

THE WHITE HOUSE
WASHINGTON

March 1, 1995

MEMORANDUM FOR DISTRIBUTION

FROM: RAHM EMANUEL *RE*
BRUCE REED *B.R.*
SUBJECT: CRIME BILL PLANNING

As a follow up to the issue development meeting, we are submitting to you the general timeline, strategy, and outreach efforts for the Crime Bill.

TIMELINE

The Senate plans on reviewing the Crime Bill in Committee in mid to late March. There is an increasing view among Senate Democrats that they may totally bypass committee and take the legislation straight to the Senate Floor in one big package. This would expedite the process, while the committee mark up would delay them two to three weeks.

By mid-April, we could be in Conference on a Crime Bill. In April or May, the House will be voting on the 7th piece of the Crime Bill. This is the segment that deals with penalties for crimes committed with guns, and it will have an amendment to repeal the assault weapons ban attached to it.

There is a possibility that the Conference will not complete their action until the House votes on the repeal. It is imperative for the Republicans to finish the conference before the House votes on the 7th piece in May, if they want to avoid combining these two actions.

STRATEGY

Our first objective is to keep the Republicans from repealing the core of the President's Crime Bill -- 100,000 cops, assault weapons ban, etc. Our second objective is to delay them long enough to force them to deal with the gun wing of their party.

It is too early to tell whether the Republicans will produce a bill we can sign or dare us to veto. Most likely, they will avoid a confrontation over 100,000 cops or the gun ban, and dare us to veto a crime bill based on habeas corpus, exclusionary rule, or cuts in prevention. There are varying opinions on what the President would or should do in such a situation.

Our strategy on crime has always been to associate ourselves with police officers and police organizations. Therefore, between now and mid-May, we will need to continue to bolster this image. Following are some of the ways we plan on doing this:

- Radio Address - drugs, cops, and violence in schools.
- In late March, while the bill is in committee or on the Senate floor, the President will swear-in police officers in one of the towns that received our police grants. At this event he will give a major address on crime and 100,000 cops.
- Visit to school next week - drugs, cops, locker searches.
- Next Monday, March 13, the President will be speaking to the National League of Cities. In this speech we are recommending that he announce the "Troops to Cops" initiative. This is a program that was a major piece of what the President proposed in the campaign, it was co-sponsored by Senator Dole, and it has a strong bi-partisan commitment. At this event, he will announce that he just signed the "Troops to Cops" agreement between the Justice Department and the Department of Defense.

Some other events we should pursue include:

- A presidential event where the President lays out a big picture anti-crime initiative which would include drug legislation, standing up for our Crime Bill, and announcement of a juvenile justice summit to discuss recommendations for improving juvenile justice.
- Presidential announcement on the violence against women grant awards.
- Announcement of the head of the drug court program.
- Event with neighborhood crime watch group.

In addition to Presidential events, we are working on the following:

- USA Today is developing a story on our three strikes cases.
- We will be expediting the regulations on community notification of sexual predators.
- We are producing an op-ed for the Washington Post by the Buffalo Police Chief in Congressman Quinn's district, who fully supports the 100,000 cops program.

OUTREACH

- Drug Court judges - state by state judges are communicating to their Senators that they believe in the drug court funding in the Crime Bill.
- HHS notifying Senators of the schools and communities that have applied for grants in their state.
- Top Cop Joe Brann and John Schmidt are doing Senate briefings on the Crime bill and how it impacts their state ie. how many cops.
- Jose Cerda is organizing police groups to have districts or state visits with Senator on supporting last year's Crime Bill.
- Justice Department is also producing a study showing how the 83,000 police officers would be distributed state by state if the cops program is not repealed.

Crime Strategy memos

January 10, 1995

MEMORANDUM FOR THE ATTORNEY GENERAL AND CAROL RASCO

FROM: RON KLAIN *AK*

SUBJECT: CRIME BILL STRATEGY

With the first Congressional hearing on the 1995 Crime Bill just about one week away (January 18), we still lack closure on an overarching strategy for dealing with this legislation. Here is my latest attempt, building upon my previous memorandum (November 22), to offer a proposed strategy.

REPUBLICAN STRATEGY and TIMETABLE

The Republicans in both the House and the Senate are moving ahead toward early February floor action on a revised Crime Bill; Committee action will start later this month. While there is a chance that this early Republican effort will entail only a subset of the crime issues (both Hatch and Hyde have talked about a preliminary Crime Bill that addresses only habeas reform and death penalty procedures), we need to be prepared for dealing with the full-scale Republican proposal within the next few weeks.

To refresh your recollection, the Republican Crime Bills (now introduced in both the House and Senate, and substantially similar), change the 1994 Crime Act, by:

- (1) Eliminating the 100,000 cops program, to be replaced by a "Law Enforcement Block Grant," that localities can use to hire cops, pay overtime, buy police equipment, beef up school security, or fund citizen watch groups;
- (2) Eliminating most of the crime prevention programs, with some of the funding (about \$1 billion) moved into the "Law Enforcement Block Grant," and another chunk (\$2 billion) reallocated to prisons;
- (3) Adding tough habeas corpus and exclusionary rule reform, designed to sharply limit death row appeals, and broaden the use of illegally seized evidence in courts;
- (4) Federalizing all crimes committed with guns, coupled with stiff mandatory minimum sentences for those offenses;

- (5) Toughening truth in sentencing standards for states that want prison grants, along with limits on prisoner lawsuits; and
- (6) Adding various other provisions on victims rights and criminal alien deportation (that we generally support).

As you can see, it is no exaggeration to say that the President's program to put 100,000 more police on the streets is in substantial danger. And, as I pointed out in my November 22nd memo, there is a substantial risk that constituency groups who supported us last year -- Mayors, county officials, law enforcement officers -- will not be with us this time.

PROPOSED REVISED STRATEGY

As you may recall, in November, I proposed a strategy of:

- (1) Promising to work with the Republicans on "going forward," but vigorously opposing any efforts to "go backward;"
- (2) Thereby supporting a 1995 Crime Bill, but threatening to veto proposals to repeal the assault gun ban or the 100,000 cops program; and
- (3) Offering our own version of a 1995 Crime Bill as an alternative to the Contract Bill.

While I still would prefer to see us pursue this course, based on the negative reaction it received, I have prepared this alternative strategy instead. Under this new plan, we would:

- (1) Drawing a tough line around core principals. The President would make a public statement that he strongly opposes any efforts to repeal the tough penalties, assault weapons ban, or 100,000 cops program included in the Crime Bill. There will be no going back on these achievements.
 - We would criticize their plan for Block Grants in lieu of 100,000 cops as "Super Pork;"
 - We would seek a close alliance with law enforcement on the three core points (protecting penalties, the gun ban, and the COPS program) outlined above.
- (2) Taking a lower-key administration stand on the 1995 Bill. DoJ would submit for clearance a formal statement on the legislation. (This will be ready by Friday.) In it, we would announce our support for some elements of the new Crime Bill (e.g., victims' rights, alien deportation, tougher truth in sentencing), our opposition to other proposals (such as cuts in prevention and exclusionary rule reform), and our very strong opposition to any efforts to cross the "tough line" discussed above.

- (3) Authorizing DoJ to engage on the 1995 Bill -- but keeping the President out of the fight. With (1) and (2) in hand, DoJ would take the lead in engaging on the bill -- but the White House would largely be spared involvement.
- The Attorney General would begin meeting with pivotal House and Senate moderate Republicans.
 - We would conduct strategy meetings with House and Senate Democratic leaders.
 - We would attempt to rally constituency groups and key outside leaders in our cause.
- (4) Continuing to implement the 1994 Act. We would continue to implement the Crime Act, which will continue to build support for its current formulation. Events and announcements consistent with sound implementation of the Bill would be conducted.
- (5) Highlighting Crime Fighting as Part of the President's Middle Class Agenda. While the day-to-day engagement on the Crime Bill would be left to the Attorney General and other surrogates, the President would step up his public profile on the crime issue, by doing more "crime events" and by emphasizing crime fighting as part of the middle class agenda:
- We have already submitted eight possible Presidential events for the next eight weeks;
 - Several of the events relate to the 1994 Crime Bill, without putting the President directly into the 1995 debate (e.g., swearing-in police paid for by the Crime Bill);
 - Other events will not be Crime Bill related -- for example, issuing executive orders, meetings with federal prosecutors, and the like.
- Our middle class message cannot be complete without an aggressive Presidential focus on this leading concern of middle class Americans.

ANALYSIS OF PROPOSED STRATEGY

The above strategy is a middle ground between a more aggressive approach (on the one hand), and two more limited options (on the other).

A. More Aggressive Posture

The more aggressive approach would have more appeal to liberals in Congress, by putting our defense of prevention on an equal plane with our defense of the rest of the Bill. It would also be a frontal assault on the whole idea of an additional Crime Bill, as unnecessary in light of the 1994 Bill.

Of course, the most aggressive approach is a full-scale stand for principle, and most likely to have elite opinion support. And, as long as we care little about the final product emerging from the Hill -- or care little about having the President veto a highly-popular bill -- this is an issue on which we could side with Congressional liberals whom we will cross on other matters.

But this more aggressive approach is untenable in terms of winning in the current Congress, and out of step with the middle class agenda. Moreover, it would require far more extensive Presidential involvement to have any prospect of success.

B. More Limited Defense

On the other hand, if we were single-mindedly concerned with protecting the 100,000 cops program, than a more limited approach would be better; this approach would invest all of our resources in protecting the 100,000 cops, and would not make an effort to defend the prevention programs as well.

Such an approach would address the natural tendency of the press corps to play the fight over any Crime Bill as the Republicans being "tough on crime" vs. Democrats "fighting for prevention" -- they will be inclined to "miss" our stand for the police program, and describe us as fighting for prevention only. In response, to save the COPS program, we could focus our rhetoric clearly on that program -- making it clear that we are pushing the tougher on crime position on that issue.

However, by doing so we would abandon the crime prevention programs that we fought so hard to get, so quickly after we won them. We would be accused of lacking principles or convictions. And if we give the COPS program heightened emphasis in our effort to fight for both it and prevention, we may achieve some of what this, more stark strategy, aims at as well.

C. Remaining Detached

Finally, we could stay above the fray, saying that we supports last year's Crime Bill but do not object to Congressional efforts to improve it -- largely, staying out of the fight. This strategy would envision the President signing the Bill that Congress passes (assuming that this Bill does not include an assault ban repeal).

On the plus side, this approach does not involve taking new positions -- and thereby avoids alienating Congressional Democrats because we do not affirmatively back any changes in the Crime Bill. And it "looks presidential," because the President stays above the fray.

But if not quite a betrayal, Congressional Democrats will view this as an **abandonment** -- a repeat of our 1993 "hands off" approach to crime bills -- and it means that a repeal of 100,000 cops program and all prevention programs is assured.

Finally, and perhaps more unsatisfactorily, this approach concedes the crime issue and the Crime Bill to the GOP -- and ends with an embarrassing reversal, when the President ultimately signs the Crime Bill that Congress passes.

RECOMMENDATION

I recommend that we pursue the policy outlined above, and that a Justice Department working group be assembled to implement this strategy -- subject to coordination with the White House Domestic Policy, Legislative, and Communication offices.

Crime - Strategy memos

November 22, 1994

MEMORANDUM FOR THE ATTORNEY GENERAL AND CAROL RASCO

COPY TO: PAT GRIFFIN, JACK QUINN, RAHM EMANUEL, BRUCE REED,
MARTHA FOLEY, JAMIE GORELICK, JOHN SCHMIDT

FROM: RON KLAIN *RM*

SUBJECT: CRIME BILL "REDUX"

By now, we are all aware of the Republican proposal to revisit last year's hard-won Crime Bill. The purpose of this memorandum is to respond to Carol Rasco's request that I outline some of the choices we face in dealing with this GOP initiative, and offer some ideas about how to deal with these challenges.

INTRODUCTION: THE REPUBLICAN STRATEGY

Based on my conversations with key staff people, and a review of the draft House GOP Bill, we know the basic outline of the GOP strategy on revisiting the Crime Bill:

- They intend to move fast on the Crime Bill -- it will be one of their very first items;
- As made clearer below, their major substantive goals are abolishing the 100,000 cops program; wiping out the prevention programs; and adding "tougher" provisions on habeas reform, exclusionary rule, and criminal sentencing;
- The GOP leadership does not intend to push a repeal of the Assault Weapon Ban -- but they are probably unable to prevent their "back-benchers" from launching such an effort.

Other matters, however, remain unresolved -- and pose interesting complications:

- They are divided over whether they want to produce a bill that the President will (or must) sign -- or whether they looking to taunt him into a politically-difficult veto;
- Senate Republicans do not appear to be fully signed on to the House GOP plan -- preferring, for example, provisions that are more favorable to Governors; and
- How the GOP leadership will accommodate the press for action on an assault weapons repeal -- perhaps moving it as a separate bill intended to be vetoed -- remains unsettled.

Still, they have a basic game plan that is clear: they will attempt divide our remaining forces on the Hill with a tough-on-crime bill that slashes prevention, while also quietly taking away one of our best victories, the 100,000 cops program.

To counter this, we will need a clear and strong response. It will need to emphasize that we want to build upon last year's bill -- strengthening and improving it -- without going backwards.

And above all, our strategy needs to be cognizant of the fact that there are only two possible outcomes: the President will have to sign the bill that Congress sends him, or veto it:

- If the President sign this bill, it will outrage our core constituency in the Congress -- if this is where we are headed, posturing for their benefit along the way makes little sense (and instead, we should be looking now for ways to close the gap between us and the GOP on this issue).
- If, on the other hand, the President ends up vetoing the bill, then the fight will be over why he vetoed it -- requiring that we be highly disciplined in the early stages in saying what will or will not oppose. We cannot needlessly give the GOP the opportunity to say that the President is vetoing a "tough on crime" bill for "soft on crime" reasons.

The inevitability of this choice drives where we should stand on certain issues -- for example, on defending the most hotly assaulted prevention programs.

THE REPUBLICAN BILL

While Senate Republicans are still working, House Republicans have already produced a draft bill. Summaries and spending charts are attached; ironically, its price tag of \$29 billion is about the same as the "bloated" 1994 Crime Bill that they deemed so vastly overfunded.

The major features of the House Republican bill are:

- (1) Elimination of the 100,000 cops program, to be replaced by a "Law Enforcement Block Grant," that localities can use to hire cops, pay overtime, buy police equipment, beef up school security, or fund citizen watch groups;
- (2) Elimination of most of the crime prevention programs, with some of the funding (about \$1 billion) moved into the "Law Enforcement Block Grant," and another chunk (\$2 billion) reallocated to prisons;

- (3) Tough habeas corpus and exclusionary rule reform, designed to sharply limit death row appeals, and broaden the use of illegally seized evidence in courts;
- (4) Federalization of all crimes committed with guns, coupled with stiff mandatory minimum sentences for those offenses;
- (5) Tougher truth in sentencing standards for states that want prison grants, along with limits on prisoner lawsuits; and
- (6) Various other provisions on victims rights and criminal alien deportation (that we generally support).

All of the above are fairly obvious and self-explanatory, except perhaps the first -- the elimination of the 100,000 cops program.

The Republicans' goal here is purely political and tactical: to take away the clearest, best "Clinton achievement" on crime, and to deprive the President of the opportunity to award communities all over this country their share of the 100,000 new police officers.

