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# FOIA MARKER

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**Record Group/Collection:** George H.W. Bush Presidential Records  
**Collection/Office of Origin:** Speechwriting, White House Office of  
**Series:** Speech File Backup Files  
**Subseries:** Chron File, 1989-1993

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**OA/ID Number:** 13835  
**Folder ID Number:** 13835-005

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**Folder Title:**  
Crime--DeSalle Catholic Church 9/28/92 [OA 7581] [1]

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| Stack:   | Row:      | Section:  | Shelf:   | Position: |
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(Askew/Bunton)  
September 25, 1992  
12:00 p.m.  
CRIME

PRESIDENTIAL REMARKS: DeSALE CATHOLIC CHURCH  
FOX PARK, MISSOURI  
SEPTEMBER 28, 1992  
10:00 A.M.

Thank you for that kind introduction, and good morning,  
everybody.

It's delightful to be in St. Louis, such a friendly city.  
It really warms my heart. So thank you for your wonderful  
Missouri welcome.

And I'm afraid I have to apologize to everyone who was  
counting on the usual Sunday-evening Bingo game last night. I  
hear the Secret Service spoiled your fun when they had to check  
out the building. Well, I'm sorry you missed the game, but it  
was smart to stay away. Believe me, you don't want to be jumping  
up suddenly and yelling "Bingo!" around these guys.//

I want to talk to you today about what I consider  
government's most-basic and maybe its most-important function.

I know what you're thinking. You've been listening to that  
other fellow... and all you can think about is taxes. Well, I'm  
not going to talk about taxes today. But I think it's only fair  
to warn you that for years down in Arkansas, my opponent has been  
trying to declare April 15th a religious holiday.//

But what I do want to talk about is the fundamental duty of  
our government... to protect every American citizen from violence  
-- at home, on the streets, and abroad.

Now... that's nothing new. Security's one big reason the Founding Fathers created government in the first place.

What's new... are the terrible forms violence has taken recently... beyond anything our founding fathers could've imagined.

A whole generation has grown up with the threat of nuclear terror hanging like a sword over its head. And it's been horrible. Our kids had nightmares. It seemed like it would never end.

Well, it did end. And today I can stand up here and say something no President could ever say before.

The Cold War is over. Freedom finished first.//

Now, we need to win the peace... right here at home and in the streets of Fox Park.//

What's the point, after all... of winning a Cold War if our grandparents and grandchildren lock themselves behind the bars on their windows, afraid to come out from a jail called home?

Now, I'm not saying we haven't made progress against violent crime. We certainly have. We've slowed it dramatically the past twelve years. And we're beginning to turn the tide on the drugs that often fuels it. ((Insert brief description of our greatest areas of progress.))

But the face of crime is changing fast, and we need our laws to react just as fast, if we're ever going to beat it.

Carjacking, for a timely example -- a brand-new word for a brand-new crime. Someone figured out it's easy to steal a car

when it's already running, with the keys in the ignition. Of course, that means the owner's behind the wheel. So they use a gun.

It makes me sick to think about it... but just a few weeks ago, in a middle-class suburb of Washington. D.C., a Federal employee -- she worked at (?) -- was sitting in her car at a red light at (time of day). Two men stuck a gun in her face, pushed her out, and took off.

But she hung on to the car. And you know why? Because her baby was in the back seat.

She was dragged for miles. The thieves tried to knock her off by banging into a guard rail. And finally, they did. She fell off. Dead.

And you know what they did with her ((X-month-old)) baby? At forty miles an hour -- they threw her out the window like so much trash. Never even slowed down.

The miracle is, that baby survived.

And you know what? America's going to survive, too. We don't have to put up with this kind of depravity.//

These people have no place in a decent society. And as far as this President's concerned, they can go to jail... they can stay in jail... and they can stew in jail.//

But how do we do it? How do we respond to these horrible new forms of crime?

Well, we've had a comprehensive crime strategy in place for some time now... and it's effective. But criminals are working

overtime. So it's time to dramatically step up our efforts and stare down the realities of crime in 1992.

And so today I'm challenging Congress to action.

Twelve-hundred and fifteen days ago, on June 15, 1989, back when ((notable occurrence on or around that day)), I sent a comprehensive Crime Bill to Congress.

It never came back.

I've followed up with new versions... tried to work something out with Congress... and still -- nothing.

You know, since I first sent that bill to the Hill in 1989, there have been ((X number of rapes, X number of murders, X number of assaults and X number of robberies)) in the United States. (X number) of those violent crimes took place right here in Fox Park.

I know the numbers are staggering. I know that Americans sit down in front of their TVs at night... watch the news and say... why doesn't somebody do something about this incredible mess? People are dying in the streets, for God's sake.

Well... you've heard me talk about the gridlock Congress. It's a truly amazing phenomenon. If they had an iceberg over there, they'd nickname it "Speedy."

And liberals in Congress like to say that George Bush won't bend on this, won't bend on that. And I admit that I do stick to my principles.

But it's still my job as President to get results.

So today I'm going to say something you don't hear very often from Washington. I'm going to bend a little, for the good of the country.

Congress wants the Brady Bill. I don't. It calls for a waiting period when someone wants to buy a gun... and I don't think that kind of stuff slows a criminal down one bit.

But I do know that some people in Congress genuinely believe the Brady Bill could save some innocent lives. And they won't support my Crime Bill unless I support their Brady Bill.

So today, I'm prepared to break that logjam.

Congress, I sent over to you this morning eight points of action I want included my Crime Bill.

You agree to all of them... you pass the comprehensive Bill within the next thirty days... you add the Brady Bill on to the end...

And I'll sign the whole package into law -- including Brady.

Fair enough? Thirty days doesn't seem too short a notice, in view of those twelve-hundred-and-fifteen that've gone by already. I'll give you the Brady Bill wrapped with a ribbon.

Now, folks, in case you're wondering about those eight points I sent over to Congress this morning... let me assure you I'm not asking for anything but common sense and reasonable justice. I want to offer Federal money and support to help States do the following things:

One, apprehend and severely punish carjackers, like the ones I just described. I want to make carjacking a Federal offense

with harsh penalties. I want thugs who take cars at gunpoint to stay in a cell so long that when they get out -- they've forgotten how to drive.//

((Two, call deadbeat dads onto the carpet. Right now, a single mother here in Missouri can be struggling to keep the kids fed and clothed on her small salary... while their father's over in East St. Louis, picking out a new Chevy truck with terrycloth pom-poms and a gun rack. He could be six months behind in child-support, but no one can touch him because he's over state lines. Well, I think that's a disgrace, and it's about time the long arm of the law reaches out over that state line... taps that deadbeat dad on the shoulder... and says loud and clear -- time to pay up, buddy. Cough up the cash or go to jail.)) [Do we want to hold this section until Wednesday?]

Three, strengthen laws dealing with sexual and domestic violence. To start with, we need to protect the victim's privacy. It's cruel to put her in the spotlight. And I want repeat sex and domestic-violence offenders behind bars until trial. Today, even a repeat offender can get arrested and be out on bond hours later... stalking his next victim... or beating his wife and kids for turning him in. I want him detained until trial, and I want the prosecution to be able to use past convictions against him. Right now, little details -- like the fact he's a three-time loser -- can't even be mentioned in court. And that's wrong. Let him pay for what he's done.//

Four, crack down on gang violence. I want gangs to be reclassified under the law as criminal enterprises, just like any other organized crime. That way, we can go after the leaders, and we can deal harshly with them, and we can untie the hands of good cops so they can clean up decent neighborhoods. I also want to toughen the penalties for using juveniles in crimes. Gangs right now can send underage kids out to do their dirty work, because they're minors and they'll get off if they're caught. I think the older gang members should be punished harshly for treating these little kids like personal slaves.//

Five, protection for the elderly. It's absurd that the folks who've contributed to this society all through their lives have to live in terror when they're old and frail, just because some young punks see them as an easy target. They're as low as the thugs who pick on children, and I want to beef up the laws that put them behind bars so they're not on the streets mugging grandmothers. Instead, they'd be in front of a police camera... mugging pictures for their criminal files.//

Six, Habeas Corpus reform. Habeas Corpus is a fancy way of saying, if you're found guilty of something, you can appeal the decision to a higher court. It's supposed to protect the innocent, but it's turned into a ridiculous perversion of the law. Criminal lawyers use it to postpone justice. A guilty verdict means an automatic appeal. It goes on and on, sometimes up to ((ten??)) appeals... keeping criminals on the streets and

choking our courts. It's about time we put a stop to this travesty of justice. Let them appeal once and be done with it.//

Seven, a Federal death penalty. I think certain acts of violence deserve the ultimate penalty. I'm talking about assassinations, murder for hire, terrorism and other depraved acts. These people are merchants of death, who trade in death... so when they kill someone, let's complete the transaction.//

And eight, firearms. This one's short and sweet. I want tougher penalties for any crime committed with a gun. Period.//

(Brief pause.)

Now, I'm not saying that tougher laws are going to fix everything. I'm a firm believer in justice, but I think punishment is only part of the solution.

The other part has a more human face.

Tomorrow's criminals are still just kids today. And while I believe in resources for law enforcement... and in reform for law enforcement... I also believe that at some point early in life, a youngster at a critical juncture can be steered to a life of right... or a life of terrible wrong. It all depends on the kind of soil you plant these kids in... and how you nourish them.

That's why I believe our weed-and-seed program is so very crucial. Weed-and-seed means going into a rough neighborhood... eradicating the 'weeds' of violent crime that can choke a young life... and replacing them with 'seeds' of social opportunity and reform.

That's what Operation Crackdown is all about. Taking a crack house and giving it back to the community.

You know, just the other day, only a few blocks from here, police officers raided a crack house on Ohio Avenue. And as those officers came out of the old ((brownstone?)) with those drug-dealers handcuffed, the neighbors -- maybe some of you -- came out onto their porches and gave those police a standing ovation and a cheer.

That's what this country's hungry for. Americans want to take the hoods out of neighborhoods... and give 'em back to the neighbors. We've got to weed the poison growth from the soil... and in its place, plant the seeds of hope.

