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[Crime Bill '93] [1]

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CRIME BILL ISSUES

On Thursday, Senator Biden and Chairman Brooks plan to introduce revised Senate and House versions of last year's crime bill conference agreement. While the bills will be largely the same, they will not be identical. The Leadership in both houses has agreed to act on these measures this fall.

Legislative text for both of these bills will not be finalized until late today or early tomorrow. At our request, the chairman have scaled back the authorization levels from last year's bill (more than \$8 billion), to a total of \$5-6 billion over the next five years. The Administration has pledged to fight for full funding of the community policing provision, but we have made no guarantees about the rest of the provisions.

Here is a brief overview of some of the issues:

- **BRADY BILL:** The Brady Bill, which mandates a national 5-day waiting period for handgun purchases (until replaced by an instant-check system), will be included in the House's version of the crime bill. The Senate will take up Brady as a stand alone bill during the crime bill's consideration. We have told the House and Senate that Brady is a must-pass provision for the President, and that he wants it any way he get it.
- **COMMUNITY POLICING:** The House and Senate have agreed to make Title I of the crime bill the President's Community Policing Initiative. This proposal -- fashioned by DPC, OMB and Justice -- authorizes \$3.4 billion to put 50,000 more police on the street "in community-oriented policing." Along with Brady, this is the most important part of the crime bill to the President. (Several other programs will help keep the President's 100,000 cops campaign pledge -- national service, Safe Schools, Empowerment Zones, Troops-to-Cops, etc.)
- **ASSAULT WEAPONS:** An assault weapons ban will not be included in the crime bill as introduced, but the President has called for an assault weapons ban and will ask for its consideration alongside the crime bill. The Senate has passed a ban before, but the House has defeated every such effort.
- **HABEAS CORPUS REFORM:** The President and the Attorney General support Senator Biden's legislation to reform the death penalty appeals process, and the Attorney General has committed to help in selling this proposal to Members and outside groups. Because the Administration wants the public debate to revolve around community policing and gun legislation, the President's and the Attorney General's public focus will be primarily on these initiatives.
- **SAFE SCHOOLS:** The House and Senate have included a Safe Schools provision similar to the Administration's proposal, which allows local educational authorities to apply for emergency funds to build metal detectors, hire police and security personnel, implement anti-violence and anti-drug curricula, and other activities. We have told Brooks and Biden that we prefer the Administration proposal to that in the crime bill.

OTHER ISSUES:

- **MANDATORY MINIMUMS:** No new mandatory minimums will be included in the crime bill as introduced, but neither will any language be accepted to repeal or "fix" already existing mandatories. We believe this issue is best addressed outside of the crime bill context.
- **BOOT CAMPS AND DRUG TREATMENT:** The President's proposed crime package also calls for more boot camps and criminal justice drug treatment and testing. We have not committed to any specific funding levels for these programs.
- **DEATH PENALTY:** Both the House and Senate bills will include 47 new death penalty categories with a uniform set of death penalty procedures for implementation. The controversial non-homicidal death penalties in last year's bill have been deleted, but are likely to be attached at a later point.
- **POLICE CORPS:** Both the House and Senate will include a Police Corps, but at different authorizations levels. The House includes a \$25 million per year Corps while the Senate's Corps will cost \$100 million in the first year and "such sums" thereafter.
- **REGIONAL PRISONS:** Last year's crime bill included a costly proposal to establish 10 region, state-federal prisons for drug offenders. OMB and Justice were very concerned with the cost of this proposal. It has been pared down significantly and changed to a federal grant program to help states establish multi-state prisons. House and Senate Republicans are sure to make prisons their defining issue during the crime bill debate.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 11-5 ACTION/CONCURRENCE/COMMENT DUE BY: _____

SUBJECT: CRIME BILL MEMO

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PASTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
McLARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RASCO	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NEEL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RUBIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PANETTA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEGAL	<input type="checkbox"/>	<input type="checkbox"/>
BAGGETT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEIDMAN	<input type="checkbox"/>	<input type="checkbox"/>
EMANUEL	<input type="checkbox"/>	<input type="checkbox"/>	STEPHANOPOULOS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GEARAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TYSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GERGEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VARNEY	<input type="checkbox"/>	<input type="checkbox"/>
GIBBONS	<input type="checkbox"/>	<input type="checkbox"/>	WATKINS	<input type="checkbox"/>	<input type="checkbox"/>
HALE	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HERMAN	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LAKE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LINDSEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McGINTY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
MONTOYA	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
NUSSBAUM	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

NO response necessary.

RESPONSE:

JOHN D. PODESTA
 Assistant to the President
 and Staff Secretary
 Ext. 2702

November 5, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
SUBJECT: SENATE ACTION ON CRIME BILL

The Senate voted 94-4 last night to double the crime bill and create a \$22 billion Crime Reduction Trust Fund to pay for it by dedicating the 252,000 FTE reduction called for by the National Performance Review.