Their method is fairly clever: by moving police hiring funds into a new block grant, Republicans are selling the mayors on the idea that they will get all the cops money we would give them -- but with no requirement that it be matched, or that the funds be used to hire police.

Thus, many mayors will support the GOP package in lieu of the 1994 Crime Bill, because the burden on the mayors is lesser (no match), the funds more flexible, and the total funding roughly equal to what they actually expect to see appropriated for COPS and crime prevention. Police groups may also support the GOP, as they prefer having more money for overtime and equipment for existing cops, rather than our plan to hire new police. Many Democratic Members of Congress, will, in the absence of leadership from us, go the way of the Mayors. Moderate Republicans were pushing this idea last year; they, too, are very likely to line up behind it now.

In sum, the 100,000 cops program is substantially at risk from the Republican proposal. Our only chance to save it is a strong, public, confrontational "line in the sand" message from the President of the following sort:

"Congress passed the 100,000 cops program last year, and I signed it: that is my 'contract with the American people.' I will fight against -- I will veto -- any bill that repeals my guarantee of 100,000 new police on our streets."

To wage this fight, we will need to attack the Republicans hard for playing politics with the 100,000 cops and for passing out "pork" to mayors -- focusing our efforts on saving the COPS program, as opposed to all of the crime bill programs (i.e., crime prevention).

The natural tendency of the press corps will be to play the fight as the Republicans "tough on crime" vs. Democrats "fighting for prevention" -- they will be inclined to "miss" our stand for the police program, and describe us as fighting for prevention only. In response, to save the COPS program, our rhetoric must focus clearly on that program -- and to make it clear that we are pushing the tougher on crime position on that issue.

This will be hard. We will have few Congressional Democrats, few mayors, few police groups, on our side. But if we really care about saving this program, it will take a focused and disciplined effort to be successful.

REPEAL OF THE ASSAULT WEAPON BAN

One issue not included in the Republican bill is a repeal of the assault weapon ban: their leadership wants to get the focus off this issue, which divides their party as it does ours. But notwithstanding the desire of the GOP leadership to make this issue go away, we all know that a large share of their rank-and-file -- and some of their key constituencies -- are going to demand action on repealing the gun ban.

We can expect floor amendments in the House and Senate to repeal the gun ban -- and those measures will probably pass in both chambers, given their new line-ups. While some Senate Democrats may be inclined to filibuster to save the gun ban, this particular use of that device might play into Republican hands.

Given that, we are probably looking at an assault weapon repeal making it to Conference -- with the Republicans forced to choose between including it in their Crime Bill (which presumably gives the President a solid basis for vetoing the bill), or sending it as a separate bill to the President (which the NRA views as a sell-out). Rep. Gingrich favors this second course -- i.e., let the Members vote, and make the President veto it, without allowing the assault weapon issue to derail the GOP Crime Bill -- but where it will come out, is still unclear.

OUR STRATEGIC POSTURE

In light of all of this, it seems to me that we have four strategic options:

(1) Avoid Intensive Engagement. The President could stay above the fray, saying that he supports last year's Crime Bill but does not object to Congressional efforts to improve it -- largely, staying out of the fight. This strategy would envision the President signing the Bill that Congress passes (assuming that this Bill does not include an assault ban repeal).

- Pro
- Does not involve taking new positions -- avoids alienating Congressional Democrats because we do not affirmatively back changes in the Crime Bill;
 - "Looks presidential" -- the President stays above the fray;
 - Allows the President to sign a bipartisan, tough-on-crime bill in the end.

- Con
- If not quite a betrayal, Congressional Democrats will view this as an abandonment -- a repeat of our 1993 "hands off" approach to crime bills;
 - Means that a repeal of 100,000 cops program and all prevention programs is assured;
 - Concedes this issue and the Crime Bill to the GOP.

(2) Support "Going Forward," Contest "Going Back". A second approach would be to welcome Republican efforts to build on last year's Crime Bill, but to vigorously oppose -- even with a veto threat -- proposals that would tear down what has been accomplished. Specifically, I would propose two "lines in the sand" -- a veto threat of any bill that would: (1) eliminate the guarantee of 100,000 new cops; and (2) eliminate the assault weapon ban.

- Pro:
- Best chance for saving the 100,000 cops program;
 - Shows the President standing up for his core beliefs and his core achievements;
 - Stands behind last year's achievements;
 - If the bill passed by Congress preserves 100,000 cops and the gun ban, the President has a "win" when he signs the new Crime Bill.

- Con:
- Congressional liberals will resent selective use of Presidential power -- they will want all crime bill programs protected by veto threat;
 - May provoke bitter confrontation with Republicans -- they may call our "bluff" just to see if the President will veto a "tough on crime" bill;
 - Conservative democrats will probably resent another high-profile focus on assault weapons.

(3) Vigorous Defense of Last Year's Bill. The third strategy is a broader version of the second -- to extend the "forward only, no going back" formulation to the whole of last year's crime bill, including the prevention programs.

Pro:

- Provides a strong, full defense of "what we believe in" -- looks principled;
- Best chance of support from elite media;
- Most appealing to our base in Congress -- and to Mayors and local officials.

Con:

- This leaves us defending some unpopular programs;
- It makes it very hard for moderates -- both Democrats and Republicans -- to rally behind us;
- It is certain to provoke a bitter confrontation with Republicans in Congress.

(4) Offer New Crime Legislation Building Upon Last Year's Bill. This final possibility is consistent with the second; i.e., we could draw some "lines in the sand" about what we will oppose, while also proposing a new bill that would indicate some ideas about how to "move forward."

Pro:

- Allows us to be "for" something, and not just "against" their proposal;
- Gives us a vehicle to rally Congressional moderates and Mayors to our cause;
- Makes the ultimate product from Congress (which would probably reflect a mix of our stuff and the GOP bill) a "win" on a new bill that the President wanted, rather than a repeal of last year's bill.

- #1 issue in Country - can't sit on our hands
- #1 issue for Dems in Congress, too
(bidding war continues)

Con:

- Any compromises proposed in the bill (e.g., prevention cuts) will be seen as selling out;
- Our centrist bill may lack Congressional support: it will be too conservative for Democrats, too liberal for Republicans;
- Anything we do just moves the Republicans further to the right in an effort to "outbid" us.

My personal view is that we should combine "(2)" and "(4):" the President should say that he will fight any bill that goes backwards (including a veto threat on COPS and assault weapons), while offering a constructive proposal for moving ahead.

OUR NEW BILL

Attached is a very, very rough outline of a possible new Crime Bill -- one that builds upon the foundation of last year's bill. Also attached are comparison charts of (a) last year's bill to (b) the GOP 1995 Bill, and to (c) our possible 1995 bill.

Among the major features of our bill would be:

- Law Enforcement: We would keep the 100,000 cops program; double the Police Corps program; add 4,000 new police for schools that want cops in the halls; and allow local governments to use crime prevention funds to pay their share of the local match for police hiring grants.
- Prisons: We would require states that want prison grants to abolish parole and have pre-trial detention for violent offenders. We would provide \$700 million to build facilities to house violent juveniles.
- Prevention: Ten crime prevention programs would be combined into one crime prevention block grant; we would simplify the after-school programs; and mandate a review of crime prevention programs for further streamlining. (Prevention funding would be cut by \$1 billion to fund the new spending proposed above).
- Habeas Reform, Exclusionary Rule: We would provide alternatives to the Republican proposals in these areas.
- Anti-Gang Efforts: In addition to the violent juvenile incarceration plan, we would also hit at gangs with new penalties and new authorities to prosecute violent kids as adults.
- Victims' Rights, Criminal Aliens: We would meet the Republican proposals in both of these areas.
- Drug Court Improvements: While preserving Drug Courts, we would allocate half of the funding for drug prosecution -- at present, all of the funding is for drug treatment.
- Terrorism, Public Corruption, Sexual Assault: Unlike the Republican bill, our bill would have provisions attacking all three of these problems.

Again, a brief outline is attached (we have a longer, 20-page outline available as well), along with comparison charts and costing figures. Note that by allowing local communities to use crime prevention funds to pay for their "COPS match," our bill may neutralize the appeal of the GOP's new block grant program to the mayors.

COMMUNICATIONS PLAN

Assuming internal agreement on a proposed strategy, and some version of the legislation outlined above, we would begin to quietly rally Hill Democrats and moderate Republicans to our effort; next we would reach out to police groups, elected officials (mayors, governors), and prosecutors.

Once necessary consultations are moving along, we would undertake the following communications plan to "roll out" our new positions and proposals:

- Early December: At the ceremony announcing the head of the COPS program and grants for the next 4,000 police officers (under COPS AHEAD), the President would draw the "line in the sand" -- a pledge to fully fight any effort to repeal the 100,000 cops program to the assault weapon ban.
- Mid December: The President would unveil his proposed 1995 Crime Bill at a White House event. We would solicit officials from both parties to attend in support.
- Mid December: At this point, we would be ready for the President to receive the U.S. Attorney "Kids and Guns" plans, reminding the public that enforcement of the Crime Bill is underway -- and that the Bill contained many useful provisions.
- Early January: By early next year, we will be ready for the President to announce awards of 3,000 police to smaller towns under COPS FAST. (About 12,000 of the 100,000 cops will have then been awarded.) He would use this event to reiterate the "line in the sand" and his support for his new Crime Bill.
- Late January: From the White House, the Attorney General would brief on the status of Crime Bill implementation. The briefing would emphasize accomplishments to date on COPS, on enforcement of laws like "three strikes," and on the bill's other provisions.
- State of the Union: The new Crime Bill would be part of the President's proposed 1995 legislative agenda. He would call on Congress to join him in a bipartisan effort to build upon the success of the 1994 bill -- without going backwards on the achievements of that legislation.

Again, many more events and possibilities can be added. But the goal is clear: to assert ourselves strongly and affirmatively on this issue -- defending our achievements of last year while also building upon them in the year ahead.

and Schools

OUTLINE OF THE "SAFER STREETS ACT OF 1995"

The following is an outline of possible anti-crime legislation for next year:

I. STATE AND LOCAL LAW ENFORCEMENT

This title would strengthen aid to state and local law enforcement by: (1) launching an expanded Police Corps program, with funds transferred from crime prevention; (2) providing 4,000 new police to be sent to schools that want officers; and (3) protecting under federal law all state and local cops who are aiding in federal investigations. (State and local law enforcement would also be aided by a new provision, in Title IX, to allow crime prevention funds to pay for the "local matching share" of police hiring grants.) This section would also exempt law enforcement agencies from the mandatory retirement laws.

II. VICTIMS' RIGHTS

This title would require all violent criminals to be ordered to make full financial restitution to their victims. Such orders of restitution would be mandatory in all cases.

III. ANTI-GANG AND YOUTH VIOLENCE ACT

This proposal steps up the attack on gangs and youth violence, by: (1) authorizing severe penalties for violent crimes committed as part of a criminal street gang; (2) lowering the threshold to age 13 for discretionary transfer to adult prosecution for violent felonies; (3) adding serious juvenile drug offenses as predicate offenses under the Armed Career Criminal Act; and (4) adding other provisions to crack down on violent juvenile offenders.

IV. ANTI-SEXUAL ABUSE AND CHILD PORNOGRAPHY ACT

This title would amend federal law to make it clear that cases involving importation of child pornography by computer are also covered. It would also provide for HIV testing of sexual abuse defendants (with disclosure of the test results to the victim).

V. PRISONS AND CORRECTIONAL FACILITIES

This title would contain several provisions to improve on last year's Crime Bill:

- Tougher Truth in Sentencing: ^{for violent offenders} The bill would limit one-half of all prison grant funds to states that abolish parole, and have pre-trial detention for violent offenders.
- Violent Youth Incarceration: Like the Republican bill, this bill would re-allocate \$700 million from crime prevention programs to prison programs. But in this bill, these reallocated funds would be used for constructing special prison facilities to house violent juveniles.

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- Limits on Prisoner Lawsuits: The bill would impose further limits on prisoner lawsuits that establish population caps for prisons.
- No Frills in Prison: The bill would also prohibit the use of federal grant funds to support any facilities with inmate accommodations beyond "bare bones" -- beyond those facilities essential to sound correctional management and legal requirements.

BOOKS?

VI. HABEAS CORPUS REFORM

This title would contain the habeas corpus reform provisions endorsed by the administration last year -- provisions developed in cooperation with the National District Attorneys Association and the State Attorneys General. In brief, these reforms would limit death row inmates to a single habeas petition -- to be filed within strict time limits -- while providing such inmates with competent counsel to assist in preparing this single filing. The goal is to make the death penalty appeals process faster, without sacrificing fairness.

Oppose RJA?

COST?

VII. DRUG CONTROL AND DRUG COURT IMPROVEMENTS

This title would: (1) authorize civil penalties and injunctive relief against sellers of drug paraphernalia; and (2) improve the process for taking assets seized from drug dealers and transferring them to law enforcement. The title would also improve the Drug Courts program by: (1) devoting half of all funds to the prosecution of drug offenders -- not just for rehabilitation programs, and (2) providing funding to support rehabilitation programs in which supervision is provided by prosecutors, in addition to judge-supervised programs.

VII. Exclusionary
→ Stop + Frisk

IX. CRIME PREVENTION IMPROVEMENTS

This title would improve and simplify last year's Crime Bill in several respects:

- Consolidation into Block Grants: The bill consolidates 10 separate programs from last year's bill into a single block grant crime prevention program. Total prevention funding is trimmed by \$1 billion to fund the expanded Police Corps; Cops in Schools; and the new Youth Incarceration Program. After the consolidation, only six crime prevention programs would remain: the Block Grants, Violence Against Women, After-School Programs, Drug Courts, Drug Treatment in Prisons, and the Local Partnership Act.
- Cops on the Street: The bill also allows local governments to use block grant funds (or funds under the Local Partnership Act) for putting more police on the streets.
- Simplified After-School Program: Last year's two after-school programs would be consolidated into a single, simple program to keep schools and churches open after school and on the weekends.

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- Further Consolidation: The bill would also direct the President's Prevention Council, chaired by the Vice President, to study all federal crime prevention programs, to determine where further consolidation is possible.

IX. TERRORISM

The bill would contain a number of provisions to crack down on terrorism, including: (1) broader jurisdiction over terrorists off-shore; (2) a repeal of restrictions on FBI investigations of those who provide material support to terrorists; (3) new jurisdiction over terrorist offenses on foreign ships; and (4) procedures to make the deportation of alien terrorists easier and faster. [This would need to be harmonized with the Anti-Terrorism legislative package that is being developed.]

X. PUBLIC CORRUPTION

This title would incorporate important reforms to strengthen federal public corruption laws. The Senate has passed these provisions in its 1993 Crime Bill.

XI. CRIMINAL ALIENS

This provision will increase the penalty for smuggling aliens into the United States -- and make it easier to deport those aliens who commit crimes here.

XII. DEATH PENALTY IMPROVEMENTS

This section would strengthen the death penalty procedures enacted in the Crime Bill. It would also make "use-of-a-firearm" an aggravating factor in death penalty cases.

XIII. EXCLUSIONARY RULE REFORM

This section would insure that there can be no judicial tampering with decisions that provide law enforcement with a "good faith" exception to the exclusionary rule for cases involving reasonable reliance on a warrant.

Stop + frisk

XIV. GENERAL CRIMINAL JUSTICE IMPROVEMENT PROVISIONS

This title will include a wide array of provisions designed to strengthen our attack on violent crime.

