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CLINTON PROMISES TO VETO MEASURE ON CRIME POLICIES

CONFRONTATION COURSE

President Says Hiring of More Police Officers Should Not Be a Political Football

By DOUGLAS JEHL

Special to The New York Times

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WASHINGTON, Feb. 11 — President Clinton today laid down his hardest line since Republicans took power in Congress, vowing to veto an attempt to rewrite a provision in last year's crime bill that was meant to put 100,000 new police officers on the street.

It was the first explicit veto threat from Mr. Clinton since the voters returned a divided Government.

The threat comes after several months in which the President has swung between broad attempts at conciliation and brief hints of confrontation. But aides said it marked the onset of a more aggressive phase in drawing differences with his Republican rivals that will begin with an effort to enlist Cabinet officers in fights over welfare, foreign policy and other issues.

"Anyone on Capitol Hill who wants to play partisan politics with police for Americans should listen carefully," the President said this morning in his weekly radio address. "I will veto any effort to repeal or undermine the 100,000 police commitment. Period."

With the new House of Representatives already well on its way toward rewriting major portions of the crime bill that the Democratic Congress approved last fall, Mr. Clinton's warning today was relatively narrow. It aimed only at a Republican proposal that folds separate programs created by the crime bill, including one providing \$8 billion for hiring new police, into a single \$10 billion anti-crime block grant. The White House has said that would allow mayors to spend money on things like prisons and street lights rather than hiring the police officers the current law requires.

The measure, the sixth in a Republican anti-crime package, is likely to win House approval later this week. But Mr. Clinton's threat appeared aimed more directly at the Senate, which is expected to gather its anti-crime measures into a single piece of legislation that it may not want to subject to a Presidential veto.

Still, Mr. Clinton said nothing about the five Republican-backed initiatives that have won House approval over the objections of some Democrats, including measures that would permit prosecutors to use more illegally seized evidence at trial and would place time limits on appeals by death-row inmates. That silence appeared to signal that the White House would be willing to accept them as part of a final bill.

Mr. Clinton was also silent about the crime-prevention programs, including midnight basketball, that along with financing for police officers would be put in jeopardy by the

Continued From Page 1

Republican block-grant program. Although he and other Democrats, particularly urban liberals, pushed hard for those programs last summer, their omission today suggested he was not ready to use his veto to protect them either.

But after two years and 22 days in which he has yet to veto a bill, Mr. Clinton's aides described his stern threat today as a product of their renewed thinking about how he can best use a President's ultimate weapon.

Not since Millard Fillmore left the White House 142 years ago has President waited so long to throw down a veto. Even after the Republicans took over Congress, Mr. Clinton restricted himself to circumlocutions, as in his State of the Union address, when he said of the ban on assault weapons, which won approval last summer: "I will not let it be repealed."

But White House officials say he is now determined to employ this rusted cudgel to shape and block legislation.

Beginning with the raft of top Administration officials it has dispatched to appear on the talk shows on Sunday, the White House also plans to draw sharper differences between Mr. Clinton's plan to overhaul the welfare system and the rival Republican proposal, which would deny cash assistance to hundreds of thousands of teen-age mothers and to most immigrants, including illegal aliens.

And later in the week, it will dispatch Secretary of State Warren Christopher and Defense Secretary William J. Perry to Capitol Hill to testify against a Republican-backed measure that the White House says will undermine upon the President's authority as commander in chief. That bill, which is spelled out in the Contract With America, would cut United States contributions to peace-keeping operations and demand 15 days' notice from the Administration when the United Nations is to establish new missions.

Still, the President's aides suggested today that he was not yet ready to threaten a veto of either of those initiatives. Indeed, even as they said that the White House would grow more confrontational as the pace of Congressional action quickens, they made plain that they remain wary as they eye the truncheon that Mr. Clinton has never used.

Under the Constitution, the veto may be the greatest of Presidential powers, allowing the chief executive to turn aside whatever Congress sends him unless both the House and Senate can muster two-thirds votes in opposition. But it has also proven the bluntest of instruments, and Mr. Clinton's aides say they have come to see it use as being as perilous as it is appealing.

Since Republicans regained control of Congress in November for the first time in 46 years, the President and his aides have looked to history for help in calculating how best to wield the veto against that new Goliath. They have gathered in recent weeks in places like the living room of Robert B. Reich, the Labor Secretary, which on one night late last month became the setting for an informal seminar as a group of senior officials including George Stephanopoulos, the Presidential adviser, gathered to hear from Richard Neustadt, a Harvard professor, about the decisions that past chief executives have made.

"Our view is that you need to be judicious," a senior White House official said of the consensus that emerged from that discussion. As much as Mr. Clinton's aides insist that he will soon begin to put his own marks on the veto scoreboard, they say they regard the records left by Harry Truman (258 vetoes in seven years), Gerald Ford (68 in 29 months) and George Bush (46 in his four-year term) as cautionary examples.

The bald fact is that, except for Mr. Truman, none of those three ardent practitioners won election after embarking on that confrontational course. And while Mr. Truman railed successfully in 1948 against the "do-nothing Congress," his obstructionism had so diminished him four years later that his approval rating was lower even than that of Richard M. Nixon in the depths of Watergate.

"The lesson of George Bush and Gerald Ford is that vetoing may be good government but it won't help you get re-elected," said Bill Kristol, the Republican strategist who served as a top White House official under Mr. Bush.

Having held his fire as long as Democrats held sway, some of Mr. Clinton's aides say they see it as important that he deliver one soon, if only to show his steel to the Republican House of Representatives. That was another view that emerged from the Jan. 30 discussion at home of Secretary Reich, who himself is a former professor at Harvard's John F. Kennedy School of Government and has made a habit of inviting a select group of senior colleagues to join him and his wife in informal academic-style gatherings.

"It changes the atmosphere," a senior Administration official said. "Once the veto is used, it is no longer seen as an abstract power but one that is quite complete."

Mr. Clinton spent his first two years striking deals on issues like crime and the budget rather than etching rigid lines. That left a veto-free record not only unlike that of every President since Mr. Fillmore, but also very different from his three most recent Democratic predecessors — Mr. Kennedy, Lyndon B. Johnson and Jimmy Carter — who even when blessed with a Democratic Congress each vetoed an average of a half-dozen bills a year.

Only once before today had Mr. Clinton even waved his veto pen, and his advisers now regard that episode as a mistake. By vowing so bluntly last January that he would reject any bill that did not provide guaranteed health care coverage for every

American, Mr. Clinton set a standard that even he soon eased away from, leaving doubts about his judgment and his resolve.

With the Republicans now in power on Capitol Hill, Mr. Clinton clearly sees himself as having won at least the consolation of having more room to obstruct, particularly if he can portray any heel-digging as a defense of principle.