The Crime Trust Fund includes:

- * \$8.995 billion to fully fund your 100,000 cops pledge over the next 5 years, at a declining match of 75-50-40-25-10;
- * \$3 billion for 10 regional prisons, with an 85% truth-in-sentencing requirement;
- * \$2 billion for boot camps and state prisons for violent offenders;
- * \$1.8 billion for the Violence Against Women Act;
- * \$1.2 billion for drug courts for criminal addicts;
- * \$500 million for grants to states to house violent juveniles;
- * \$300 million for Safe Schools
- * \$200 million for Police Corps
- * \$150 million for law enforcement scholarships; etc.

The deal was worked out with unprecedented bipartisan support not only from Mitchell, Byrd, Sasser, and Biden, but from Dole, Hatch, and Gramm. Gramm called it "the most important crime bill in years." The agreement extends only to the program funding; the Senate will now begin debate over habeas, death and other penalties, and a host of get-tough amendments to the bill.

Certainly, you can welcome the Senate's bipartisan enthusiasm to help fulfill your campaign pledges. After all, this was your idea in the first place: You said in your speech to the 1992 Democratic Convention that as President, you would

". . . streamline the federal government, and change the way it works; cut 100,000 bureaucrats, and put 100,000 new police officers on the streets of American cities."

Putting People First, p. 224

Beyond broad support for the Senate action, the question is whether you want to embrace the agreement by bringing the sponsors (and key House members) down to the White House. That would ensure that you get the credit for your idea, and more important, let the country know that we are taking unprecedented steps to fight crime and violence. It might also increase the chance that Congress will have the bill on your desk by Thanksgiving. Not surprisingly, the sponsors would like to come down here for an event with you as soon as possible.

At the same time, the Senate approach will have considerable consequences on the FY95 budget and beyond. Embracing the deal will put you on record for these funding levels. It is possible, though by no means certain, that the authorizations will be reduced in conference. But with the Senate Majority Leader and the Appropriations, Budget, and Judiciary Committee chairmen leading the charge for this bill, we may well be forced to face these budget consequences whether we embrace them now or not. Moreover, any effort by the Administration to downplay the Senate deal would give Bob Dole and Phil Gramm bragging rights to claim that they're willing to do more to fight crime than we are.

The Senate will continue to debate the crime bill over the next few days, and pass it perhaps as soon as next week. On Wednesday, by voice vote, the House approved \$5 billion in crime authorizations for cops, juvenile detention, and drug treatment. It is not yet clear whether the House and Senate will undertake a crime bill conference before Thanksgiving.

On the gun front, the House Judiciary Committee reported out the Brady Bill yesterday without any weakening amendments. The House should vote on it next week. The Senate still plans to vote on Brady after dispensing with the crime bill.

Metzenbaum, DeConcini, and Feinstein have reached agreement on a reasonable assault weapons compromise. We don't know yet whether they have the votes, or whether Biden will decide to let them offer it.

PRINCIPLES/IDEAS FOR PRESIDENT TO EMPHASIZE ON VIOLENCE

I. Message

- o Stop the killing
- o Both . . . and: law enforcement and prevention. Law enforcement can't do the job by itself. Law enforcement officers are the first to say so.
- o Violence is pervasive, not just on the street. It's in families, it's against women, it's hate violence, it's sexual assault.
- o There is a continuity of violence. What children see at home or experience themselves reflects itself all too often in their later behavior.
- o Drugs and alcohol are closely interwoven with violence. Massively associated with domestic violence, child abuse, auto accidents. Killings on streets over drug turf. All of this sends message to children that violence is the best way to settle an argument. Immensely costly to the health care system.
- o Responsibility -- everyone has a responsibility: public and private across the board, but also must instill a sense of responsibility in citizens themselves, especially young people.
- o Must give people hope, have to have a reason for hope. Can't build enough prisons to lock up all the perpetrators unless we create real reasons for hope.
- o Must say and teach, over and over, violence is not the way to settle disputes. Stop the killing.
- o This is a genuine national crisis. Everyone has to get involved.

II. Policies

- o Enforce the law. Lock up the bad people. (Pass the crime bill.)
- o Community policing to make the streets safe. (Pass the crime bill.)
- o Build antiviolence coalitions everywhere to strengthen neighborhoods and communities. Support people in neighborhoods coming together, working with elected officials, business leaders, clergy, schools, police, etc. to take back the streets. Mothers Against Drunk Driving as model. Federal interagency response to help

build coalitions. (Examine all federal programs that support community partnerships for prevention, e.g., in the drug area, to consolidate and coordinate for effectiveness.)

o Massive public education. Don't use violence to settle disputes. Guns are dangerous. Real men don't beat up women. Preventive health by controlling our own behavior is the real cost containment for health reform: less violence, less drinking, less drug abuse will save billions in health care costs. (Fund Centers for Disease Control to come up with effective messages.)

o Take guns away from bad people, educate everyone about how dangerous it is to have a gun, and make guns a little less dangerous. Assault weapon ban. Juvenile possession ban. Regulate extra-destructive ammunition. Enforce concealed weapon bans and take away guns from people in the street. Tighten regulation of dealers. Ban laser sights. Stop advertising campaigns directly at women and young people.

o Urge media to be responsible. Cable and films as well as networks. PSAs and proactive messages in shows as well as reduction of gratuitous violence.

o Schools. Teach nonviolence. Mediation and conciliation.

o Keep kids constructively engaged -- after school and summer. Build ties to labor market. (Enact pending school-to-work legislation.)

o Lots of mentoring and adult role models.

o Strengthen families and parenting skills. (Implement recently enacted Family Preservation legislation.)

o Opportunity.

o Hope for the future.