**CRIME BILL COMPARISON:
VCCA vs. '95 GOP BILL vs. '95 ADMINISTRATION BILL**

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ISSUE	VCCA	1995 REPUBLICAN BILL	1995 ADMINISTRATION BILL
POLICE			
Putting More Police on the Street	Puts 100,000 cops on the streets of America for community policing; evenly divided between large and small towns.	Replaces the community police hiring program with a new "law enforcement block grant," eliminating any assurance that any new police will be hired.	Retains & boosts 100,000 cops program by allowing local governments the option of using prevention monies for local police hiring match.
Combatting Gangs	Continues Byrne Grant funding of gang task forces and coordinates federal law enforcement agencies in fighting gangs.	No Provision	Creates federal jurisdiction over certain gang-related crimes.
Increasing Law Enforcement to Promote the Security of Our Children	Creates a permanent task force of federal law enforcement agents to assist in the most difficult missing and exploited children cases.	Allows block grants to be used for school safety programs.	Allows block grants to be used for school safety programs and also funds hiring of 4,000 additional police to patrol in and around schools.
Enhancing Police Recruitment	Allows established community organizations to help recruit qualified applicants to their local police departments.	Abolishes the Police Recruitment program.	Retains the Law Enforcement Recruitment program and realigns it under the crime prevention block grant.
Police Corps	Creates a scholarship and training program similar to ROTC that provides incentives for qualified college students to work in law enforcement after graduation.	No Provision	Doubles the five year funding of the Police Corps.
Exclusionary Rule	No Provision	Provides that evidence shall not be excluded from use if it was obtained in circumstances justifiably believed to be in conformity with the fourth amendment and does not allow evidence to be excluded unless exclusion is expressly authorized by statute or a rule prescribed by the Supreme Court.	Codifies the exception to the search and seizure rule for cases involving reasonable reliance on a warrant.

ISSUE	VCCA	1995 REPUBLICAN BILL	1995 ADMINISTRATION BILL
PUNISHMENT			
Habeas Corpus Reform	No Provision	Creates time limits for state habeas filing; authorizes appellate judges to issue certificates of probable cause for appeal in federal habeas cases; requires a circuit judge-issued certificate of probable cause for appeal before the case may proceed; provides state courts discretion to deny habeas applications despite failure to exhaust state remedies; creates a filing time limit for collateral remedy in federal courts; establishes counsel appointment, qualification, and compensation standards for state capital cases; creates limits on stays of execution and successive petitions; establishes standards for the scope of federal habeas review.	Establishes time limits for federal habeas filing; creates statutory standards for federal habeas review; limits second and successive federal habeas petitions; creates "actual innocence" claims standards in federal habeas review of capital cases; establishes counsel appointment, qualification, certification and compensation standards for state capital cases; equalizes funding for prosecution and defense in federal habeas litigation in capital cases; and authorizes grant funds to aid states in meeting increased counsel requirements for capital cases.
Death Penalty Procedures	Establishes procedures to effectuate about 50 new and existing capital offenses.	Calls for reforms in federal death penalty procedures.	Improves and strengthens federal death penalty procedures.
Increasing Prison Space	Locks up criminals by providing approximately \$8 billion in new funding for prison and boot camp construction.	Shifts over \$2 billion from prevention programs to prison grants.	Adds \$750 million more for prisons to hold violent juvenile offenders.
Encouraging Truth-in-Sentencing	Conditions 1/2 of funds on meeting Truth-in-Sentencing requirements.	Tightens standards for the general Truth-in-Sentencing grant program and limits program eligibility.	Requires abolition of parole and mandatory pretrial detention of dangerous defendants as conditions for Truth-in-Sentencing incentive grants.

ISSUE	VCCA	1995 REPUBLICAN BILL	1995 ADMINISTRATION BILL
Stiffening Punishment for Young Offenders	Sends a clear message to young would-be criminals by providing funds to states and localities for punishment of young offenders; allows children down to age 13 to be tried as an adult for certain violent crimes; and creates supplemental penalties for gang-related crimes.	No Provision	Broadens the range of offenses for which juveniles may be tried as adults; makes serious juvenile drug offenses subject to the Armed Career Criminal Act; creates new severe penalties for gang-crimes; and eases restrictions allowing the use of juvenile criminal records on first adjudication of a serious violent crime or drug trafficking law.
Serious Punishment for Sex Crimes	Increases federal penalties and defines available restitution for sex crimes.	No Provision	Requires HIV testing of sex offenders and investigates tougher penalties for HIV positive sex offenders.
Victims' Rights of Allocation and Restitution	Provides for victim's right of allocation in sentencing.	Expands victims' right to mandatory restitution to all offenses under federal criminal code.	Expands victims' right to mandatory restitution to all offenses under federal criminal code (same).
Drug Courts	Eases the load on state criminal justice systems by providing over \$1 billion in funding for states, state courts, local courts, local governments, and tribal governments to create drug courts for non-violent offenders.	Repeals Drug Courts.	Allows up to half of drug court money to be used for specialized drug prosecution courts and allows prosecutors to supervise drug court type programs.
Toughening Drug Laws	Increases penalties for using children to distribute drugs near schools and playgrounds; increases penalties for selling drugs near public housing; and creates new penalties for advertising illicit drug transactions.	No Provision	Enhances penalties for lesser drug crimes by authorizing civil penalties for drug paraphernalia violations.
Supporting State and Local Prosecutors	Aids overburdened state and local prosecutors by providing about \$50 million community-based justice programs.	Abolishes Community-Based Justice Grants for Prosecutors	Retains this program of aid to prosecutors.
Meaningful Gun Laws	Bans the manufacture, transfer, and possession of certain assault weapons; continues funding for the Brady Law; and creates new offenses for the possession of a handgun by a juvenile.	Calls for mandatory sentencing for certain crimes in which a gun is used.	No Provision
Stopping International Child Pornography Trafficking	Establishes tougher penalties for persons engaging in international trafficking in child pornography.	No Provision	Tightens loopholes in U.S. Code to crack down on importation of electronically depicted child pornography.

ISSUE	VCCA	1995 REPUBLICAN BILL	1995 ADMINISTRATION BILL
Cracking Down on Terrorism	Aids federal prosecutors by extending the statute of limitations for certain terrorism offenses and allows the admittance to the U.S. of aliens with reliable information about terrorist organizations.	No Provision	Repeals restrictions on Material Support of Terrorism Investigations; reforms procedures for removal of alien terrorists to avoid compromising federal terrorism cases; and clarifies U.S. criminal jurisdiction in the extended territorial sea.
Getting Hate Crimes	Creates stiffer penalties for hate crimes.	No Provision	Makes procedures and standards for hate crimes sentencing enhancement consistent with other sentencing enhancement factors.

PREVENTION

General Crime-Prevention Initiatives	Authorizes over many new crime prevention grant programs, totalling \$7 billion administered by different federal agencies.	Cuts nearly \$5 billion from prevention programs and shifts resources to prison and law enforcement grants.	Combines ten separate prevention programs into this block program (see below) and reduces crime prevention funding by \$1 billion.
Crime-Prevention and Coordination	Funds various proven crime-prevention programs and coordinates other programs authorized by the VCCA	Abolishes Prevention Council.	Mandates Crime Prevention Council to examine consolidation of prevention programs.
After School Programs	Creates two new programs to fund after school programs for young people.	Abolishes these programs.	Consolidates the two into a single youth supervision/early intervention program; streamlines procedures.
Local Crime Prevention Block Grants	Establishes a formula block grant program for local governments for specific crime prevention purposes.	Transfers funding from this program into the new law enforcement grant program.	Retains this program and consolidates several VCCA prevention programs in this block grant.

IMMIGRATION

ISSUE	VCCA	1995 REPUBLICAN BILL	1995 ADMINISTRATION BILL
Getting Tough on Illegal Aliens	Stiffens penalties for alien smuggling, failing to depart or reentering after deportation, and passport and visa violations.	No Provisions	Increases penalties for alien smuggling.
Deportation of Criminal Aliens	Creates new deportation procedures for criminal aliens.	Calls for new deportation procedures for criminal aliens.	Calls for new deportation procedures for criminal aliens (same).

Crime Bill Comparisons
Total Authorized Funding
(Dollars in thousands)

11/22/94
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Violent Crime Control and Law Enforcement Act of 1994		Taking Back Our Streets Act of 1995	
Title	Total Authorization	Title	Proposed Changes Total Authorizations
DEPARTMENT OF JUSTICE			
Public Safety and Policing			
Community Policing: "Cops on the Beat"	\$8,800,000	Community Policing: "Cops on the Beat" Law Enforcement Block Grants	(\$8,800,000) 0 10,000,000 \$10,000,000
Prisons			
Correctional Facil./Viol. Offender Incarceration Grant	7,895,000	Correctional Facil./Viol. Offender Incarceration Grants Truth In Sentencing Grants	(7,895,000) 0 10,499,600 10,499,600
Certain Punishment for Young Offenders	150,000		150,000
Incarceration of Undocumented Criminal Aliens	1,800,000		1,800,000
Crime Prevention			
Crime Prevention Grants (misc.)	1,222,300	Crime Prevention Grants (misc.)	(1,222,300) 0
Substance Abuse Treatment in Federal Prisons	112,500		112,500
Res. Substance Abuse Treatment for State Prisoners	270,000		270,000
Treatment of Tuberculosis in Correctional Institutions	5,000		5,000
Violence Against Women	1,010,200		1,010,200
Drug Courts	1,000,000	Drug Courts	(1,000,000) 0
		Criminal Alien Tracking Center	13,000 13,000
Criminal Aliens & Immigration Enforcement	1,191,400		1,191,400
Other Law Enforcement	241,000		241,000
Federal Law Enforcement	644,000		644,000
Police Corps & Law Enforcement Off. Trng. and	200,000		200,000
State and Local Law Enforcement	1,527,700		1,527,700
Senior Citizens Against Marketing Scams	20,000		20,000
Subtotal, Department of Justice	26,089,100	Subtotal, Department of Justice	1,565,300 27,684,400
OTHER DEPARTMENTS:			
Courts			
Education & Training for Federal Judges:	700		700
Additional Appropriations	200,000		200,000
Education/HHS			
Family & Comm. Endeavor Schools Grant Program	810,000	Family & Comm. Endeavor Schools Grant Program	(810,000) 0
HHS/HUD/Interior			
Prevention Grants	2,468,000	Prevention Grants	(1,894,500) 573,500
Interior/Transportation			
Capital Improvement to Prevent Crime	35,000		35,000
Nat'l Commission on Crime Control & Prevention	1,000		1,000
State Justice Institute			
Equal Justice of Women in the Courts: Training Gra	600		600
Treasury			
Gang Resistance Education & Training Projects	45,000	Gang Resistance Education & Training Projects	(45,000) 0
Rural Drug Enforcement Training: FLETC	5,000		5,000
Additional Appropriations	550,000		550,000
Subtotal, Other Departments	4,115,300	Subtotal, Other Departments	(2,749,500) 1,365,800
Total, Crime Bill	30,204,400	Total, Crime Bill	(1,154,200) 29,050,200

Crime -
Strategy memos

September 15, 1994

MEMORANDUM FOR LEON PANETTA

FROM: RAHM EMANUEL
BRUCE REED
RON KLAIN
JONATHAN PRINCE

SUBJECT: Crime Planning

As the President has directed, we have prepared a framework for the next phase of the President's participation in the fight against crime and violence. It is designed to demonstrate 4 things:

Crime and violence continues to have the President's complete attention;

The Crime Bill is working; and

The President is building on it with additional measures that are also

Firmly rooted in the values of the American people.

ONGOING

First Three strikes prosecution. DOJ has established an alert system to notify us as soon as a U.S. Attorney is ready to go with the first three-strikes prosecution. The Attorney General will make some sort of public statement, either through her press conference or otherwise.

First Assault Weapons Ban prosecution. We have a similar notification system for the first prosecution of illegal sale or possession of one of the 19 assault weapons. This probably merits a statement by the President as well as the AG.

Surprise visit to Police Station. During some trip in the near future, the President should make an unscheduled visit to a police station or community policing headquarters -- similar to the trip to the fire station he took with Mayor Giuliani.

POLICE AND IMPLEMENTATION ROLLOUT

Top Cop. Rose Garden announcement of the 100,000 cops program

Lower
EXPECTATIONS

administrator. The chief cop should be prepared to demonstrate convincingly how he is going to get these cops on the street as soon as possible -- the equivalent of the Schwartzkopf this is exactly how we're going to win the Gulf war briefings. *First week of October.*

First Awards. Almost immediately afterward, the Top Cop should be back in the Rose Garden with the President announcing grant awards to 300 cities who applied for funds last year. *First week of October.*

PHS Heroes. As demonstrated by the story Senator Sarbanes told the President, police officers we have put on the street are already making a difference. We should bring a number of "PHS Heroes," from targeted districts as much as possible, to the White House to recognize their achievements and to demonstrate the effectiveness of our community policing program. *Second week of October.*

Police Chiefs. The International Association of Chiefs of Police is meeting in New Mexico -- *over 7,000 police chiefs in one place.* This is an enormous opportunity for the President to demonstrate his continued public involvement on this issue. Keep in mind that these people are among the most important local validators to be found. *Mid October.*

Cabinet Swearing-in. Sometime in October, the President, Vice President, and Cabinet Members should fan out to swear in PHS officers around the country. We need to pick a date far enough in the future to allow Justice to find enough communities, again, targeted as much as possible, to hold swearings-in for that date -- and then we need to stick to the date. *October.*

JUVENILE GUN BAN

Endorse Feinstein-Dorgan Zero Tolerance Amendment. This provision would require the expulsion of students who bring guns to school. Bruce is currently completing the vetting of the amendment and determining how long are window on this lasts. *Late September, early October.*

IMMIGRATION

Incarceration Grants. About 90% of the money in the Crime Bill to help states incarcerate illegal aliens goes to five states. The President and Vice President should each go to a different state on the same day and present the governor or other appropriate official with a check. CA - Feinstein; TX - Richards; FL - Chiles; New Jersey - Lautenberg; New York - Cuomo. *Mid to late October.*

VIOLENCE AGAINST WOMEN

Appointment of Advisory Task Force. The Attorney General will appoint an implementation task force in mid-October, and follow that appointment with a briefing room appearance. *Mid October*

Implementation plan. The task force should have an implementation plan ready soon after appointment; this should be provided exclusively to a major news outlet. *Late October*

KLAAS-SPOSATO

Domestic Security Council. Marc Klaas and Steve Sposato should be appointed to some sort of presidential advisory council on crime and violence. They are tremendously effective spokesmen for the victims of crime -- as well as powerful examples of the effect people can have when they get involved in the fight against crime. Perhaps this announcement could take place during the President's California trip. *October.*

FORUMS

First Forum. The President and Vice President have indicated they want the first forum to be held before the end of October. We are convening a group early next week to develop a recommendation. *Before October 31.*

By
Oct. 25

America's Most Wanted. America's Most Wanted has a standing invitation to host a town meeting with the President. This would be particularly good after we have some tangible results (like a 3Xs prosecution) to speak of. *Mid November.*

Second Forum. Not a major city, but somewhere that demonstrates the pervasiveness of the problem -- and the broad scope of our attention to it. (e.g. Rochester, NY) *Late November, early December.*

Klaas Forum. Marc Klaas has invited the President to a forum in California. *February, 1995.*

VALUES

White Church. Sometime during the holiday season, the President should deliver a major speech focusing on community, responsibility, and family at a suburban, middle-class church. This would also be a good time for the President to talk about domestic violence. *Early to mid December.*

TV Violence. We need to determine an appropriate mechanism for the President to reiterate the need for cultural outlets to provide positive role models.

