information, which has also improved the accuracy and detail of reporting.

The MATCH Act's national arsonist registry will improve the BATS database by providing more extensive information about convicted arsonists. This information will help law enforcement investigating arsons by being able to quickly search a palm print, a trademark arsonist feature such as an incendiary device, arsonists living in a particular neighborhood, and other key information that could provide clues in an investigation. Most importantly, the registry can also prevent future acts of arson by requiring convicted arsonists to update their information when they move or change schools or jobs. In addition to putting law enforcement on notice, this also lets the convicted arsonists know that they can't hide from law enforcement for the purpose of committing another act of arson.

Our community came together to fight the fires we saw in California. Firefighters from across the state were joined by the National Guard, the Army, and firefighters from the Mexican cities of Tijuana and Tecaté. The quick and united response was immensely important, and now it is ever more important for us to ensure that such tragedy never strikes again. I believe that the national registry created by the MATCH Act and its notification requirements are important tools to prevent future acts of arson and assist in the investigation of arsons that have occurred.

Thank you again Mr. Chairman for this opportunity to testify on this legislation.