I know you want to just be able to walk down to Whaley's Five and Dime, or Mr. Grady's dry-cleaners, down to Fox Park for a stroll, or over to Peaches and Rufus' for a newspaper and a cup of coffee... and you want to do it knowing you're safe in your own neighborhood, that you've helped build and kept alive.

I think John Mirgoux said it best. He lives next to that old crack house over on Ohio. And he said he and his wife Eleanor had been thinking about selling their house and just moving away from the drugs and all the ugly crime.

But you know... he's lived in Fox Hill his whole life. It's his neighborhood.

And after the raid... he and Eleanor did some thinking. And he put it this way. He said:

"You know, I've been waiting for this to happen. Now...  
we're going to make a stand."

Congress -- do you hear me? It's time to make a stand.

Not next year. Not next month. Now.

Please join me... join John and Eleanor... and Ohio  
Avenue... and Fox Park... and St. Louis... and Missouri... and  
this whole United States... and make a stand against crime today.

Thank you... thank you all for listening... God bless Fox  
Park, Missouri... and God bless the United States of America.

(Askew/Bunton)  
September 24, 1992  
8:00 p.m.  
CRIME

PRESIDENTIAL REMARKS: DeSALE CATHOLIC CHURCH  
FOX PARK, MISSOURI  
SEPTEMBER 28, 1992  
10:00 A.M.

Thank you for that kind introduction, and good morning,  
everybody.

It's delightful to be in St. Louis, such a friendly city.  
It really warms my heart. So thank you for your wonderful  
Missouri welcome.

And I'm afraid I have to apologize to everyone who was  
counting on the usual Sunday-evening Bingo game last night. I  
hear the Secret Service spoiled your fun when they had to check  
out the building. I'm sorry you missed the game, but believe me,  
it was smart to stay away. You don't want to be shouting out or  
making sudden moves around these guys. (("Bingo" could take on a  
whole new meaning.))//

~~Folks~~, I want to talk to you today about what I consider  
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I know what you're thinking. You've been listening to that  
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not going to talk about taxes today... but I think it's only fair  
to warn you that for years down in Arkansas, my opponent has been  
trying to declare April 15th a religious holiday.

But what I do want to talk about is protecting every American citizen from violence -- at home, on the streets, and abroad.

Now... that's nothing new. Security's one big reason the Founding Fathers created government in the first place.

What's new... are the terrible forms violence has taken recently... beyond anything our founding fathers could've imagined.

A whole generation has grown up with the threat of nuclear terror hanging like a sword over its head. And it's been horrible. Our kids had nightmares. It seemed like it would never end.

Well, it did end. And today I can stand up here and say something no President could ever say before.

The Cold War is over. Freedom finished first.

Now, we need to win the peace... right here at home.

What's the point, after all... of winning a Cold War if our grandparents and grandchildren lock themselves behind the bars on their windows, afraid to come out from a jail called home?

I'm not saying we haven't made progress against violent crime. We've slowed its growth considerably the past twelve years, and we're beginning to turn the tide on drugs. ((May want to insert one or two sentences about our greatest areas of progress.))

But the face of crime is changing fast, and we need our laws to react just as fast, if we're ever going to beat it.

Carjacking, for a timely example -- a brand-new word for a brand-new crime. Someone figured out it's easy to steal a car when it's already running, with the keys in the ignition. Use a gun -- and it's even easier.

It makes me sick to think about it... but just a few weeks ago, in a middle-class suburb of Washington. D.C., a Federal employee -- she worked at (?) -- was sitting in her car at a red light at (time of day). Two men stuck a gun in her face, pushed her out, and took off.

But she hung on to the car. And you know why? Because her baby was in the back seat.

She was dragged for miles. The thieves tried to knock her off by banging into a guard rail. And finally, they did. She fell off. Dead.

And you know what they did with her ((X-month-old)) baby? At forty miles an hour -- they threw her out the window like so much trash. Never even slowed down.

The miracle is, the baby survived.

And you know what? America's going to survive, too. We don't have to put up with this. We don't have to put up with these murdering animals. As far as this President's concerned, they can go to jail... they can stay in jail... and they can stew in jail. They have no place in a free and decent society.

But how do we do it? How do we respond to these horrible new forms of crime?

Well, we've had a comprehensive crime strategy in place for some time now... and it's working... but it's time to step it up a notch, to stare down the realities of crime in 1992.

And so today I'm challenging Congress to action.

Twelve-hundred and fifteen days ago, on June 15, 1989, back when ((notable occurrence on or around that day)), I sent a comprehensive Crime Bill to Congress.

It never came back. *(X% of errors)*

I've followed up with new versions... tried to work out a compromise with Congress... and still -- nothing.

One of the sticking points has been the so-called Brady Bill, named after Jim Brady, Ronald Reagan's press secretary. *on that exact day*  
*As you all know*  
~~You remember~~, he was hurt badly by gunfire when John Hinckley tried to assassinate the President.

Well, the Brady Bill calls for ((a background check??)) and waiting period whenever someone wants to buy a gun.

I've never been a big supporter of the bill, nor of any gun-control legislation, because I don't think that this sort of regulation solves anything.

But I know that some people honestly believe the Brady Bill could save some innocent lives. And they wouldn't support my Crime Bill unless I supported their Brady Bill.

So we have a logjam. And today, I'm prepared to break that logjam.

Please understand that even though it doesn't erode the Bill of Rights, I'm still very skeptical of the Brady Bill.

But Congress, I'm giving you the benefit of the doubt. If you believe in it that much -- okay.

Here's my deal. I sent over to you this morning eight points of action I want to add to my Crime Bill.

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One, severely punish carjackers, like the ones I just described. I want to make carjacking a Federal offense with harsh penalties, and I want to encourage joint research between the police and private companies, so they can come up with better anti-theft devices for cars. We need to do this quickly before the nasty trend turns into a dangerous wave.

Two, call deadbeat dads onto the carpet. Right now, a single mother here in Missouri can be struggling to keep the kids fed and clothed on her small salary... while their father's over in East St. Louis, picking out a new Chevy truck with terrycloth pom-poms and a gun rack. He could be six months behind in child-

support, but no one can touch him because he's over state lines. Well, I think that's a disgrace, and it's about time the long arm of the law reaches out over that state line... taps that deadbeat dad on the shoulder... and says loud and clear -- time to pay up, buddy. Cough up the cash or go to jail.

Three, strengthen laws dealing with sexual and domestic violence. To start with, we need to protect the victim's privacy. She's subject to scrutiny right now, and that's cruel. And I want repeat sex and domestic-violence offenders behind bars until trial. Today, even a repeat offender can get arrested and be out on bond hours later... stalking his next victim... or beating his wife and kids for turning him in. I want him detained until trial, and I want the prosecution to be able to use past convictions against him. Right now, little details -- like the fact he's a three-time loser -- can't even be mentioned in court. And that's wrong. //

Four, crack down on gang violence. I want gangs to be reclassified under the law as criminal enterprises, just like any other organized crime. That way, we can go after the leaders, and we can deal harshly with them, and we can untie the hands of good cops so they can clean up decent neighborhoods. I also want to toughen the penalties for using juveniles in crimes. Gangs right now can send underage kids out to do their dirty work, because they're minors and they'll get off if they're caught. I think the older gang members should be punished for treating these little kids like personal slaves. //

specific  
(?)

Five, protection for the elderly. It's absurd that the folks who've contributed to this society all through their lives have to live in terror when they're old and frail, just because some young punks see them as an easy target. They're as low as the thugs who pick on children, and I want to beef up the laws that put them in jail.

Six, Habeas Corpus reform. Habeas Corpus is a fancy way of saying, if you're found guilty of something, you can appeal the decision to a higher court. It's supposed to protect the innocent, but it's turned into a ridiculous perversion of the law. Criminal lawyers use it to postpone justice. A guilty verdict means an automatic appeal. It goes on and on, sometimes up to ((ten??)) appeals... keeping criminals on the streets and choking our courts. It's about time we put a stop to this travesty of justice. Let them appeal once and be done with it.

Seven, a Federal death penalty. I think certain acts of violence deserve the ultimate penalty. I'm talking about assassinations, murder for hire, terrorism and other depraved acts. They're an outrage, and should be treated as such.

And eight, firearms. I want tougher penalties for any crime committed with a gun. Period.

Which brings me back to the Brady Bill.

One of the most-frustrating experiences of my administration so far has been the logjam in Congress holding up my Crime Bill. You know, since I first sent that bill to the Hill in 1989, there

have been ((X number of rapes, X number of murders, X number of assaults and X number of robberies)) in St. Louis.

Well, it's time to move. I hope my concession on Brady today, and on other details in the Bill in months gone by, are enough of a compromise to get this critical legislation passed. Let's put the power in back in the hands of our state and local law officers... so they can get to work and do their jobs again.

Now, I'm not saying that tougher laws are going to fix everything. I'm a firm believer in justice, but I think punishment is only part of the solution.

The other part has a more human face.

Tomorrow's criminals are still just kids today. And while I believe in resources for law enforcement... and in reform for law enforcement... I also believe that at some point early in life, a youngster at a critical juncture can be steered to a life of right... or a life of terrible wrong. It all depends on the kind of soil he or she's planted in... and how it's nourished.

That's why I believe our weed-and-seed program is so very crucial. Weed-and-seed means going into a rough neighborhood... cracking down on the 'weeds' of violent crime that can choke a young life... and replacing them with 'seeds' of social opportunity and reform.

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out of the old ((brownstone?)) with those drug-dealers handcuffed, the neighbors -- maybe some of you -- came out onto their porches and gave those police a standing ovation and a cheer.

That's what this country's hungry for. Americans want to take the hoods out of neighborhoods... and give 'em back to the neighbors. We've got to weed the poison from the soil... and in its place, plant the seeds of hope.

You want to be able to walk down to Whaley's Five and Dime, or Mr. Grady's dry-cleaners, down to Fox Park for a stroll, or over to or Peaches and Rufus' for a newspaper and a cup of coffee... and you want to do it knowing you're safe in your own neighborhood, that you helped and keep alive.

I think John Mirgaux said it best. He lives next to that old crack house over on Ohio. And he said he and his wife Eleanor had been thinking about selling their house and just moving away from the drugs and the crime.