CRIME AND VIOLENCE MEETING

Roosevelt Room
November 15, 1993

ATTACHMENTS

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

DOJ Possibilities out of crime bill

- Gangs
- Guns & ammo
- Drugs & alcohol
- Media
- Family violence

- Network ideas for Jan.

Approx. 6 state meeting w/ us on a "single state" response
that involves Fed, state & local coordination

CO
IN
NB
WA
GA
WVA

\$150 mil of police from DOJ first will come in next few weeks

ORGANIZING PRINCIPLES CRIME AND VIOLENCE

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

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

President Clinton
News Conference, November 10, 1993

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

November 15, 1993

MEMORANDUM TO THE CRIME SQUAD

**FROM: BRUCE REED
JOSE CERDA III**

SUBJECT: OPTIONS FOR CRIME AND VIOLENCE TOUR

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

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

I. Purpose of a Crime and Violence Tour

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

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

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

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

II. What a Crime Tour Might Look Like

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

A. Phase One: Setting the Stage

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

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

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

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

B. Phase Two: Crime Week

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

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

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

Other Nearby Events for Day One:

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

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

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

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

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

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

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

Other nearby sites for Day Two:

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

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

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

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

Other nearby events might include:

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

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

Crime Tour - Potential Site List

(as of 11/15/93)

COMMUNITY POLICING

Police Stations (in order of preference):

San Diego, CA

Portland, OR

Boston, MA

New York, NY

Chicago, IL

PUBLIC HOUSING

Police/Public Housing

Chicago, IL

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

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

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

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

Portland, OR

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

New York, NY

Ft. Myers, FL

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

Residents/Public Safety

Cleveland, OH

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

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

Austin, TX

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

SCHOOLS

Systems with high success rates in combating drugs and violence:

Miami, FL

San Diego, CA

Philadelphia, PA

New York, NY

Recent Violence/Guns

Atlanta, GA

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

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

Dallas, TX

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

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

Junction City, KS

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

Chicago, IL

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

Project Smart

(School Management and Resource Teams - DOE and DOJ)

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

Safety

Portland, OR

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

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

New York City, NY

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

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

nationwide.

Miami, FL

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

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

Apopka, FL

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

Roxbury, MA

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

BOOT CAMPS

Jessup, MD

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

Rikers Island, NY

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

Summit, NY

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

Riley, KS

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

Orleans Parish, LA

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

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

Wrightsville, AR

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

Sumter County, FL

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

NATIONAL SERVICE PROGRAMS

Baton Rouge, LA

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

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

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

Chicago, IL

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

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

Jonesboro, AR

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

DRUG COURTS

Oakland, CA

Miami, FL

Washington, D.C.

MIDNIGHT BASKETBALL

San Francisco, CA

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

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

Glen Arden, MD

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

Chicago, IL

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

GUN STORES

Chicago, IL

Gun store across from elementary school.

"SOCIAL CONTRACT" AREAS

Charleston, SC

EMERGENCY ROOMS/HOSPITALS

Washington, DC

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

CRIME TOUR -- POTENTIAL OUTCOMES

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

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

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

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

Here are our preliminary suggestions:

I. Tangible Actions

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

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

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

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

violence, drug treatment and crime.

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

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

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

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

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

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

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

II. Greater Challenge

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

November 15, 1993

MEDIA OPPORTUNITIES

Network

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

NBC

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

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

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

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

Conferences

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

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

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

Corporate

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

Newspapers

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

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OTHER ISSUES:

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- **BOOT CAMPS AND DRUG TREATMENT:** The President's proposed crime package also calls for more boot camps and criminal justice drug treatment and testing. We have not committed to any specific funding levels for these programs.
- **DEATH PENALTY:** Both the House and Senate bills will include 47 new death penalty categories with a uniform set of death penalty procedures for implementation. The controversial non-homicidal death penalties in last year's bill have been deleted, but are likely to be attached at a later point.
- **POLICE CORPS:** Both the House and Senate will include a Police Corps, but at different authorizations levels. The House includes a \$25 million per year Corps while the Senate's Corps will cost \$100 million in the first year and "such sums" thereafter.
- **REGIONAL PRISONS:** Last year's crime bill included a costly proposal to establish 10 region, state-federal prisons for drug offenders. OMB and Justice were very concerned with the cost of this proposal. It has been pared down significantly and changed to a federal grant program to help states establish multi-state prisons. House and Senate Republicans are sure to make prisons their defining issue during the crime bill debate.

THE WHITE HOUSE

WASHINGTON

March 14, 1994

MEMORANDUM TO RAHM EMANUEL

FROM: Joan N. Baggett

SUBJECT: Crime/Immigration Proposal

Please review the attached proposal from Texas, NY and FL Democratic governors and give me your thoughts on the prospects for this proposal. Everyone makes a compelling case that we are being "set up" by Wilson on immigration reimbursement. Epstein and others think this approach has merits.

cc: Marcia Hale

3/8/94

To: Joan Baggett

From: Sandra Cuneo, Jane Hickie, and Debby Kilmer

Re: Criminal Aliens

We have been looking for one issue on which the Governors, the Administration and the Congress might reach an agreement for 1995 funding in the area of illegal immigration.