His decision to draw a firm line on the crime bill comes after a week in which House Republicans have focused on their rewriting of the legislation, with five separate measures

winning broad approval. Among them is a bill that would provide extra money to the states to build prisons on condition that make inmates serve longer terms. Another that won broad bipartisan approval on Friday would crack down on illegal aliens who commit crimes, including deporting them promptly once they are released.

But now that the House is to take up the final measure, which would create the \$10 billion lump-sum payment to replace separate initiatives for new police officers and crime prevention, the stage is set for a contentious battle. As part of the fight over how much flexibility should be given to local authorities, it is expected to include a debate about whether the crime-reduction grants could be used in part to protect abortion clinics.

Still, the way in which the President is calibrating his threats underscores what his advisers describe as the complicated nature of the veto game.

White House officials insist that such wariness is more a reflection of tactics than indecision. For now, they say, the veto is a weapon kept mostly shrouded, where it can help to coerce without provoking a fight. But even in an era in which voters remain impatient with inaction,

scholars who have written extensively about the veto's use say that the record of cooperation that the President has lain will leave him on firmer ground next week, month or later this year when he finally sends back to Congress a piece of legislation he doesn't like.

"For this President, this is a weapon that is still shiny and polished in its case," said Robert Spitzer, a professor of political science at the State University of New York at Cortland. "It has no marks, no dents and no scratches."

THE NEW YORK TIMES, SUNDAY, FEBRUARY 12, 1995

Mayors Seek to Limit Damage From GOP Changes in Crime Law

By John M. Goshko
Washington Post Staff Writer

The nation's big-city mayors, who were President Clinton's most ardent allies in last summer's successful fight to enact a \$30 billion anti-crime law, are angry over the determination of the new Republican-led Congress to scrap the legislation before they have a chance to use it in the war against crime.

Interviews with numerous mayors and chiefs of police indicate they think the House Republicans' seven-part "Taking Back Our Streets" Act—one of the planks of the GOP "Contract With America"—would not be as effective as the 1994 bill in combating urban ills as street crime, drug trafficking and juvenile delinquency. They say the GOP proposals, which the full House plans to vote on next week, rely too much on tough law enforcement measures and not enough on prevention programs.

"During the fighting over last year's bill, you heard a lot of talk from the opponents about how when they call 911, they don't want the phone answered by a social worker," said Helmke, Republican mayor of Fort Wayne, Ind. "In my city, folks

would prefer a situation where they didn't have to call 911 in the first place."

However, Helmke acknowledges he has not had much success in getting congressional Republicans to buy that premise. And his colleagues in other city halls are mostly Democrats with even less influence on the new lineup in Congress. That leaves them uncertain about how to limit the damage they fear will result from a wholesale dismembering of last year's legislation.

Some believe they should align themselves with Clinton, who has vowed an all-out effort to preserve the legislation's principal features. But others, noting the new political realities on Capitol Hill, say the most realistic course is to choose between competing Republican anti-crime proposals in the House and Senate and throw their backing to the one that offers the best break to cities.

"We are like salmon swimming upstream," said J. Thomas Cochran, executive director of the U.S. Conference of Mayors.

The mayors and their police chiefs are particularly concerned about three law-enforcement issues: maintaining the ban on 19 types of semiautomatic assault-style weapons, getting more police officers on neighborhood streets and providing money for prevention programs such as athletics that help to divert inner-city youth from criminal activity.

Virtually every major city police department vehemently opposes lifting the assault-weapons ban, and House Speaker Newt Gingrich (R-Ga.) headed off a potential confrontation by deferring its consideration until May. But regardless of what happens in the House, sources say the Senate is unlikely to go along with ending the ban.

As to the mayors' two other priorities, the 1994 bill established a Community Oriented Policing Services (COPS) program to hire and train 100,000 police officers over five years, and Congress appropriated \$1.3 billion to cover recruiting 20,000 officers a year for three years.

The legislation also authorized \$5.5 billion in local grants for recreation, education, anti-gang and other programs to steer youth away from crime. Most Republicans derided these as "pork" and, in what became a derisive catch-all phrase for prevention activities, "midnight basketball."

"What many in Congress refuse to understand is that the police chiefs and their departments are even more vehement than the mayors in their desire for prevention programs," said Jerry Abramson, Democratic mayor of Louisville, Ky. "Again and again, I have heard chiefs tell congressmen that the police would infinitely prefer to work with 6-year-olds in a gym or church rather than wait 10 years and have to fight them in an alley."

The mayors are frustrated that their arguments have not gotten a hearing and some have questioned whether Gingrich and his GOP leaders can be trusted.

Detroit Mayor Dennis W. Archer (D) recalled that at the mayors' conference two weeks ago, Gingrich assured him city leaders would be consulted about changing the law. "I am waiting for Speaker Gingrich to keep his commitment," Archer said. "They have deprived us of the opportunity to be heard. They act as if by osmosis they know better what needs to be done in Detroit or New York than those who live there. If they listened, they might learn that it's less expensive, in Michigan for example, to do things that keep someone out of prison than to pay the \$30,000-a-year,

per capita cost of keeping that person in a prison cell."

The legislation in the House would eliminate COPS and the money earmarked for prevention programs. In their place, Rep. Bill McCollum (R-Fla.), the bill's chief sponsor, has offered something Denver Mayor Wellington E. Webb characterized as "especially seductive and potentially addictive to every mayor in the United States."

McCollum's bill would set up a \$10 billion block grant that would bypass states and go directly to the cities, which would be relatively free to decide how they want to use the money. By contrast, in the Senate, Judiciary Committee Chairman Orrin G. Hatch (R-Utah) is pushing a revision of the crime bill that would give block grants to states, which would decide how to parcel them out to municipalities.

To mayors, the McCollum bill clearly is preferable. And while the McCollum bill would give cities \$2.5 billion to \$3 billion less over five years than envisioned by the 1994 law, they would have flexibility to hire police, invest in prevention, buy new equipment or do what they feel fits their law enforcement needs.

For that reason, many mayors reluctantly are concluding McCollum's proposal is likely to be the best deal they can get. They argue that instead of wasting ammunition on a futile effort to save last year's bill, they should concentrate on trying to ensure that whatever legislation does emerge is more reflective of McCollum than Hatch. Not everyone agrees. Louisville's Abramson says, "My bottom line is that we should stick with the system we agreed on last year and give it a chance to work."

Still, as Cochran of the mayors conference noted, his members do not have a lot of options. "If the conference . . . were to examine the McCollum bill and put it to a vote, my gut feeling is they would support it," he said.

Fort Wayne's Helmke probably summed up the feelings of a majority of his colleagues when he said, "From the standpoint of those who have to maintain law and order in the cities, McCollum clearly is preferable to Hatch. But the '94 bill clearly is preferable to McCollum. I think we should fight as much as possible to ensure that at least some of the things we liked last year are preserved in whatever new law emerges."

