

NLWJC - Kagan

DPC - Box 010 - Folder 012

Crime - Crime Bill II

Major Provisions in the 21st Century Crime Bill

Title I - Supporting State and Local Law Enforcement

- Authorizes \$600 million for a 21st Century Policing Initiative. The initiative includes funding to hire an additional 30,000-50,000 law enforcement officers over the next five years, with an emphasis on "hot spots" and \$350 million for innovative crime-fighting technologies, including \$100 million for crime mapping and related analysis programs, \$125 million for improved public safety communications, and \$125 million for crime solving technologies (including crime lab improvement and DNA backlog reduction).
- Authorizes \$200 million for community prosecution programs.
- Enhances rural law enforcement programs by setting aside various amounts in DOJ grant programs for rural law enforcement agencies.

Title II - 21st Century Tools for 21st Century Law Enforcement

- Establishes a new \$20 million grant program to assist law enforcement agencies use the latest information technology to develop integrated information sharing systems to improve the state and local criminal justice systems.
- Updating and strengthening the federal computer crime statute by expanding its scope and providing enhanced penalties for serious computer crime offenses.

Title III - Protecting Americans from Crime and Supporting the Victims of Crime

- Provides new protections for the victims of domestic violence and establishes new penalties for offenses involving trafficking in women. (The bill also may contain various provisions to reauthorize VAWA grant programs, although this is still under discussion).
- Strengthens federal law to protect children exposed to violence (i.e. the proposals from the Children Exposed to Violence Initiative).
- Expands the federal assistance to the victims of crimes and authorizes compensation and assistance to victims of terrorism or mass violence.
- Provides new authority to combat health care fraud, including allowing the sharing of grand jury information with civil health care fraud prosecutors.

- Creates new federal civil and criminal penalties for persons or entities that engage in a pattern of violations of federal nursing home laws or regulations where such violations result in patient harm. Also authorizes appropriate injunctive relief.
- Provides new authority to block or terminate telephone services where the telephone is used to engage in fraudulent activity, particularly fraudulent telemarketing scams.
- Enhances criminal enforcement of federal environmental laws (this is the Administration's Environmental Crimes Bill, which was introduced in the 105th Congress).

Title IV - Breaking the Cycle of Drugs, Guns and Violence

- Creates a new, \$35 million grant "certainty of punishment" grant program to ensure swift and certain punishment for youthful offenders that stops short of incarceration in traditional correctional settings.
- Creates a new \$100 million drug testing and intervention initiative to assist states and local governments develop comprehensive drug testing, treatment, and sanction programs for youthful drug offenders.
- Boosts penalties for serious drug crimes, including new penalties for trafficking in amphetamines, improving the federal drug paraphernalia statute, and providing emergency authority to the Attorney General to reschedule controlled substances.
- Extends the Brady background check requirement to gun shows, establishes a mandatory waiting period for gun purchases, and includes numerous other firearms-related proposals.
- Strengthens federal money laundering laws (this is the Department's money laundering bill from last year).

Title V - Juvenile Justice Reform (essentially the Administration's 1997 juvenile justice bill)

- Expands the circumstances in which juveniles charged with the most serious crimes can be prosecuted as adults in federal court.
- Creates new offenses and boosts penalties for existing offenses involving drug, gang, and gun-related violence.

- Contains proposals to reduce witness intimidation, particularly intimidation in gang prosecutions, by creating a new offense for interstate travel to engage in witness intimidation, expanding pretrial detention for serious gang and other violent criminals, and creating a new conspiracy offense for obstruction of justice offenses involving victims, witnesses, and informants.
- Reauthorizes and restructures the Office of Juvenile Justice and Delinquency Prevention.

Title VI – Fighting International Crime and Terrorism

- Contains the Administration's International Crime Control Act, including proposals to:
 - Investigate and prosecute murder and extortion against U.S. national abroad in furtherance of organized crime
 - Create a new offense for violence committed along the U.S. border
 - Deny safe havens to international criminals by authorizing extradition of persons where there is no treaty with the requesting country and expanding the circumstances under which dangerous persons can be excluded from the United States.
 - Enhance our ability to seize and forfeit the assets of international criminals
 - Increase sanctions for alien smuggling
 - Promote international cooperation by expanding the sharing of forfeited assets and streamlining the procedures for the execution of MLAT requests
 - Streamline the investigation and prosecution of international crime in U.S. courts
 - Create a new offense for the possession of biological weapons.

Titles VII and VIII – Strengthening Federal Law Enforcement

- Expands the circumstances under which BOP can release persons 70 years old who have served at least 30 years in prison (expands the existing provision, which applies only to persons convicted under the federal three strikes law). Persons convicted of sex offense are specifically excluded.
- Removes restrictions on electronic wiretaps to monitor prison communications.
- Repeals the McDade statute.
- Removes the sunset provision for the S-Visa program
- Authorizes the Attorney General or the head of any other federal law enforcement agency to conduct an autopsy in a criminal investigation.

**21ST CENTURY CRIME BILL
FIREARMS PROVISIONS**

Proposals Contained in Draft Bill	Description	Comments
Gun shows	Requires NICS checks and new record keeping requirements for all gun transfers occurring at gun shows.	President previously announced support. Proposal language result of Presidential directive. Rep. Blagojevich and Sen. Lautenberg lead Hill supporters.
Brady waiting period	Reinstates a waiting period prior to handgun sale. Imposes new minimum 3-day waiting period, but allows government up to 5 days to complete background check.	President reaffirmed position in SOTU. Priority for Handgun Control. Senator Durbin's proposal is different than previous waiting period contained in pre-NICS phase of Brady Law, which permitted up to 5 days for check, but had no minimum wait. Strongly opposed by NRA. IACP supportive but most law enforcement organizations have no position.
Juvenile Brady	Imposes lifetime ban on firearms possession for individuals who committed certain violent crimes as juveniles.	Contained in Administration's 1997 juvenile crime bill. President reaffirmed position in SOTU. Provision contained in Hatch 1999 juvenile crime bill.
Child safety locks	Requires FFLs to sell with every firearm sold a child safety lock or a gun storage box that meets certain requirements. Would also cover smart gun technology.	Cited in SOTU. This provision has been revised from previously Administration proposal to allow sale of gun storage box to meet the FFL requirement. Sens. Boxer and Kohl, and Rep. Carson have proposed legislation. FOP supports provision.
Transfer of firearms to juveniles	Increases penalty for prohibited firearms transfers to juveniles. Eliminates probation as mandatory sentence for juveniles who possess firearms unlawfully.	Contained in Administration JJ bill. Elimination of probation meant to encourage more prosecutions.
Obliterated serial number	Increases the penalty for knowingly receiving a firearm with an obliterated or altered serial number from 5 to 10 years.	Contained in Administration JJ bill.

Crime - (Numbered) Crime Bill II

Proposals Contained in Bill	Description	Comment
FFL Record keeping	Increases the penalty for the most serious record keeping violations by FFLs (from misdemeanor to up to 5 years).	Contained in Administration JJ bill.
Security at FFLs	Gives ATF authority to promulgate regulations mandating certain minimum security requirements for FFLs.	Contained in 1997 Administration JJ bill.
New penalties for FFLs	Provides new administrative and civil money penalties for violations of Gun Control Act by FFLs.	Contained in Administration JJ bill.
Old FFL records	Authorizes ATF to receive the records of FFLs who are still in business, but who want to submit their records over 20 years old to ATF. Current law prohibits ATF from receiving records from FFLs that are still in business.	New provision. Will assist law enforcement tracing efforts of older guns used in crimes.
FFL felons	Permits termination of an FFL's license upon felony conviction. Current law allows FFL to keep license throughout exhaustion of appeals.	New provision.
Inspections of FFLs	Increases the number of annual inspections of FFLs that ATF is allowed to conduct without probable cause from one to 3.	New provision.
FFL reports on used guns	Requires FFLs to submit 30-day reports to ATF on sales of used firearms sold.	New provision. This will substantially expand crime gun tracing efforts for the large number used guns that are later used in crimes. <i>La</i>
Firearms conspiracy	Increases the penalty for conspiracies to commit <u>any</u> violations of federal firearms laws.	Contained in Administration JJ bill.
RICO	Adds a number of firearms offenses as predicates under the RICO statute.	Contained in Administration JJ bill. <u>Strongly</u> opposed by Senate Republicans and the NRA.
Forfeiture	(1) Provides authority to forfeit guns used to commit crimes of violence and all felonies. (2) Provides authority to ATF to forfeit certain other property related to gun crimes.	Contained in Administration JJ bill.