We suggest that the reimbursement of costs to the states for incarceration of criminal aliens would be a good choice politically and substantively. At \$524.2 million annually, the cost is an important one to the states. Of that amount, \$375 million would go to California according to their budget. Pete Wilson is an advocate for this money, as is Kathleen Brown.

Because the Crime Bill is moving, there are ways within it to find funding mechanisms for this money...perhaps through "first call" on slots in those regional prisons, or instead of those regional prisons.

There are accurate counts of these illegal immigrants because they are in custody.

Senator Graham's amendment on criminal aliens is already included in the Senate Crime package which allows the Attorney General to take custody of a criminal alien or contract with the state or local government for that incarceration. Senator Graham has introduced free standing legislation which would require the Attorney General to do so.

Congressman Schumer of New York who Chairs the Subcommittee, and Chairman Brooks who Chairs the full Committee are from our states and may be willing to support such provisions on the House side.

There is solid bipartisan support for the federal reimbursement of the costs to states for incarcerating criminal aliens, and although some may argue that there should be increased deportation of criminal aliens, deportation is ineffective because the southwestern border is so porous.

Please call for more information as you need it.

cc: Joan
Bassett

March 8, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: RAHM EMANUEL
Subject: Chairman Jack Brooks

When you call Chairman Brooks to congratulate him for winning his primary race today, I recommend that you also encourage him to move swiftly on the Crime Bill, and get a firm commitment on a timetable.

You should praise the Chairman for the work that he has done to date on the Crime Bill. In addition, you should seek a commitment from Brooks that his committee will move to mark up the bill next week.

If Brooks commits to this timetable, you will be able to mention it in your *USA Today* interview on Wednesday, and make news.

A commitment from Brooks that he will move the Crime Bill through the full committee next week will enable you to put forth the following message to *USA Today*: The Clinton administration, with the Congress, is acting swiftly to get a tough and smart Crime Bill passed. At that very moment, as you are being interviewed, the Crime Bill is being marked up in subcommittee. Furthermore, you have the commitment of the Chairman of the House Judiciary Committee that the bill will move through the full committee next week.

The commitment from Brooks will make news in this interview. Furthermore, by making this news, you will put subtle pressure on Brooks to follow through on his commitment.

cc: Joan Baggott

March 8, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: RAHM EMANUEL
Subject: Chairman Jack Brooks

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The commitment from Brooks will make news in this interview. Furthermore, by making this news, you will put subtle pressure on Brooks to follow through on his commitment.

April 15, 1994

MEMORANDUM FOR DISTRIBUTION

FROM: RAHM EMANUEL *RE*

Subject: HUD/Justice Report to the President on Fighting
Violent Crime in Public Housing

Attached please find a copy of the policy to fight violent crime in public housing that was developed jointly by Secretary Cisneros and Attorney General Reno. In addition, I have attached possible questions that you may be asked, with the appropriate answers.

DISTRIBUTION:

Vice President Gore
David Gergen
Bruce Lindsey
Jack Quinn
Dee Dee Myers
Alexis Herman
Marcia Hale
Lloyd Cutler
Christine Varney
David Dreyer
Karen Hancox
Leon Panetta
Lisa Mortman

Mack McLarty
George Stephanopoulos
Carol Rasco
Mark Gearan
Joan Baggett
Pat Griffin
Harold Ickes
Steve Neuwirth
Lorraine Voles
Bruce Reed
Lorraine Miller
Steve Hilton



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

April 14, 1994

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

On April 8, 1994, you asked us to work together to devise law enforcement measures that would be effective and constitutionally valid in dealing with the severe problems of violent crime in urban public housing developments such as Robert Taylor Homes and Stateway in Chicago. During the past week, we have worked productively toward that end. This letter outlines the conclusions we have reached regarding a variety of law enforcement techniques that might be used in combatting this grave problem.

You are familiar with the background: In response to the escalation of violence and the prevalence of firearms in public housing projects in Chicago, the Chicago Housing Authority (CHA) instituted a policy of conducting warrantless, apartment-to-apartment searches of CHA public housing projects. On April 7, 1994, a federal court in Chicago held that CHA's search policy violated the Fourth Amendment. On that basis, the court enjoined CHA from undertaking further warrantless apartment-to-apartment searches of CHA housing units. The court made clear, however, that its ruling did not preclude CHA from taking other steps to conduct searches in and around the housing projects.

In the Chicago case, although some tenants opposed the CHA's "sweep search" policy, many others supported the policy and supported CHA's efforts to maintain order and combat gang violence in the housing projects. The case also made vividly clear once again how pervasive violence has become in many of our inner-city housing projects. While striking down the particular "sweep search" policy employed by CHA, the judge recognized that the level of violence in the housing projects represents a grave threat to the lives and safety of innocent persons in and around the CHA buildings.