Mending Fences, Giuliani Shifts Stance on U.S. Crime Bill

By MELINDA HENNEBERGER

Special to The New York Times

WASHINGTON, Feb. 15 — Last year, Mayor Rudolph W. Giuliani of New York City campaigned hard for the Democrats' crime bill, stumping alongside President Clinton and lending the shield of his considerable conservative credentials to proponents of a ban on assault weapons.

But now the political universe has shifted, with the Republican Mayor struggling to mend fences within his own party. And he has been largely silent and even cautiously supportive, as the legislation he helped write is being dismantled.

"He played a key role last year, but a lot has changed since then," said Representative Nita M. Lowey, a Democrat who represents parts of Westchester County, the Bronx and Queens. "He obviously felt he may

have crossed party lines one too many times," she added, referring to the Mayor's endorsement last year of the Democratic Governor, Mario M. Cuomo, "and with a Republican Governor in Albany and a Republican majority in Washington, he's trying to make friends in his own party."

At a news conference today, Mr. Giuliani said, "I have to really study the numbers, but conceptually, the change can be helpful because it gives us even more discretion and we will make the decisions pretty much the way we would have made had the crime bill remained exactly the way it was."

Under the new Republican version of the bill passed in the House, the money would be available in grants that could be spent as local governments deem best.

The Mayor said the city had not planned to add more police officers anyway, and therefore "that debate between the President and Congress is almost irrelevant for New York City."

"Even if the money is slightly less, if we have more discretion, we can manage it better," he said mildly. "If there's really a substantial reduction in the amount of money that is available, then we would be affected."

A spokesman for the Mayor, Lenny Alcivar, denied that political motivations had quieted Mr. Giuliani's once-outspoken support of the bill that is now law.

On Tuesday, Mr. Alcivar had said the Mayor "would have preferred the crime bill they passed last year" to the version that the Republican-controlled House passed earlier this

week. Today, Mr. Alcivar backed off even that slight expression of protest, saying of the Mayor that "the sort of modified" his views in the previous 24 hours and was now cautiously supportive of the Republican version, which Congressional Democrats have said will cost New York \$132 million and as many as 600 additional police officers.

Representative Charles E. Schumer, a Democrat from Brooklyn, said New York would lose under the revised formula because the total \$10 billion available in block grants would amount to 20 percent less than the original \$12.5 billion set aside for crime-fighting and prevention. The rest would go to finance new prisons, but Mr. Schumer and other Democrats said New York would get none of that money, which would go only to states that have "truth in sentencing" laws that require prisoners to serve at least 85 percent of their sentences.

"New York does well under any real crime bill" based on population and crime rates, he said, "but it does considerably better under the bill that's now law than under any Republican substitute."

Representative Susan Molinari, a Republican from Staten Island, has argued that New York would do better under the new version, and said in a written statement that "to get the windfall of prison money, states need only to enact legislation that certifies its violent felons will serve 85 percent of their sentences."

The original bill was written so that New York City already had some flexibility to spend crime bill money for modernizing the Police Department as long as the net effect was more officers on the street.

Ms. Molinari said Police Commissioner William J. Bratton and Mayor Giuliani "know what's best to fight crime in New York, not Chuck Schumer." She added, "And it's safe to say neither Chuck nor the Mayor knows how to best fight crime in Topeka, so the community there should decide."

In the Mayor's defense, Ms. Lowey said that "there wasn't much reason for him to be high profile" in defending the original crime bill because House Republicans would have passed the new version anyway.

THE NEW YORK TIMES, THURSDAY, FEBRUARY 16, 1995

Clash of philosophies shapes the crime war

GOP plans an overhaul in its image

By Mimi Hall
USA TODAY

House Republicans began their proposed overhaul of President Clinton's crime law Monday, opening a debate that's as much about philosophies of governing as it is about cracking down on crime.

A vote is expected today on a proposal to dump \$15.7 billion for crime prevention and police hiring, replacing it with \$10 billion in grants for states, cities and counties to use as they see fit.

"In many ways, (the crime bill) represents succinctly the difference in political philosophy between the Democrats who controlled this Congress for the last 40 years and the new Republican-controlled majority," said Rep. Bill McCollum, R-Fla., chairman of the crime subcommittee.

Clinton, ready for that fight, has made his strongest anti-Republican stance on the hard-fought crime legislation, saying he'll veto any measure that threatens the \$8.8 billion included in last year's bill to put 100,000 more police on the streets.

Democrats, many of whom consider last year's crime bill the Clinton administration's crowning achievement, say the GOP measure would cut crucial prevention programs and gut the president's plan for more police.

"This was a contract that he made with America in 1992," said Rep. Charles Schumer, D-N.Y. "They put this together because they knew the Democrats were successful on crime last year, and they had to have an answer."

Monday, Attorney General Janet Reno, backed by the leaders of a half-dozen of the nation's largest police organizations, went to Capitol Hill to rally Democratic lawmakers.

"Congress must not move backward in the fight against crime," Reno said. The \$30.2 billion bill Clinton signed in 1994 is "a law that is balanced, that is firm and that fights crime in a sensible way."

Republican leaders say a grant proposal — part of an overall effort to reclaim the



CLINTON'S 'CONTRACT': Attorney General Janet Reno and chief of staff Leon Panetta, right, meet with Rep. Charles Schumer. The crime bill was Clinton's contract with America, Schumer says.

crime issue by emphasizing punishment over prevention — would take the "pork" out of last year's bill and give communities the power to decide how best to use federal crime dollars.

That's key to the approach by Republicans who, after handing Democrats a stunning rebuke at the polls, are intent on shrinking government, sending power and money back to the states and changing the culture of a nation they say has come to rely too heavily on government solutions.

But while Republican legislation has been on a fast track through Congress, the GOP is in for a fight over crime.

Democrats warned Monday that the GOP plan will lead to abuses like some in the 1970s, when grants were doled out by the Law Enforcement Assistance Administration.

Investigators found that LEAA grants were used to pay for unnecessary riot gear, a military tank and a study on why prisoners want to escape.

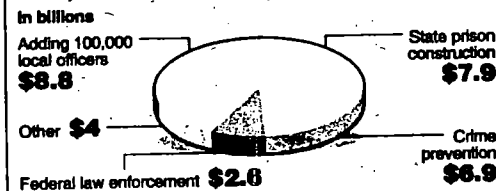
"It's a \$10 billion taxpayer giveaway... that's begging to be abused," said Rep. John Conyers, D-Mich.

Republicans counter that the bill contains safeguards: Local advisory boards would determine how the grant money is spent, and governors would have to approve.

"To assume in the beginning, it's going to be wasted or spent for pork does a great disservice to local governments," said Rep. Henry Hyde, R-Ill. "We have more faith and trust in local governments than the minority party."