Background checks for explosives purchasers	Requires NICS check on persons trying to buy explosives from federally-licensed explosives dealers.	Contained in ICCA.
Black powder	Prohibits felons from possessing any quantity of black powder. Current law allows felons to possess up to 50 pounds of black powder.	Contained in ICCA. Intended to thwart pipe bombs filled with black powder, and use of antique firearms that require black powder.
Juvenile drug offenses as predicates	Adds to the list of predicate offenses for the Armed Career Criminals Act (which carries 15-year mandatory minimums) any act of juvenile delinquency if committed by an adult would be a serious drug offense.	New provision. <i>take out</i>
Predicates to Armed Career Criminals Act (ACCA)	Makes certain prior convictions under the Gun Control Act (e.g., felon in possession of a gun) predicate crimes for purposes of the Armed Career Criminal Act.	New provision. <i>take out?</i>
Illegal arms trafficking investigations	Amends Arms Export Control Act to permit law enforcement agencies to engage in undercover transactions designed to detect illegal arms trafficking without formal Presidential finding and notice to Congress (as required under current law).	Contained in previous versions of International Crime Control Act (ICCA)
NFA Statute of Limitations	Extends the statute of limitations for National Firearms Act offenses (e.g., unlawful making or possession of explosive bombs) from 3 to 5 years.	New provision.
Common carriers <i>imp</i>	Requires common carriers (e.g., FedEx) to report firearms thefts or loss within 48 hours.	New provision. ATF Performance Report confirms that gun thefts are a problem with common carriers. Currently, only UPS voluntarily submits theft data to ATF.
Gunsmith licenses	Requires separate licenses for those engaged in the business of repairing firearms, and would impose a lower licensing fee on gunsmiths than dealers.	New provision.

Internal proposals: Not included in bill	Description	Comments
One-handgun-a-month ?	Restricts all lawful gun purchasers to one handgun during every 30-day period. Would help to deter straw purchasers and illegal gun trafficking between states with restrictive gun laws and those with lax laws.	Major initiative strongly supported by Handgun Control. If enacted, would require creation of registry or database to track gun sales.
Antique firearms <u>NO</u>	Cures provision in law which prevents prosecutions of individuals who commit crimes of violence using an antique firearm.	Unclear that antique firearms are an identifiable problem in violent crime.
<i>Ex parte</i> domestic violence orders <u>NO</u>	Criminalizes possession of a gun after service of a domestic violence restraining order even if that order has been issued after an <i>ex parte</i> hearing. 18 states - with - 10 days before hearing	According to DOJ, would prohibit possession during critical time when domestic violence occurs. Practical issues over whether relevant info on <i>ex parte</i> orders would be available for background check. Likely to generate controversy with law enforcement groups who oppose recent domestic violence misdemeanor gun ban.
Redefine "transfer" under NFA <u>NO</u>	Closes a loophole in existing law which permits some dealers to avoid appropriate tax on weapons subject to the National Firearms Act (NFA).	Dropped in general attempt to leave out tax/fee issues in crime bill.
Applications to engage in business under NFA <u>NO</u>	Gives Treasury Secretary authority to designate the place that dealers in certain firearms must register; requires applications to be filed with Secretary for engaging in business of importing, manufacturing, and dealing in weapons covered by NFA.	
"Engaged in the business" of selling firearms <u>NO</u>	Clarifies circumstances under which an individual must have a license to deal in firearms, including changes to statutory definitions.	Follow up to other gun show recommendations. Proposal language may not be ready by time transmittal.

Hill proposals	Description	Comment
Child Access Protection (CAP) ?	Establishes liability for adults who inappropriately allow children easy access to firearms.	Senator Durbin proposal. President announced support for the principles of CAP at 8/98 event. <u>Durbin bill voted down in Senate FY 99 CJS appropriations. Internal disagreements w/DOJ and Treasury over appropriate standards for liability. Decision not to include in bill but will reference support for Durbin in transmittal letter.</u>
Gun maker liability NO	Allows localities to sue for the federal costs associated with firearms. Damages that could be recouped include those relating to medical expenses, costs of continuing care and disabilities and lost wages incurred as a result of sale, distribution, use, or misuse of a firearm. Federal damages recovered must be spent accordingly: one-third returned to feds for crime prevention, mentoring, and injury prevention; one-third to locals for law enforcement activities; and one-third to locals for education, child care or children's health.	Sens. Lautenberg/Durbin proposal. Roughly uses tobacco legislation as model for firearms litigation recoupment.
Junk guns NO	Applies same quality and safety standards to domestically-manufactured handguns as those applied to imported handguns.	Senator Boxer proposal. Goal is to ban certain cheap, poorly made domestic handguns that are among the most frequently used in crimes.
ATF regulation of firearms safety NO	Authorizes ATF to regulate manufacture, distribution and sale of firearms. Sets a penalty of \$500 per violation for civil violations; criminal penalties may include imprisonment for not more than two years and/or fines. Creates a firearms violence information clearinghouse to study data on firearms industry and related injuries.	Senator Torricelli/Rep. Kennedy proposal. Purpose is to give ATF authority (as opposed to Consumer Products Safety Commission) to establish consumer and safety-related regulations for firearms.
Large capacity military magazines (LCCMs) YES	Bans the <u>importation</u> of large capacity military magazines (clips that hold more than 10 rounds of ammunition).	Senator Feinstein revised proposal. Rep. Dingell concerns with provisions in 1994 Crime Act to grandfather LCCMs. Full Senate voted down similar provision during FY 99 CJS appropriations.

<p>Gun Kingpin Penalty Act</p> <p>YES</p>	<p>Creates new gunrunning crime with stiff mandatory minimum penalties. New crime applies to individuals who smuggle 5 or more guns across state lines in a one-year period to sell them. Severe penalties for "kingpins" who smuggle 50 more guns in a one-year period. Authorizes 200 new Treasury law enforcement personnel to investigate gunrunners and kingpins.</p>	<p>Schumer/Torricelli/Durbin bill. Addresses the gun trafficking issue without limiting sales to lawful purchasers, such as one-gun-a-month. Would encourage more federal prosecutions of trafficking cases.</p>
<p>Childproof guns</p> <p>NO</p>	<p>Requires childproof guns (firearms that cannot be fired by an unauthorized user) within 3 years after enactment. Within 90 days after enactment, require locking devices to be sold with guns.</p>	<p>Lautenberg proposal. Unclear that childproof technology could be widely available at reasonable cost within a few years.</p>
<p>Taking firearms from law enforcement</p> <p>NO</p>	<p>Provides 10 to 15 year mandatory minimum penalty for taking firearm from a federal law enforcement officer; 5 to 10 years for attempt.</p>	<p>Rep. Ney proposal.</p>
<p>Background checks for surplus military weapons</p> <p>NO</p>	<p>Require audit of firearms sales of the Corporation for the Promotion of Rifle Practice and Firearms Safety to ensure compliance with federal gun laws. [DOD transfers military surplus weapons to the Corporation.]</p>	<p>Lautenberg/McCarthy proposal. Responds to GAO report that found that the Corporation was not conducting background checks on military surplus weapons transferred to gun clubs. Corporation has since indicated that it is conducting NICS checks on transfers.</p>
<p>Gun buy back programs</p> <p>NO</p>	<p>Authorizes \$15 million per year for a new Justice Department grant program to fund community gun buy back programs.</p>	<p>Rep. Kennedy bill.</p>
<p>Child handgun safety</p> <p>NO</p>	<p>(1) Requires Treasury Secretary to prescribe regulations over design, manufacture and performance of handgun discharge protection products (e.g., safety locks, smart guns) within one year of enactment. (2) Permits Secretary to issue order to prohibit manufacture and transfer of handgun discharge protection products that do not meet regulation. (3) Requires handgun warning labels. (4) Requires manufacturers, importers and FFLs to report to Treasury information they receive on child injury or death involving their products; (5) Establishes civil penalties.</p>	<p>Rep. Carson bill.</p>