But you know... he's lived in Fox Hill his whole life. It's his neighborhood.

And after the raid... he and Eleanor did some thinking. And he put it this way. He said:

"You know, I've been waiting for this to happen. Now... we're going to make a stand."

Congress -- do you hear me? It's time to make a stand.

Not next year. Not next month. Now.

Please join me... join John and Eleanor... and Ohio Avenue... and Fox Park... and St. Louis... and Missouri... and this whole United States... and make a stand against crime today.

Thank you... thank you all for listening... God bless Fox Park, Missouri... and God bless the United States of America.

(Askew/Bunton)  
September 24, 1992  
8:00 p.m.  
CRIME

PRESIDENTIAL REMARKS: DeSALE CATHOLIC CHURCH  
FOX PARK, MISSOURI  
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It really warms my heart. So thank you for your wonderful  
Missouri welcome.

And I'm afraid I have to apologize to everyone who was  
counting on the usual Sunday-evening Bingo game last night. I  
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But what I do want to talk about is protecting every American citizen from violence -- at home, on the streets, and abroad.

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Now... that's nothing new. Security's one big reason the Founding Fathers created government in the first place.

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And you know what? America's going to survive, too. We don't have to put up with this. We don't have to put up with <sup>this kind of depravity.</sup> these murdering animals. As far as this <sup>fellow's</sup> President's concerned, they can go to jail... they can stay in jail... and they can stew in jail. They have no place in a free and decent society.

But how do we do it? How do we respond to these horrible new forms of crime?

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*it disappeared. I keep looking @ milk cartons to see if there's a picture of*

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You put them in... you pass the comprehensive Bill within the next thirty days... you add the Brady Bill on to the end...

And I'll sign the whole package into law -- including Brady.

Fair enough? Thirty days doesn't seem too short a notice, in view of those twelve-hundred-and-fifteen that've gone by already. I'll give you the Brady Bill wrapped with a ribbon.

Now, folks, in case you're wondering about those eight points I sent over to Congress this morning... let me assure you I'm not asking for anything but common sense and reasonable justice. I want to offer Federal money and support to help ~~the~~ states do the following things:

One, <sup>agreement +</sup> severely punish carjackers, like the ones I just described. I want to make carjacking a Federal offense with harsh penalties, and I want to encourage joint research between the police and private companies, so <sup>we</sup> they can <sup>invest</sup> come up with better anti-theft devices for cars. We need to do this quickly before the nasty trend turns into a dangerous wave.

Two, call deadbeat dads onto the carpet. Right now, a single mother here in Missouri can be struggling to keep the kids fed and clothed on her small salary... while their father's over in East St. Louis, picking out a new Chevy truck with terrycloth pom-poms and a gun rack. He could be six months behind in child-

support, but no one can touch him because he's over state lines. Well, I think that's a disgrace, and it's about time the long arm of the law reaches out over that state line... taps that deadbeat dad on the shoulder... and says loud and clear -- time to pay up, buddy. Cough up the cash or go to jail.

Three, strengthen laws dealing with sexual and domestic violence. To start with, we need to protect the victim's privacy. She's subject to scrutiny right now, and that's cruel. And I want repeat sex and domestic-violence offenders behind bars until trial. Today, even a repeat offender can get arrested and be out on bond hours later... stalking his next victim... or beating his wife and kids for turning him in. I want him detained until trial, and I want the prosecution to be able to use past convictions against him. Right now, little details -- like the fact he's a three-time loser -- can't even be mentioned in court. And that's wrong.

Four, crack down on gang violence. I want gangs to be reclassified under the law as criminal enterprises, just like any other organized crime. That way, we can go after the leaders, and we can deal harshly with them, and we can untie the hands of good cops so they can clean up decent neighborhoods. I also want to toughen the penalties for using juveniles in crimes. Gangs right now can send underage kids out to do their dirty work, because they're minors and they'll get off if they're caught. I think the older gang members should be punished for treating these little kids like personal slaves.

Five, protection for the elderly. It's absurd that the folks who've contributed to this society all through their lives have to live in terror when they're old and frail, just because some young punks see them as an easy target. They're as low as the thugs who pick on children, and I want to beef up the laws that put them in jail.

Six, Habeas Corpus reform. Habeas Corpus is a fancy way of saying, if you're found guilty of something, you can appeal the decision to a higher court. It's supposed to protect the innocent, but it's turned into a ridiculous perversion of the law. Criminal lawyers use it to postpone justice. A guilty verdict means an automatic appeal. It goes on and on, sometimes up to ((ten??)) appeals... keeping criminals on the streets and choking our courts. It's about time we put a stop to this travesty of justice. Let them appeal once and be done with it.

Seven, a Federal death penalty. I think certain acts of violence deserve the ultimate penalty. I'm talking about assassinations, murder for hire, terrorism and other depraved acts. They're an outrage, and should be treated as such.

And eight, firearms. I want tougher penalties for any crime committed with a gun. Period.

Which brings me back to the Brady Bill.

One of the most-frustrating experiences of my administration so far has been the logjam in Congress holding up my Crime Bill. You know, since I first sent that bill to the Hill in 1989, there

have been ((X number of rapes, X number of murders, X number of assaults and X number of robberies)) in ~~St. Louis~~ <sup>Fox Park.</sup>

Well, it's time to <sup>make</sup> move. I hope my concession on Brady today, and on other details in the Bill in months gone by, are enough of a compromise to get this critical legislation passed. Let's put the power ~~in~~ <sup>back</sup> in the hands of our state and local law officers... so they can get to work and do their jobs again.

Now, I'm not saying that tougher laws are going to fix everything. I'm a firm believer in justice, but I think punishment is only part of the solution.

The other part has a more human face.

Tomorrow's criminals are still just kids today. And while I believe in resources for law enforcement... and in reform for law enforcement... I also believe that at some point early in life, a youngster at a critical juncture can be steered to a life of right... or a life of terrible wrong. It all depends on the kind of soil ~~he or she's~~ <sup>you</sup> planted in... and how ~~it's~~ <sup>these kids</sup> ~~nourished~~ <sup>you</sup> ~~it's~~ <sup>them.</sup> nourished.

That's why I believe our weed-and-seed program is so very crucial. Weed-and-seed means going into a rough neighborhood... ~~cracking down on~~ <sup>pulling out or eradicating</sup> the 'weeds' of violent crime that can choke a young life... and replacing them with <sup>carefully</sup> 'seeds' of social opportunity and reform. <sup>lovingly planted</sup>

That's what Operation Crackdown is all about. Taking a crack house and giving it back to the community.

You know, just the other day, only a few blocks from here, <sup>officers</sup> policemen ~~men~~ raided a crack house on Ohio Avenue. And as <sup>those officers</sup> ~~they~~ came

out of the old ((brownstone?)) with those drug-dealers handcuffed, the neighbors -- maybe some of you -- came out onto their porches and gave those police a standing ovation and a cheer.

That's what this country's hungry for. Americans want to take the hoods out of neighborhoods... and give 'em back to the neighbors. We've got to weed the poison from the soil... and in its place, plant the seeds of hope. *(growth)*

*So this* You want to be able to walk down to Whaley's Five and Dime, or Mr. Grady's dry-cleaners, down to Fox Park for a stroll, or over to ~~of~~ Peaches and Rufus' for a newspaper and a cup of coffee... and you want to do it knowing you're safe in your own neighborhood, that you *help* helped and *keep* kept alive. *build*

I think John Mirgoux said it best. He lives next to that old crack house over on Ohio. And he said he and his wife Eleanor had been thinking about selling their house and just moving away from the drugs and the crime. *all n'guy*

But you know... he's lived in Fox Hill his whole life. It's his neighborhood. *h ?*

— And after the raid... he and Eleanor did some thinking. And he put it this way. He said:

"You know, I've been waiting for this to happen. Now... we're going to make a stand."

Congress -- do you hear me? It's time to make a stand.

Not next year. Not next month. Now.

Please join me... join John and Eleanor... and Ohio  
Avenue... and Fox Park... and St. Louis... and Missouri... and  
this whole <sup>(glorious)</sup> United States... and make a stand <sup>(a firm stand)</sup> against crime today.


Thank you... thank you all for listening... God bless Fox  
Park, Missouri... and God bless the United States of America.

Sat Sept 19

Steve,

Dan and I spoke about this. He said that you/he would talk about it on Monday and that you would pass this to the person you task to do the speech. FYI, Claire has an additional copy of this that she got from me/Linda on Fri 9/18. We'd given her a quick copy, not knowing how urgent this was. So she needs to know that you have a copy and are working it.

thanks  
Cozetta



THE WHITE HOUSE

WASHINGTON

September 19, 1992

TO: Dennis Ross  
Dan McGroarty

FROM: Bob Zoellick

SUBJECT: CRIME SPEECH

This is a draft crime <sup>(Speech)</sup> bill from the Attorney General for your background use. While we tentatively plan to start the crime sequence around September 28, there is a chance we might do it as early as Wednesday, September 23; therefore please have someone start to familiarize themselves with this subject. Dennis Ross (perhaps working through Roger Porter) can help with the background. You could also be in touch with Nick Calio.



Office of the Attorney General  
Washington, D.C. 20530

FACSIMILE TRANSMISSION COVER SHEET

Date: September 18, 1992

Transmitted To: Nick Calio  
(Name)

The White House  
(Organization)

(Building, Room #, etc.)

456-2230 Fax No. 456-6220  
(Telephone/Extension)

Transmitted From: Bill Barr  
(Name, Organization)

456-2001  
(Telephone/Extension)

Pages being sent: 18 (DO NOT count this cover sheet as a page.)

I have not had a chance to review this draft -- but hopefully it will get you started.

Bill

AS I HAVE OFTEN SAID, THE FIRST DUTY OF GOVERNMENT IS THE PROTECTION OF ITS CITIZENS. THAT IS THE ESSENCE OF THE SOCIAL CONTRACT BETWEEN A GOVERNMENT AND ITS CITIZENS -- THE VERY REASON GOVERNMENTS WERE CREATED.