OUTSTANDING

Racial Justice. We must determine the appropriate time to issue the President's directive to the Attorney General and the corresponding policy statement.



**OFFICE OF THE ATTORNEY GENERAL
FACSIMILE TRANSMITTAL COVER SHEET**

DATE: 8/15

TO: Pat Griffin, Karen Hancox, Bruce Reed

FACSIMILE NO. _____

TELEPHONE NO. _____

FROM: Hon. Clair

FACSIMILE NO. (202) 514-9077

TELEPHONE NO. (202) 514-6909

NUMBER OF PAGES INCLUDING COVER SHEET _____

COMMENTS:
100,000 - cops

August 15, 1994

MEMORANDUM FOR LEON PANETTA

FROM: RON KLAIN AND RAHM EMANUEL

SUBJECT: CRIME BILL COMPROMISES

We face five choices: (1) press ahead for a re-vote; (2) seek a vote on a modified rule, without changing the Bill; (3) announce some non-legislative compromises; (4) make legislative changes through vehicles other than the Crime Bill; (5) seek to change the Crime Bill itself.

I. ANOTHER VOTE ON THE RULE

We all agree that the simplest option -- and the best, if we could win -- would be to re-vote on the Rule. Victory on this vote would demonstrate Presidential strength and leadership; it would be a victory for his program over special interest and partisan opposition.

Targets for vote changes fall into three groups:

- Republican Moderates: We need to hold our 11 votes, and win some of the 19 pro-Crime Bill, pro-assault weapon ban Republicans. We are working on both direct lobbying and media strategies to win these converts.
- CBC Members: There is less potential here than widely believed. But Rep. Lewis may be gettable in a one-on-one with the President; other targets are Reps. Fields, Waters and Washington.
- Southern Democrats: Finally, we need to go back through the other 48 Democratic defectors, and continue to work them. Perhaps the President could address the Democratic caucus, or bring these members down to the White House for a meeting.

In sum, if we can hold our 210 votes, we need 8 new votes from these three groups. Pulling over 4 Republicans, 2 CBCers, and 2 Southern Democrats should be realistic.

II. MODIFIED RULE

A second option is to modify the Rule only, but not the Bill. The logical modification would be to permit two motions to recommit:

- One would be the previously planned Republican motion to recommit based on the prevention programs;
- The new, second motion to recommit would be assault weapon ban related.

Such a move would accommodate the oft-heard request of assault weapons opponents to "give them another gun vote." But it does give us two tough votes to defend -- and losing either one of these votes returns the Bill to Conference, with an uncertain fate.

As it stands, winning the single motion to recommit allowed under last week's Rule was going to be hard enough. Winning both may be impossible. But, if we are willing to risk it, this would certainly give cover to pro-NRA Democrats who want to come our way.

III. NON-LEGISLATIVE CONCESSIONS ON THE ISSUES

There are two areas where Crime Bill opponents are attacking the Bill: (1) prevention spending and (2) the assault weapons ban. There are some non-legislative concessions we can make in either area.

1. Defer Prevention Spending Until After GAO Review

As it stands now, the Bill's prevention spending is extremely "back-loaded": only \$1.2 billion of the Bill's \$7.7 billion for pure prevention and drug courts is authorized for FY95 and FY96 -- i.e., by the end of September 1996. Actual appropriations for these purposes is likely to be about \$900 million in these two years.

Thus, the President could publicly state that he will hold in abeyance, for two years, almost \$7 billion of the \$7.7 billion for these prevention until a GAO study of the effectiveness of such programs is complete. Or he could promise a 1996 review and reconsideration of these spending programs.

While such a pledge would anger CBC members -- and also risks conceding the point that the programs are "pork" -- such a promise is actually a very minor concession, and could be cover for Members who want to be supportive.

2. "No More Gun Control" Pledge

With respect to the second issue, the President could pledge a moratorium on his support for any further gun control legislation until some date in the future.

For example, he could promise to withhold any further gun legislation for a year, to measure the effectiveness of the Brady Bill and the Assault Weapon Ban. Such a concession, again, costs us little in actuality (as it is unlikely that additional gun control measures will pass the Congress in the next 12 months), and may help win over Southern Democratic votes. While this pledge will anger the Bradys and Congressional gun control proponents, we can probably work with them to minimize their discontent.

IV. SEPARATE LEGISLATIVE CHANGES

Again, our focus here is on the two major disputed issues -- prevention and guns -- where separate legislation (i.e., Bills other than the Crime Bill itself) could be moved in exchange for passage of our Crime Bill.

1. Stand-Alone Prevention Cut Bill

The first possibility would be to pass the Crime Bill, but move immediately with a stand-alone Bill to cut some of the prevention programs. With all of the arguable prevention programs included, the total of such programs is \$8.6 billion; a 20% cut in such programs (or \$1.7 billion) could be a reasonable compromise.

While this Bill would anger the CBC, the impact of such cuts could be mitigated by backloading them into FY98-00 (when \$5.2 of the \$8.6 billion is scheduled to be spent), meaning that very little impact of the cuts would be felt before October 1, 1997.

Two different options, for cuts at three different levels of reduction (\$1 billion, \$2 billion, and \$3 billion), are attached to this memorandum. As explained below, proportional cuts are probably the best way to go, if cuts are to be made.

2. Stand-Alone Assault Weapon Ban Modification

A second option is to accelerate legislation that Chairman Brooks plans to move in any event: a stand-alone bill to cut back on the assault weapon ban. The substance of this bill could be one or more of the three potential changes in the gun ban discussed below in Section V.B.

A difficult issue about such a bill would be the question of the President's position on it. Would he pledge to help pass the Bill -- or would he oppose it? If he opposes this bill, would the President commit to sign it nonetheless (if it passes) -- or would he veto it?

In the end, this option is fairly unattractive because (unless this repeal bill dies in Congress), it involves,

ultimately, the President signing legislation to put killer assault weapons back on the street, after having signed a bill to remove them.

3. Sexual Predators and Other Minor Changes

Finally, we could look to put small modifications on other vehicles moving through the Congress. For example, the sexual predators provision sought by New Jersey Republicans could be allowed to remain on the DoD Authorization Bill (to which Sen. Dole attached it in the Senate).

If we could identify a few minor fixes like this, and then move them quietly along on other vehicles in exchange for Crime Bill commitments, we might be able to get our eight votes this way, without a highly-visible "compromise" on either of the two major issues.

V. CHANGING THE CRIME CONFERENCE REPORT

Finally, we reach the last of the possibilities -- changing the Crime Conference Report itself.

A. Prevention Programs

Obviously, the "change" at issue here is cutting crime prevention funds. Attached is a chart that proposes six possible cut "scenarios," two each at three different funding levels. Keep in mind that more than \$8 of the \$8.6 billion in crime prevention is contained in just 10 programs:

1. Ounce of Prevention (\$100 million) (Dodd-Bradley)
2. Community Schools Program (\$900 m) (Danforth-Gephardt)
3. Youth Employment Skills (YES) (\$550 m) (Administration)
4. Model Intensive Prevention Grants (\$895 m) (Schumer)
5. Local Partnership Act (\$1.8 billion) (Conyers)
6. Community Economic Partnerships (\$300 m) (Kennedy)
7. Prison Drug Treatment (\$425 m) (Hughes, Administration)
8. Gang Prevention Efforts (\$125 m) (Administration)
9. Drug Courts Program (\$1.3 b) (Biden, Administration)
10. Violence Against Women (\$1.8 b) (Biden)

As you can see, virtually all of these programs have powerful Congressional sponsors; cuts on something other than a strictly proportional basis are going to be difficult to navigate.

B. Possible Changes in the Assault Weapon Ban

Based on proposals that Chairman Brooks had previously made to us, there are three possible changes in the assault weapon ban that may attract pro-NRA Democrats.

1. Raising Banned Clip Capacity from 10 to 20

Going up to 20 is problematic, but a compromise at 15 may be possible with conservatives, as George Bush had previously endorsed a limit of 15. Gun control advocates and law enforcement will complain; they have strongly opposed any compromise that raises the permitted capacity above 12 rounds.

2. Eliminating the Colt AR-15 From the Banned List

While this change affects just "one gun," it is a significant one: the Colt is the only domestically manufactured assault rifle, and therefore, it is the only gun whose manufacture is ended by the ban. Also, removing it from the ban makes it lawful for persons to re-sell the 500,000 such Colt rifles now on the street -- and makes it lawful for Colt to continue to manufacture the popular knock-off version of the AR-15, the Sporter. The AR-15 and the Sporter account for about 5-10% of all crimes committed with assault rifles.

3. Modifying the Characteristics Provisions

While gun control proponents such as Feinstein and Schumer deem this the most important aspect of the ban, some changes in it can be negotiated. Among the possibilities that were on the table last month before the Schumer-Brooks talks broke off were (1) raising the banned weight for assault pistols; (2) narrowing the folding stocks characteristic; (3) eliminating threaded barrels as a characteristic.

Perhaps in lieu of actually changing this provision, we could propose that before any gun was banned due to its characteristics, ATF would have to place it on a "list," and that list would have to sit in Congress for six months (where it could be rejected) before the banning of a gun in question would take effect.

Any of these changes would be controversial, and bring about press accounts about the particular guns -- and the particular victims -- we are "putting back on the streets."

C. Removal of the Assault Weapons Ban

Ironically, it may be preferable to pull the gun ban out -- and fight like hell to pass it separately -- than it is, at this point, to "compromise" on it. Such a move leaves us on the high ground -- fighting hard to pass the assault weapon bill -- without having to defend why we now support particular weapons being "protected."

What are the odds of success? Probably low. The assault weapon ban got only 51 votes on its key test in the Senate; a less crucial test vote put the tally at 56 votes. Sixty votes would surely be needed; winning them will be quite hard -- but perhaps not impossible.

D. Mechanism for Changes

Perhaps the most vexing problem with changing the Conference Report is the question of how to do it. There are only two options:

1. Concurrent Resolution

We could use a Concurrent Resolution, usually employed to make technical engrossment changes, as a vehicle for changing the Report itself. But such a Resolution would be infinitely amendable in the Senate -- and doubtlessly, Senate Republicans would use it to relitigate the Crime Bill. Given that we would have no Conference Report until the Concurrent Resolution was passed, this risks infinite delay -- and no clear outcome.

2. Reopen the Conference

This, too, is an unpleasant prospect for obvious reasons. It seems unlikely the Republicans would allow us to do another Conference easily -- a repeat of last month's three-day ordeal would ensue. Also, if we go back to Conference, another run on racial justice -- with the inevitable CBC resentments that it stirs -- would be unavoidable. Finally, a new Conference Report means a new round in which the signatures of Reps. Conyers, Edwards, Schumer and Sens. Metzenbaum and Kennedy are all indispensable elements of the outcome.

VI. CONCLUSION

In sum, we believe that fighting for the eight votes is the most desirable -- and perhaps even the most achievable -- path to the finish line. If Congress really believed that the choice was this Bill or no Bill, we would probably succeed; if we choose this route, we must be unambiguous in our resolve.

Any of the other options will put the focus on the compromise, not the Crime Bill -- and risks losing as many votes as it gains. Moving public opinion, and then votes in Congress, is preferable to the President moving his position.

Non-legislative strategies -- promises of studies or Presidential forbearance -- are probably the next best alternatives. For procedural reasons, stand-alone bills to change the Conference Report are also preferable to changes in the Bill itself. And on the substantive side, changes in the prevention programs are going to be far more popular than would changes in the assault weapons ban; we should consider the latter only as a last resort, and perhaps not even then (i.e., by moving the gun ban separately, rather than cutting it back).

POSSIBLE PREVENTION CUTS

At each level of cuts, two options are presented. Option A reflects an essentially proportional cut; Option B modifies such proportional cuts to reflect administration policy preferences.

<u>Program</u>	<u>Conf</u> <u>Rept</u>	<u>\$1B Cut</u>		<u>\$2B Cut</u>		<u>\$3B Cut</u>	
		<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>	<u>A</u>	<u>B</u>
Ounce Prevn	\$ 100	85	90	70	80	55	70
Commun Schls	\$ 900	790	825	680	750	570	640
Y.E.S.	\$ 550	490	535	435	525	380	460
Model Intnsv	\$ 895	800	800	700	700	600	600
Loc Part Act	\$1800	1580	1400	1360	1000	1150	900
Natl Comun Pshp	\$ 300	250	225	200	150	150	100
Fedl Drug Trtmnt	\$ 125	115	125	105	125	95	100
State Drug Trtmn	\$ 300	260	280	220	260	180	200
Gang Prevntn	\$ 125	115	125	105	115	95	100
Other Preventn	\$ 410	375	375	345	345	300	300
Drug Courts	\$1300	1125	1175	950	1050	775	820
Violnc Agn Women							
Law Enforcment	\$1000	890	900	780	800	670	690
Womens Sheltrs	\$ 325	300	310	275	305	250	275
Rape Preventn	\$ 220	200	210	180	200	160	180
Other V.A.W.	\$ 255	230	230	200	200	170	170
TOTAL PRENVTN	\$8605	7605	7605	6605	6605	5605	5605

August 10, 1994

MEMORANDUM FOR LEON PANETTA

FROM: BRUCE REED
JOSE CERDA

THROUGH: CAROL RASCO

SUBJECT: Crime Bill Implementation

The Administration needs to be prepared to hit the ground running once the crime bill passes. We have worked with the Justice Department, the Vice President's office, and others in the White House to develop a list of concrete measures the Administration can take between now and the end of the year to demonstrate that we are moving aggressively to reduce and prevent crime and the fear of crime. This memo outlines the actions the President can take at the signing ceremony and point to in the fall, in keeping with the communications strategy that Rahm Emanuel has already proposed.

I. FINAL PASSAGE AND SIGNING CEREMONY

Need to show results, reduce crime

As soon as the bill passes, we will face two questions: "Will this make a difference?" and "What are you going to do next?" The President needs to answer these questions in remarks to the press the day the bill passes and in his speech at the signing ceremony.

Both occasions offer the President an opportunity to move beyond the specific provisions of the bill and talk about what it means for the country -- that the will of the people can triumph over the old ways of Washington, and that every American has a right to feel safe. In signing the bill, he should challenge the nation to make this moment the beginning of a larger moral crusade for personal responsibility, the family, and community.

At the same time, he needs to show that the Administration is moving quickly to achieve real results. We recommend the following executive actions to accompany the signing:

Border Patrol

Just find what?

1. Announce Nationwide Search for Cop Czar; Pledge to Begin Awarding New Cops in Early October. The Justice Department and the White House have been developing a short list of candidates to run the community policing program -- ideally, a prominent police chief who can be the spiritual leader, spokesman, and field marshal for community policing. We can have a choice vetted and ready to announce by late September. In the

interim, the President should call on the Attorney General to consult with leading police chiefs and law enforcement organizations in a nationwide search for his top cop. He can also announce that Justice will use \$150 million of the \$1.3 billion in FY95 appropriations that become available October 1 to fund another round of the Police Hiring Supplement program, which will put 2,000 new police on the street in 150-200 communities that applied this year and would have won if we had had enough money.

2. Name the Vice President to Head the Prevention Council. The President is prepared to sign an executive order naming the Vice President to head the Prevention Council, which will be a subsidiary of the Community Enterprise Board. The Prevention Council will likely receive a small FY95 appropriation that will enable the Administration to hire a high-powered director and staff. The executive order will make clear that crime prevention will be a central part of the Administration's community empowerment agenda, including the upcoming selection of Empowerment Zones.