<p>Internet sales of guns</p> <p><i>YES</i></p>	<p>Applies existing gun laws to gun sales on Internet.</p>	<p>Senator Schumer proposal. Would restrict sales to FFLs and require Web sites to register with ATF. Would require guns to be sold through licensed channels.</p>
<p>Youth handgun ban</p> <p><i>NO</i></p>	<p>Bans possession and transfer of handgun to persons under age 21.</p>	<p>Rep. Blagojevich bill. Gun Control Act already bans transfer of handgun to individuals under age 21. 1994 Crime Act bans handgun possession to youths under age 18.</p>
<p>Cop killer bullets</p> <p><i>NO</i></p>	<p>Expands definition of armor piercing ammunition to include a projectile that may be used in a handgun that the Treasury Secretary determines to be capable of penetrating body armor. Directs Secretary to promulgate regs based on standards to be developed for uniform testing of projectiles to determine whether they can penetrate NIJ Level II-A body armor.</p>	<p>Senator Moynihan proposal.</p>
<p>Handgun ammunition</p> <p><i>NO</i></p>	<p>Requires importers and manufacturers of ammunition to maintain records and submit annual report on importation, shipment, production, and sale of ammunition. Increases licensing fees for manufacturers of ammunition.</p>	<p>Senator Moynihan bill. Moynihan has a number of proposals on ammunition with goal of preventing crime through regulation or restriction of the availability of ammunition.</p>
<p><i>UNLICENSED WEAPONS</i></p>		

President Clinton's Crime Bill II Initiative

Date: November 23, 1998

Title I - Community Criminal Justice Enhancement (COPS II)

- Extension and retention of existing COPS grants
- Community Prosecution
- Technology to enhance training and performance
- Community partnerships
- Rural law enforcement
 - Methamphetamine laboratories
 - Training
 - Prosecutor Support

- years

Title II - Reducing Firearms Violence

- Gun Shows and Secondary Markets ("No Brady Check, No Gun)
- Intensive Firearms Enforcement Project (Exile; Boston; Brady)
- One Handgun-A-Month
- Juvenile Brady
- Cop Killer Bullets
- Waiting period for handgun purchases

CAP

Title III - 21st Century Tools for 21st Century Law Enforcement

- Regional laboratories
- Cybercorps
- Expanded "311" *crime mapping*

Title IV - Offender Accountability

- No release from jail on good-time until test clean for 90 days;
- Return to jail if test positive
- Prison grant funds used for drug testing and treatment
- Enhanced drug courts

Title V - Youth Violence

- President's Anti-Gang and Youth Violence Act of 1997
- Juvenile Firearms Provisions *CAP*
- Out-of-School Programs (*After school authorization?*)

Title VI - International Crime

- President's International Crime Bill

Title VII - Terrorism

- Funding for National Domestic Preparedness Office
- Denying Safe Haven to International Criminals
- Expanded Control Over Biological and Atomic Materials
- Regulating Common Law Courts / "Paper Terrorism"
- Cyberspace controls

Title VIII - Protecting Vulnerable Americans

missing children

- Enhanced penalties for Federal child victimization cases
- Expanded authorities in health care and nursing home cases
- Expanding victim services to witnesses to violent and/or drug trafficking crimes

Title IX - Violence Against Women

- Reauthorize Violence Against Women Act
- Assure prosecution funds under VAWA
- Encourage courts to notify abusers of firearms prohibitions

Title X - Victims of Crime

- Better access to victim funding for child witnesses
- Improved investigation and prosecution of child victim crimes
- Expand victim funding to include witnesses to violent & drug crime
- Services to victims of terrorism abroad

Title XI - Drug Enforcement

- Methamphetamine Initiative
 - Enhanced penalties for distribution
 - Enhanced penalties for manufacture (labs)
 - Rural enforcement initiative
- Enhanced HIDTA and OCDETF Coordination
- Emergency scheduling / rescheduling authority
- Pilot enforcement programs for mid-level traffickers
- Other provisions of President's juvenile bill

*precursor DEA provisions?
? heroin action plan
? auth for National Media Camp?*

Title XII - Revenue Offsets

- Enhanced civil enforcement
- More effective processing of criminal aliens
- Excluding special interest groups from attorneys fees under EAJA
- Enhanced authentication of business records
- Disclosure of matters occurring before the grand jury to DoJ attorneys handling civil fraud in health care cases

-(POBE)

DRAFT

1999 CRIME BILL OUTLINE

TITLE I - SUPPORTING LOCAL LAW ENFORCEMENT

- Sec. 1001. 21st Century Community Policing Initiative.
- Sec. 1002. Community Prosecution Program Grants.
- Sec. 1003. Rural Law Enforcement Grant Set-asides.
- Sec. 1004. Improving Indian Tribal Law Enforcement.
- Sec. 1004a. Enhancing Tribal Authority to Maintain Law and Order
- Sec. 1005. Amendments to the Police Corps Act.
- Sec. 1006. DEA Awards to State and Local Law Enforcement.
- Sec. 1007a. Byrne Program Grants Extension (?)

TITLE II - 21st CENTURY TOOLS FOR 21st CENTURY LAW ENFORCEMENT

- Sec. 2001. Integrated Information Technology Assistance Act.
- Sec. 2002. Authorization to Link State and Local Law Enforcement to Worldwide Police Communications Network.
- Sec. 2004. High-technology Crime Act.
- Sec. 2005. Establishing Permanent One Percent Research and Evaluation Set-asides for Certain Programs.
- Sec. 2006. Inclusion of Federal, Military, and District of Columbia Offenders in the Dna Identification Index.

TITLE III - PROTECTING AMERICANS AND SUPPORTING VICTIMS OF CRIME

Subtitle A- Violence Against Women

- Sec. 3001a. Amendments to the VAWA Grant Programs.
- Sec. 3002a. Amendments to Domestic Violence and Stalking Offenses.
- Sec. 3003a. Protection for Victims of Trafficking.
- Sec. 3004a. Prevention of Custodial Sexual Assault by Correctional Staff
- Sec. 3005a. National Clearing House on Domestic Violence and Sexual Assault and the Workplace Grant.
- Sec. 3006a. Battered Immigrant Women.

Subtitle B - Children Exposed to Violence

- Sec. 3021. Child Abuse Murders.
- Sec. 3022. Sentencing Enhancements for Crimes Committed in the Presence of Children.
- Sec. 3023. Amendments Relating to Child Victims' and Child Witnesses' Rights.
- Sec. 3024. Technical Corrections to Forfeiture Statute for Sexual Exploitation of Minors.

Subtitle C - Victims Assistance

- Sec. 3031. Assistance for Federal Law Enforcement Victim Services.

- Sec. 3032. Compensation and Assistance to Victims of Terrorism or Mass Violence.
- Sec. 3033. Amendment to the Crime Victims with Disabilities Act.
- Sec. 8065. Expanded Jurisdiction over Child Buying and Selling Offenses.