Following the court's ruling and your request for us to focus intensively on this issue, the Department of Justice consulted with the Department of Housing and Urban Development regarding the

options available to a public housing agency such as CHA in conducting searches on the premises of public housing projects that suffer from very high rates of violent crime. We outline here the options that we considered, and which we concluded are constitutionally valid, at least in the extraordinary circumstances presented by the crime problem in the Robert Taylor Homes and Stateway developments.

1. Securing the Building Entrances and Lobbies. Any effort to stem violence in crime-ridden public housing projects must begin in the lobbies of the buildings. In some high-rise public housing projects, gang members effectively control access to the buildings. They move freely in and out of the buildings. While some buildings are protected by security guards, those guards are often intimidated by gang members, and they therefore let unauthorized persons enter the buildings unchallenged.

It is essential that the housing authority gain control of building lobbies and common areas. To accomplish that end, the authority can erect fences around buildings, issue identification cards to tenants, and install magnetometers or metal detectors at the building entrances. Security personnel should be accorded the authority to conduct follow-up searches with hand-held metal detectors when necessary. They should also be authorized to search packages and clothing, and to refuse entry to anyone who does not submit to inspection. Most importantly, the authority and the local police must cooperate to ensure that the security guards have sufficient protection to do their screening work effectively. If the ground floor of the building is secure, other techniques may not be necessary; if it is not, other techniques are likely to prove futile.

2. Consent Searches. A search is lawful if it is conducted pursuant to an uncoerced consent. Leases in housing projects, as elsewhere, typically include a standard consent clause permitting the housing authority to conduct routine maintenance inspections and to enter the tenant's apartment in case of emergency. Where crime conditions in the housing development make unit-by-unit inspections essential, similar lease consent clauses could be employed to authorize periodic administrative inspections of tenants' units for unlicensed or unauthorized firearms.

As in the case of maintenance inspections, such firearms inspections should be conducted on a routine basis, during daylight hours, and should be no more intrusive than absolutely necessary to determine whether weapons are present in the tenant's unit.

If the agency gives advance notice of the fact that an inspection will be conducted and the general period within which it will take place the intrusiveness of the inspection will be lessened and any constitutional objection to the inspection thereby reduced.

In appropriate circumstances, tenant associations should be encouraged to endorse the use of building entrance security devices and the inclusion of consent clauses in lease agreements. A resolution by a tenant association would demonstrate widespread tenant support for such measures, which is an important factor in determining whether to include such a clause in the lease. In addition, a showing of widespread tenant support would be helpful in responding to challenges by particular tenants to the constitutionality of restrictions on entry and consent clauses in leases.

3. Searches of Common Areas and Vacant Apartments. Experience in Chicago teaches that gangs commonly use vacant apartments as bases of operation. The housing authority can search the common areas of public housing projects and vacant apartments without consent or a warrant, and at any time of the day or night.

4. Weapons Frisks of Suspicious Persons. If police or security personnel have reason to believe that an individual is involved in criminal activity and that he is armed, they may frisk him for weapons. Where police establish a presence in an area and use their lawful power to stop and frisk persons engaged in suspicious behavior, the use of that power can be effective in disrupting and deterring violent crime.

5. Warrant Searches on Probable Cause. Whenever law enforcement officials have probable cause to believe that a specific dwelling contains evidence of a crime, a search may be conducted with a judicial warrant. Police should make use of expedited techniques for obtaining warrants, such as by telephone or by having magistrates readily available to issue warrants.


6. Searches Based on Exigent Circumstances. Housing authority officials may conduct warrantless searches of individual units where there is justification for a search but insufficient time to obtain a judicial warrant.

7. Arrest Warrants. Housing or local police may enter a dwelling unit to execute an outstanding arrest warrant if the fugitive resides in the unit and the police have reason to believe he is present.

During staff consultations between the two Departments, we have discussed these alternatives and others in more detail, and we

will continue working together in devising and refining law enforcement strategies that can be applied to deal with this crisis.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janet Reno".

Janet Reno
Attorney General

A handwritten signature in cursive script, appearing to read "Henry Cisneros".

Henry Cisneros
Secretary of Housing and
Urban Development

**HUD/Justice Report to the President
Combatting Violent Crime in Public Housing
Questions and Answers**

QUESTION:

What prompted this report?

ANSWER:

The report was prompted by a federal district court opinion declaring Chicago's policy of conducting warrantless searches for weapons and drugs in Robert Taylor Homes and Stateway, two Chicago Housing Authority developments, unconstitutional.

The President directed the Attorney General and the Secretary of HUD to establish an effective, constitutionally permissible search policy.

QUESTION:

How was the report prepared?

ANSWER:

A HUD team, including Secretary Cisneros, traveled to Chicago last Sunday to observe firsthand the conditions in Robert Taylor Homes and Stateway, two high-rise developments besieged by gang warfare.

HUD and Justice then worked collaboratively on preparing this report to the President.

QUESTION:

What does the report say?

ANSWER:

The report gives public housing agencies, public housing residents, local law enforcement and others clear guidance on the range of lawful techniques that can be used to combat violent crime in public housing developments.