Changing the '94 crime law

Republicans are trying to revamp the \$30.2 billion 1994 crime law through a series of separate crime bills. How funding was allocated over 6 years under the 1994 crime law:

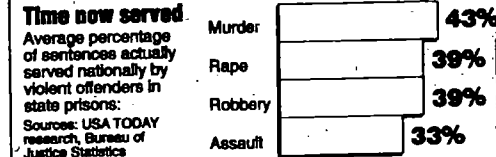


Redistributing the crime law funds

Among the proposed GOP funding changes:

Replace the total of \$15.7 billion earmarked for adding 100,000 officers and crime prevention with \$10 billion in block grants for use by states and localities as they see fit.

Increase the \$7.9 billion in state prison construction spending to \$10.5 billion. The funds would be available only to states where violent criminals serve at least 85% of their sentences.



Source: USA TODAY research, Bureau of Justice Statistics

The bill, Hyde said, represents "one more defining issue" between Democrats and Republicans.

Democrats say it's another quick-fix proposal in the GOP's Contract with America — plans they say throw money and slogans at problems without examining the long-term effect.

The contract is "an amalgam of programs labeled as public policy," said

Democratic pollster Mark Mellman. "The reality is that when you move from bumper sticker to government, a lot changes."

But GOP pollster Linda DiVall said voters are more interested in seeing criminals punished than in paying for prevention programs.

"You can't be tough enough on crime," she said. "People are going to take some pretty extreme measures."

Frustrated states watch a political 'poker' game

By Robert Davis
and Carol J. Castaneda
USA TODAY

As Congress debates how to spend federal crime-fighting dollars, some state and local officials say it's time to stop playing politics while communities are waiting for help.

"It's just high-stakes politics," says Victor Ashe, mayor of Knoxville, Tenn., and head of the United States Conference of Mayors, which has not taken sides in the debate.

The House of Representatives is expected to vote today on a bill that would eliminate \$15.7 billion that was set aside last year for hiring more police officers and boosting prevention efforts nationwide. Instead, it provides \$10 billion in block grants that could be used in almost any crime-fighting efforts.

President Clinton vows to veto the Republican-backed bill if it reaches his desk.

It "would drive a stake through the heart" of White House efforts to put 100,000 more police officers on the street, says Bert Brandenburg of the Justice Department.

To date, the administration has funded 17,000 officers in 7,500 communities.

In a nationwide battle where crime-fighting help is eagerly welcomed, opinions are mixed when it comes to block grants vs. dedicated funding.

"Money always helps," says Mark Hellenschmidt, of the Aurora, Colo., police department. Although Aurora received \$2 million as part of Clinton's program, Hellenschmidt says they could use even more money for support staff.

Cops on the street don't care how it arrives as long as it's used to strike at "the actual root causes of crime," says Hellenschmidt.

Larry Naake, executive director of the National Association of Counties, dislikes the block grant idea because he doesn't think counties will get their fair share.

The GOP plan calls for more money to go to communities with more horrific crimes. A city with 100 murders a year, for example, would get more than a county with 25.

"We think the formula stinks," says Naake, noting that in some big-city communities counties often have to pay support costs that may not show up in crime statistics, including prosecutors, jails and public defenders.

"What they're proposing means less money for local governments," says Naake.

Williams, president of the Washington Police Foundation, a research

group, dislikes block grants because he doubts police would get much of the money that politicians would boast went for anti-crime efforts.

"To the mayor of a city that is strapped for finances with an eroding tax base, federal block grants sound very enticing," says Williams. "When they get that money they will use it for whatever they think is best."

But when all is said and done, says Williams, "it's 30% less funding (by the government), that's what's happening here."



ASHE: Just high-stakes politics



KATZ: Block grants are more flexible

Portland is authorized to hire 25 more police officers.

The city is also required to pay 25% in matching funds over three years. "Right now, we cannot afford that," says Katz.

The block grant plan calls for a 10% match, and Katz says Portland has plenty of programs that could use the money, including a curfew project so "youngsters aren't hanging out" late at night.

The city also is looking at a program targeting high-crime areas to help residents find work and rid neighborhoods of drug users.

Ashe says these are the kind of innovative programs that should be the focus of the debate in Washington.

"I wish the president would go back to the talk of cooperation," Ashe says. "They're playing poker on this, who's going to give in first? If it's vetoed and then upheld, then you're back to square one."

"Then you have a political issue for the '96 campaign, but no program."

Backlash over a war on crime

Georgia town's ban called racist

By Tom Watson
USA TODAY

UNION POINT, Ga. — Federal mediators Monday again tried unsuccessfully to resolve a dispute that began after local businesses tried to curb shoplifting by banning 21 young residents — all of them black.

A tentative agreement collapsed Friday when Mayor Ben Stewart, a merchant, wouldn't apologize for the ban.

Merchants hoping to curb vandalism and underage drinking imposed the ban on the residents, ages 16 to 30, in December with the help of the mayor and the police department.

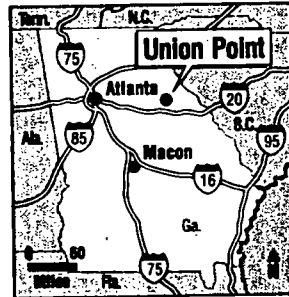
Police Chief Richard Reese says the ban seemed the best way to curb downtown crime, which had been increasing. He says lawyers told the mayor the ban was legal.

The local NAACP and some residents in the community of 2,000 — about 60% white, 40% black — say the ban is illegal and racist.

"If my name was on a list and I wasn't guilty of anything, it would bring embarrassment to me," says local NAACP president William Breeding.

Shop owners disagree. "This is a story about crime, not about race," says Brad Morris of the Greene County Chamber of Commerce.

The U.S. Justice Department's Community Relations Service tried to get a settlement among black residents, merchants and the NAACP.



USA TODAY

Stewart and other business owners balked at a proposed settlement when Samuel Atkins Jr., a lawyer for 12 of the banned residents, demanded an apology.

"Neither the city nor its merchants has done anything wrong," Stewart says.

Meanwhile, those banned face arrest for criminal trespassing if they enter any of 35 businesses that signed a petition supporting the action, Atkins says. He filed a suit on behalf of his clients, saying the ban violates constitutional guarantees of freedom of association and movement.

"If you have a shoplifter, you arrest him, and as part of his probation prohibit that person from shopping in the store. What (the merchants) have done is take the law into their own hands like a bunch of vigilantes," Atkins says. "And I think there is a racial animus because all 21 are black."

Reese, the police chief, is surprised by the backlash and



By Ric Feld, AP

SINGLED OUT: Cedric Mitcela, left, Reginald Howard and Tim Wright say they are banned from some Union Point businesses.

accusations of racism. He says the list was put together by his second in command, Sgt. Rodney Alexander, who is black.