3. Appoint Marc Klaas as Special Adviser on Violent Crime, to Lead National Campaign for Truth-in-Sentencing and Tough, Smart Three-Strikes Laws. The new penalties in the crime bill take effect upon enactment, but they only apply in the small portion of cases under federal jurisdiction. To make a real dent in violent crime, and make sure that the prison money in the bill is spent wisely, we need to steer state governments toward policies that are tough and smart. Three-strikes-and-you're-out is fast becoming the law of the land; Marc Klaas is an ideal candidate to see that it happens the right way. He has a national reputation as a proponent of tough laws for violent criminals, but he is also leading the fight against Pete Wilson's too-broad three-strikes initiative in California. By offering Klaas an unpaid, informal role as an adviser on violent crime, the President could call on him to do what he is doing anyway -- leading the effort for sensible sentencing laws around the country.

4. Declare Law Enforcement Day. The signing ceremony should be an enormous celebration on the South Lawn, with police organizations, victims groups, Klaas, the Bradys, and so on. The President can sign a declaration designating the day as Law Enforcement Day, similar to Armed Services Day, and open the White House to any officer in uniform.

II. THE REST OF THE YEAR

Rahm and others have suggested a number of ways the President can highlight the Administration's efforts to carry out the crime bill, many of which do not require separate Presidential trips or events. For example, it should become standard procedure that every time the President visits a city or town that has been awarded a community policing grant, we invite the police chief and the new hires to the airport to meet him -- and wherever possible, give the President the chance to swear them in. We can find a successful anti-crime program that the crime bill will allow us to do more of in every metropolitan area he will visit this fall.

In addition, the Administration will be prepared to make the following announcements this fall:

1. Cop Czar Announcement in September. A Rose Garden ceremony with the Attorney General, Drug Director Brown, and Secretary Bentsen would be appropriate.

2. Award 2,000 New Cops in Early October, and Another 2,000 to 5,000 More by Year End. The first round can happen as soon as the FY95 money becomes available. For the second round, Justice is planning a streamlined application process for communities under 50,000 that will provide expedited awards of another 2,000 to 5,000 new police. The second round will be completed by the end of the year or the State of the Union at the latest, and will raise the number of new cops awarded in the last 12 months to nearly 10,000.

ESTABLISH A NATIONAL "ZERO TOLERANCE"

3. Award Safe Schools Money and Impose Handgun Ban on Minors. The Education Department has \$20 million in FY94 Safe Schools money, which could be awarded on an expedited basis this fall. The money goes for violence prevention programs at schools in dangerous neighborhoods (including \$1 million that is earmarked for Washington, D.C.). The crime bill also imposes an immediate national ban on the possession or purchase of handguns by anyone under 18.

FOR KIDS WHO BRING GUNS TO SCHOOL

4. Start Domestic Violence Hotline. The Violence Against Women Act in the crime bill calls on HHS to start a national hotline on domestic violence. We expect appropriators to give us enough money to begin with that.

5. Close Curios and Relics Loophole. ATF is prepared to draft new regulations to close the curios and relics loophole on gun imports. This action, which does not require new legislation, would prevent a flood of World War II-surplus military firearms from entering the U.S. market.

6. Host Regional Forums, Town Halls, and/or Crime Summit. The President and Vice President have discussed hosting local forums to highlight success stories in the fight against crime. We could announce that the Administration will hold a series of these in the coming year. In addition, we have a standing offer from Marc Klaas to host a town hall meeting on crime at the Polly Klaas Foundation in Petaluma, California, and the crime bill for a national summit on crime and violence. We have also had discussions with the networks about some kind of nationally televised dialogue on the subject. Any of these ideas could be carried out in conjunction with a Presidential fly-around to visit innovative anti-crime programs.

WHICH REAFFIRMS THE S+D-FREE SCHOOLS ACT + ADDS VIOLENCE AS A KEY COMPONENT

Other potential areas for quick action include awarding FY95 funds for immigration control and criminal alien incarceration, announcing stepped-up background checks for federal firearms licenses, and carrying out the executive order on fairness and the death penalty.

7. USE THE ANTICIPATED SIGNING OF THE ESEA AUTHORIZATION TO INITIATE A NEW NATIONAL CAMPAIGN TO REDUCE DRUG USE + VIOLENCE AMONG OUR YOUTH. LEE BROWN COULD BE GIVEN THE LEAD, + THE PRESIDENT COULD UNVEIL A NEW SET OF COMBINED ANTI-DRUG/ANTI-VIOLENCE PSA'S

August 11, 1994

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: BRUCE REED
JOSE CERDA

THROUGH: CAROL RASCO

SUBJECT: Crime Bill Implementation

The Administration needs to be prepared to hit the ground running once the crime bill passes. We have worked with the Justice Department, the Vice President's office, and others in the White House to develop a list of immediate actions the Administration can take to demonstrate that we are moving aggressively to reduce crime and the fear of crime. This memo outlines actions the President can take at the signing and over the rest of the year, in line with the communications strategy that Rahm Emanuel has already proposed.

I. FINAL PASSAGE AND SIGNING

As soon as the bill passes, we will face two questions: "Will this make a difference?" and "What are you going to do next?" The President needs to answer these questions in remarks to the press the day the bill passes and in his speech at the signing ceremony.

Both occasions offer the President an opportunity to move beyond the specific provisions of the bill and talk about what it means for the country -- that every American has a right to feel safe, and that the will of the people can triumph over the old ways of Washington. In signing the bill, he should challenge the nation to make this moment the beginning of a larger moral crusade for personal responsibility, the family, and community.

At the same time, he needs to show that the Administration is moving quickly to achieve real results. We recommend the following executive actions to accompany the signing:

1. Announce Nationwide Search for Cop Czar; Pledge to Begin Awarding New Cops in Early October. The Justice Department is developing a short list of candidates to run the community policing program -- ideally, a prominent police chief who can be the spiritual leader, spokesman, and field marshal for community policing. We can have a choice vetted and ready to announce by late September. In the interim, the President should call on the Attorney General to consult with leading chiefs and law enforcement organizations in a nationwide search for his top cop. He can also announce that Justice will use \$150 million of

the \$1.3 billion FY95 appropriation that becomes available Oct. 1 to fund another round of the Police Hiring Supplement program, which will put more than 2,000 new police on the street in communities that applied this year and would have won if there had been enough money.

2. Name the Vice President to Head the Prevention Council. The President is prepared to sign an executive order naming the Vice President to head the Prevention Council, which will be a subsidiary of the Community Enterprise Board. The Prevention Council will likely receive a small FY95 appropriation that will enable the Administration to hire a high-powered director and staff. The executive order will make clear that crime prevention will be a central part of the Administration's community empowerment agenda, including the upcoming selection of Empowerment Zones.

3. Ask Marc Klaas to Serve as Special Adviser on Violent Crime and Lead a National Campaign for Truth-in-Sentencing and Tough, Smart Three-Strikes Laws. The success of the punishment provisions in the crime bill will depend on how quickly states make progress toward truth-in-sentencing, and how sensible they are in enacting new three-strikes laws. To make a real dent in violent crime, and make sure that the prison money in the bill is spent wisely, we need to steer state governments toward policies that are tough and smart. The federal version of three-strikes in the crime bill is a model for states to follow as they make three-strikes the law of the land; Marc Klaas is an ideal candidate to see that it happens the right way. He has a national reputation as a proponent of tough laws for violent criminals, but he is also leading the fight against Pete Wilson's too-broad three-strikes initiative in California. By offering him an unpaid, informal role as an adviser on violent crime, the President could bolster Klaas's efforts to secure sensible sentencing laws around the country, and take away our opponents' last hope for a wedge on the crime issue.

4. Declare Law Enforcement Day. Ideally, the signing should take place in the Oval Office in prime time immediately after final passage. This could be followed a few days or weeks later by an enormous celebration on the South Lawn, with police organizations, victims groups, Klaas, the Bradys, and so on. The President can sign a declaration designating the day as Law Enforcement Day, similar to Armed Services Day, and open the White House to any officer in uniform.

II. THE REST OF THE YEAR

Rahm and others have suggested a number of ways the President can highlight the Administration's efforts to carry out the crime bill, many of which do not require separate Presidential trips or events. For example, it should become standard practice that every time the President visits a city or town that has been awarded a community policing grant, we invite the police chief and the new hires to the airport to meet him -- and if possible, give the President the chance to swear them in. We can find successful anti-crime programs that the crime bill will allow us to do more of in every metropolitan area he will visit this fall.

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3. Award Safe Schools Money, Reauthorize the Safe and Drug-Free Schools Act, and Impose Handgun Ban on Minors. The Education Department has \$20 million in FY94 Safe Schools money that could be awarded on an expedited basis this fall. The money goes for violence prevention programs at schools in dangerous neighborhoods (including \$1 million earmarked for Washington, D.C.). We will also get FY95 funds for drug and violence prevention once Congress reauthorizes the Safe and Drug-Free Schools Act as part of the Elementary and Secondary Act. The crime bill also imposes an immediate national ban on the possession or purchase of handguns by anyone under 18.

4. Start Domestic Violence Hotline. The Violence Against Women Act in the crime bill calls on HHS to start a national hotline on domestic violence, and an FY95 appropriation is likely.

5. Close Curios and Relics Loophole. ATF is prepared to draft new regulations to close the curios and relics loophole on gun imports. This action, which does not require new legislation, would prevent a flood of World War II-surplus military firearms from entering the U.S. market.

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August 11, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED

SUBJECT: Punishment Provisions in Crime Bill

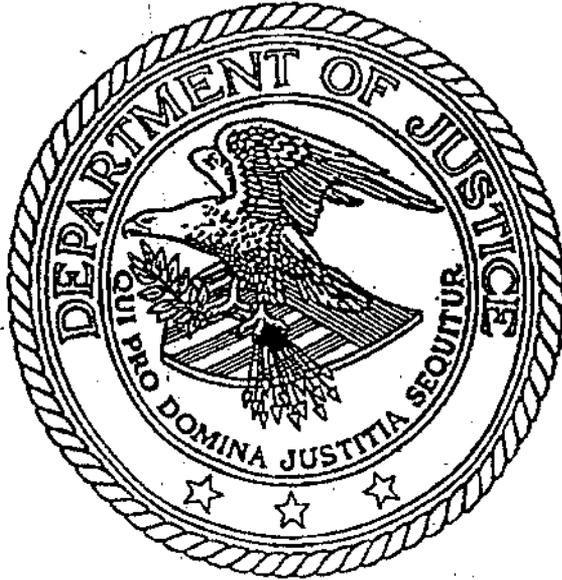
The crime bill includes several tough criminal penalties for violent and gun offenders, as well as substantial funds for state prisons, boot camps, and criminal alien incarceration. Forty percent of the prison money is tied to truth-in-sentencing requirements. The major provisions are:

I. PRISONS

- * Prison Funds: \$9 billion for grants to states for prisons and boot camps.
- * Truth-in-Sentencing Requirements: 40% of the prison money (\$3.5 billion) can only go to states that enact truth-in-sentencing laws which require violent offenders to serve at least 85% of their sentence.
- * Criminal Aliens: \$1.8 billion to reimburse states for that incarcerate criminal aliens.

II. PENALTIES

- * Three-Strikes: Effective immediately, the bill will impose life imprisonment on offenders who commit a serious violent felony under federal law, after having been previously convicted of two or more serious violent felonies (under either federal or state law).
- * Violent and Gun Offenders: The bill includes new minimum sentences for violent and gun offenders, such as enhanced penalties for using a semiautomatic weapon in a violent crime or drug-trafficking.
- * Death Penalty: The bill will extend the death penalty to more than 60 crimes not currently covered by the federal death penalty, such as the killing of a federal law enforcement officer or a state or local law enforcement officer assisting in a federal investigation.
- * Violent Youth: The bill lowers the age at which violent offenders can be tried as adults in federal court to 13, so that serious criminals can expect serious punishment no matter what their age.



OFFICE OF THE ATTORNEY GENERAL

FACSIMILE TRANSMITTAL COVER SHEET

DATE:

8/18

TO:

BRUCE + RAHM + PAT G.
+ MARTHA FOLEY

FACSIMILE NO.

TELEPHONE NO.

FROM:

Ron

FACSIMILE NO.

(202) 514-9077

TELEPHONE NO.

(202) 514-6909

NUMBER OF PAGES INCLUDING COVER SHEET

4

COMMENTS:

TALKING POINTS AS WR
SELL LEON'S PLAN

IN DEFENSE OF A 9.6% ACROSS-THE-BOARD CUT

Defense to the Left

- By cutting across the board, over 70% of the cuts come out of law enforcement and prisons. All other alternatives that have been advanced will take all of the cuts out of prevention programs.
- Under this plan, the cuts that prevention programs are bearing are no different than the cuts that other programs endure. The essential balance of the bill -- 40% for law enforcement, 30% for prisons, 30% for prevention -- remains the same.
- While the Bill as a whole is being cut by almost 10%, the Bill's \$8.6 billion for prevention funding out of the Trust Fund will be cut by just 6.5%, or \$545 million.

Defense to the Right

- The Bill's \$33.4 billion price tag would be cut to \$30.2 billion -- a \$3.2 billion reduction. And this makes the Bill at least \$5 billion cheaper than what the House-passed bill would have cost, if it were accurately scored.
- With these cuts, "pure prevention"¹ funding will be down \$1.3 billion from the funding level for these programs in the House-passed bill (down from \$7.7 to \$6.4 billion).
- Once this cut is made, all of the programs in the Bill will be fully funded from the Trust Fund. This has the biggest impact on prisons, where just 80% of the Conference's authorized funding was included in the Trust Fund (as compared to 97% of the prevention funding authorized being included in the Trust Fund in the Conference Report).
- While overall prison funding is cut, prison funding out of the Trust Fund actually increases by \$1 billion, from \$8.5 billion to \$9.5 billion, under this plan.
- And for the prison grant program, trust fund spending rises from \$6.5 billion to \$7.6 billion -- meaning that the final bill will include significantly more in prison grants from the Trust Fund than did the Senate bill.

¹In this context, "pure prevention" is the prevention programs and the drug courts combined, with violence against women excluded.

- Trust Fund dollars for Border Control also rise under this plan, from \$484 million to \$607 million -- putting more INS agents on the front lines.

Defense of 100,000 Cops

- We will still get 100,000 cops, as Trust Fund funding for police hiring programs (i.e., Community Policing and the Police Corps combined) dips only from \$8.8 billion down to \$8.4 billion.
- We believe that we can still hire 100,000 more police at the \$8.4 billion level -- we will simply tighten up funds for support and technology grants.