Constitutionally permissible measures include:

securing building entrances and lobbies with metal detectors;

issuing identification cards to residents;

searching apartments with the tenants' consent (which can be obtained individually or through clauses in the lease);

searching common areas and vacant apartments;

frisking suspicious persons for weapons;

obtaining judicial warrants expeditiously when there is probable cause that a specific dwelling contains evidence of a crime;

conducting warrantless searches in emergency situations; and

carrying out arrest warrants.

QUESTION:

Does the federal government support CHA's sweep-search policy?

ANSWER:

The district court in Chicago (Judge Anderson) has already struck down these searches. We are looking beyond that. Our objective is to propose effective, alternative means of combating violence in public housing developments.

QUESTION:

Does this policy support the types of searches that the Judge found unconstitutional in Chicago?

ANSWER:

This policy is not fact specific. The exigent or emergency circumstances that justify a warrantless search and the facts that support probable cause in that situation are issues that must be decided by a court when they arise.

This policy seeks to emphasize that there is a range of constitutional options available, depending on the circumstances, which are available to PHA's seeking to develop effective ways to respond to violence and the use of firearms on the PHA's premises. We do not think it is useful to try to hypothesize every conceivable fact situation which could give rise to a constitutional search .

QUESTION:

If CHA appeals Judge Anderson's ruling, will the federal government support CHA?

ANSWER:

The federal government will have to address that issue if it arises. We note, however, that CHA is already well represented and the appeal process can be lengthy. We therefore believe that it is more important to find alternative solutions that can be implemented immediately.

QUESTION:

Can you outline your proposals?

ANSWER:

First, we feel it is critical that we regain control of the building lobbies and common areas by using identification cards, metal detectors and entry searches and by ensuring that police officers as security guards have sufficient protection to do their screening work effectively. Presently, gang members control access to many public housing buildings, and security guards are unable to stem the flow of unauthorized persons and firearms into the buildings.

Second, we are suggesting that public housing authorities operating public housing developments with severe crime problems consider obtaining tenants' consent to inspections for firearms. One way to achieve that end would be for the authority to amend its leases to authorize routine inspections for unauthorized or unlicensed firearms. That approach would be more likely to succeed if tenant associations endorse the use of building entrance security devices and consent clauses in lease agreements.

In addition, public housing authorities can search without a warrant common areas and vacant apartments, which are often taken over by gangs. They can also employ a series of well-established law enforcement techniques, including weapons frisks of suspicious persons and searches based on emergency circumstances.

QUESTION:

Can a public housing authority require a tenant to submit to an entry search in order to gain access to his or her apartment?

ANSWER:

Yes. The courts have upheld the use of metal detectors and follow-up searches at airports, in federal buildings, and in other settings as long as they are legitimately necessary to protect the safety of the public. Certainly, the need for these measures is manifest in projects in which violent crime is pervasive.

QUESTION:

Can you condition the receipt of public housing on the tenant's consent to inspections of his or her unit for unauthorized or unlicensed firearms?

ANSWER:

It depends on the reasonableness of the inspections program

that the tenant is being asked to consent to. Almost all lease agreements allow routine inspections for unsafe conditions, and a tenant can be denied an apartment if he or she refuses to agree to permit inspections of that type. Whether routine inspections for unlawful firearms is a reasonable lease term depends on the circumstances. Where the circumstances are as extreme as they are in projects such as Robert Taylor Homes and Stateway, we think that a lease term requiring the tenant to consent to occasional apartment inspections for firearms is reasonable.

QUESTION:

But won't an inspection for firearms be more intrusive than an inspection for leaking pipes?

ANSWER:

Perhaps. But the overwhelming need for such inspections makes the consent reasonable. We cannot restore safety to these public housing developments without tenant cooperation.

QUESTION:

Under what conditions can an individual unit be searched under your policy announced today?

ANSWER:

The most common way is through the consent of the tenant in that unit. That consent can come in two ways:

First, the tenant can consent, pursuant to a clause in a lease agreement, to a periodic inspection of the unit for

unlicensed or unauthorized firearms. This provision is much like the common provision for regular maintenance inspection, and would occur routinely, during daylight hours.

Second, the tenant can consent orally or in writing to a request to search the unit as part of a door-to-door response to an emergency situation.

QUESTION:

Is this lease language optional?

ANSWER:

It would be the PHA's option to include it in the lease, and as proposed here, it would be "optional" for a particular project. However, it would not be "optional" for the individual resident in a development that had chosen to utilize this provision.

QUESTION:

Will it apply to just developments with high crime or will it be at all developments?

ANSWER:

The lease provisions will be in all leases, if the PHA decides to utilize this approach, but they will have a "local option" in that they will not go into effect unless the Resident Council of the development approves them.

QUESTION:

Will HUD have to approve this lease language?

ANSWER:

No (HUD does not have a role in lease approval. It is offered to the tenants for a 30 day comment period and it is adopted by the Board of Commissioners)

QUESTION:

If the lease language is adopted and a resident signs, then refuses to allow the inspection, will CHA go ahead and do the search?

ANSWER: Yes.

QUESTION:

Will they terminate the lease for the refusal?

ANSWER:

They will have the option of termination, but as with any lease violation, that will be at the discretion of the PHA depending on the circumstances. Under unique circumstances the PHA could utilize the option of offering the resident alternative housing opportunities.