"I sat down with Sgt. Alexander and asked him if he could name off the individuals who were giving the most problems," Reese says.

"This was not a racial issue by any means, never has been and never will be."

Emory University constitutional law professor Timothy Terrell says that in two similar cases judges found publicly identifying and denying customers access to a business im-

peded freedom of movement.

"It seems to me that the ban of these people without any additional evidence of criminality is very unlikely to withstand a constitutional challenge," Terrell says.

Store owners say drastic measures were needed because theft, burglary and vandalism had gotten out of control. They say crime in the area has dropped dramatically since the ban took effect.

"They're being tarred and feathered for trying to keep the town from being overrun by crime," Morris says.

Do it rest o laire s in war on terrorism, U.S. warned

By Sam Vincent Meddis
and Bruce Frankel
USA TODAY

The arrest of the man accused of masterminding the New York World Trade Center bombing and the guilty plea of another key terrorist represent major victories for U.S. anti-terrorism efforts, experts say.

But the battle is far from over, warns Rep. Larry Combest, R-Texas, chairman of the House Intelligence Committee.

"Terrorism is potentially going to be one of the huge battlegrounds of the future," says Combest, whose committee provides key oversight on U.S. counter-terrorism operations.

So far, however, things seem to be running smoothly for federal prosecutors.

Ramzi Ahmed Yousef, accused of planning the 1993 Trade Center bombing, is scheduled to appear Wednesday at a preliminary hearing in a New York federal court. He was arrested last week in Islamabad, Pakistan, and deported to the United States.

The national police chief in the Philippines says Yousef is believed to have placed a bomb on a Philippine airliner in December as a "dry run" for a terror campaign against U.S. carriers in the Far East.

Director General Recaredo Sarmiento said Yousef also was involved in a plot to kill Pope John Paul II during his visit to Manila last month.

Yousef was turned in by an informant, identified as Istiaque Parker, a South African student at the Islamic Universi-



FBI via AP
YUSEF: Arrested in Pakistan



AP
ABDEL-RAHMAN: Cleric implicated



CNN via AP
SIDDIG ALI: Plead- ed guilty to plot

ty in Islamabad. He and his wife and child are said to be under protective custody in the United States and could cash in on a \$2 million reward.

Yousef's arrest came on the heels of another anti-terrorism coup last week, when Siddig Ibrahim Siddig Ali decided to plead guilty to being part of a group planning a wave of terror in the United States.

Siddig Ali implicated Egyptian Sheik Omar Abdel-Rahman, a blind Muslim cleric accused of being the terrorist group's spiritual leader.

Terrorism expert Steven Emerson says Parker was not simply a neighbor in Islamabad, as earlier reported.

"He was a member of Yousef's group," Emerson says. "He had participated in at least one terrorist operation, but decided (to become an informant) because he got in over his head."

Yousef had even taken Parker to Bangkok. When he appeared at the U.S. Embassy in Islamabad, officials were incredulous, Emerson says.

Federal prosecutors aren't

talking, but news reports say Yousef is considering cooperating with the FBI, despite denials by his defense lawyer.

James Fox, former head of the FBI in New York, says if Yousef cooperates, "he'll tell us more than all the other defendants put together."

Fox says one important question remaining from the Trade Center bombing is whether it was sponsored by a foreign country.

The government has "a list of more than 100 unindicted co-conspirators" from around the USA, says Emerson. Some are said to have supplied housing and money; others were only ideological and religious comrades of the defendants.

The World Trade Center bombing, which killed six and injured 1,000, is called the worst terrorist incident on U.S. soil, but there's concern terrorists might one day use a nuclear weapon.

"Imagine what it would have been like if it had been a nuclear device," says Combest.

► Iran's nuclear push, 12A

Mayors Seek to Limit Damage From GOP Changes in Crime Law

By John M. Goshko
Washington Post Staff Writer

The nation's big-city mayors, who were President Clinton's most ardent allies in last summer's successful fight to enact a \$30 billion anti-crime law, are angry over the determination of the new Republican-led Congress to scrap the legislation before they have a chance to use it in the war against crime.

Interviews with numerous mayors chiefs of police indicate they think the House Republicans' seven-part "Taking Back Our Streets" Act—one of the planks of the GOP "Contract With America"—would not be as effective as the 1994 bill in combating urban ills as street crime, drug trafficking and juvenile delinquency. They say the GOP proposals, which the full House plans to vote on next week, rely too much on tough law enforcement measures and not enough on prevention programs.

"During the fighting over last year's bill, you heard a lot of talk from the opponents about how when they call 911, they don't want the phone answered by a social worker," said Paul Helmke, Republican mayor of Fort Wayne, Ind. "In my city, folks

would prefer a situation where they didn't have to call 911 in the first place."

However, Helmke acknowledges he has not had much success in getting congressional Republicans to buy that premise. And his colleagues in other city halls are mostly Democrats with even less influence on the new lineup in Congress. That leaves them uncertain about how to limit the damage they fear will result from a wholesale dismembering of last year's legislation.

Some believe they should align themselves with Clinton, who has vowed an all-out effort to preserve the legislation's principal features. But others, noting the new political realities on Capitol Hill, say the most realistic course is to choose between competing Republican anti-crime proposals in the House and Senate and throw their backing to the one that offers the best break to cities.

"We are like salmon swimming upstream," said J. Thomas Cochran, executive director of the U.S. Conference of Mayors.

The mayors and their police chiefs are particularly concerned about three law-enforcement issues: maintaining the ban on 19 types of semiau-

tomatic assault-style weapons, getting more police officers on neighborhood streets and providing money for prevention programs such as athletics that help to divert inner-city youth from criminal activity.

Virtually every major city police department vehemently opposes lifting the assault-weapons ban, and House Speaker Newt Gingrich (R-Ga.) headed off a potential confrontation by deferring its consideration until May. But regardless of what happens in the House, sources say the Senate is unlikely to go along with ending the ban.

As to the mayors' two other priorities, the 1994 bill established a Community Oriented Policing Services (COPS) program to hire and train 100,000 police officers over five years, and Congress appropriated \$1.3 billion to cover recruiting 20,000 officers a year for three years.

The legislation also authorized \$5.5 billion in local grants for recreation, education, anti-gang and other programs to steer youth away from crime. Most Republicans derided these as "pork" and, in what became a derisive catch-all phrase for prevention activities, "midnight basketball."

"What many in Congress refuse to understand is that the police chiefs and their departments are even more vehement than the mayors in their desire for prevention programs," said Jerry Abramson, Democratic mayor of Louisville, Ky. "Again and again, I have heard chiefs tell congressmen that the police would infinitely prefer to work with 6-year-olds in a gym or church rather than wait 10 years and have to fight them in an alley."