Subtitle D - Health Care Fraud

- Sec. 3041. Attorney General Injunction Authority.
- Sec. 3042. Attorney General Authority to Seek Civil Penalties.
- Sec. 3043. Grand Jury Disclosure.
- Sec. 3044. Authorized Investigative Demand Procedures.
- Sec. 3045. Extension of Criminal Penalties for Kickbacks.
- Sec. 3047. Sentencing Guidelines for Health Care Fraud Offenses.
- Sec. 3048. Study and Report on Health Care Fraud Sentences.
- Sec. 3049a. Provisions Protecting the Interests of False Claims Act Matters in Bankruptcy Proceedings.
- Sec. 3050. Proposed Amendment to Health Insurance Portability Act.
- Sec. 3050a. Nursing Home Resident Protection Act.

Subtitle E - Consumer Fraud

- Sec. 3051. Blocking or Termination of Telephone Service.

Subtitle F- Pension-Welfare and Labor-Management Racketeering Act

- Sec. 3061. Fraud in Relation to Retirement Arrangements.
- Sec. 3062. Civil Penalty for Violation of Section 1348.
- Sec. 3063. Bribery and Graft in Connection with Employee Benefit Plans.
- Sec. 3064. Increased Penalty for Theft and Embezzlement from Employee Benefit Plans and Connected Funds.
- Sec. 3065. Payments of Things of Value to Persons with Actual or Apparent Influence or Decision-making Authority.
- Sec. 3066. Receipt of Things of Value by Persons with Actual or Apparent Influence or Decision-making Authority.
- Sec. 3067. Attempt.
- Sec. 3068. Forfeiture for Retirement Offenses.
- Sec. 3069. Use of Forfeited Funds to Pay Restitution to Crime Victims and Regulatory Agencies.
- Sec. 3070. Victim Restitution.

Subtitle G - Environmental Crimes and Enforcement Act

- Sec. 3071. Joint Federal, State, Local, and Tribal Environmental Enforcement.
- Sec. 3072. Protection of Government Employees and the Public.
- Sec. 3073. Statute of Limitations.
- Sec. 3074. Attempts.

- Sec. 3075. Environmental Crimes Restitution.
- Sec. 3076. Prevention of Alienation or Disposal of Assets Needed to Remedy Environmental Harms Caused by Environmental Crimes.

Subtitle H - Aircraft Safety Act

- Sec. 3081a. Aircraft Safety Act.
- Sec. 3082a. Conforming Amendment.

Subtitle I - Antitrust

- Sec. 3090. Increased Maximum Corporate Penalty for Antitrust Violations.

TITLE IV - BREAKING THE CYCLE OF DRUGS, GUNS, AND VIOLENCE

Subtitle A - Zero Tolerance Drug Supervision

- Sec. 4001. Grant Authority.
- Sec. 4002. Administration.
- Sec. 4003. Applications.
- Sec. 4004. Federal Share.
- Sec. 4005. Geographic Distribution.
- Sec. 4006. Technical Assistance, Training, and Evaluation.
- Sec. 4007. Authorization of Appropriations.
- Sec. 4007a. Permanent Set-aside for Research and Evaluation.
- Sec. 4008. Additional Requirements for the Use of Funds under the Violent Offender Incarceration and Truth-in-sentencing Grant Programs.
- Sec. 4009. Reauthorization of Residential Substance Abuse Treatment Grant Program.
- Sec. 4010. Use of Residential Substance Abuse Treatment Grants to Provide for Services During and after Incarceration.
- Sec. 4011. Reestablishment of Drug Courts.

Subtitle C - Anti-drug Provisions

- Sec. 4031. Temporary Emergency Scheduling Authority.
- Sec. 4033. Amendment to Reporting Requirement for Transactions Involving Certain Listed Chemicals.
- Sec. 4034. Amphetamine Penalty Increase.
- Sec. 4035. Anabolic Agents.
- Sec. 4036. Drug Paraphernalia.
- Sec. 4037. Counterfeit Substances/imitation Controlled Substances.
- Sec. 4038. Amendments to the Controlled Substances Import and Export Act.
- Sec. 8030. Appropriate Incentives for Imprisoned Drug Offenders to Undergo Drug Treatment.
- Sec. 8052. Conforming Amendment Concerning Marijuana Plants.

Sec. 8067. Conforming Amendment Relating to Flunitrazepam Penalties.

Subtitle D - Extending the Brady Law's Protection

Sec. 4041. Extending Brady Background Checks to Gun Shows.

Sec. 4042. Mandatory Waiting Period.

Subtitle E - Money Laundering Act

- Sec. 4051. Illegal Money Transmitting Businesses.
- Sec. 4052. Restraint of Assets of Persons Arrested Abroad.
- Sec. 4053. Access to Records in Bank Secrecy Jurisdictions.
- Sec. 4054. Long-arm Statute for Foreign Money Launderers.
- Sec. 4055. Laundering Money Through a Foreign Bank.
- Sec. 4056. Specified Unlawful Activity for Money Laundering.
- Sec. 4057. Criminal Forfeiture for Money Laundering Conspiracies.
- Sec. 4058. Subpoenas for Bank Records.
- Sec. 4059. Admissibility of Foreign Business Records.
- Sec. 4060. Charging Money Laundering as a Course of Conduct.
- Sec. 4061. Venue in Money Laundering Cases.
- Sec. 4062. Technical Amendment to Restore Wiretap Authority for Certain Money Laundering Offenses.
- Sec. 4063. Knowledge That the Property Is the Proceeds of a Felony.
- Sec. 4064. Money Purchased on the Black Market.
- Sec. 4065. Fugitive Disentitlement.
- Sec. 4066. Money Laundering Transactions; Commingled Accounts.
- Sec. 4067. Fungible Property in Bank Accounts.
- Sec. 4068. Discovery Procedure for Locating Laundered Money.
- Sec. 4069. Repatriation of Property Placed Beyond the Jurisdiction of the Court.
- Sec. 4070. Laundering the Proceeds of Terrorism.
- Sec. 4071. Bulk Cash Smuggling.
- Sec. 4072. Currency Couriers.
- Sec. 4073. Violations of Section 60501.
- Sec. 4074. Foreign Judgments Against Criminally Derived Property.
- Sec. 4075. Proceeds of Foreign Crimes.
- Sec. 4076. Authorization to Share Recovered Property with Cooperating Foreign Governments.
- Sec. 4077. Restoring Recovered Property to Victims.
- Sec. 4078. In Personam Judgments.
- Sec. 4079. Use of Subpoenaed Records.
- Sec. 4080. Criminal Forfeiture of Property in Government Custody.
- Sec. 4081. Restraint of Property Subject to Criminal Forfeiture.
- Sec. 4082. Including Agencies of Tribal Governments in the Definition of a Financial Institution.
- Sec. 4083. Transfer of Reporting Requirements from Section 6050I of the Internal Revenue

Code of 1986 to Title 31, United States Code.

- Sec. 4084. Limitations Period for Challenges to Cash Seizures by Prisoners.
- Sec. 4085. Penalties for Violations of Geographic Targeting Orders and Certain Record-Keeping Requirements.

Subtitle F - Improving Record-Keeping, Reporting, and Crime Gun Tracing

- Sec. 4101. Authority for ATF to Receive Voluntary Submission of Dealer's Records.
- Sec. 4102. License Reports of Secondhand Firearms Sold.
- Sec. 4103. Increase the Number of Annual Compliance Inspections of Dealers.
- Sec. 4104. Require Thefts From Common Carriers to be Reported.

Subtitle G - Updating Federal Licensing Requirements

- Sec. 4110. Termination of Dealer's License Upon Felony Conviction.
- Sec. 4111. Require Separate Licenses for Gunsmiths.

Subtitle H - Amending the National Firearms Act

- Sec. 4120. Extend Statute of Limitations for National Firearms Act Prosecutions.

Subtitle I - Amending the Armed Career Criminal Act

- Sec. 4130. Gun Convictions as Predicate Crimes for Armed Career Criminal Act.

Subtitle J - Investigating Arms Trafficking and Preventing Terrorism

- Sec. 4140. Enhanced Tools to Investigate Illicit Arms Trafficking
- Sec. 4141. Background Checks for Purchases of Explosives.
- Sec. 4142. Prohibiting Convicted Felons from Possessing Black Powder.