QUESTION:

Will it make a difference if firearms are found or not?

ANSWER:

It would obviously be considered in deciding whether to seek to evict or not.

QUESTION:

Under what circumstances would the lease provide for these types of inspections?

(a) there would be regular administrative inspections for weapons, which would be during daylight hours, and could have notice provisions similar to those for maintenance inspections, that is 48 hour notice.

(b) there would be administrative inspections prompted by gunfire from a building area. The lease could indicate that an incident of violent gunfire would be the basis for an administrative inspection for weapons within a specific time period (say 24-72 hours).

cc: Pol Affairs
Staff

April 6, 1994

MEMORANDUM FOR JOE VELASQUEZ

From: Chris Lin
Subject: Crime Leadership Briefings

FYI, we will be holding our final crime leadership briefings these next several weeks. The schedule is as follows:

Wednesday, April 13th

Participants from throughout the country have been invited -- including people from California, Connecticut, Delaware, Florida, Iowa, Illinois, Maine, Maryland, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, and Wisconsin. Invitations were made based on recommendations by Republican House representatives (see attached list).

Tuesday, April 19th

Participants from throughout Texas will be invited. We have asked the Democratic House Members from Texas to submit recommendations.

Week of April 24th

Participants from throughout the country will be invited. We will ask Democratic Senate Members to submit recommendations.

PLEASE NOTE: As with our previous crime leadership briefings, Congressional involvement is based on lists provided to us by White House Legislative Affairs.

cc: Alexis Herman
Joan Baggett
Steve Hilton

Steve Horn, CA
Al McCandless, CA
Carlos Moorehead, CA
William Thomas, CA
Christopher Shays, CT
Nancy Johnson, CT
Michael Castle, DE
Michael Bilikaris, FL
Lincoln Diaz-Balart, FL
Ilena Ros-Lehtinen, FL
Clay Shaw, Jr., FL
Cliff Sterns, FL
Bill Young, FL
Jim Leach, IA
Jim Lightfoot, IA
Harris Fawell, IL
John Porter, IL
Peter Torkildsen, MA
Olympia Snowe, ME
Constance Morella, MD
Helen Bentley, MD
Wayne Gilchrist, MD
Frederick Upton, MI
Jim Ramstad, MN
Bill Zeliff, Jr., NH
Dean Gallo, NJ
Marge Roukema, NJ
Jim Saxton, NJ
Richard Zimmer, NJ
Rick Lazio, NY
Benjamin Gilman, NY
Sherwood Boehlert, NY
Susan Molinari, NY
James Walsh, NY
Jack Quinn, NY
Hamilton Fish, Jr., NY
Deborah Pryce, OH
Jim Greenwood, PA
Curt Weldon, PA
Joseph McDade, PA
Ronald Machtley, RI
Don Sundquist, TN
Herbert Bateman, VA
Frank Wolf, VA
Scott Klug, WI
Thomas Petri, WI
Toby Roth, WI



U.S. Department of Housing and Urban Development
Office of Public Affairs

*Get list of which
pub housing
agencies are to be
here from*

Washington, D.C. 20410

*Joan:
Fyi,*

Rahm

News Release

Jennifer

HUD No. 94-54
Michael Siegel (202) 708-0685 x116
Sharon Maeda (202) 708-0980

FOR RELEASE:
Monday,
April 18, 1994

HUD SECRETARY ANNOUNCES NATIONAL MEETING TO EXAMINE VIOLENT CRIME, SAFETY, AND CONSTITUTIONAL ISSUES

At the request of President Clinton, a national meeting of public housing executives and the chiefs-of-police of America's 40 largest cities is being called by Secretary of Housing and Urban Development Henry G. Cisneros to discuss new initiatives to protect public housing residents from violence and crime without violating constitutional rights.

"We cannot accept the violent crime and gun violence that plagues too many low-income communities and destroys too many innocent lives," Secretary Cisneros said. "We believe we can protect residents and protect their constitutional rights. We must protect both. It is a false dilemma to pretend we can choose between constitutional rights and the right to live in safety, without fear of death, violence, intimidation or harassment. It is imperative that we draft the procedures and execute them in such a way that balances these rights.

"This will be a meeting to address one of the most critical issues facing low-income housing communities today," Cisneros added.

-more-

HUD No. 94-54

-2-

Based on a report prepared by Secretary Cisneros and Attorney General Janet Reno, the President proposed steps to help protect housing residents from gun violence by providing PHAs with guidance on sweeps of public housing.

The national meeting, which will discuss constitutional and safety issues, will be held within the next ten days. The invitation list includes America's 40 largest public housing authorities, a representative sample of smaller housing authorities, local chiefs-of-police and housing authority police.

#

THE WHITE HOUSE
WASHINGTON

May 9, 1994

MEMORANDUM FOR JOAN BAGGETT

FROM: MARCIA L. HALE *MHA*

SUBJECT: THANK YOU LETTERS TO MAYORS FOR ASSISTANCE ON ASSAULT
WEAPONS BAN

Attached please find a list of the mayors who will receive a letter from The President thanking them for their assistance on the assault weapons ban legislation. Please review the list and let Dawn Friedkin (ext. 6-7060) know if there is a problem with any of the recipients. These letters will go out at the end of the day today.