The mayors are frustrated that their arguments have not gotten a hearing and some have questioned whether Gingrich and his GOP leaders can be trusted.

Detroit Mayor Dennis W. Archer (D) recalled that at the mayors' conference two weeks ago, Gingrich assured him city leaders would be consulted about changing the law. "I am waiting for Speaker Gingrich to keep his commitment," Archer said. "They have deprived us of the opportunity to be heard. They act as if by osmosis they know better what needs to be done in Detroit or New York than those who live there. If they listened, they might learn that it's less expensive, in Michigan for example, to do things that keep someone out of prison than to pay the \$30,000-a-year,

per capita cost of keeping that person in a prison cell."

The legislation in the House would eliminate COPS and the money earmarked for prevention programs. In their place, Rep. Bill McCollum (R-Fla.), the bill's chief sponsor, has offered something Denver Mayor Wellington E. Webb characterized as "especially seductive and potentially addictive to every mayor in the United States."

McCollum's bill would set up a \$10 billion block grant that would bypass states and go directly to the cities, which would be relatively free to decide how they want to use the money. By contrast, in the Senate, Judiciary Committee Chairman Orrin G. Hatch (R-Utah) is pushing a revision of the crime bill that would give block grants to states, which would decide how to parcel them out to municipalities.

To mayors, the McCollum bill clearly is preferable. And while the McCollum bill would give cities \$2.5 billion to \$3 billion less over five years than envisioned by the 1994 law, they would have flexibility to hire police, invest in prevention, buy new equipment or do what they feel fits their law enforcement needs.

For that reason, many mayors reluctantly are concluding McCollum's proposal is likely to be the best deal they can get. They argue that instead of wasting ammunition on a futile effort to save last year's bill, they should concentrate on trying to ensure that whatever legislation does emerge is more reflective of McCollum than Hatch. Not everyone agrees. Louisville's Abramson says, "My bottom line is that we should stick with the system we agreed on last year and give it a chance to work."

Still, as Cochran of the mayors conference noted, his members do not have a lot of options. "If the conference . . . were to examine the McCollum bill and put it to a vote, my gut feeling is they would support it," he said.

Fort Wayne's Helmke probably summed up the feelings of a majority of his colleagues when he said, "From the standpoint of those who have to maintain law and order in the cities, McCollum clearly is preferable to Hatch. But the '94 bill clearly is preferable to McCollum. I think we should fight as much as possible to ensure that at least some of the things we liked last year are preserved in whatever new law emerges."

CLINTON PROMISES TO VETO MEASURE ON CRIME POLICIES

CONFRONTATION COURSE

President Says Hiring of More Police Officers Should Not Be a Political Football

By DOUGLAS JEHL
Special to The New York Times

WASHINGTON, Feb. 11 — President Clinton today laid down his hardest line since Republicans took power in Congress, vowing to veto an attempt to rewrite a provision in last year's crime bill that was meant to put 100,000 new police officers on the street.

It was the first explicit veto threat from Mr. Clinton since the voters returned a divided Government.

The threat comes after several months in which the President has swung between broad attempts at conciliation and brief hints of confrontation. But aides said it marked the onset of a more aggressive phase in drawing differences with his Republican rivals that will begin with an effort to enlist Cabinet officers in fights over welfare, foreign policy and other issues.

"Anyone on Capitol Hill who wants to play partisan politics with police for Americans should listen carefully," the President said this morning in his weekly radio address. "I will veto any effort to repeal or undermine the 100,000 police commitment. Period."

With the new House of Representatives already well on its way toward rewriting major portions of the anti-crime bill that the Democratic Congress approved last fall, Mr. Clinton's warning today was relatively narrow. It aimed only at a Republican proposal that folds separate programs created by the crime bill including one providing \$8 billion for hiring new police, into a single \$10 billion anti-crime block grant. The White House has said that would allow mayors to spend money on things like prisons and street lights rather than hiring the police officers the current law requires.

The measure, the sixth in a Republican anti-crime package, is likely to win House approval later this week.

Mr. Clinton's threat appeared aimed more directly at the Senate, which is expected to gather its anti-crime measures into a single piece of legislation that it may not want to subject to a Presidential veto.

Still, Mr. Clinton said nothing today about the five Republican-backed initiatives that have won House approval over the objections of some Democrats, including measures that would permit prosecutors to use more illegally seized evidence at trial and would place time limits on appeals by death-row inmates. That silence appeared to signal that the White House would be willing to accept them as part of a final bill.

Mr. Clinton was also silent about the crime-prevention programs, including midnight basketball, that along with financing for police officers would be put in jeopardy by the

Continued From Page 1

Republican block-grant program. Although he and other Democrats, particularly urban liberals, pushed hard for those programs last summer, their omission today suggested he was not ready to use his veto to protect them either.

But after two years and 22 days in which he has yet to veto a bill, Mr. Clinton's aides described his stern threat today as a product of their renewed thinking about how he can best use a President's ultimate weapon.

Not since Millard Fillmore left the White House 142 years ago has President waited so long to throw down a veto. Even after the Republicans took over Congress, Mr. Clinton restricted himself to circumlocutions, as in his State of the Union address, when he said of the ban on assault weapons, which won approval last summer: "I will not let it be repealed."

But White House officials say he is now determined to employ this rusted cudgel to shape and block legislation.

Beginning with the raft of top Administration officials it has dispatched to appear on the talk shows on Sunday, the White House also plans to draw sharper differences between Mr. Clinton's plan to overhaul the welfare system and the rival Republican proposal, which would deny cash assistance to hundreds of thousands of teen-age mothers and to most immigrants, including illegal aliens.

And later in the week, it will dispatch Secretary of State Warren Christopher and Defense Secretary William J. Perry to Capitol Hill to testify against a Republican-backed measure that the White House says will undermine upon the President's authority as commander in chief. That bill, which is spelled out in the Contract With America, would cut United States contributions to peace-keeping operations and demand 15 days' notice from the Administration when the United Nations is to establish new missions.

Still, the President's aides suggested today that he was not yet ready to threaten a veto of either of those initiatives. Indeed, even as they said that the White House would grow more confrontational as the pace of Congressional action quickens, they made plain that they remain wary as they eye the truncheon that Mr. Clinton has never used.

Under the Constitution, the veto may be the greatest of Presidential powers, allowing the chief executive to turn aside whatever Congress sends him unless both the House and Senate can muster two-thirds votes in opposition. But it has also proven the bluntest of instruments, and Mr. Clinton's aides say they have come to see it use as being as perilous as it is appealing.

Since Republicans regained control of Congress in November for the first time in 46 years, the President and his aides have looked to history for help in calculating how best to wield the veto against that new Goliath. They have gathered in recent weeks in places like the living room of Robert B. Reich, the Labor Secretary, which on one night late last month became the setting for an informal seminar as a group of senior officials including George Stephanopoulos, the Presidential adviser, gathered to hear from Richard Neustadt, a Harvard professor, about the decisions that past chief executives have made.