TITLE V - JUVENILE JUSTICE REFORM

Subtitle A - Federal Prosecutions Targeting Violent Gangs, Gun Crimes
And Illicit Gun Markets, and Drugs

- Sec. 5001. Increased Penalties under the RICO Law for Gang and Violent Crimes.
- Sec. 5001a. Penalty Enhancements Relating to Violent Crimes Under 18 U.S.C. 1959.
- Sec. 5001b. Elimination of Unjustified Scienter Element for Carjacking.
- Sec. 5002. Elimination of Statute of Limitations for Murder and Certain Class A Offenses.
- Sec. 5003. Forfeiture for Crimes of Violence, Racketeering and Obstruction of Justice.
- Sec. 5004. Gun Ban for Dangerous Juvenile Offenders.
- Sec. 5005. Locking Devices for Firearms.
- Sec. 5006. Juvenile Handgun Possession.
- Sec. 5007. Increased Penalty for Firearms Conspiracy.

- Sec. 5008. Certain Gang-related Firearms Offenses as RICO Predicates.
- Sec. 5009. Felony Treatment for Offenses Tantamount to Aiding and Abetting Unlawful Purchases.
- Sec. 5010. Secure Storage of Firearms Inventories.
- Sec. 5011. Suspension of Federal Firearms Licenses and Civil Penalties for Willful Violations of the Gun Control Act.
- Sec. 5012. Transfer of Firearm to Commit a Crime of Violence.
- Sec. 5013. Increased Penalty for Knowingly Receiving Firearm with Obliterated Serial Number.
- Sec. 5014. Forfeiture of Firearms Used in Crimes of Violence and Felonies.
- Sec. 5015. Forfeiture for Gun Trafficking.
- Sec. 5016. Increased Penalties for Using Minors to Distribute Drugs.
- Sec. 5017. Increased Penalty for Distributing Drugs to Minors.
- Sec. 5018. Increased Penalty for Drug Trafficking in or near a School or Other Protected Location.
- Sec. 5019. Serious Juvenile Drug Trafficking Offenses as Armed Career Criminal Act Predicates.
- Sec. 5019a. Attorney General Authority to Reschedule Certain Drugs Posing Imminent Danger to Public Safety.
- Sec. 5019b. Conforming Amendment
- Sec. 5020. Increased Penalties for Using Federal Property to Grow or Manufacture Controlled Substances.
- Sec. 5020a. Clarification of Length of Supervised Release Terms in Controlled Substance Cases.
- Sec. 5020b. Technical Correction to Ensure Compliance of Sentencing Guidelines with Provisions of All Federal Statutes.

Subtitle B - Protecting Witnesses to Help Prosecute Gangs and Other Violent Crimes

- Sec. 5021. Interstate Travel to Engage in Witness Intimidation or Obstruction of Justice.
- Sec. 5022. Expanding Pretrial Detention Eligibility for Serious Gang and Other Violent Criminals.
- Sec. 5023. Conspiracy Penalty for Obstruction of Justice Offenses Involving Victims, Witnesses, and Informants.

Subtitle C - Protecting Victims' Rights

- Sec. 5031. Access of Victims and Public to Records of Crimes Committed by Juvenile Delinquents.

Subtitle D - Federal Prosecution of Serious and Violent Juvenile Offenders

- Sec. 5041. Delinquency Proceedings or Criminal Prosecutions in District Courts.
- Sec. 5042. Custody Prior to Appearance Before Judicial Officer.
- Sec. 5043. Technical and Conforming Amendments to Section 5034.

- Sec. 5044. Speedy Trial.
- Sec. 5045. Disposition; Availability of Increased Detention, Fines and Supervised Release for Juvenile Offenders.
- Sec. 5046. Technical Amendments of Sections 5031 and 5034.

Subtitle E - Incarceration of Juveniles in the Federal System

- Sec. 5051. Detention of Juveniles Prior to Disposition or Sentencing.
- Sec. 5052. Rules Governing the Commitment of Juveniles.

Subtitle F - Office of Juvenile Justice and Delinquency Prevention

- Sec. 5061. Short Title.
- Sec. 5062. Statement of Findings.
- Sec. 5063. Declaration of Purpose and Policy.
- Sec. 5064. Definitions.

Subtitle G - Creation of the Office of Juvenile Justice and Delinquency Prevention

- Sec. 5071. Establishment of Office.
- Sec. 5072. Conforming Amendments.
- Sec. 5073. Authorization of Appropriations.

Subtitle H - Juvenile Crime and Delinquency Assistance

- Sec. 5081. Formula Grant Assistance.
- Sec. 5082. Indian Tribal Grants.
- Sec. 5083. At-risk Children Grant Program.
- Sec. 5084. Developing, Testing, and Demonstrating Promising Programs.
- Sec. 5085. Incentive Grant Programs.
- Sec. 5086. Research, Statistics, and Evaluation.
- Sec. 5087. Training and Technical Assistance.

Subtitle I - Missing and Exploited Children

- Sec. 5091. Extension of Authorization and Uses of Funds.
- Sec. 5092. Corrections.
- Sec. 5093. Conforming Amendment.

TITLE VI - FIGHTING INTERNATIONAL CRIME AND TERRORISM

Title A - Investigating and Punishing Violent Crimes Against U.s. Nationals Abroad

- Sec. 6001. Murder and Extortion Against U.S. Nationals Abroad in Furtherance of Organized Crime.

Sec. 6002. Murder and Serious Assault of a State or Local Official Abroad.

Title B - Strengthening The Air, Land And Sea Borders of The United States

Subtitle A - Violence Committed Along U.S. Border

Sec. 6011. Felony Punishment for Violence Committed along the U.S. Border.

Subtitle B - Strengthening Maritime Law Enforcement Along U.S. Borders

Sec. 6021. Sanctions for Failure to Heave To, Obstructing a Lawful Boarding, and Providing False Information.

Sec. 6022. Civil Penalties to Support Maritime Law Enforcement.

Sec. 6023. Customs Orders.

Subtitle C - Smuggling of Contraband and Other Illegal Products

Sec. 6031. Smuggling Contraband and Other Goods from the United States.

Sec. 6032. Controlling Illicit Liquor Trafficking.

Sec. 6033. Customs Duties.

Sec. 6034. False Certifications Relating to Exports.

Title C - Denying Safe Haven to International Criminals

Subtitle A - Strengthening Extradition to Ensure International Criminals Are Brought to Justice

Sec. 6041. Extradition for Offenses Not Covered by a List Treaty.

Sec. 6042. Extradition Absent a Treaty.

Sec. 6043. Technical and Conforming Amendments.

Subtitle B - Strengthening Immigration Laws to Exclude International Criminals from the United States

Sec. 6051. Exclusion of Persons Fleeing Prosecution in Other Countries.

Sec. 6052. Exclusion of Persons Involved in Racketeering and Arms Trafficking.

Sec. 6053. Exclusion of Persons Who Have Benefitted from Illicit Activities of Drug Traffickers.

Sec. 6054. Exclusion of Persons Involved in International Alien Smuggling.

Subtitle C - Additional Tools to Deny Safe Haven to International Criminals

Sec. 6061. Temporary Transfer of Persons in Custody for Prosecution.

Sec. 6062. Prohibiting Fugitives from Benefitting from Their Fugitive Status.

Sec. 6063. Transfer of Foreign Prisoners to Serve Sentences in Country of Origin.

Sec. 6064. Transit of Fugitives for Prosecution in Foreign Countries.