PROPOSED CONSOLIDATION OF PREVENTION PROGRAMS
(Consolidates 27 Line Items into 15)

A. AFTER-SCHOOL

- Community Schools Youth Services Grants (HHS)
- Hope in Youth (HHS)

B. AT-RISK YOUTH

- Family & Community Endeavor Schools Grants (ED)
- Midnight Sports League (HUD)
- Boys and Girls Clubs (HUD)
- Police Partnerships for Children (HUD)
- Olympic Youth Development Centers (HUD)

C. YOUTH VIOLENCE PREVENTION

- Juvenile Drug Trafficking Gang Prevention (DOJ)
- Community Youth Academies (DOJ)
- Gang Prevention Services (DOJ)
- Youth Violence Prevention Block Grants (DOJ)
- Anticrime Youth Councils (DOJ)
- [Fold in Urban Recreation and At-Risk Youth (Interior) with no funding]

D. SENIORS

- Triads (DOJ)
- Safe Corridors (DOJ)
- Missing Alzheimers (DOJ)

STAND-ALONE PROGRAMS

- E. Youth Employment and Skills (DOL)
- F. Local Partnership Act
- G. Model Intensive Grants
- H. GREAT (Treasury)
- I. National Community Economic Partnership
- J. Violence Against Women Act
- K. Prison Drug Treatment (state)
- L. Prison Drug Treatment (federal)
- M. Family Unity (DOJ)
- N. Child Visitation Centers (DOJ)
- O. Ounce of Prevention Grants

Bruce
This needs
to be
separated -
cannot go
to HUD

CRIME AND VIOLENCE MEETING

Roosevelt Room
November 15, 1993

ATTACHMENTS

1. Draft Organizing Principles on Crime and Violence
2. Options for Crime and Violence Tour (Reed/Cerda)
3. Potential Site List for Crime Tour (Bernstein)
4. Potential Outcomes -- Executive Actions on Crime and Violence (Reed/Cerda)
5. Survey of Media Interest in Promoting Anti-Crime Message (Greenstone)

ORGANIZING PRINCIPLES CRIME AND VIOLENCE

"The Administration has got to examine everything we can do to . . . challenge every community in this country and every organization in this country and every individual in this country to make a contribution with us in restoring the conditions in which civilized life can go on. . . . There are millions of people in this country who literally are not even playing by the same set of rules that all the rest of us take for granted. And we have learned in this country to accept many things that are unacceptable. . . .

"What you will see from us over the next several months is a sustained, organized, disciplined approach. . . . What I think I have to do is to mobilize every person in my government to do what can be done to address these problems."

President Clinton
News Conference, November 10, 1993

Our long-term challenge as a nation is to restore the conditions of civilized life: work, family, community, order, personal security, and a common set of rules and values on what is acceptable and what is wrong. Our immediate challenge is to restore order in the streets and safety in our schools, and to help Americans take back their neighborhoods, community by community.

A sustained, organized, disciplined approach to this challenge should stick to clear, well-defined themes:

1. Personal security has become the most pressing concern in the everyday lives of millions of Americans and their families. People have a right to feel safe, and the first duty of government is to keep them safe.

2. The old debate between prevention and punishment is a false choice; we need both. We are in the midst of an epidemic of violence in this country. It is time to put politics and ideology aside and start providing real answers to the real fears of real people. We need more cops, more boot camps, and relief for an overloaded criminal justice system. We also need stronger families, better schools, and more work in our communities.

But there is no debate about our attitude toward crime, violence, and those who commit it. **As President Clinton said in his campaign, "We need to prevent crime and punish criminals, not excuse away their behavior."**

3. It's not enough to change laws -- we have to change behavior. We must do everything we can to prevent crime and violence, but government cannot solve this problem on its own. We have to change "from the inside out," as the President said recently in Memphis.

Families need to take responsibility for their children. Individuals need to take personal responsibility for their own actions. And communities need to challenge their citizens to stand up for common decency, and refuse to accept the unacceptable anymore. **Together, we must confront what the President called "the great crisis of the spirit" that is gripping America today.**

4. We will use every tool at our disposal to break the epidemic of violence and keep people safe:

* **Community Policing:** Congress is on the verge of passing a crime bill that will help communities put 100,000 new police officers on the street.

* **Gun Violence:** Congress is also close to enacting the Brady Bill and a ban on handguns for minors. The Senate should pass an assault weapons ban. Federal firearms licensing reform is also possible.

* **Boot Camps / State Prisons:** The crime bill includes a major expansion of boot camps for young offenders -- an idea the President pioneered in Arkansas -- as well as other measures to help states deal with their overcrowded criminal justice systems.

* **Drugs:** The crime bill provides substantial funds for drug courts and drug treatment for criminal addicts. The health reform benefits package covers some drug treatment. Congress will take up more extensive drug legislation next year.

* **Safe Schools:** In addition to banning handguns for children, Congress is close to passing Safe Schools legislation to help schools reduce violence through the use of metal detectors, additional police, etc.

* **Other Justice Department Initiatives:** The Justice Department is working with state officials to convene state law enforcement summits. The Department has also undertaken anti-gang initiatives and efforts to restore healthy neighborhoods through Weed n' Seed and other programs.

* **National Service:** Public safety is one of four priorities for service in the President's national service program. The National Service Corporation will be working with police departments and community organizations to develop innovative public safety, law enforcement, and crime prevention programs for young people. The Senate crime bill also includes the Police Corps, which provides college scholarships in return for police service.

* **The Health Care Costs of Violence:** The President and the First Lady have devoted considerable attention to the impact of violence on the health care system. We spend an estimated \$4 billion a year on health care for the victims of violence.

* **Work and Economic Opportunity:** Later this year, the Community Enterprise Board, chaired by the Vice President, will announce selection criteria for Empowerment Zones and Enterprise Communities. Public safety will be an important component. The Administration has several other initiatives aimed at improving economic opportunity and self-sufficiency, including community development banks, microenterprise, and welfare reform.

* **Values:** The President will continue to use the Bully Pulpit to call attention to crime, violence, and the collapse of social institutions essential to civilized life: family, community, work.

November 15, 1993

MEMORANDUM TO THE CRIME SQUAD

**FROM: BRUCE REED
JOSE CERDA III**

SUBJECT: OPTIONS FOR CRIME AND VIOLENCE TOUR

We believe that focusing the nation's attention on what the President has called our "great crisis of the spirit" will require a sustained effort beyond any single event. We recommend a series of Presidential events on crime and violence in the coming weeks, including a nationally televised address over Thanksgiving, a three-day tour of innovative answers in communities across the country, and a one- or two-day summit that brings real people to Washington to talk about their fears and what America can do.

In every instance, these events should involve real actions taken by the President and the Administration to fight crime and reduce violence. We should also enlist major news organizations that have shown an interest in the subject of crime and violence to help us convey the strongest possible message to Americans that we as a people can do something about it.

I. Purpose of a Crime and Violence Tour

Convening a crime and violence summit in Washington is an excellent way to capture the nation's attention, as the economic conference in Little Rock did last December. We should certainly do it.

But by itself, a summit will not come close to meeting the standard the President set last week, to launch a "sustained, organized, disciplined" effort against crime and violence, and "mobilize every person in my government to do what can be done." Unlike the economy, crime does not lend itself to charts and graphs. It is an emotional issue, it hits real people where they live, and it cries out to be seen, not just talked about.

Moreover, in the wake of two relatively similar summits on the economy and timber, we need to keep trying new things before we exhaust the old format. A national swing before the summit begins will give the President new ideas and real experiences to talk about, and ward off possible criticism that we're just doing more of what Washington has always done about crime, which is talk about it.

Our real challenge, after all, is not simply to show the American people that we understand their fears about crime -- although there is great value in that -- but to show them that we can and will do something about it. There's a reason Congress has taken years to pass a serious crime bill: Crime debates are almost always hopelessly politicized and mired in irreconcilable ideological differences that have very little to do with the real business of keeping people safe. The only way to overcome the inevitable posturing is to visit communities that are finding new ways to fight crime, reduce violence, and offer hope.

II. What a Crime Tour Might Look Like

We have not seen the President's schedule for December, or factored in existing commitments to health care or other matters. The scenario described below is one example of how the President might achieve maximum impact in a week's worth of crime-related events. The ideal dates for Crime Week would be Dec. 4-10 or 11-17. The itinerary listed below is only suggestive; a more comprehensive survey is included in Liz Bernstein's memo.

A. Phase One: Setting the Stage

The President will have several opportunities to set the stage for Crime Week:

Tues./Wed., Nov. 16-17: The press office should issue Presidential statement commending the Senate for passage late Tuesday (we hope) of the crime bill and possibly the Brady bill. We should also consider issuing a chronology of the President's role over the last 2 years in pushing 100,000 cops, the crime bill, and the Brady bill.

Thurs./Fri., Nov. 25-26: Televised address to the nation on crime and violence from Camp David over Thanksgiving weekend. This will be an opportunity to tout what Congress has done, reiterate the themes of the Memphis speech, and announce further plans for December and beyond.

Late Nov./Early Dec.: Possible bill-signing(s). There's still a chance Congress will pass the crime bill and/or the Brady bill before Thanksgiving. If possible, the two signings should be separate events.

B. Phase Two: Crime Week

Saturday -- Radio Address: The President could use the Saturday radio address to spell out his plans for the week, and perhaps announce one or more of the potential executive actions we suggest in a separate memo.

Sunday -- Sermon in Washington: The President could deliver a sermon on crime and violence at a service in Washington or Anacostia. If we could pull it together in time, he could use the occasion to announce a united crusade by church leaders across the country to reduce violence in their communities.

Monday -- Crime Tour, Day One -- Violence in Schools (Primary Site: Los Angeles): The Crime Tour could begin on the West Coast, with a visit to a crime-ridden school in the Los Angeles area. He could return to the elementary school in South Central L.A. that he and the First Lady visited in 1989, where 12-year-olds told them their number one fear in life was getting shot going to and from school. He could promise more cops for Los Angeles, the most underpoliced city in America, talk about the crime bill's anti-gang measures, and perhaps sign an executive order banning the Street Sweeper semiautomatic weapon (which is included in Sen. Feinstein's assault weapons ban that will pass the Senate but most likely die in conference).

Other Nearby Events for Day One:

* **Meet with Community Service Officers in San Diego:** San Diego has one of the best community policing programs in the country, and its department has pioneered the use of young people as community service officers who help with problem-solving and administrative duties so that more police can walk the beat.

* **Visit the San Francisco law firm where 8 people were killed last summer with an assault weapon:** This would be a perfect event to do with Feinstein, whose assault legislation would ban the weapon used in these murders (the gunman was able to obtain the weapon because of a loophole in California's assault ban).

* **Community policing in Portland, Oregon:** Another good program in a city plagued by gang violence and hate crime.

* **Visit a school in Colorado:** Gov. Romer called the legislature into special session this year to pass a number of measures to limit gun violence, including a very tough ban on handguns for minors. This could also be the first stop on Day Two.

Tuesday -- Crime Tour, Day Two -- Community Policing (Primary Site: St. Louis): At least one day of Crime Week should be devoted to community policing, the most revolutionary aspect of our entire anti-crime agenda. Several cities have developed good programs, including St. Louis, Kansas City, Chicago, Boston, Portland, and San Diego. St. Louis and Kansas City are two of the very best.

The President could use Day Two to announce winning cities and towns in the first round of the Justice Department's competition for \$150 million in community policing challenge grants (which the President fought for as part of his FY93 Supplemental). If so, he should visit a small or medium-sized city that will be awarded a policing grant. The

President could also announce that he is forming a President's Council on Community Policing, made up of leading police chiefs (including Lee Brown) and representatives of major police organizations who will meet with the President periodically to advise him on the deployment of 100,000 new police and other crime issues.

Other nearby sites for Day Two:

* **Visit Junction City (Kansas) Senior High School**, where a 14-year-old freshman girl was shot in head earlier this year while she was eating lunch in the cafeteria.

* **Tour housing projects in Chicago or Cleveland:** Vince Lane ran a model public housing safety program in Chicago called Operation Clean Sweep, which the President visited as a candidate. Cleveland recently won a HUD grant to help children who witness violence, and Mayor Mike White has many other innovative programs -- including a Black on Black Crime Task Force.

Wednesday -- Crime Tour, Day Three -- Tough Love (Primary Site: Charleston, S.C.): The Crime Tour should close by focusing on the values of opportunity and responsibility that must be at the heart of any effort to restore safety and community. One promising place to visit is Charleston, S.C., where Police Chief Reuben Greenberg -- a pioneer in community policing -- has struck a social contract with housing authorities under which his department provides security so long as residents agree to keep the place drug-free.

The President might use this day to announce his intention to rename the Byrne program -- the primary state law enforcement grant program -- the Byrne-Gould program, after South Carolina resident Kathy Gould, the slain police officer's widow who endorsed Clinton in 1992 (four years after Bush posed with her husband at a photo op in 1988).

Other nearby events might include:

* **Visit a Boot Camp or Rural Crime Event in North Carolina:** The President could also return to visit one of the successful boot camps he set up in Arkansas.

Thursday/Friday -- 1-2 Day Crime and Violence Summit in Washington: The President could invite some of the most moving victims and innovators he meets on the Crime Tour back to Washington for the Crime Summit -- and give them a chance to tell their stories to a national audience on C-SPAN and CNN. The Summit might close with an address by the President laying out specific steps every individual can take to keep their families and their communities safe.

Crime Tour - Potential Site List

(as of 11/15/93)

COMMUNITY POLICING

Police Stations (in order of preference):

San Diego, CA

Portland, OR

Boston, MA

New York, NY

Chicago, IL

PUBLIC HOUSING

Police/Public Housing

Chicago, IL

Vincent Lane, head of the Chicago Housing Authority has faced consistent opposition from various city agencies, civil libertarians, and even some of his own employees in Chicago, most recently over his plans to refashion parts of the Cabrini-Green complex into mixed-income housing.

"It is this craving for a new urban approach, emphasizing personal responsibility as the key to public benefits, that attracted Clinton to Lane; Lane's policy of "weeding and seeding" is Clinton's welfare philosophy played out on a large scale."

On the same day as police sweep a building, social workers visit tenants and check for signs of child abuse or neglect; maintenance crews inspect for needed repairs; public-works employees meet to map out renovations; and organizers work with tenant leaders to pull together crime watches and plan youth activities.

[note: For more than two months, HUD officials threatened to seize the CHA because of past mismanagement, political meddling and financial irregularities. The conflict was resolved under a complex agreement that included the appointment of Jerome Van Gorkum as CHA executive director. However, Van Gorkum quit less than five months later, complaining that he was being undercut by the CHA chairman, Rev. B. Herbert Martin, for political reasons.]

Portland, OR

Community policing interaction with public housing projects in the city; great track record.

New York, NY

Ft. Myers, FL

Took women out of public housing and sent them through police academy training.
Richmond, Norfolk, Newport News, VA

**Residents/Public Safety
Cleveland, OH**

The Cleveland area's public housing will be one of three places nationwide for development of new programs designed to help children cope with violence. The Cuyahoga Metropolitan Housing Authority has been awarded a \$2.5 million grant by the federal Department of Housing and Urban Development to create community-based programs to aid children who witness violence. Similar awards were made to Washington, D.C., and Saginaw, Mich. [October 1993]

CMHA already sponsors or participates in several programs designed to curb youth violence, including the Midnight Basketball League and Mayor Michael R. White's Black on Black Crime Task Force.

Austin, TX

Children at Risk (CAR) program: collaboration among private foundations, DOJ, and Center on Addiction and Substance Abuse. The program attempts to involve neighborhood youths in an array of services that provide an alternative to substance abuse, gangs, drug-dealing, and other criminal behavior. (Other program sites are **Bridgeport, CT; Memphis, TN; Seattle, WA; Newark, NJ; and Savannah, GA**)

SCHOOLS

Systems with high success rates in combating drugs and violence:

**Miami, FL
San Diego, CA
Philadelphia, PA
New York, NY**

**Recent Violence/Guns
Atlanta, GA**

A ninth-grade student died after being shot by another student in a crowded lunchroom at Harper High School. Another tenth-grader was wounded in the shooting. About 150 students were in the cafeteria at the time. This was the first student homicide at a metro school since 1989 when a Harper High student was fatally beaten. (September, 1993)

A recent poll by the Journal/Constitution found that one out of every three children in metro Atlanta knows someone who has brought a gun to school.