"Our view is that you need to be judicious," a senior White House official said of the consensus that emerged from that discussion. As much as Mr. Clinton's aides insist that he will soon begin to put his own marks on the veto scoreboard, they say they regard the records left by Harry Truman (258 vetoes in seven years), Gerald Ford (68 in 29 months) and George Bush (46 in his four-year term) as cautionary examples.

The bald fact is that, except for Mr. Truman, none of those three ardent practitioners won election after embarking on that confrontational course. And while Mr. Truman railed successfully in 1948 against the "do-nothing Congress," his obstructionism had so diminished him four years later that his approval rating was lower even than that of Richard M. Nixon in the depths of Watergate.

"The lesson of George Bush and Gerald Ford is that vetoing may be good government but it won't help you get re-elected," said Bill Kristol, the Republican strategist who served as a top White House official under Mr. Bush.

Having held his fire as long as Democrats held sway, some of Mr. Clinton's aides say they see it as important that he deliver one soon, if only to show his steel to the Republican House of Representatives. That was another view that emerged from the Jan. 30 discussion at home of Secretary Reich, who himself is a former professor at Harvard's John F. Kennedy School of Government and has made a habit of inviting a select group of senior colleagues to join him and his wife in informal academic-style gatherings.

"It changes the atmosphere," a senior Administration official said. "Once the veto is used, it is no longer seen as an abstract power but one that is quite complete."

Mr. Clinton spent his first two years striking deals on issues like crime and the budget rather than etching rigid lines. That left a veto-free record not only unlike that of every President since Mr. Fillmore, but also very different from his three most recent Democratic predecessors — Mr. Kennedy, Lyndon B. Johnson and Jimmy Carter — who even when blessed with a Democratic Congress each vetoed an average of a half-dozen bills a year.

Only once before today had Mr. Clinton even waved his veto pen, and his advisers now regard that episode as a mistake. By vowing so bluntly last January that he would reject any bill that did not provide guaranteed health care coverage for every

American, Mr. Clinton set a standard that even he soon eased away from, leaving doubts about his judgment and his resolve.

With the Republicans now in power on Capitol Hill, Mr. Clinton clearly sees himself as having won at least the consolation of having more room to obstruct, particularly if he can portray any heel-digging as a defense of principle.

His decision to draw a firm line on the crime bill comes after a week in which House Republicans have focused on their rewriting of the legislation, with five separate measures

winning broad approval. Among them is a bill that would provide extra money to the states to build prisons on condition that make inmates serve longer terms. Another that won broad bipartisan approval on Friday would crack down on illegal aliens who commit crimes, including deporting them promptly once they are released.

But now that the House is to take up the final measure, which would create the \$10 billion lump-sum payment to replace separate initiatives for new police officers and crime prevention, the stage is set for a

contentious battle. As part of the fight over how much flexibility should be given to local authorities, it is expected to include a debate about whether the crime-reduction grants could be used in part to protect abortion clinics.

Still, the way in which the President is calibrating his threats underscores what his advisers describe as the complicated nature of the veto game.

White House officials insist that such wariness is more a reflection of tactics than indecision. For now, they say, the veto is a weapon kept mostly shrouded, where it can help to coerce without provoking a fight. But even in an era in which voters remain impatient with inaction, scholars who have written extensively about the veto's history say that the record of cooperation that the President has lain will leave him on firmer ground next week, month or later this year when he finally sends back to Congress a piece of legislation he doesn't like.

"For this President, this is one weapon that is still shiny, polished in its case," said Robert Spitzer, a professor of political science at the State University of New York at Cortland. "It has no marks, no dents and no scratches."

THE NEW YORK TIMES, SUNDAY, FEBRUARY 12, 1995

- Working group

- Fall

Police Leaders Are Disturbed by G.O.P. Crime Bill

Fears That Promises Will Not Be Kept

By FOX BUTTERFIELD

Special to The New York Times

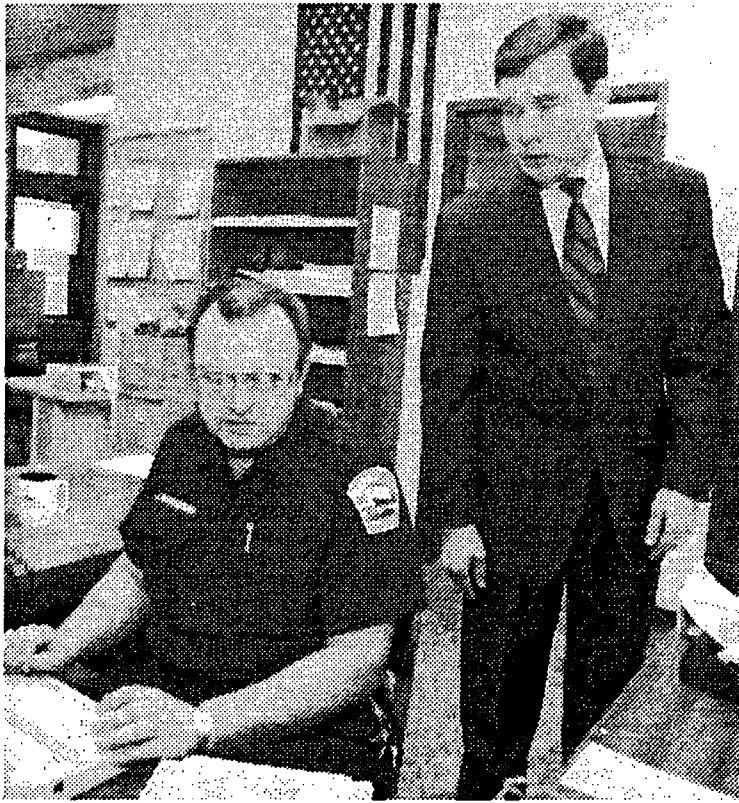
BUFFALO, Feb. 15 — Officer John Bartholomew was sitting at his desk in this city's Precinct Three today, laboriously entering arrest records into his own personal computer. The Buffalo Police Department has been too financially pressed to buy computers or to hire civilian assistants to do data processing.

Gil Kerlikowske, the Police Commissioner, thought help was finally on its way when President Clinton's crime bill passed last fall, since it allocated \$8.8 billion over five years for hiring 100,000 police officers — money for community policing programs across the nation. After months of planning, Mr. Kerlikowske was about to apply for \$1 million to replace Officer Bartholomew with a secretary and put him and 19 other officers on the street walking beats.

But with the House of Representatives' passing a Republican-sponsored bill on Tuesday that would wipe out the President's community policing program, Mr. Kerlikowske is worried that the money the Buffalo police desperately need will disappear. The Republican bill would eliminate the requirement that the money be spent for police and replace it with lump sums that local governments can spend as they want "to reduce crime and improve public safety."