IN THE INTERNATIONAL ARENA, THIS MEANS NATIONAL DEFENSE. AND WE HAVE ACHIEVED REMARKABLE SUCCESSES IN THAT ARENA OVER THE LAST FOUR YEARS -- EFFECTIVELY ELIMINATING THE NUCLEAR NIGHTMARE.

TODAY, I WOULD LIKE TO TALK TO YOU ABOUT THE DOMESTIC COMPONENT OF THIS FIRST DUTY OF GOVERNMENT -- PROTECTING CITIZENS AGAINST VIOLENCE AT HOME.

I WOULD LIKE TO SHARE SOME THOUGHTS WITH YOU ABOUT THE PROBLEM OF VIOLENT CRIME IN AMERICA TODAY; TELL YOU WHAT WE HAVE BEEN TRYING TO DO ABOUT IT AT THE FEDERAL LEVEL; AND ANNOUNCE A MAJOR NEW PROPOSAL TO BREAK THE LOGJAM ON CAPITOL HILL ON A CRIME BILL.

I DON'T HAVE TO TELL YOU HOW SERIOUS THE VIOLENT CRIME PROBLEM IS TODAY. YOU CANNOT WATCH THE NEWS OR READ THE PAPERS FOR EVEN A SINGLE DAY WITHOUT SEEING GRAPHIC AND DISHEARTENING EVIDENCE OF THE VIOLENCE WHICH AFFLICTS OUR SOCIETY.

INDEED, I BELIEVE WE ARE AT A CRITICAL JUNCTURE IN THIS COUNTRY WHEN IT COMES TO VIOLENT CRIME.

VIOLENCE IS AT INTOLERABLY HIGH LEVELS. WE SEE INCREASES IN RAPE, MURDER, GANG VIOLENCE, AND, MOST TRAGICALLY, JUVENILE VIOLENT CRIME. CRIME SEEMS TO BE BECOMING MORE VICIOUS, MORE COLD-BLOODED, AND MORE WANTON THAN EVER.

THERE WAS AN EPISODE RECENTLY IN WASHINGTON THAT REALLY EPITOMIZES WHAT I AM TALKING ABOUT.

A YOUNG MOTHER WAS TAKING HER TWENTY-TWO MONTH OLD DAUGHTER TO DAY CARE ON HER WAY TO WORK.

TWO YOUNG MEN PULLED HER OUT OF HER CAR IN A CARJACKING. TRAGICALLY, SHE WAS CAUGHT IN THE DOOR AND DRAGGED NEARLY TWO MILES TO HER DEATH. THE CARJACKERS ALSO THREW THE BABY OUT

OF THE CAR. @ 40 MPH

ALL TOO PREDICTABLY, IT TURNED OUT THAT ONE OF THE SUBJECTS HAD AN EXTENSIVE PRIOR HISTORY OF VIOLENCE AND DRUG OFFENSES. INDEED, HE HAD BEEN RELEASED FROM PRISON ONLY A WEEK EARLIER FOLLOWING ARREST ON DRUG CHARGES. THE OTHER SUSPECT IS 16 YEARS OLD. SINCE HE IS A JUVENILE, WE DO NOT KNOW HIS PRIOR CRIMINAL RECORD.

THIS KIND OF BRUTAL AND VICIOUS CRIME IS ALL TOO COMMON. AT TIMES IT SEEMS WE HAVE ALMOST BECOME IMMUNE TO IT. BUT WE CANNOT ALLOW THAT TO HAPPEN. WE MUST NOT LOSE OUR SENSE OF OUTRAGE AT THE VIOLENT CRIME THAT PERMEATES OUR SOCIETY. I BELIEVE THAT THERE IS NO DEVELOPMENT THAT IS MORE PROFOUND OR APPALLING THAN THE EPIDEMIC OF VIOLENCE THAT HAS GRIPPED OUR COUNTRY FOR THE PAST THREE DECADES.

I.

WHAT CAN WE DO ABOUT THIS EPIDEMIC OF VIOLENCE?

WHILE THE FEDERAL ROLE IS LIMITED -- 95% OF VIOLENT CRIME IS HANDLED BY STATE AND LOCAL GOVERNMENT -- I DO BELIEVE THAT THERE

Fed Employee?

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ARE IMPORTANT STEPS THE FEDERAL GOVERNMENT CAN AND MUST TAKE TO FULFILL OUR OBLIGATION TO PROTECT OUR CITIZENS.

THE STARTING POINT IS RECOGNIZING WHAT THE PROBLEM IS. WHILE THERE ARE ENDLESS DEBATES ABOUT THE SO-CALLED "ROOT CAUSES" OF CRIME -- AND I'LL HAVE MORE TO SAY ABOUT THAT LATER -- I BELIEVE THAT THERE IS NO QUESTION ABOUT WHAT WE CAN DO NOW TO MAKE REAL REDUCTIONS IN THE LEVEL OF VIOLENCE.

THE FACT OF THE MATTER IS THAT IT IS A RELATIVELY SMALL GROUP OF PEOPLE WHO ARE RESPONSIBLE FOR MUCH OF THE VIOLENCE IN THIS COUNTRY. STUDY AFTER STUDY SHOWS THIS TO BE THE CASE. TO GIVE JUST ONE EXAMPLE, ONE STUDY FOLLOWED 240 CRIMINALS OVER AN ELEVEN YEAR PERIOD AND FOUND THAT THIS SMALL GROUP WAS RESPONSIBLE FOR A STAGGERING HALF A MILLION CRIMES. OTHER STUDIES SHOW SIMILAR RESULTS.

THESE REPEAT, CHRONIC OFFENDERS COMMIT CRIME AFTER CRIME WHENEVER THEY ARE ON THE STREETS. THEY COMMIT CRIMES WHEN THEY ARE RELEASED ON BAIL, ON PAROLE, OR ON PROBATION. THE EVIDENCE IS OVERWHELMING THAT THEY ARE NOT GOING TO BE REHABILITATED. RATHER, THEY ARE GOING TO KEEP ON COMMITTING CRIMES WHENEVER THEY ARE OUT OF PRISON.

THE BEST WAY TO DEAL WITH THE IMMEDIATE PROBLEM OF VIOLENT CRIME IS TO INCAPACITATE THESE CHRONIC VIOLENT OFFENDERS.

THE EXPERIENCE OF THE LAST THIRTY YEARS BEARS THIS OUT.

UP UNTIL 1960, THE LEVEL OF VIOLENT CRIME FLUCTUATED, BUT STAYED WITHIN REASONABLE BOUNDS.

THEN, IN THE 1960S AN ERA OF PERMISSIVENESS BEGAN. THE NUMBER OF PEOPLE IN PRISON IN 1970 WAS ACTUALLY LESS THAN THE NUMBER IN PRISON IN 1960, NOTWITHSTANDING THE INCREASE IN POPULATION. ~~THE INCARCERATION RATE DECREASED BY 30% IN THE 1960S AND 1970S.~~

AND, NOT SURPRISINGLY, VIOLENT CRIME SKYROCKETED DURING THAT PERIOD -- INCREASING 400% FROM 1960 TO 1980.

? IN THE 1980S WE BEGAN TO GET TOUGHER AND INCREASE THE INCARCERATION OF VIOLENT CRIMINALS. THE INCARCERATION RATE DOUBLED DURING THE 1970S. AND, WHILE VIOLENT CRIME HAS CONTINUED TO INCREASE, THE RATE OF INCREASE HAS SLOWED DRAMATICALLY -- ONLY 25% IN THE TWELVE YEARS SINCE 1980 VERSUS OVER 400% IN THE PREVIOUS TWENTY YEARS. AND THIS IS NOTWITHSTANDING THE EXPLOSION OF CRIME ASSOCIATED WITH THE USE OF CRACK COCAINE DURING THIS PERIOD.

WHILE THE LEVEL OF VIOLENCE IS STILL UNACCEPTABLY HIGH, AND STILL INCREASING, THE POLICY OF INCREASED INCARCERATION HAS WORKED. THERE IS MUCH LESS CRIME TODAY THAN THERE WOULD HAVE BEEN IF WE HADN'T STARTED GETTING TOUGHER ON CRIME AND ON CRIMINALS IN THE 1980S.

NOW LIBERALS HATE TO HEAR THIS. INDEED, I NOTED WITH INTEREST A RECENT AMERICAN BAR ASSOCIATION REPORT THAT COMPLAINS THAT INCARCERATION RATES HAVE CLIMBED SUBSTANTIALLY EVEN THOUGH CRIME RATES HAVE GONE DOWN OR REMAINED RELATIVELY STABLE -- AS IF THERE WAS NO CONNECTION BETWEEN THOSE TWO FACTS.

SO, DON'T LET ANYONE TELL YOU THAT WE DON'T KNOW HOW TO REDUCE VIOLENT CRIME. WE DO. WE SIMPLY HAVE TO HAVE THE WILL TO CONTINUE THE TOUGHER POLICIES WE BEGAN ADOPTING IN THE 1980S.

WE HAVE DEVELOPED A FOUR PART APPROACH AT THE FEDERAL LEVEL TO ACCOMPLISH THIS:

FIRST, MORE RESOURCES ACROSS THE BOARD FOR LAW ENFORCEMENT -  
- MORE POLICE, MORE PROSECUTORS, AND, ESPECIALLY, MORE PRISONS.

SECOND, TOUGH LAW REFORM SO THAT WE CAN TAKE VIOLENT CRIMINALS OFF THE STREETS AND KEEP THEM IN PRISON.

THIRD, SPECIAL OPERATIONS -- IN CLOSE COOPERATION WITH STATE AND LOCAL LAW ENFORCEMENT -- TARGETED AT INCARCERATING THE CHRONIC, VIOLENT OFFENDER.

AND, FOURTH, THE WEED AND SEED PROGRAM, WHICH COORDINATES TOUGH LAW ENFORCEMENT WITH SMART SOCIAL PROGRAMS TO HELP LAW-ABIDING CITIZENS RECLAIM THE STREETS AND REVITALIZE THEIR COMMUNITIES.

II.