Title D - Seizing And Forfeiting The Assets of International Criminals

- Sec. 6071. Criminal Penalties for Violations of Anti-money Laundering Orders.
- Sec. 6072. Border Search Authority for Firearms, Instrumentalities of Terrorism and Other Articles.
- Sec. 6073. Forfeiture of Proceeds of Foreign Crimes.
- Sec. 6074. Forfeiture of Property Used to Commit Drug Crimes Abroad.
- Sec. 6075. Forfeiture of Property Used to Violate Federal Explosives Laws.
- Sec. 6076. Cracking down on Illegal Money Transmitting Businesses.
- Sec. 6077. Enhancing Prosecutions in International Drug and Money Laundering Cases.
- Sec. 6078. Seizure of Assets of Persons Arrested Abroad.
- Sec. 6079. Access to Financial Records in Bank Secrecy Jurisdictions.
- Sec. 6080. Expanding Civil Money Laundering Laws to Reach Foreign Person.
- Sec. 6081. Punishment of Money Laundering Through Foreign Banks.
- Sec. 6082. Addition of Serious Foreign Crimes to List of Money Laundering Predicates.
- Sec. 6083. Authority to Order Convicted Criminals to Return Property Located Abroad.
- Sec. 6084. Enforcement of Foreign Forfeiture Judgments.
- Sec. 6085. Administrative Summons Authority under the Bank Secrecy Act.
- Sec. 6086. Encouraging Financial Institutions to Notify Law Enforcement Authorities of Suspicious Financial Transactions.
- Sec. 6087. Exempting Financial Enforcement Data from Unnecessary Disclosure.
- Sec. 6088. Civil Penalties under the International Emergency Economic Powers Act.
- Sec. 6089. Attempted Violations of the Trading With the Enemy Act.

Title E - Responding to Emerging International Crime Threats

Subtitle A – Computer and High-tech Crime

- Sec. 6091. Enhanced Authority to Investigate Computer Fraud and Attacks on Computer Systems.
- Sec. 6092. Jurisdiction over Certain Financial Crimes Committed Abroad.

Subtitle B – Alien Smuggling

- Sec. 6101. Forfeiture for Alien Smuggling.

Subtitle C – Trafficking in Chemicals Used to Produce Drugs

- Sec. 6111. Import and Export of Chemicals Used to Produce Illicit Drugs.

Title F – Promoting Global Cooperation in the Fight
Against International Crime

- Sec. 6131. Sharing Proceeds of Joint Forfeiture Operations with Cooperating Foreign Agencies.
- Sec. 6132. Streamlined Procedures for Execution of MLAT Requests.
- Sec. 6133. Temporary Transfer of Incarcerated Witnesses.
- Sec. 6134. Training of Foreign Law Enforcement Agencies.
- Sec. 6135. Discretionary Authority to Use Forfeiture Proceeds.

Title G – Streamlining the Investigation and Prosecution
Of International Crimes in U.S. Courts

- Sec. 6141. Reimbursement of State and Local Law Enforcement Agencies in International Crime Cases.
- Sec. 6142. Facilitating the Admission of Foreign Records in U.S. Courts.
- Sec. 6143. Safe Conduct for Foreign Witnesses Testifying in U.S. Courts.
- Sec. 6144. Prohibiting Fugitives from Benefitting from Time Served Abroad.
- Sec. 6145. Suspension of Statute of Limitations for Collection of Evidence Located Abroad.
- Sec. 6146. Clarification of Discretionary Nature of Payments to Informants.

Title H - Terrorism

- Sec. 6151. Expansion of the Biological Weapons Statute.

TITLE VII - STRENGTHENING FEDERAL LAW ENFORCEMENT

Subtitle A- Drug Enforcement Administration

- Sec. 7004. Permission to provide humanitarian assistance to certain employees.
- Sec. 7005. Removal of wiretap restrictions from prison communications.

Subtitle B - United States Marshals Service

- Sec. 7011. Federal Judiciary Security Act.
- Sec. 7012. Fugitive Apprehension Act.

Subtitle C - Bureau of Prisons

- Sec. 7021a. Medical Pay Efficiency Act.
- Sec. 7025. Technical amendment concerning the location of a correctional complex.

Subtitle D - Prison Credit and Aging Prisoner Reform Act

- Sec. 7031a. Prison Credit and Aging Prisoner Reform.

Subtitle E - Citizen's Protection Act Repeal

Sec. 7041. Repeal of the Citizen's Protection Act of 1998.

Subtitle F - _____

Sec. 7051. Repeal of Section 808 of the Antiterrorism and Effective Death Penalty Act of 1996.

TITLE VIII - CRIMINAL LAW IMPROVEMENTS ACT

Subtitle A -- Amendments Relating to Violent Crime

- Sec. 8001a. Amendments Relating to Violent Crime in Indian Country and Areas of Exclusive Federal Jurisdiction.
- Sec. 8002a. Kidnaping.
- Sec. 8003a. Offenses Committed Outside the United States by Persons Accompanying the Armed Forces.
- Sec. 8004a. Status Killing of Federal Employees and Consolidation of 18 U.S.C. 1114 and 1121.
- Sec. 8005a. Amendments of Drive-By Shooting Statute.
- Sec. 8006c. Threats Against Former Presidents and Others Eligible for Secret Service Protection.

Subtitle B -- Amendments Relating to Sentencing

- Sec. 8011a. Correction of Aberrant Statutes to Permit Imposition of Both a Fine and Imprisonment Rather than Only Either Penalty.

Subtitle C -- Amendments Relating to White Collar Crime

- Sec. 8021a. Elimination of Proof of Value Requirement for Felony Theft or Conversion of Grand Jury Material.
- Sec. 8022a. Amendment of Interstate Travel Fraud Statute to Cover Travel by Perpetrator.
- Sec. 8023a. Conforming Penalty Amendment for Frauds Resulting in Serious Injury or Death.

Subtitle D -- Miscellaneous Amendments

- Sec. 8031a. Clarification of Inapplicability of 18 U.S.C. 2515 to Certain Disclosures.
- Sec. 8032a. Participation of Foreign and State Government Personnel Under Federal Supervision in Certain Interceptions.
- Sec. 8033a. Improved Law Enforcement Access to Certain Records.
- Sec. 8034a. Removal of the Sunset Provision for the S Visa Classification Program.
- Sec. 8035a. Autopsy Authority.

...Team Leaders Meeting...2-22-99...

1. **Crime Bill 2000.** Initial bill due to OMB today. Meeting set-up for you to go over w/Holder and Johnson on Thursday and react to DOJ's initial recommendations. Some overall observations:
 - COPS program lacking. Less than a page of authorizing language, and community prosecutors not focused on hiring. May keep door open for public defenders...AG/Holder difference on this.
 - VAWA. Should we include Biden bill, which we may support in principle on Friday, or place holder provision? DOJ concerned about overall funding levels. Also, Eldie pushing for controversial provisions on exparte orders and corrections staff. NB: Friday event with VP.
 - Prisons. Should we at least include a place holder provision consistent w/our \$500 million request for criminal aliens, or at least extend program authorization for funds not appropriated yet.
 - Guns. Right balance? Only gun shows, Brady, juvie Brady, and some miscellaneous new FFL provisions currently in bill (voluntary submission of FFL records, tracing info for used firearms, increase FFL inspections, require reporting of thefts by common carriers/Fed Ex). Also, need to start thinking about impact of NRA federal fix on law suits: will we support/oppose no matter what?
 - Juvie strategy. Dems still hate. R's want to move separately and have held at desk. House Judiciary to have hearing Wednesday.
 - McDade. DOJ has in bill. [Problem for Senate Dems.] Overall issue how much time/energy will be spent by DOJ. DOJ has identified as top priority...Hatch/Hutchison bill?
 - CBC issues. No inclusion of racial profiling provisions. NB: Meeting scheduled for next Monday.

2. **Interim Brady Reg.** DOJ wants to publish a reg on Brady that requires retaining records for 120 days, and allowing ATF -- not FBI -- to audit dealers to ensure appropriate use of the NICS. Although this is only a proposed reg, do we want to fight this battle again? This proposal is likely to be shot out of the water by the NRA, and we are sure to lose unless we threaten to veto.