Dallas, TX

A 15-year-old student at Roosevelt High School was fatally shot by fellow student in a crowded hallway. The student was shot at point-blank range. While the school has two walk-through metal detectors and several hand-held scanning wands, they were not working the day of the shooting. (September, 1993)

In August, a Colony High School student was shot in the shoulder at a school orientation program.

Junction City, KS

A 14-year-old freshman girl eating lunch at the Junction City Senior High School cafeteria was accidentally shot once in the head after an argument between two boys resulted in gunfire. (September, 1993)

Chicago, IL

In a study of 8th-graders in Chicago, it was found that 73% had seen someone shot, stabbed, robbed or killed.

Project Smart

(School Management and Resource Teams - DOE and DOJ)

Designed to help schools collect and analyze data on incidents of school crime, drug use, and disciplinary infractions. School areas include projects in **Virginia, California, Maryland, Illinois and Wisconsin.**

Safety

Portland, OR

The Portland Public School system has a comprehensive gang violence reduction plan in place. One part of their strategy includes having all students who were suspended for fighting, weapons violations, gang violence or assaults attend special classes in non-violence training before returning to their regular schools.

The district has reported positive results when the student returns to their regular classroom.

New York City, NY

In 1985, the NYC Board of Education and Educators For Social Responsibility Metropolitan Area founded an effort called the Resolving Conflict Creatively Program (RCCP). The teacher-designed curriculum focuses on showing young people alternatives to violent behavior and increasing their understanding and appreciation of their own and other cultures. They also train "peer mediators".

The program has grown from 20 teachers in three schools in 1985 to 1,200 teachers and more than 35,000 students from 120 schools throughout NYC. Today over 4,000 teachers and more than 120,000 students are involved in RCCP

nationwide.

Miami, FL

Miami schools initiated a school-based crime prevention program, the Youth Crime Watch, in 1984. The program is led by students who work to promote awareness of the problems of crime. School groups work with local businesses, law enforcement officials, and other community members.

Dade County also has implemented a "Gun Safety Awareness" curriculum, which began in 1988. In January, 1993, Dade County became the nation's first school district to have a mandatory "gun awareness" program for all of its K-12 students.

Apopka, FL

DOJ and Florida Department of Health and Rehabilitative Services sponsor the Ebony Knights, an after-school mentoring program for black males between the ages of 11 and 14.

Roxbury, MA

Timility Middle School (inner-city Boston) was selected as a pilot for "Project Promise" in 1985. Students organized activities centered around strategies to end violence among teenagers. Today they host anti-violence forums at least three times a year - participants include all 8 district middle schools, the Mayor, officials from the justice system, social service representatives, and some leading non-violence curriculum specialists as guest speakers.

BOOT CAMPS

Jessup, MD

Of the 722 people who have completed the program, 237 -- about 33% -- have either had parole revoked or had warrants issued for their arrests. The recidivism rate for all inmates paroled from all Maryland is about 47 percent. [Rep. Steny H. Hoyer (D-MD/5)]

Rikers Island, NY

High Impact Incarceration Program (HIIP) established in October 1990. New York has the most extensive boot camp program. It has saved the State \$55.6 million in construction costs and shortened sentences. Recidivism rate is about 5% better than for the parole population. [Rep. Jerrold Nadler (D-NY/8)]

Summit, NY

Shock Incarceration Correctional Facility. Noted in that it accepts women. 250 inmates. [Rep. Hamilton Fish (R-NY/19)]

Riley, KS

U.S. Army Correctional Facility, Established in 1868. 600 residents. Offenders do not return to active duty, but are returned to the community. Rep. Jim Slattery (D-KA/2).

Orleans Parish, LA

Intensive Motivational Program of Alternative Correctional Treatment (IMPACT), in 1987. Officials estimate they save \$750,000 for every 100 inmates who attend boot camp instead of being incarcerated. [Rep. William J. Jefferson (D-LA/2)]

- ✓ During the first 6 months 6.9% of the shock parolees, 6.0% of the parolees, 2.8% of the probationers, and 12.1% of the dropouts failed on community supervision.
- ✓ There were no significant differences in the groups in percent arrested during the first six months of community supervision: 14.3% of the shock parolees; 15.4% of the parolees; 14.2% of the probationers; and, 23.0% of the dropouts.
- ✓ Initial studies placed the recidivism rate at less than 9% for those that complete the program.

Wrightsville, AR

Forty percent of the inmates serving time in Arkansas's traditional prisons return to the system, while only 14 percent do so from boot camps. [Rep. Ray Thornton (D-AR/2)]

Sumter County, FL

The recidivism rate has been around 10 percent, but the Sumter County facility accepts a narrow class of criminal -- first time male offenders between the ages of 16 and 24. [Rep. Karen L. Thurman (D-FL/5)]

NATIONAL SERVICE PROGRAMS

Baton Rouge, LA

Zion Terrace used to have the highest crime rate among the city's 16 public housing projects. In the past few years, however, they have developed a program organized by residents and housing officials to provide a safe environment for kids by keeping them away from drugs and violence. Police patrols have increased, the crime rate has sharply decreased and residents are now regularly reporting crimes and cleaning up the complex.

In addition, eleven VISTA volunteers uniformly address the total community and its problems in an effort to stamp out drugs and drug-related crimes through

information and referral, increased resident participation in community programs, and resident association activities.

Chicago, IL

Chicago Alliance for Neighborhood Safety was founded in 1981 as the Urban Crime Prevention Program. It provides community organizations and residents with training and technical assistance, research and safety-related public policy advice.

Utilizing VISTA volunteers in 1986-89, CANS developed and provided training to over 1400 block groups in the Chicago area. Volunteers are now being trained in community policing efforts.

Jonesboro, AR

Volunteers are working on a shelter for victims of domestic violence.

DRUG COURTS

Oakland, CA

Miami, FL

Washington, D.C.

MIDNIGHT BASKETBALL

San Francisco, CA

Modeled after the National Midnight Basketball League, San Francisco's program, headquartered at the Ella Hill Hutch Community Center in the Western Addition, uses basketball as a hook to encourage inner city young adults into a comprehensive service program. They have support and cooperation from police officers, corporate sponsors, program administrators, local government, universities and the youth population.

One key corporate sponsor is Nestle Beverage Co., which provided a \$ 47,000 donation to help fund Midnight Basketball for the fall 1993-94 season. Nestle has also established an internship program in order to provide disadvantaged inner-city youths an opportunity for employment.

Glen Arden, MD

G. Van Standifer created the first Midnight Basketball League seven years ago in Glen Arden, Md., the Washington suburb where he had been town manager.

Chicago, IL

Chicago Midnight Basketball League is the most successful in the country.

GUN STORES

Chicago, IL

Gun store across from elementary school.

"SOCIAL CONTRACT" AREAS

Charleston, SC

EMERGENCY ROOMS/HOSPITALS

Washington, DC

At Children's Hospital National Medical Center, the rate of penetrating trauma caused by violence seen in the emergency department *increased 1,740% between 1986 and 1989.*

CRIME TOUR -- POTENTIAL OUTCOMES

This memorandum outlines some of the actions that the President might take as a result of the crime tour and summit. The message of the President's actions should be:

"We'll do everything we can do to fight crime and violence, but it won't matter unless we all change our behavior -- unless everybody chips in."

The President should respond to the urgency of the crime and violence debate by taking immediate action on a variety of proposals -- from announcing community policing grants to signing more gun-related executive orders. At all costs, however, the President should avoid overpromising and implying that the Administration's programmatic decisions, by themselves, will solve the complex problems associated with crime, drugs and violence. Previous administrations have offered a lot hollow rhetoric, photo ops and programmatic responses on crime, but the American public feels less safe today than it did five years ago.

The President must couple his tangible actions on crime tour by issuing a greater challenge to the American people at the close of the crime summit. This challenge would allow the President to elevate the tone of the crime and violence debate -- based on his theme of rebuilding communities and reconnecting people.

Here are our preliminary suggestions:

I. Tangible Actions

Community Policing Grants -- Policing grants to be awarded as part of \$150 million included in the spring supplemental should be available for disbursement by mid-December.

Gun-Related Executive Actions -- (1) ATF is on the verge of banning the Street Sweeper/Striker 12 assault shot gun, which has been banned from importation but is currently being domestically produced. We could announce ATF's banning of this assault weapon. (2) The President could also order ATF to draft new regulations to limit the number of military surplus firearms being imported as "curios and relics" -- or ask the State Department to disallow the importation of these and other inexpensive handguns under the Arms Export Control Act.

Public Safety Component of National Service -- Approximately one-fourth of National Service's slots will be available for various public safety duties, including community policing-related work.

Consolidate Drug Grants -- Agency drug policy representatives have been meeting with ONDCP to try and come up with a way of allowing communities to submit a single, coordinated drug grant application for the various federal drug grant programs. We could use this process to target drug-related monies for three priority areas: youth

violence, drug treatment and crime.

Drug Courts -- We could announce funding, out of current DOJ-HHS monies, for another drug court type program.

Law Enforcement Coordinating Committee or Czar -- To emphasize the importance of the community policing initiative in the crime bill, the President could appoint a Cops Czar or a Cops Coordinating Committee to oversee this new -- and very large -- program.

Chiefs Breakfasts -- The President could announce his intention to have regular luncheon meetings with the Nation's police chiefs, just as he does with CEOs. This luncheons could be expanded to include other law enforcement/crime representatives, too (e.g., AGs, DAs, community coalition leaders, Mayors, etc.).

Midnight Basketball League -- The President could announce the formation of a Midnight Basketball League that would be sponsored by the NBA and chaired by Michael Jordan and the President.

Violence PSAs -- We could announce the President's involvement in a series of violence PSAs.

TV Violence Agreement -- If we are able to strike a deal with the networks before the Summit, we could announce it at the summit (and also avoid the AG's January deadline for legislative action).

Other Policy-Related Announcements -- There are a whole series of initiatives that we have yet to focus on but could try and put together with discretionary monies before the summit. These include: Troops-to-Cops, HUD crime initiative, community prosecution projects, etc.

II. Greater Challenge

At the close of the summit, the President should issue a greater challenge to the American people on the issue of crime and violence -- asking them to get personally involved in taking back their streets and neighborhoods. He fought to put 100,000 new police on the street, and now he should challenge 100 million Americans to work with those new police officers to reduce crime and violence. Everybody needs to contribute something if we're going to lick the crime and violence problem. The President should challenge not only individuals -- but groups, too. He should challenge the NRA and the ACLU to work to make a difference at the community level. He should challenge insurers, doctors and lawyers to do the same. The White House would play an instrumental role in disseminating information to the people, perhaps by having them call an 800 number and putting them in touch with their local community coalition, crime prevention group, etc.

November 15, 1993

MEDIA OPPORTUNITIES

Network

-CBS, ABC, NBC and FOX are all interested in doing anti-violence initiatives next year. Jay Kriegel of CBS is loosely organizing this effort. There is a wide open opportunity for the Administration to be involved in this effort. The networks would like to come down to talk about this initiative in the next few weeks. We should prepare our ideas for Administration involvement prior to that meeting.

NBC

-NBC has an ongoing PSA program called "The More You Know." They would like the President and the First Lady to shoot a PSA. (They said they thought the President has already agreed to shoot a PSA for CBS.)

-NBC plans to devote a week in January to crime and violence. All news shows will have segments on this topic.

-NBC is considering airing a documentary about the making of Edward Olmos's film about gangs in California.

-NBC is interested in mobilizing their affiliates at the community level to get more involved in this issue (they could provide referrals to local community groups and disseminate "how to" information).

Conferences

-AMA Meeting (March 11-13) will focus on family violence.

-National League of Cities (December 2,3; Orlando).

-There are numerous education conferences, family related conferences, religious conferences etc. which could be used as forums for this issue.

Corporate

-American Airlines is interested in initiating an anti-violence campaign.

Newspapers

-NY Amsterdam News would like to do a one-on-one with the President for wide distribution.

July 27, 1994

MEMORANDUM FOR LEON PANETTA

From: Rahm Emanuel
Bruce Reed

Subject: Crime Bill Roll Out: Creating a Bounce

One of the best things we can do to help both the President and Democratic candidates in '94 is to pass the Crime Bill. Passage of the Crime Bill will change the political environment in which candidates are running, and will demonstrate that the President is getting things done.

The Republicans seem to have conceded that this bill will, in fact, pass. Their new strategy is to now deride the bill as pure pork. They are trying to portray it as an urban aid bill rather than an anti-crime bill. We need to aggressively counter that impression. We need to show how the Crime Bill is value-based and is tough on crime. To this end, we should highlight some of the tougher components of the bill, such as 100,000 cops, 3-strikes, prison funding, and the death penalty.

In any case, we will have to work harder to get the political bounce from passage of the bill than we did for other legislation, such as Nafta. The media created a drama around Nafta, particularly in the last 10-day sprint leading up to the vote. Therefore the vote itself was incredibly climatic. With the delay on the Crime Bill, health care and Whitewater hearings, we will not get as intense media attention as did Nafta.

Following is a roll-out plan to build drama around the Crime Bill vote, and sustain the President's and the Democrats' profile on the issue of crime.

I. THE ANNOUNCEMENT

Brooks and Biden have indicated that they will try to finish work on the bill tonight, and would be prepared to announce that the Conferees had reached an agreement tomorrow. We have asked them to participate in the police rally at Justice tomorrow morning at which they would make a joint announcement with the President. Approximately 300 police officers will be in the audience; the President will be seen in a sea of blue.

II. THE FIGHT FOR PASSAGE

We anticipate that the House will vote on the Rule on Tuesday. We should consider doing an event on that day. Possibilities include having the President address the Democratic Caucus on the Hill; or convening a presidential meeting with the Law

Enforcement Steering Committee on the day of the vote (with pool spray at top of meeting.)

The day before or the day of the Senate vote on the Bill, the President should do an event that highlights a community program, such as Midnight Basketball or the Orange Hat Patrol. This could take place in the D.C. Metropolitan area.

When the bill passes in their respective houses, the President should call Mitchell and Biden, and Foley and Brooks to thank them for their excellent work. In addition, the President should do a media event the morning after the bill passes in each house.

III. SIGNING CEREMONY

The night before the signing of the Crime Bill, the President should address the nation, preferably from the Oval Office, to talk about the bill. This should be a speech with a moral tone, in which the President would talk about the importance of personal responsibility, family values, and community action in the fight against crime. As he launches the largest national anti-crime effort in history by signing the Crime Bill, the President should remind the American people of their role in ending the cycle of crime and violence in this country.

The audience at the signing ceremony should consist of police officers and victims rights groups. Mark Klaas would speak about 3-strikes, and would then introduce the President. The President would also stress the toughness of the bill in his remarks.