TODAY, I WOULD LIKE TO BRIEFLY SUMMARIZE WHAT WE HAVE DONE AT THE FEDERAL LEVEL TO IMPLEMENT THIS FOUR PART STRATEGY AND OUTLINE A NEW PROPOSAL TO BREAK THE LOGJAM ON CAPITOL HILL ON THE CRIME BILL SO THAT WE CAN MAKE STILL MORE PROGRESS IN FIGHTING VIOLENT CRIME.

BUT FIRST, I WOULD LIKE TO PUT THESE EFFORTS INTO THE PROPER PERSPECTIVE.

THERE ARE TWO FUNDAMENTALLY DIFFERENT APPROACHES TO DEALING WITH VIOLENT CRIME.

THE FIRST, THE ONE I HAVE BEEN FOLLOWING, SAYS THAT CRIME IS CAUSED BY CRIMINALS, AND THAT YOU DEAL WITH CRIME BY GETTING TOUGHER WITH CRIMINALS. YOU DETER CRIME, YOU PUNISH CRIME, YOU INCAPACITATE THE CRIMINAL. THIS APPROACH DOES NOT DISCOUNT THE IMPORTANCE OF SOCIAL PROGRAMS, BUT IT RECOGNIZES THAT BY THEIR ACTIONS VIOLENT CRIMINALS HAVE IN EFFECT DECLARED WAR ON SOCIETY. AND IT RECOGNIZES THAT THE ONLY WAY TO DEAL WITH THE CURRENT PROBLEM OF VIOLENCE AND TO PROTECT LAW ABIDING CITIZENS IS TO BE TOUGH WITH VIOLENT CRIMINALS. TO TAKE THEM OFF THE STREETS.

THE SECOND APPROACH BLAMES SOCIETY, NOT CRIMINALS FOR CRIME. IT STATES THAT CRIME IS CAUSED BY SOCIETAL ILLS AND THAT THE WAY TO DEAL WITH CRIME IS TO ATTACK THE SO-CALLED "ROOT CAUSES" OF CRIME. THIS APPROACH IS ADVOCATED BY THOSE WHO SEEM TO BE CONSTITUTIONALLY INCAPABLE OF HOLDING CRIMINALS RESPONSIBLE FOR THEIR ACTIONS. THEY BLAME SOCIETY AND DECRY ANY EFFORT TO DEAL WITH CRIME ITSELF. THEY ARE LIKE THOSE WHO, IN THE MIDST OF A FIRE, TALK ABOUT MAKING HOUSES MORE FIRE RESISTANT INSTEAD OF TRYING TO PUT OUT THE FLAMES.

### III.

CLEARLY, A MIXTURE OF BOTH APPROACHES IS NEEDED. AND, MY NEW WEED AND SEED PROGRAM, WHICH I'LL DESCRIBE MORE IN A FEW MINUTES ACHIEVES JUST THAT MIXTURE.

BUT, AS I SAID EARLIER, I BELIEVE STRONGLY IN THE IMPORTANCE OF THE FIRST -- TOUGH -- APPROACH TO CRIME. AND OUR RECORD AT THE FEDERAL LEVEL OVER THE LAST TWELVE YEARS BEARS THAT OUT. WE HAVE UNDERTAKEN THE MOST COMPREHENSIVE REFORM OF THE FEDERAL

CRIMINAL JUSTICE SYSTEM IN OUR NATION'S HISTORY. AND IN DOING SO WE HAVE MADE THE FEDERAL SYSTEM THE TOUGHEST SYSTEM IN THE NATION. IT IS A MODEL THAT I BELIEVE THE STATES CAN LOOK TO AS THEY REVAMP THEIR CRIMINAL JUSTICE SYSTEMS FOR THE LAW ENFORCEMENT CHALLENGES OF THE 1990S.

A.

FIRST, WE HAVE DRAMATICALLY INCREASED THE RESOURCES DEVOTED TO LAW ENFORCEMENT, AND ESPECIALLY TO THE WAR ON VIOLENT CRIME.

MY 1993 BUDGET REQUEST FOR THE DEPARTMENT OF JUSTICE REPRESENTS A 71% INCREASE SINCE 1989. SINCE 1989, WE HAVE ADDED OVER 800 FBI AGENTS, OVER 700 DEA AGENTS, AND OVER 1,200 FEDERAL PROSECUTORS. AND, MOST SIGNIFICANTLY, WE HAVE ALREADY NEARLY DOUBLED PRISON CAPACITY AND WILL TRIPLE IT BY 1997. I HAVE ALSO INCREASED OUR BUDGET FOR THE DRUG WAR BY 82%.

WE HAVE ALSO MOVED FORWARD AGGRESSIVELY ON ASSET FORFEITURE -- TO ENSURE THAT CRIME DOES NOT PAY. WE HAVE FORFEITED OVER \$2 BILLION IN CRIMINAL ASSETS SINCE 1989 AND USED \$500 MILLION FOR PRISON CONSTRUCTION -- SO THAT CRIMINALS ARE IN EFFECT PAYING FOR THEIR OWN PRISONS.

AND, WE HAVE INCREASED OUR ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT -- PROVIDING OVER \$1.85 BILLION IN BLOCK, DISCRETIONARY AND JUVENILE JUSTICE GRANTS, \$770 MILLION IN SHARED ASSET FORFEITURE FUNDS, AND OVER \$430 MILLION FOR VICTIMS COMPENSATION AND ASSISTANCE SINCE 1989.

B.

SECOND, WE HAVE REFORMED THE LEGAL FRAMEWORK TO MAKE THE FEDERAL SYSTEM THE TOUGHEST IN THE NATION. SINCE 1980, WE HAVE PROVIDED FOR PRETRIAL DETENTION OF DANGEROUS OFFENDERS; ELIMINATED PAROLE TO CREATE TRUTH IN SENTENCING; AND PROVIDED FOR TOUGH MANDATORY MINIMUM SENTENCES FOR VARIOUS DRUG, GUN AND REPEAT OFFENDERS. WE HAVE ALSO PROVIDED IMPORTANT PROTECTIONS FOR VICTIMS SO THAT THEY ARE NOT VICTIMIZED A SECOND TIME BY THE CRIMINAL JUSTICE SYSTEM.

AND, AN EXTREMELY IMPORTANT PART OF OUR LAW REFORM EFFORT HAS BEEN THE APPOINTMENT TO THE BENCH OF JUDGES WHO HAVE CURED SOME OF THE EXCESSES OF THE WARREN COURT ERA AND RESTORED SOME BALANCE TO THE CRIMINAL JUSTICE SYSTEM, RECOGNIZING THAT SOCIETY HAS RIGHTS AS WELL AS CRIMINALS.

ON THE STATE SIDE, IN JULY THE ATTORNEY GENERAL ISSUED A REPORT ON VIOLENT CRIME, WHICH CONTAINED 24 RECOMMENDATIONS FOR STATES TO STRENGTHEN THEIR CRIMINAL JUSTICE SYSTEMS. I AM DELIGHTED WITH THE STRONG SUPPORT THIS REPORT HAS RECEIVED AMONG PROSECUTORS, VICTIMS GROUPS, AND OTHERS AROUND THE COUNTRY.

LET ME GIVE YOU JUST A FEW EXAMPLES OF THE NEED FOR REFORM AT THE STATE LEVEL. IN FAR TOO MANY STATES WE ARE RETURNING TO THE REVOLVING DOOR POLICIES TYPICAL OF THE 1960S. THE AVERAGE CRIMINAL IN THE UNITED STATES IS NOW SERVING ONLY 37% OF HIS SENTENCE. THUS, WHILE ON AVERAGE RAPISTS IN THE UNITED STATES ARE SENTENCED TO EIGHT YEARS IN PRISON, ON AVERAGE THEY SERVE ONLY THREE. THINK ABOUT THAT. THE AVERAGE PENALTY FOR RAPE IN

THE UNITED STATES, ONE OF THE MOST HORRIBLE CRIMES IMAGINABLE, IS ONLY THREE YEARS IN PRISON. THAT IS A NATIONAL DISGRACE.

AND SO IS THE FACT THAT 30% OF THE MURDERS IN THIS COUNTRY - - SOME 6500 OF OUR FELLOW CITIZENS SLAUGHTERED EACH YEAR -- ARE COMMITTED BY PEOPLE WHO ARE OUT OF PRISON ON BAIL, PAROLE OR PROBATION.

WE HAVE SLAMMED SHUT THE REVOLVING DOOR AT THE FEDERAL LEVEL. IT IS CLEARLY TIME FOR THE STATES TO DO SO AS WELL.

C.

THIRD, WE HAVE TARGETED OUR OPERATIONS AT THE VIOLENT, REPEAT OFFENDER. TAKING ADVANTAGE OF THE CHANGED INTERNATIONAL SITUATION FOLLOWING OUR VICTORY IN THE COLD WAR, WE REPROGRAMMED 300 FBI AGENTS FROM FOREIGN COUNTERINTELLIGENCE TO ANTI-GANG WORK, BRINGING THE NUMBER OF FBI AGENTS WORKING ON VIOLENT CRIME TO NEARLY 2,000; WE HAVE FORMED GANG TASK FORCES; AND WE HAVE ACHIEVED SUBSTANTIAL SUCCESS AGAINST GANGS IN CITIES THROUGHOUT THE COUNTRY. IN PHILADELPHIA, FOR EXAMPLE, IN JUST TWO YEARS WE HAVE PROSECUTED 38 GANGS, PUTTING OVER 600 GANG MEMBERS INTO FEDERAL PRISON. AND MURDER AND CRIME RATES IN PHILADELPHIA HAVE DECLINED.

WE HAVE ALSO INITIATED THE TRIGGERLOCK PROGRAM, AIMED AT VIOLENT GUN OFFENDERS. IN SLIGHTLY OVER ONE YEAR, THIS NEW PROGRAM HAS ALREADY RESULTED IN OVER 8,000 ARRESTS ON FIREARMS CHARGES. IN JUST ONE YEAR WE HAVE MORE THAN DOUBLED THE NUMBER OF FEDERAL DRUG PROSECUTIONS.