3. **Assisted Suicide.** The AG met w/Senator Nickles who wants us to support his bill banning the use of controlled substances for assisted suicide. Where are we? EK/CJ, you should talk to Burke.
4. **Miranda.** EK, please note difference in Reno/Holder response to this question. Do you think this is satisfactory?
5. **Criminal Aliens.** BR, EK, IB, need to make sure INS testimony for Wednesday is on target. Holder has finally gotten broader point across.
6. **Assaults Report.** This is an embarrassment. Says too early to tell results and ban's impact unclear. Talks of fueling gun sales, and that the ban failed to reduce the average number of persons per murder. Suggests that gun murder rate may have dropped between 6 and 10 percent because of the ban, and shows police murders down to 0. Scheduled for 3-5-99 release. Thoughts on how to proceed?
7. **Potential Events.** (1) Coordinated grants announcement on 3/24, Jonesboro Shooting announcement, maybe gun directive on tougher enforcement...promising strategies; (2) Crime Bill intro...should be just before Congress goes out on 3/26, followed up by a series of events for the next 2 weeks during the recess.

Handouts:

- Crime Bill Outline
- McDade info/memo
- Miranda transcript

THE WHITE HOUSE
WASHINGTON

January 13, 1999

**21st CENTURY POLICING
INITIATIVE ANNOUNCEMENT**

DATE: January 14, 1999
LOCATION: Alexandria Police Department
BRIEFING TIME: 10:00am - 10:25am
EVENT TIME: 11:05am - 11:50am
FROM: Bruce Reed

I. PURPOSE

To announce the inclusion in the FY 2000 budget of nearly \$1.3 billion for a new 21st Century Policing Initiative. The new 21st Century Policing Initiative builds on your successful COPS program by continuing to help communities hire, redeploy, and retain police officers; providing law enforcement with the latest crime-fighting technologies; and targeting funds to engage the entire community in preventing and fighting crime -- including community leaders, prosecutors, probation and parole officers, school officials, and faith-based organizations.

You will also release new crime statistics from the Justice Department showing that crime rates will continue to drop significantly in 1998.

II. BACKGROUND

As you know, your COPS Initiative has helped to fund over 92,000 community policing officers through awards of over \$5.3 billion to police and sheriff's departments across the nation. Over 11,300 state and local law enforcement agencies receive COPS funds -- more than half of the nation's policing agencies, serving nearly 90 percent of the American public. In addition, COPS has helped train over 21,000 law enforcement officers and community members, and funded programs to combat youth firearms violence, gangs, and domestic and school violence. Without new funds, however, the COPS program would be phased out this year, shortly after meeting its goal of helping communities put 100,000 more police on the street.

Your FY 2000 budget proposes nearly \$1.3 billion -- and \$6.375 billion over five years -- for a new 21st Century Policing Initiative to build on the successful COPS program. Specifically, the Initiative proposes:

- **\$600 million for more police on the street.** These funds would be used primarily to hire and redeploy between 30,000 and 50,000 more law enforcement officers over five years, with an effort to target new police officers to crime "hot spots." A portion of the funds would also be dedicated to help economically-distressed communities absorb the long-term costs of their new police hires, as well as for special programs to train, educate, and recruit police officers.

- **\$350 million for crime-fighting technologies.** These funds would be used to help state and local enforcement agencies tap into new technologies that will allow them to communicate more effectively, solve more crimes, and conduct comprehensive crime analysis. Examples include:

Improved police communications. The World Trade Center and Oklahoma City bombings dramatically illustrated the need for law enforcement officials from different agencies and jurisdictions to communicate effectively in joint operations. In Alexandria, the police department is piloting a number of different technologies (computers, wireless communications, videocams, software, and databases) that will enable police and other public safety officials to communicate and send data and images seamlessly across many jurisdictions. Your initiative allow other communities to do the same, as well as to improve their communications in other ways.

New crime-solving technologies. We can solve many more crimes by improving the nation's overburdened and underfunded crime labs. Your initiative proposes making high-end technologies -- such as DNA analysis, photo enhancement and voice recognition -- available to even the smallest police departments.

Bolstering Crime Analysis. As more police departments move toward community policing, many have found that their greatest tool is real-time crime and arrest data, which allows them to achieve a detailed understanding of their crime problem and determine how to best combat it. A notable example is New York's COMPSTAT project, which utilizes computerized statistics and mapping to analyze crime trends and allocate police resources. Your new initiative will help local police departments tap into crime mapping and other technologies that will improve the police's ability to quickly analyze, predict and respond to local crime problems.

- **\$200 million for Community Prosecutors and "Neighborhood DAs."** As police and community residents have joined forces to fight crime on a proactive basis, communities are also turning to local prosecutors to play a more active role in the crime-fighting effort. In Multnomah County, OR, "Neighborhood DAs" work closely with local police, spend time in neighborhoods, and help solve local crime problems. Your initiative will help communities throughout the country do the same by hiring more community-based prosecutors and developing community-based prosecution programs.

- **\$125 million for community-wide crime prevention.** Finally, your 21st Century Policing proposes specifically targeting funds to engage the entire community in

preventing and fighting crime. These funds could be used to: work with probation and parole officers in supervising released offenders; work with local school officials in adopting community-wide plans to prevent school violence; involve faith-based organizations in juvenile crime prevention; and establish citizens' police academies that teach neighborhood residents problem-solving skills.

New Mid-year data for 1998. You will also announce that the Justice Department's Bureau of Justice Statistics (BJS) will release today mid-year data showing that crime rates will continue to decline in 1998. According to BJS, the total number of violent crimes -- including crimes not reported to police -- is expected to fall below 3 million in 1998 for the first time since the start of its National Crime Victimization Survey in 1973. Property crimes will also continue to decline to record lows. By the end of 1998, both violent and property crime rates will have fallen by well over 20 percent since 1993.

III. PARTICIPANTS

Briefing Participants

Bruce Reed
Doug Sosnik
Joe Lockhart
Jose Cerda
Jeff Shesol

Event Participants

The Attorney General
Senator Biden
Senator Robb
Chief Charles Samarra, Alexandria Police Department
Corporal Irma Rivera, Arlington Country Police Department

In Audience:

Deputy Attorney General Eric Holder
Associate Attorney General Ray Fisher
COPS Director Joe Brann

National law enforcement organizations:

- Gil Gallegos, President National Fraternal Order of Police; Sam Cabral, President of the International Union of Police Associations; and Chief Ronald Neubauer, President of the International Association of Chiefs of Police.

Local departments:

- Chief Edward Flynn, Arlington, VA; Commissioner Thomas Frasier, Baltimore, MD; and Chief Charles Ramsey, Washington, D.C.

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- **YOU** will be announced onto the stage accompanied by event participants
- Chief Charles Samarra, Alexandria Police Department, will make opening remarks and introduce Attorney General Reno.
- Attorney General Reno will make brief remarks and introduce Senator Joseph Biden.
- Senator Joseph Biden will make brief remarks and introduce Senator Charles Robb.
- Senator Charles Robb will make brief remarks and introduce Corporal Irma Rivera.
- Corporal Irma Rivera, Arlington County Police, will make remarks and introduce **YOU**.
- **YOU** will make remarks and then depart.

VI. REMARKS

Provided by Speechwriting.

President Clinton's 21st Century Policing Initiative
January 14, 1999

Today, at the Alexandria Police Department, President Clinton will announce: (1) the release of new crime statistics showing that crime rates will continue to drop significantly in 1998; and (2) the inclusion in the FY 2000 budget of nearly \$1.3 billion for a new 21st Century Policing Initiative. The new 21st Century Policing Initiative builds on the President's successful COPS program by helping communities to continue to hire, redeploy, and retain police officers; giving law enforcement access to the latest crime-fighting technologies; and targeting funds to engage the entire community in preventing and fighting crime -- including community leaders, prosecutors, probation and parole officers, school officials, and faith-based organizations.