"The new bill puts all this in jeopardy," said Mr. Kerlikowske, a soft-spoken man who at 45 is regarded as one of the nation's best young leaders of a police department. "We have spent thousands of hours planning how to apply for grants, and now it is very possible we will never see the money."

Mr. Kerlikowske is only one of many leaders of police departments nationwide who say they are disturbed by Republican efforts to undercut Mr. Clinton's crime bill. More



Keith Meyers/The New York Times

Many police departments oppose Republican efforts to alter the crime bill signed by President Clinton last year. Among them is that in Buffalo, where the Commissioner, R. Gil Kerlikowske, right, planned to use some of the bill's money to replace Officer John Bartholomew, left, with a secretary, allowing the officer to take a street beat.

than half of all the police departments in the nation — 10,000 of an estimated 17,000 law enforcement agencies — have applied for community policing grants; some 8,000 have been given initial grants, enough to put 17,000 new officers on the streets.

"I'm afraid the money will just disappear and I'm sick at heart about it," said Chief Elizabeth Watson of Austin, Tex.

Austin has received \$1.87 million to pay for hiring 27 new officers who will be used in community policing. They are currently undergoing training in the local police academy. Chief Watson said she had originally hoped to reapply later to the Justice Department for money to finance

No guidelines mean no financial aid, a chief says.

another group of officers but was no longer certain what would happen.

She said she was particularly upset that House Republicans had stripped out the guidelines in last year's anti-crime package specifying that the \$8.8 billion must be spent on community policing, in which officers patrol neighborhoods on foot and work closely with residents to

reduce crime and make neighborhoods safer. The Republican bill creates a lump-sum of \$10 billion to be distributed among towns and cities over five years. How much money each community receives would be based on a complex formula taking into account crime rates and population figures.

"Without the Federal guidelines, the money will evaporate and we will have exactly nothing," Chief Watson said. "Instead, there is going to be all kinds of political pressure to spend it on things we don't need," like police overtime, high-profile gang units or repairing potholes.

"I've been in city government all my career," she added, "and I know what happens."

The Republicans insist that they have hedged against such expenditures by requiring that an advisory board be appointed in each community to decide how the money will be spent. The panels are to comprise representatives from the police department, the local courts, the prosecutor's office and school and church groups.

But Chief Watson said the proposed advisory boards sounded very much like the boards established in the late 1960's and early 1970's by the Law Enforcement Assistance Administration, which dispersed billions of dollars to towns and cities so they could crack down on crime. Begun during the first Nixon Administration, the agency was eventually eliminated by President Carter amid charges that much of the money had been wasted and that there was little evidence that the programs it financed had been effective.

Chief Dennis Nowicki of Charlotte, N.C., said he thought the flexibility given to communities in the new Republican bill might be a good thing, since it would allow his community to hire more prosecutors, the current priority.

But Chief Nowicki also acknowledged: "The chance for the money to get misdirected is great. It could end up being spent on things that have no effect on crime. So you're apt to end up with pork."

In Buffalo, Bill Newton, the owner of Sweet Tooth, a chocolate and ice cream shop, greeted Officer James Watkins warmly today as he made his rounds of the neighborhood as part of the city's new community policing program. "To see an officer out front walking around makes me very happy," Mr. Newton said.

Officer Watkins began his duties last November, after Buffalo received \$2 million, the first of what it hoped would be several allocations of Federal money, to finance 27 officers in a community policing program. He spends his time getting to know as many people as possible on his beat, and is free from the usual demands to answer 911 calls from around the city.

Last month two new officers assigned to another neighborhood were contacted by a resident who told them about a vacant house in which drug dealers had hidden a cache of guns and a homemade bomb. Police were able to defuse the bomb and take the guns out of circulation. The search for suspects is still on.

"This is what community policing is about," Mr. Kerlikowske said. "You rely on the citizens to try to stop crime before it happens, not react afterward."

THE NEW YORK TIMES, THURSDAY, FEBRUARY 16, 1995

File



City of Louisville

OFFICE OF THE MAYOR

JERRY E. ABRAMSON
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(502) 574-3061 • Fax (502) 574-4201**FACSIMILE MESSAGE**DATE: 2/14/95TO: Marcia Hale
The White HouseFAX #: 202/456-6220

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DRUG ENFORCEMENT REPORT™

The Washington Letter on Narcotics, Dangerous Drug, and Marijuana Control

Mayors Back Republican Bill To Switch Block Grant for 'COPS'

← JEA

February 8, 1995

The nation's mayors would like more flexibility in how they can spend law enforcement grants provided by last year's crime bill, with greater freedom to choose traditional law enforcement measures including drug enforcement, or crime prevention and community policing projects, or other types of initiatives, according to Mayor Victor Ashe of Knoxville, Tenn., president of the U.S. Conference of Mayors.

As Congress began work on several Republican "Contract With America" crime bills, it appeared likely that local officials would get the desired flexibility in how they might spend federal anti-crime grants.

One Republican bill would alter the Community Oriented Policing Services (COPS) program, among other things. That program, established by the crime bill signed into law by President Clinton last September, provides \$8.8 billion for the hiring of up to 100,000 additional state and local police officers across the nation. By contrast, the Republican bill would abandon that goal, repealing the COPS and other grant programs and substituting a \$10-billion block grant program.

Under the Republican bill, local law enforcement agencies could use the block grants to hire new officers, to pay overtime to existing officers, to bolster

anti-drug operations, to purchase equipment, or in any other way as long as the goal is "reducing crime and improving public safety."

Democrats in Congress have argued against any alteration in the COPS program, saying the Republican bill could give local officials *too much* flexibility, allowing the money to be lost in municipal budgets, with no guarantee of improvements in public safety.

But Republicans on the House Judiciary Committee have fended off efforts to change their bill. The new approach "is a rejection of the Washington knows best

(continued on page 2)

Sentencing Agency Reviewing Entire Approach to Drug Crimes

Sentencing of drug offenders in federal courts would undergo many significant changes under proposals being considered by the U.S. Sentencing Commission, the agency that writes the guidelines used by federal judges in sentencing.

The proposals, announced last month, suggest that the Sentencing Commission is interested in changing its entire approach to sentencing drug offenders. At issue is how the system should decide which are the "worst" drug offenders, deserving of the longest prison terms.

Currently, one of the most important factors in drug cases is the quantity of drugs seized in connection with the arrest. Some members of the Sentencing Commission believe that this results in unfair sentencing of couriers, persons who unload drugs from a ship, or others who play minor roles in a drug operation but receive long sentences because of the large quantity of drugs involved.

Alternative factors that might be used to weigh culpability include whether the defendant merely provided manual labor, transported drugs that he did not own, had little authority to make decisions about the drug

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