AND WE HAVE ADOPTED A VARIETY OF PROGRAMS TARGETED AT FUGITIVES. IN OPERATION GUNSMOKE ALONE, IN A 10 WEEK PERIOD WE ARRESTED OVER 3,300 OF OUR NATION'S MOST DANGEROUS FUGITIVES, INCLUDING 224 ACCUSED OR CONVICTED MURDERERS.

D.

AND FOURTH, WE HAVE INSTITUTED THE WEED AND SEED PROGRAM. THIS INNOVATIVE PROGRAM REPRESENTS A FUNDAMENTALLY NEW WAY OF BRINGING TOGETHER THE TWO SCHOOLS OF THOUGHT I REFERRED TO EARLIER -- COORDINATING TOUGH LAW ENFORCEMENT TO ELIMINATE THE ATMOSPHERE OF VIOLENCE WITH SMART SOCIAL PROGRAMS TO PROVIDE OPPORTUNITY AND GIVE LAW ABIDING CITIZENS A CHANCE TO REVITALIZE THEIR COMMUNITIES. IT REJECTS THE FALSE CHOICE SOME PRESENT BETWEEN LAW ENFORCEMENT AND SOCIAL PROGRAMS BY RECOGNIZING THAT BOTH ARE NEEDED, BUT ALSO RECOGNIZING THAT SOCIAL PROGRAMS CANNOT TAKE ROOT IN AN ATMOSPHERE OF CRIME AND VIOLENCE. THE PROGRAM IS ALREADY UNDERWAY IN 20 CITIES, AND I HAVE REQUESTED \$500 MILLION IN MY 1993 BUDGET TO EXPAND IT DRAMATICALLY.

IV.

WHILE WE HAVE MADE SIGNIFICANT PROGRESS ON THE FEDERAL LEVEL, MORE REMAINS TO BE DONE.

I AM DISAPPOINTED THAT IT LOOKS LIKE CONGRESS WILL AGAIN NOT FUND THE FULL AMOUNT I HAVE REQUESTED FOR LAW ENFORCEMENT. THIS WILL, AGAIN, MEAN FEWER AGENTS AND FEWER PROSECUTORS. WE NEED THESE RESOURCES TO FULFILL OUR OBLIGATION TO PROTECT OUR CITIZENS.

AND I AM EXTREMELY FRUSTRATED THAT I HAVE STILL BEEN UNABLE TO GET CONGRESS TO PASS THE TOUGH CRIME BILL WE NEED.

I HAVE BEEN TRYING THROUGHOUT MY ADMINISTRATION TO GET THIS MUCH NEEDED LEGISLATION OUT OF CONGRESS, ONLY TO BE BLOCKED AT EVERY STEP BY A LIBERAL COALITION THAT IS SIMPLY UNWILLING TO BE TOUGH ON CRIMINALS.

THIS DEBATE HAS EXEMPLIFIED THE DIFFERENCE IN APPROACH I DESCRIBED EARLIER. WE WANT TO GET TOUGH ON CRIME. THE LIBERALS WANT TO BLAME SOCIETY.

EVERY PROPOSAL WE MAKE IS BOXED UP, AND WE HEAR THE CONSTANT REFRAIN THAT ALL WE REALLY NEED IS A WAITING PERIOD FOR GUN PURCHASES.

WELL, TODAY I AM PREPARED TO BREAK THE LOGJAM.

I AM ANNOUNCING A NEW CRIME BILL, THAT INCLUDES SIGNIFICANT UNILATERAL COMPROMISES ON MY PART ON VARIOUS OF THE ITEMS WE HAVE BEEN UNABLE TO RESOLVE.

AND, IF CONGRESS AGREES TO THESE PROVISIONS -- ALL OF WHICH SHOULD BE READILY ACCEPTABLE -- I WILL ACCEPT A REASONABLE WAITING PERIOD FOR GUN PURCHASES.

V.

BEFORE I GET TO MY NEW PROPOSAL, LET ME SPEND A FEW MINUTES OUTLINING MY THOUGHTS ON GUN CONTROL.

LET ME MAKE CLEAR AT THE OUTSET THAT WE ALL AGREE THAT FELONS SHOULD NOT POSSESS GUNS. WE THINK THE BEST WAY TO PREVENT THIS IS TO IMPOSE TOUGH PENALTIES ON THOSE FELONS WHO DO, AND WE HAVE DONE JUST THAT.

AS FAR AS A CRIMINAL RECORDS CHECK BEFORE PURCHASING A GUN IS CONCERNED, I SUPPORT SUCH A CHECK. I BELIEVE THE BEST WAY TO DO SO IS TO HAVE A POINT OF SALE CHECK, LIKE A CREDIT CARD CHECK. THIS REQUIRES GOOD STATE CRIMINAL HISTORY RECORDS -- AND WE HAVE BEEN PUTTING MONEY INTO UPGRADES OF THOSE RECORDS.

I SUPPORT A CRIMINAL RECORDS CHECK EVEN THOUGH ONLY 16% OF GUNS USED IN FELONIES ARE PURCHASED IN GUN STORES, SO A RECORDS CHECK IS OF LIMITED USE TO FIGHT VIOLENT CRIME. MOREOVER, WITH LITERALLY HUNDREDS OF GUNS ALREADY IN CIRCULATION FOR EVERY VIOLENT CRIMINAL, WE HAVE TO BE REALISTIC IN UNDERSTANDING THAT A CRIMINAL HISTORY CHECK IS NOT GOING TO REMOVE GUNS FROM VIOLENT FELONS -- INDEED, THEY ARE LIKELY TO BE THE LAST PEOPLE AFFECTED BY SUCH A RULE.

NEVERTHELESS, THE CHECK CAN DO SOME GOOD, AND I BELIEVE THAT THE POINT OF SALE APPROACH IS THE BEST WAY TO ACHIEVE ITS LIMITED BENEFITS WHILE MINIMIZING THE IMPACT ON LAW ABIDING CITIZENS SEEKING TO PURCHASE GUNS.

OTHERS PREFER A FIVE DAY OR SEVEN DAY WAITING PERIOD -- THE BRADY BILL. WHILE THIS APPROACH HAS BEEN MUCH TOUTED, I NOTE THAT CONGRESS HAS NOT YET AGREED ON A VERSION OF THE BRADY BILL. WHILE THE WAITING PERIOD IS NOT MY PREFERRED ROUTE, I HAVE MADE CLEAR THAT IF CONGRESS AGREES ON A REASONABLE VERSION OF THE BRADY BILL I WOULD ACCEPT IT IN THE CONTEXT OF A TOUGH, COMPREHENSIVE CRIME BILL.

AND I REITERATE THAT TODAY. IN A MOMENT I WILL OUTLINE MY NEW CRIME BILL PROPOSAL. IF CONGRESS ACCEPTS THESE PROVISIONS,

AND CAN AGREE ON A VERSION OF THE BRADY BILL TO ADD TO THEM, I WILL SIGN THE ENTIRE PACKAGE INTO LAW.

VI.

WHAT IS MY PROPOSAL? IT CONTAINS NINE PARTS.

FIRST, A WORKABLE AND EFFECTIVE FEDERAL DEATH PENALTY. THIS IS NEEDED TO DETER CRIME. OUR CRIMINAL JUSTICE SYSTEM IS BUILT ON THE COMMON SENSE NOTION THAT THE MORE SEVERE THE PUNISHMENT THE GREATER ITS DETERRENT VALUE, AND I BELIEVE THAT THIS IS THE CASE WITH THE DEATH PENALTY AS WELL. BUT THE DEATH PENALTY IS ALSO NEEDED TO EXPRESS SOCIETY'S OUTRAGE AT THE MOST HEINOUS CRIMES. THAT FEELING OF OUTRAGE IS A GOOD THING. IF WE EVER LOSE OUR OUTRAGE AT CRIMES OF VIOLENCE WE WILL HAVE TRULY LOST THE WAR AGAINST CRIME.

IN ADDITION TO PROVIDING THE DEATH PENALTY FOR HEINOUS CRIMES, WE NEED WORKABLE PROCEDURES FOR IMPLEMENTING IT. ALTHOUGH SOME ON THE HILL TALK TOUGH ON THE DEATH PENALTY THEY PROPOSE PROCEDURES WHICH THEY KNOW MEAN IT WILL VIRTUALLY NEVER BE IMPOSED. SUCH TOUGH BUT MEANINGLESS TALK IS A FRAUD ON THE AMERICAN PEOPLE AND A LESSON THAT YOU NEED TO LOOK CLOSELY AT WHAT PEOPLE ARE ACTUALLY DOING, NOT JUST WHAT THEY'RE SAYING, ON THE CRIME ISSUE.

SECOND, REAL HABEAS CORPUS REFORM. THERE ARE FEW DEVELOPMENTS IN THE LAW MORE DISTRESSING THAN THE PERVERSION OF HABEAS CORPUS -- WHICH WAS ONCE A BULWARK AGAINST IMPROPER DETENTION -- INTO A MEANS FOR ENDLESSLY RELITIGATING ISSUES AND DELAYING THE IMPOSITION OF JUSTICE. THIS IMPOSES GREAT COSTS ON

STATE CRIMINAL JUSTICE SYSTEMS AND ON VICTIMS OF CRIME -- WHO ARE FORCED TO LIVE THROUGH THE HARROWING EXPERIENCES TIME AND AGAIN.

MY HABEAS CORPUS PROPOSAL WAS FAR REACHING AND ENJOYED UNIVERSAL SUPPORT FROM PROSECUTORS. ALTHOUGH THE VAST MAJORITY OF CONGRESS SUPPORTS HABEAS CORPUS REFORM, IT HAS BEEN CONSISTENTLY THWARTED BY A LIBERAL MINORITY. AGAIN, THEY HAVE TALKED TOUGH ON HABEAS REFORM BUT INSTEAD PROPOSED A BILL THAT WOULD OVERTURN A NUMBER OF SUPREME COURT DECISIONS THAT FAVORED LAW ENFORCEMENT AND ACTUALLY GO BACKWARDS, NOT FORWARDS, IN OUR FIGHT AGAINST CRIME.