Crimes Rates Continue to Decline in 1998

- **New mid-year data for 1998.** Today, for the first time, the Justice Department's Bureau of Justice Statistics (BJS) will release mid-year data showing that crime rates will continue to decline in 1998. According to BJS, the total number of violent crimes -- including crimes not reported to police -- is expected to fall below 3 million in 1998 for the first time since the start of its National Crime Victimization Survey in 1973. Property crimes will also continue to decline to record lows. By the end of 1998, both violent and property crime rates will have fallen by well over 20 percent since 1993.
- **Murder rates down dramatically.** Recently, BJS also released a study showing that homicide rates have dropped to their lowest level in 30 years. If the current rates remain steady through the end of 1998, the murder rate will have dropped by more than 30 percent since 1993.

Giving Police the Support and Tools They Need

- **Renewing the COPS program.** The President's FY 2000 budget proposes nearly \$1.3 billion -- and \$6.375 billion over the next five years -- for a new 21st Century Policing Initiative to help communities build on their efforts under the successful COPS program. Without these new funds, the COPS program would be phased out this year, shortly after meeting its goal of helping communities put 100,000 more police on the street. National law enforcement organizations support extending funding for the COPS program.
- **21st Century Policing Initiative.** The 21st Century Policing program is designed to help communities continue to hire, redeploy, and retain police officers; to give law enforcement access to the latest crime-fighting technologies; and to engage the entire community in preventing and fighting crime -- including community-based prosecutors, probation and parole officers, school officials, faith-based organizations, and many others. Specifically, the initiative, as outlined in the FY 2000 budget, calls for the following investments:
 - **\$600 million for more police on the street.** These funds would be used primarily to hire and redeploy between 30,000 and 50,000 more law enforcement officers over five years, with an effort to target new police officers to crime "hot spots." A portion of the funds would also be used to help economically-distressed communities absorb the long-term costs of their new police hires, and for programs to train, educate, and recruit police officers.

- **\$350 million for crime-fighting technologies.** These funds would be used to help state and local enforcement agencies tap into new technologies that will allow them to communicate more effectively, solve more crimes, and conduct comprehensive crime analysis. Examples include:

Improved police communications. The World Trade Center and Oklahoma City bombings dramatically illustrated the need for law enforcement officials from different agencies and jurisdictions to communicate effectively in joint operations. In Alexandria, the police department is piloting a number of different technologies (computers, wireless communications, videocams, software, and databases) that will enable police and other public safety officials to communicate and send data and images seamlessly across many jurisdictions. The President's new initiative will allow other communities to do the same, as well as to improve their communications in other ways.

New crime-solving technologies. We can solve many more crimes by improving the nation's overburdened and underfunded crime labs. The President's initiative proposes making high-end technologies -- such as DNA analysis, photo enhancement, and voice recognition -- available to even the smallest police departments.

Bolstering Crime Analysis. As more police departments move toward community policing, many have found that their greatest tool is real-time crime and arrest data, which allows them to achieve a detailed understanding of their crime problem and determine how to best combat it. A notable example is New York's COMPSTAT project, which utilizes computerized statistics and mapping to analyze crime trends and allocate police resources. The President's new initiative will help local police departments tap into crime mapping and other technologies that will improve police's ability to analyze, predict and respond to local crime problems.

- **\$200 million for Community Prosecutors and "Neighborhood DAs."** As police and community residents have joined forces to fight crime on a proactive basis, communities are also turning to local prosecutors to play a more active role in the crime-fighting effort. In Multnomah County, OR, "Neighborhood DAs" work closely with local police, spend time in neighborhoods, and help solve local crime problems. The President's initiative will help communities throughout the country do the same by hiring more community-based prosecutors and developing community-based prosecution programs.

- **\$125 million for community-wide crime prevention.** Finally, the President's 21st Century Policing proposes specifically targeting funds to engage the entire community in preventing and fighting crime. These funds could be used to: work with probation and parole officers in supervising released offenders; work with local school officials in adopting community-wide plans to prevent school violence; involve faith-based organizations in juvenile crime prevention; and establish citizens' police academies that teach neighborhood residents problem-solving skills.

Crime- Dept II
Crime Bill

PRESIDENT CLINTON AND VICE PRESIDENT GORE: CONTINUING OUR PROGRESS TO REDUCE CRIME

January 14, 1999

"America is grateful for the hard work of our men and women in uniform. Every day you make our streets and schools safer, our homes more secure, and in so doing -- make no mistake about it -- you make freedom more real for the American people. We know you can't do it alone. We've tried to be good partners. We intend to be better partners as we move to the next century."

President Bill Clinton

January 14, 1999

Today, President Clinton travels to Alexandria, Virginia to announce the 21st Century Policing Initiative to help communities hire and retain a strong police force, provide the most current crime fighting technologies, and target resources to prevent and fight crime. In addition, the President will announce the release of new statistics, showing that crime rates continued to drop significantly in 1998.

A PRESIDENTIAL PLAN TO KEEP OUR STREETS AND FAMILIES SAFE. In his budget proposal for 2000, President Clinton is proposing a 21st Century Policing Initiative to keep our streets safe and crime rates low. The President is calling for funding to renew the COPS program, which is expected to meet its goal of helping fund 100,000 more police by later this year. Without renewal of this funding, the COPS program would be phased out by next year. The 21st Century Policing program is designed to help communities maintain and reduce crime rates through a series of proposals. The President is calling for investments in the following areas:

- **Putting More Police On The Street.** The President is requesting an additional \$600 million to hire and redeploy between 30,000 and 50,000 more law enforcement officers over the next five years, with a focus on crime "hot spots." A portion of these funds would also be used to help economically-distressed communities absorb the long-term costs of their new police hires, and for programs to train, educate, and recruit police officers;
- **Investing In Crime-Fighting Technologies.** The President will request \$350 million to help state and local law enforcement agencies tap into new technologies that will allow them to fight crime more effectively:
 - **Improved Police Communications:** The President's new initiative will allow communities to invest in modern technologies, including, wireless communications, videocams, software, and databases;
 - **New Crime-Solving Technologies:** The President is proposing to make high-end technologies, such as DNA analysis, photo enhancement, and voice recognition, available to even the smallest police departments;
 - **Strengthening Crime Analysis:** The President's initiative will help local police departments tap into crime mapping and other technologies that will improve their ability to analyze, predict, and respond to local crime problems;
- **Involving The Entire Community In Crime Fighting.** The President's plan will help communities throughout the country hire more community-based prosecutors and develop community-based programs. In addition, the President's plan specifically targets funds to engage the entire community, including police, school officials, and faith-based organizations in preventing and fighting crime.

CRIME RATES ARE FALLING TO GENERATIONAL LOWS. Crime rates have fallen dramatically under President Clinton. Homicide rates are at their lowest level in 30 years, and the overall crime rate is at a 27-year low. A report released today by the Justice Department's Bureau of Justice Statistics (BJS) builds on this record:

- **Serious violent crime is expected to fall below 3 million in 1998 for the first time since the start of the National Crime Victimization Survey in 1973;**
- **By the end of 1998, both violent and property crime rates will have fallen by well over 20 percent since 1993.**



Jose Cerda III

11/12/98 07:22:01 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

cc:

Subject: analog fees to help bring police communications into the 21st century

Side deals I'm cutting w/Michael in preparation for COPS II...I'll fill you in on Monday...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 11/12/98 07:22 PM -----



Michael Deich

11/12/98 07:21:58 PM

Record Type: Record

To: David W. Beier/OVP @ OVP

cc: Jose Cerda III/OPD/EOP

Subject: analog fees to help bring police communications into the 21st century

after speaking with jose, i think that he'll support your proposal for a 'safe cops' program that provides \$250 million annually for investments that would provide federal, state and local law enforcement with the equipment needed to operate safely in a 21st century communications environment (i need to work the fluff), and paid for with a fee on use of analog spectrum.

jose also wants an entirely separate 'cops 2' initiative. i think we all agree that if there is to be such an initiative, it should be paid for from the vcrf or from general fund -- and not from any source of funding that might be controversial.

with this clarification of jose's views, would you support the safe cops / analog fee proposal?