IV. ROLL OUT

Following are ideas for roll-out events after the Crime Bill is signed:

- **Talk Radio.** Immediately following the signing, radio talk show hosts could conduct interviews with Cabinet members, White House officials, and specific members of Congress who would praise the bill on the North Lawn. This would be modeled after the health care radio blitz that took place on the White House lawn.
- **Swearing In.** The day after the signing, the President should swear-in a new class of police officers in one of the cities or towns that have received cop grants from Justice. His remarks would focus on community policing.
- **Travel.** We should ask Reno, Bentsen, and the Vice President to commit to travelling to promote the Crime Bill. Reno and Bentsen would go to the districts of vulnerable House Democrats. The Vice President would go to North Carolina, Georgia, and Florida, the three states where there are the most open seats (currently held by Democrats.) The Vice President would highlight the tough components of the bill,

such as the death penalty, 3-strikes, prisons, tougher sentencing, and would work to show that this bill is based on values. These issues are particularly important in the South.

- **Police Coordinator.** The President should announce the appointment of a person to coordinate the police grants that will put 100,000 new officers on our streets. This should be a person that communicates a sense of urgency about crime (i.e. Commissioner Bratton of New York.)
- **Regional Forums.** In August, when there is little news being generated, the President should announce that he will hold 4 regional forums on crime over the next year. These forums would focus specifically on local anti-crime initiatives, highlighting innovative people and programs that are helping keep kids off the street and turning neighborhoods around (i.e. teachers who instituted an anti-truancy program, etc.)
- **Town Hall.** We have a standing offer from Mark Klaas for the President to hold a town hall in Petaluma, California. This would ideally occur in September or October.

cc: George Stephanopoulos

August 1, 1994

MEMORANDUM FOR LEON PANETTA

From: Rahm Emanuel
Subject: Updated Crime Bill Roll Out

One of the best things we can do to help both the President and Democratic candidates in '94 is to pass the Crime Bill. Passage of the Crime Bill will change the political environment in which candidates are running, and will demonstrate that the President is getting things done on behalf of the American people.

The Republicans seem to have conceded that this bill will, in fact, pass. Their new strategy is to deride the bill as pure pork. They are trying to portray it as an urban aid bill rather than an anti-crime bill. We need to aggressively counter the GOP strategy. To this end, need to highlight how the Crime Bill is both tough on crime and value-based.

In addition to highlighting some of the tougher components of the bill, such as 100,000 cops, 3-strikes, prison funding, tougher sentences, and the death penalty, we must show the moral foundation of the bill. We must lift the debate above the specifics of the bill, and outline the President's larger vision. In particular, we should tie the crime issue to the beginning of the school year (see below.)

In any case, we will have to work harder to get a political bounce from passage of the bill than we did for other legislation, such as Nafta. The media created a drama around Nafta, particularly in the last 10-day sprint leading up to the vote. Therefore the vote itself was incredibly climatic. With the delay on the Crime Bill, health care and Whitewater hearings, we will not get as intense media attention as did Nafta.

Following is a roll-out plan to build drama around the Crime Bill vote, and sustain the President's and the Democrats' profile on the issue of crime through the election. The signing of the Crime Bill should be seen as the beginning of a campaign through the November elections, and should be a recurring theme in the President's speeches over the 8 weeks following the signing.

I. THE ANNOUNCEMENT

The Conference reached agreement on a Bill on the morning of Thursday, July 28, and Brooks and Biden participated in the

police rally at Justice. Approximately 300 police officers were in the audience. The coverage of the event was excellent, and the President was seen in a sea of blue.

II. THE FIGHT FOR PASSAGE

We anticipate that the House will vote on the Rule on Wednesday, August 3. We should consider doing an event on that day. Possibilities include having the President address the Democratic Caucus on the Hill; or convening a presidential meeting with the Law Enforcement Steering Committee on the day of the vote (with pool spray at top of meeting.) The President should also call a few members, such as David Skaggs, to ask them for their vote. Footage of these calls could be used on the evening news.

The day before or the day of the Senate vote on the Bill, the President should do an event that highlights a community program, such as the Orange Hat Patrol. This could take place in the D.C. Metropolitan area.

When the bill passes in their respective houses, the President should call Mitchell and Biden, and Foley and Brooks to thank them for their excellent work. In addition, the President should do a media event the morning after the bill passes in each house.

III. SIGNING CEREMONY

The night before the signing of the Crime Bill, the President should give a 5-minute Oval Office address to the nation. In his remarks, the President would first briefly outline the bill -- what the Administration is doing to fight crime -- and then issue a challenge to the American people to do their part as well.

In other words, this would be a speech with a moral tone, in which the President would talk about the importance of personal responsibility, family values, and community action in the fight against crime. As he launches the largest national anti-crime effort in history by signing the Crime Bill, the President should remind the American people of their role in ending the cycle of crime and violence in this country.

The signing ceremony should be a large South Lawn event. The audience at the signing ceremony would consist of: mayors, police officers, leadership day participants, victims rights groups, police heroes, community leaders, and gun control advocates. On stage with the President would be: AG Reno; bipartisan leadership (depending on how the vote turns out); Chairmen Biden and Brooks, Steve Spasato, whose wife was killed in the San Francisco law office massacre; Mark Klaas; and a police officer. Reno, Spasato, the officer, and Klaas would speak. Klaas, who would speak about 3-strikes, would introduce the President.

IV. ROLL OUT

Following are ideas for roll-out events after the Crime Bill is signed:

- **Talk Radio.** Immediately before and after the signing, radio talk show hosts from around the country would conduct interviews from the North Lawn. Cabinet members, White House officials, and specific members of Congress would make the rounds to different radio hosts to praise the bill. This would be modeled after the health care radio blitz that took place on the White House lawn.
- **Swearing In.** The day after the signing, the President should swear-in a new class of police officers in one of the cities or towns that have received cop grants from Justice. His remarks would focus on community policing.
- **Travel.** We should ask Reno, Bentsen, and the Vice President to commit to travelling to promote the Crime Bill. Reno and Bentsen would go to the districts of vulnerable House Democrats. The Vice President would go to North Carolina, Georgia, and Florida, the three states where there are the most open seats (currently held by Democrats.) The Vice President would highlight the tough components of the bill, such as the death penalty, 3-strikes, prisons, tougher sentencing, and would work to show that this bill is based on values. These issues are particularly important in the South. Reno should also do satellite interviews from the Hill with members of Congress who have been particularly helpful.
- **Police Coordinator.** The President should announce the appointment of a person to coordinate the police grants that will put 100,000 new officers on our streets. This should be a person that communicates a sense of urgency about crime (i.e. Commissioner Bratton of New York.)
- **Regional Forums.** In August, when there is little news being generated, the President should announce that he will hold 4 regional forums on crime over the next year. These forums would focus specifically on local anti-crime initiatives, highlighting innovative people and programs that are helping keep kids off the street and turning neighborhoods around (i.e. teachers who instituted an anti-truancy program, etc.)
- **Town Hall.** We have a standing offer from Mark Klaas for the President to hold a town hall in Petaluma, California. This would ideally occur in September or October. (Senator Feinstein and Kathleen Brown would be immediate beneficiaries.)
- **Back-to-School Initiatives:** In an effort to elevate the debate on crime and violence above the specific legislation,

we should tie it into the beginning of the new school year. To this end, the President should do the following school-related activities/events that call on kids and parents to take responsibility for their education and their lives:

- Announce 5-point plan for parents, calling on parents to become actively involved in their children's education and after-school activities;
- Sign Kids Bill of Rights, calling for safe and drug-free schools;
- Take Chelsea to school on the opening day, to demonstrate his involvement in his daughter's education;
- Announce Department of Justice guidelines for instituting a youth curfew.

cc: George Stephanopoulos
Mark Gearan

August 9, 1994

DRAFT

MEMORANDUM FOR CAROL RASCO

FROM: BRUCE REED
JOSE CERDA

SUBJECT: Crime Bill Implementation

We have assembled a draft plan of how the Administration can hit the ground running once the crime bill passes. Rahm Emanuel has already proposed a communications strategy (attached) for the signing and beyond, much of which is repeated here. The Justice Department has done an excellent job of laying the organizational groundwork to make the bill a success. In this memo, we outline the major actions the President and the Administration can take between now and the end of the year to demonstrate that we are moving aggressively to reduce and prevent crime and the fear of crime.

I. SIGNING CEREMONY

As soon as the bill passes, the press's first question will be: "What next?" Rahm has recommended that the night before the bill signing, the President answer that question with a speech from the Oval Office challenging the nation to make this bill the beginning of a larger crusade to instill personal responsibility, restore the family, and rebuild community.

The signing ceremony can be an enormous celebration on the South Lawn, with police organizations, victims groups, Marc Klaas, the Bradys, etc. To ensure that it attracts attention, we recommend the following executive actions to accompany the signing:

* **Law Enforcement Day.** The President can sign a declaration making the day of signing Law Enforcement Day, similar to Armed Services Day, and open the White House to any officer in uniform.

* **Cop Czar Search.** The Justice Department and the White House have been working on a list of candidates to run the community policing program -- ideally, we would like to find a leading police chief who can be the spiritual leader, spokesman, and field marshal for community policing. Our goal is to have a choice vetted and ready to announce sometime in September. In the interim, the President could immediately name a small group of leading chiefs -- e.g., Bill Bratton of New York, Willie Williams of Los Angeles, Reuben Greenberg of Charleston -- to head up the search. Their involvement might add luster to the position and elevate the process above politics. On the other hand, they might slow us down.

* 3 Strikes ??

* RJA ideas - EO, Comm.

*As to the
five seven
marks
ready to
roll*

*AIDS consultation
Law Enforcement
Signing Com.*

Either way, the President could announce at the signing that he has begun a nationwide search for his Top Cop.

* **VP to Head Prevention Council.** The President could sign an executive order naming the Vice President to head the Prevention Council, which will be a subsidiary of the Community Enterprise Board. The Prevention Council will likely receive a small FY95 appropriation that will enable us to hire a high-powered director and staff. The Vice President and members of the Cabinet can also use the Council to highlight prevention efforts around the country.

II. THE REST OF THE YEAR

A. Events

Rahm and others have recommended a number of Presidential events to underscore our efforts to carry out the crime bill. We can come up with as many ideas as the President has time for.

* **Swearing In.** Sometime soon, the President should swear in a new class of police officers in one of the cities or towns that have received community policing grants from Justice. It should become standard procedure that anytime the President visits a city or town that has been awarded a grant, we invite the police chief and the new hires to the airport to meet him.

* **Back-to-School Focus.** In early September, Secretary Riley should speak out about the Administration's Safe and Drug-Free Schools efforts as kids go back to school for the fall.

* **Town Hall.** The President has a standing invitation from Marc Klaas to hold a town hall in Petaluma, California, at the Polly Klaas Foundation, a grassroots organization that helps communities solve kidnapping crimes.

* **Regional Forums.** The Vice President has long advocated a series of regional forums to highlight innovative success stories in the fight against crime. We could announce that the Administration will hold a series of these in the coming year (see Crime Tour and Crime Summit, below).

celebrate in crime summit

* **Crime Tour.** Last fall, we proposed a 2-4 day Presidential crime tour, during which he would visit innovative anti-crime programs around the country. The purpose would be not just to show that we're doing something about crime, but to prove that communities across the country have done something about it. Such a tour would be ideal in October, or after the election if necessary. It could include the town hall in California and/or the first regional forum.

*Success
Stories*

Amichaj's for Media Exec

* **Crime Summit.** In addition to a number of studies and commissions, the crime bill calls for a national summit on crime and violence. We have also had discussions with the networks about some kind of nationally televised dialogue on the subject. With a crime bill in hand, there should be less concern that a crime summit would be all talk.

B. Actions

In addition, we believe it is essential to take concrete actions that show the Administration is moving quickly to make good on the crime bill's promise. Here is a preliminary list of possibilities:

* **Cop Czar Announcement in Mid-September.** A Rose Garden ceremony with the Attorney General, Drug Director Brown, and Secretary Bentsen would be appropriate.

* **2,000⁵ New Cops in Early October.** An estimated \$1.3 billion in FY95 appropriations will become available on October 1. Justice is planning to use approximately \$150 million to fund another round of the Police Hiring Supplement program, which will provide grants to 150-200 communities that would have won in the first three rounds if we had had enough money.

* **Up to 5,000^{300-450m} More New Cops by Year End.** Justice is planning an accelerated application process for communities under 50,000 that will make expedited awards by the end of the year. This round would award another 2,000 to 5,000 new police, which would mean a total of nearly 10,000 in the last 12 months.

* **Start Domestic Violence Hotline.** The crime bill calls on HHS to start a national hotline on domestic violence. If any money is available to implement the Violence Against Women Act, we could start with that.

* **Close Curios and Relics Loophole.** Treasury is prepared to draft new regulations to close the curios and relics loophole on gun imports. This action, which does not require new legislation, would prevent a flood of World War II-surplus military firearms from entering the U.S. market.

* **Award Safe Schools Money.** Later this fall, the Education Department will be in a position to award \$20 million in Safe Schools money for violence mediation.

* **Seek NBA Partnership on Midnight Basketball League.** The best way to win credibility for midnight basketball would be to persuade the NBA (or a group of prominent NBA stars) to join us in a national partnership.

Other areas for potential action include implementation of the Brady Bill, the Federal Firearms Licensing reforms, and immigration funds if we get them.

SCAAP Immigration

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I. FINAL PASSAGE

Rahm has suggested Presidential media events the morning after the bill passes in each house, along with congratulatory phone calls to Foley, Brooks, Mitchell and Biden. The Attorney General and others can conduct a background briefing on the bill's impact at the same time. We should spend as much time as necessary with every major news organization and roundtable in this critical period when the bill will be defined.

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could immediately name a small group of leading chiefs -- e.g., Bill Bratton of New York, Willie Williams of Los Angeles, Reuben Greenberg of Charleston -- to head up the search. Their involvement might add luster to the position and elevate the process above politics. On the other hand, they might slow us down. Either way, the President could announce at the signing that he has begun a nationwide search for his Top Cop.

if members don't want to send violent crims away for life, voters will send them home for life
incumbents don't get three strikes
the american people ahve waited long enough
violent crims, 3 strikes, gangs, cops,
don't go home without it
toughest, smartest crime bill...
if we can't make this country safe again,
the american people have waited long enough. a crime bill or you're out
if we don't put cops on the street, they'll put us on the street
the most important vote since...
gridlock vs.
we're down to our last strike.. free the crime bill
do the ytime

I have just been in an overall strategy meeting in Leon's office. I will be happy to share with both of you later the basic message and we'll try to talk by phone or meet before Bill leaves on Thursday but at the moment we need to do some further serious work on looking ahead to the implementation of the Crime Bill as it is strongly felt at the moment that we need to have the President address that implementation in a big way at the signing. The assignment at the moment for DPC is to have a draft scheme to Leon by noon Wednesday. I know with the work that is going into actual passage at the moment that Wednesday deadline pushes us hard but it must be done. I'm not copying Rahm at the moment as I don't want him to panic this is some new and different effort as I understand from Griffin that Rahm told him yesterday there is paper already generated on implementation. I simply wanted to alert you Bruce and also Bill as I would like for him to think with us on this matter as we all (meaning outside White House folks if appropriate, needed) prepare something.

Jack Quinn will assign Kumiki and Lorraine to work with us from that office as the President continues to tell me and the VP that he is interested in the round table formatted meetings around the country....this doesn't mean the President would necessarily participate directly but the concept is something he wants to pursue.

Questions:

A. Is there already paper outlining what some of you have thought about in terms of immediate post-crime bill signing in the way of implementation?

B. Can we get a meeting set for early Monday or do we need to think about Sunday at some point?

I'd like to have a call from you today (Saturday) or Sunday. Best thing to do since I am at the office but am moving in and out of meetings and may run out for a bit is to just beep me through White House operator today or tomorrow.

Thanks.