IN AN EFFORT TO BREAK THE LOGJAM I AM TODAY ANNOUNCING THAT I WILL DROP CERTAIN OF THE FEATURES THAT I WANTED -- AND STILL BELIEVE SHOULD BE ADOPTED. I WILL ACCEPT THE POWELL COMMISSION REFORMS. THESE REFORMS, PROPOSED BY RETIRED SUPREME COURT JUSTICE POWELL, HAVE PASSED BOTH THE HOUSE AND THE SENATE AT DIFFERENT TIMES. THERE CAN BE ONLY ONE REASON CONGRESS WOULD NOT ACCEPT THIS DEAL -- THEY'D RATHER PLAY POLITICS WITH THE ISSUE THAN REACH AGREEMENT AND HELP PROTECT THE PUBLIC.

THIRD, TOUGH NEW PROVISIONS AGAINST SEXUAL VIOLENCE AND DOMESTIC VIOLENCE. THESE INCLUDE IMPORTANT REFORMS TO THE RULES OF EVIDENCE TO MAKE PRIOR SEX CRIME CONVICTIONS ADMISSIBLE -- A CRITICAL REFORM GIVEN THE HIGH DEGREE OF RECIDIVISM IN THESE CASES AND THE FACT THAT THERE ARE OFTEN NO OTHER WITNESSES -- AND TO PROTECT THE VICTIM'S RIGHT TO PRIVACY. IT ALSO PROVIDES FOR PRETRIAL DETENTION OF DANGEROUS SEX OFFENDERS; HIV TESTING FOR SEX OFFENDERS SO THAT VICTIMS OF THESE HORRENDOUS CRIMES DO NOT

ALSO HAVE TO WONDER ABOUT WHETHER THEY MAY HAVE BEEN INFECTED WITH THE HIV VIRUS; NEW PROTECTION AGAINST STALKERS; TOUGH NEW PENALTIES FOR REPEAT AND VIOLENT SEX OFFENDERS, AND FOR DOMESTIC VIOLENCE CASES -- INCLUDING BOTH SPOUSAL AND CHILD ABUSE; AND A NUMBER OF OTHER PROVISIONS TO FIGHT SEXUAL AND DOMESTIC VIOLENCE.

FOURTH, TOUGH NEW PROVISIONS TO PROTECT THE ELDERLY. IN THE UNIVERSE OF VIOLENT OFFENDERS, THOSE THUGS WHO PREY ON THE ELDERLY -- LIKE THOSE WHO PREY ON CHILDREN -- ARE ESPECIALLY REPUGNANT. MY PROPOSAL WOULD INCREASE PENALTIES FOR VIOLENT OFFENSES AGAINST THE ELDERLY.

FIFTH, A NEW PROVISION TO DEAL WITH THE RECENT SPATE OF CARJACKINGS. CARJACKINGS ARE NOTHING UNIQUE -- THEY ARE SIMPLY THE LATEST MANIFESTATION OF THE UNACCEPTABLE LEVELS OF VIOLENCE IN OUR SOCIETY. BUT WE NEED THE LEGAL TOOLS TO DEAL WITH CARJACKINGS, AND MY BILL WOULD PROVIDE THEM BY MAKING CARJACKING A FEDERAL OFFENSE.

SIXTH, A NEW RICO PROVISION TO DEAL WITH GANG VIOLENCE. VIOLENT GANGS ARE INTRODUCING YET A NEW LEVEL OF VIOLENCE IN MANY OF OUR INNER CITIES. USE OF THE RICO STATUTE HOLDS FORTH THE BEST PROSPECT FOR WIPING OUT THE ENTIRE LEADERSHIP OF GANGS AT ONE FELL SWOOP. WE HAVE ACHIEVED DRAMATIC SUCCESSES AGAINST ORGANIZED CRIME USING THESE WEAPONS. EVEN WITH EXISTING LAWS, THE FEDERAL GOVERNMENT HAS ALREADY HAD SOME REMARKABLE SUCCESS -- IN PHILADELPHIA AND CHICAGO TO NAME JUST TWO EXAMPLE. WITH THESE NEW TOOLS WE SHOULD MAKE EVEN GREATER PROGRESS.

SEVENTH, NEW CRIMINAL AND CIVIL PROVISIONS TO DEAL WITH THE PROBLEM OF ENFORCING CHILD SUPPORT. IT IS A DISGRACE THAT SOME PARENTS FAIL TO PROVIDE SUPPORT FOR THEIR CHILDREN. WE MUST CORRECT THIS SITUATION FOR THE SAKE OF THE CHILDREN AND SOCIETY AS A WHOLE. CROSSING STATE LINES TO AVOID CHILD SUPPORT OBLIGATIONS WOULD BE MADE A FEDERAL OFFENSE. STATES WOULD BE REQUIRED TO ENFORCE CHILD SUPPORT ORDERS ENTERED IN OTHER STATES; FEDERAL BENEFITS AND EMPLOYMENT WOULD BE DENIED THOSE IN ARREARS ON CHILD SUPPORT; AND ADDITIONAL LAWYERS AND PROSECUTORS WOULD BE PROVIDED TO ENFORCE CHILD SUPPORT ORDERS.

EIGHTH, TOUGH NEW PENALTIES FOR ILLEGAL USE OR TRANSFER OF FIREARMS. AS I SAID, WE BELIEVE THE BEST WAY TO REDUCE GUN VIOLENCE IS TO IMPOSE STIFF PENALTIES FOR USE OF GUNS, AND THIS PROPOSAL BUILDS ON THE ALREADY STRONG FEDERAL LAW IN THIS AREA. WE HAVE ALREADY SEEN EVIDENCE THAT THESE PENALTIES WORK TO DETER AS WELL AS TO PUNISH GUN USE -- CASES WHERE CRIMINALS DID NOT CARRY GUNS FOR FEAR OF TOUGH FEDERAL SENTENCES.

NINTH, AUTHORIZATIONS FOR NEW PROGRAMS OR EXPANDED AUTHORITY TO USE FEDERAL FUNDS FOR SEXUAL AND DOMESTIC VIOLENCE, CARJACKING, CRIMES AGAINST THE ELDERLY, DRUG TESTING, PRISON CONSTRUCTION AND OTHER MATTERS.

FINALLY, I AM PREPARED TO DROP MY PROPOSED EXCLUSIONARY RULE REFORMS. WHILE I STILL FEEL STRONGLY THAT WE SHOULD ADOPT THESE PROVISIONS -- TO ENSURE THAT CRIMINALS DO NOT GO FREE SIMPLY BECAUSE OF TECHNICAL ERRORS MADE BY POLICE ACTING IN GOOD FAITH -

09/18/92 18.04 2502 314 0400

- IN ORDER TO ACHIEVE AGREEMENT I AM PREPARED TO DROP THESE PROPOSALS FOR NOW.

IX.

AS I SAID AT THE OUTSET, THE FIRST DUTY OF GOVERNMENT IS THE PROTECTION OF ITS CITIZENS.

THE AMERICAN PEOPLE ARE TIRED OF WAITING FOR PROGRESS ON THE CRIME BILL. FOR THREE YEARS I HAVE BEEN TRYING TO GET FURTHER, TOUGH REFORMS ONLY TO BE THWARTED AT EVERY STEP.

MY PROPOSAL TODAY SHOULD BREAK THIS IMPASSE. I HAVE MADE UNILATERAL COMPROMISES ON KEY POINTS SUCH AS HABEAS REFORM, THE EXCLUSIONARY RULE.

AND I HAVE AGREED TO ACCEPT THE BRADY BILL AS PART OF THIS COMPREHENSIVE PACKAGE.

MY PROPOSAL REFLECTS THE GET TOUGH PHILOSOPHY OF FIGHTING VIOLENT CRIME.

I MAKE NO APOLOGIES FOR THAT FACT.

IT IS THE APPROACH THAT I BELIEVE IS RIGHT, BOTH MORALLY AND PRACTICALLY.

IT IS THE APPROACH THAT IS SUPPORTED BY RECENT HISTORY.

AND IT IS THE APPROACH THAT IS DEMANDED BY THE AMERICAN PEOPLE.

IT IS TIME THE LIBERAL MINORITY IN CONGRESS STARTED WORRYING MORE ABOUT THEIR LAW ABIDING CONSTITUENTS AND LESS ABOUT THE VICIOUS CRIMINALS WHO VICTIMIZE THEM.

MY PROPOSAL IS BALANCED, TOUGH, BUT FAIR.

I CALL UPON CONGRESS TO PUT POLITICS ASIDE AND ENACT IT.

THE AMERICAN PUBLIC DESERVES NO LESS.

① Stamps  
 ② OKlahoma center  
 - he's wrong for American  
 - behavior → wrong choices  
 - elite tag → personal - (careful)  
 ③ Health care - vouchers  
 - multi-practice  
 - long - lines, rationing  
 ④ small business

To Ken

Date \_\_\_\_\_ Time \_\_\_\_\_

**WHILE YOU WERE OUT**

M. Charlie Hayslett

of \_\_\_\_\_

Phone 404-249-2811

Area Code      Number      Extension

|                   |  |                 |  |
|-------------------|--|-----------------|--|
| TELEPHONED        |  | PLEASE CALL     |  |
| CALLED TO SEE YOU |  | WILL CALL AGAIN |  |
| WANTS TO SEE YOU  |  | URGENT          |  |

RETURNED YOUR CALL

Message \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Operator



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**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET****FAX COVER SHEET****TO:**


Jeannie Bunton

(X6218)

**FROM:** DOUG STEIGER (395-3386)**DATE:** 9/24**REMARKS**

Admin Statement on Brady Bill

Please call (202) 395-3454 to report any difficulties with transmission of this fax.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

May 7, 1991 (SENT)  
(House Rules)

## STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 7 - Brady Handgun Violence Prevention Act  
(Feighan (D) Ohio and 148 others)

The President believes that the problem of violent crime must be met by the enactment of the strong measures embodied in his Comprehensive Violent Crime Control Act of 1991. While the President supports effective measures to identify felons attempting to purchase firearms, he is opposed to partial solutions to the problem of violent crime.

If the Congress acts favorably on the President's comprehensive crime bill, the President will accept, as part of that bill, appropriate measures to identify felons attempting to purchase handguns. Whatever Congress ultimately adopts on this subject, however, must be presented to the President as part of, or together with, his crime bill. The President's senior advisers will recommend that he veto any bill relating to the identification of felons attempting to purchase handguns, including both the Brady bill and the Staggers amendment, that is not part of legislation consistent with his Comprehensive Violent Crime Control proposal.

The Administration considers a point-of-purchase system as the best way to identify felons buying firearms. The type of background check conducted by a law enforcement official in a point-of-purchase system or during a seven-day waiting period is nearly the same. The success of both identification systems depends heavily upon computerized data relating to convicted felons. Consequently, States that have established point-of-purchase identification systems should be excluded from the procedures proposed in H.R. 7. (Such an exclusion appears to be intended by the bill, but the language may not accomplish this purpose.) Moreover, this bill should contain incentives for the States to improve the quality of their criminal history records since these records are the foundation upon which the successful identification of felons is dependent.

With regard to the Staggers Amendment, the Administration notes that, unless it is modified, it would require the establishment of a point-of-purchase system that is different from the system currently being established by the Attorney General pursuant to the Anti-Drug Abuse Act of 1988. The Staggers amendment would require the Department of Justice to establish a national "hotline" that would receive point-of-sale calls from licensed gun dealers. It would also require the Department to ensure that

purchasers will not be misidentified, notwithstanding the well known shortcomings of the Nation's criminal history records. If the Staggers amendment is adopted by the House, the Administration will seek Senate amendments to make several changes. These amendments would relate to the nature and cost of the "hotline" identification system, the performance requirements regarding misidentification, and the liability of the Federal Government as a result of misidentification.

The Administration believes that the advantages of the Department of Justice system are as follows: (1) The ability to identify felons buying firearms will be greatly improved because the Department's system is designed to integrate States into a national identification system as they enhance the accessibility and accuracy of their criminal history records; and (2) State and local law enforcement authorities will assume responsibility for performing background checks of prospective handgun buyers as a result of a cooperative relationship between the Federal, State and local governments.

\* \* \* \* \*

(Not to be Distributed Outside Executive Office of the President)

The draft Statement of Administration Policy was developed by the Legislative Reference Division (Jukes/Fotias), in consultation with the Departments of Justice (Deputy Attorney General Barr) and the Treasury (Levy), TCJ (Beebe/Duke), OPD (Porter/McGettigan), and White House Counsel (Gray/Lund).

#### Description of H.R. 7

H.R. 7 would outlaw the sale, delivery, or transfer of a handgun unless one of the following five conditions is met:

1. a. The seller has received and verified a valid, photo identification document containing the buyer's name, address, and birthdate.
- b. The seller has provided a copy of a "buyer's statement" to the buyer's local chief law enforcement officer within one day of receiving it. The statement would contain identifying information and a statement that the buyer: (1) is not under indictment for, and has not been convicted of, a felony; (2) is not a fugitive from justice; (3) is not a drug addict; (4) has not been adjudged as mentally defective or been committed to a mental institution; (5) is not an illegal alien; and (7) has not been dishonorably discharged from the Armed Forces; and (7) has not renounced U.S. citizenship. (The seller would be required to retain the buyer's statement and evidence that a copy was provided to the

buyer's local chief law enforcement officer. The chief law enforcement officer would be required to destroy his copy, within 30 days after the buyer made the statement, unless it is determined that the buyer's possession of a handgun would be illegal.)

- c. Seven days have elapsed, from the date the seller provides the buyer's statement to the chief law enforcement officer, and no response is received that the buyer's possession of a handgun would violate Federal, State, or local law; or notice is received from the chief law enforcement officer that the officer has no information indicating the buyer's possession of a handgun violates Federal, State, or local law.
2. The buyer presents to the seller a written statement by the buyer's local chief law enforcement officer, issued within the previous 10 days, indicating that the buyer requires access to a handgun because of a threat to his or her life or to any member of his or her household.
3. The buyer presents to the seller a handgun permit, issued not more than 5 years earlier by the State in which the sale is to take place, and the State's law provides that such a permit is issued only after verification that the buyer's possession of a handgun would not be in violation of law.
4. State law: (1) provides a 7-day waiting period for handgun sales; or (2) requires that, prior to selling a handgun to unlicensed buyers, sellers obtain verification from an authorized government official that "information available to such official does not indicate" that the buyer's possession of a handgun would be in violation of law. (This provision contains the drafting deficiency described "above the line." Justice's recommended fix would be to insert after the words "information available to such official" the words "in Federal or State criminal history records." As drafted, the provision may not actually exempt certain States that, for example, check only State records or only computerized records.)
5. The seller receives information from any established system of felon identification that available information does not indicate the buyer's possession of a handgun would violate Federal, State, or local law.

If, after a sale, a seller receives information from a chief law enforcement officer that the buyer's possession of a handgun would be illegal, the seller must inform the officer of its place of business and the buyer's place of residence. The bill would prohibit a seller's dissemination of reports received except to

the buyers themselves, law enforcement authorities, or courts of law.

H.R. 7 establishes a penalty for whoever knowingly violates its provisions of a fine of not more than \$1,000, imprisonment for not more than one year, or both. The provisions of the bill would apply to conduct engaged in 90 days or more after the date of enactment.

#### Staggers Amendment

The Staggers amendment is the text of H.R. 1412, which would:

- o Require Justice to establish a toll-free telephone hotline, and require sellers to be advised by the hotline that there is not available information demonstrating that the sale would be illegal. (Exceptions to this requirement include a delay of more than 24 hours in a response by the hotline; absence of telephone service; presentation of a firearms license; and a determination by a State law enforcement official that the sale would not violate State law.)
- o Require Justice keep the hotline in "continuous operation," and to ensure an error rate of no more than 2 percent in the initial responses.
- o Require Justice to: (1) give the buyer within 5 days of a request its reasons for any finding that possession of a handgun by the buyer would be illegal; and (2) correct any errors within 5 days if a buyer provides information that results in an error being detected.
- o Allow buyers to sue the United States for damages (including consequential damages) and other relief resulting from denial of a handgun because of erroneous information.
- o Provide for a 6-month suspension of a seller's license and/or a civil fine of \$5,000 for knowing violations by sellers.
- o Increase from 5 to 10 percent the minimum portion of "drug control and system improvement grants" that States must allocate to the improvement of criminal justice records.

#### Scoring for the Purpose of Pay-As-You-Go and the Caps

According to TCJ (Schwartz), it appears that H.R. 7 is not subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation Act of 1990.

#### Administration Position to Date

5

On April 9, 1991, the Attorney General sent letters to Members of Congress containing veto threat language and other points similar to those made in this draft SAP.

Legislative Reference Division Draft  
5/7/91 -- 9:50 a.m.

SEP 24 '92 10:57

fax to Susan Patterson P.1  
314/751-2128  
SP - Pls. fax/CC:  
Ann Wagner  
Tom Deuschle  
Jean Featherston

## MEMORANDUM

To: Gary Foster  
White House Scheduling Office  
(via fax 202/456-2983)

From: Richard McClure  
Governor Ashcroft's Office

Date: September 17, 1992

Re: Possible September 28 Visit  
by President Bush to St. Louis

As always, we are happy to offer several alternatives for a Presidential visit to Missouri. We understand you are interested in a venue that will highlight the President's anti-crime proposals.

The President's crime bill that has been held hostage by the Congress includes a number of measures which are important in combatting urban crime in an area like St. Louis, including an enforceable federal death penalty, reform of the exclusionary rule and enhanced penalties for crimes committed with a firearm. In addition, the President has targeted 2400 FBI agents around the country to combat street gangs.

In the St. Louis area, as in most of the country, drug related crime has had a serious impact on women, children, and the elderly. The population of many St. Louis and nearby suburban neighborhoods is growing older, and the buyers from so-called crack houses are more frequently young women. Our social service agencies have been inundated with children of drug addicted women.

### Event Structure

One approach to structuring an event to highlight the President's crime proposals would be to go to an urban neighborhood that has joined with local police to tackle crime problems through community oriented policing. The President could speak to a group at a community center or local parish hall, then take a short walking tour to see areas formerly subject to crime (drug houses, retail burglary, etc.) that have been cleaned up due to citizen action and a return to the use of the "beat cop". The audience for the speech and the tour guides could be victims of crime and neighborhood leaders, anxious to see criminals out of their neighborhood and subject to a swift and sure prosecution, as the President's proposals would provide.

SEP 24 '92 10:58

P.3

Possible sites: Holy Cross Catholic Church parish hall seats 350, could hold up to 800 standing; or Town Hall North, a private banquet hall holds 350 seated.

Note: The St. Louis police receive over \$800,000 annually in federal anti drug funds for multi-jurisdictional enforcement, airport interdiction, asset seizure, and placing police officers at schools most at risk for crime. ] ✓

The St. Louis police force is administered by a Board of Police Commissioners appointed by the Governor. The chief of police testified before the Republican National platform committee in Salt Lake City, and the President of the police board is a strong Bush supporter. ] ✓

### City of Kirkwood

The City of Kirkwood also has strong neighborhood oriented anti-crime programs. Kirkwood is a southwest quadrant suburb of middle class to affluent citizens. The local police have developed very effective neighborhood watch and beat cop type programs, working with community groups.

The Kirkwood police department will receive over \$120,000 in federal funds for community oriented policing activities and drug education. In Kirkwood, an event structure similar to the St. Louis alternatives could be developed, with a neighborhood based speech or meeting with crime victims and community leaders, followed by a walking tour led by the local police and homeowners.

We are still locating sites in the City of Kirkwood. Kirkwood is a 30 minute or so drive from the airport.

I will give you a call on Friday morning to discuss the timing of a possible site survey. Thanks for your continued help.

**BUSH 92 QUAYLE**

★★★★★★★★★★

Missouri

P. O. Box 73

Jefferson City, MO 65102

Telephone (314) 634-5875 Fax (314) 636-3273

To: Jeannie BurtonFrom: Ann WagnerPages: (including this cover page) 4

Notes: See attached proposal —  
more details to follow. Check  
→ with Andy Ferguson for crime  
STATS. in Missouri — Governor's  
office just put something together  
this week.

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