TO: Political Staff
FR: Tara
We need to let
Dawn know today
if we have a problem
w/ anyone on this list.
Thanks.

cc: Rahm Emanuel

DRAFT

Dear Mayor _____:

Thank you very much for your efforts on behalf of H.R. 4296, the assault weapons ban. As you are aware, these weapons have contributed to violent crime and traumatized our nation's communities for too long. With your support and encouragement, the U.S. House of Representatives took a first step towards getting assault weapons off the streets, out of our neighborhoods and out of the hands of criminals.

I applaud the bipartisan nature with which our victory was achieved and am grateful for your dedicated efforts.

With best wishes,

The Honorable Chuck Hazama
Mayor of Rochester
Rochester, MN

The Honorable Jo Anderson
Mayor of Lawrence
Lawrence, KS

The Honorable Mike Haskin
Mayor of Olathe
Olathe, Kansas

The Honorable Patrick Henry Hays
Mayor of North Little Rock
North Little Rock, Arkansas

The Honorable Richard Arrington
Mayor of Birmingham
Birmingham, Alabama

The Honorable Johnny Isbell
Mayor of Pasadena
Pasadena, Texas

The Honorable James Rurak
Mayor of Haverhill
Haverhill, Massachusetts

The Honorable C.C. Frank Self
Mayor of Greenville
Greenville, Mississippi

The Honorable Rob Wagner
Mayor of Nashua
Nashua, New Hampshire

The Honorable Meyera Oberndorf
Mayor of Virginia Beach
Virginia Beach, Virginia

The Honorable Bob Lanier
Mayor of Houston
Houston, Texas

The Honorable Michael White
Mayor of Cleveland
Cleveland, Ohio

The Honorable Richard Daley
Mayor of Chicago
Chicago, Illinois

The Honorable Rudolph Giuliani
Mayor of New York
New York, New York

The Honorable Kay Granger
Mayor of Fort Worth
Fort Worth, Texas

The Honorable Jerry Abramson
Mayor of Louisville
Louisville, Kentucky

The Honorable Norm Rice
Mayor of Seattle
Seattle, Washington

The Honorable Deedee Corradini
Mayor of Salt Lake City
Salt Lake City, Utah

The Honorable Frank Jordan
Mayor of San Francisco
San Francisco, California

The Honorable Rita Mullins
Mayor of Palatine
Palatine, Illinois

The Honorable Wellington Webb
Mayor of Denver
Denver, Colorado

The Honorable Dennis Archer
Mayor of Detroit
Detroit, Michigan

The Honorable Richard Kimball
Mayor of Jamestown
Jamestown, New York

The Honorable Franc Lanctot
Mayor of Woonsocket
Woonsocket, Rhode Island

The Honorable John Jarvis
Mayor of Texarkana
Texarkana, Texas

The Honorable Philip Bredesen
Mayor of Nashville
Nashville, Tennessee

The Honorable Joseph Riley, Jr.
Mayor of Charleston
Charleston, South Carolina

The Honorable Elizabeth Rhea
Mayor Rock Hill
Rock Hill, South Carolina

The Honorable David Berger
Mayor of Lima
Lima, Ohio

The Honorable Paul Soglin
Mayor of Madison
Madison, Wisconsin

The Honorable John Logie
Mayor of Grand Rapids
Grand Rapids, Michigan

The Honorable Sharpe James
Mayor of Newark
Newark, New Jersey

The Honorable Stephen Goldsmith
Mayor of Indianapolis
Indianapolis, Indiana 46204

The Honorable Jim Florio
New Jersey

Ms. Laura Waxman
U.S. Conference of Mayors
1620 Eye Street, NW
Washington, D.C. 20006

*circulate
OPA*

COPY

June 14, 1994

MEMORANDUM FOR JOE VELASQUEZ

From: Chris Lin
Subject: Crime Leadership Days -- Continued

FYI, we will hold four crime leadership briefings this month (similar to those we held in the spring). They will be on Wednesday 6/15, Thursday 6/16, Tuesday 6/21, Tuesday 6/28.

As with the crime leadership briefings in the past, the participants at each briefing are based on recommendations from Members of Congress. Unlike the past, these next briefings will not be regional. But the recommenders do fall under particular categories. They are as follows:

6/15	House Dems
6/16	Senate Dems
6/21	House Repubs
6/28	Senate Repubs

Each of the briefings will be closed to the press; however, a number of participants will be asked to give interviews at the press stakeout immediately following the briefing.

I have attached the briefing paper and list of participants for 6/15 and 6/16. Please circulate them around your department as is necessary. I apologize for the delay in getting this to you. We will be sure to get the next two to you in a more timely fashion.

Thank you for your attention to this matter,

cc: Joan Baggett

E. CLAY SHAW
220 DISTRICT, FL A



COMMITTEE
WAYS AND MEANS
SUBCOMMITTEES
TRADE
HUMAN RESOURCES

RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
225-3026

DISTRICT OFFICE:

512 WIND BOULEVARD
SUITE 101
FORT LI WLE FL 33301
822-1800
DADE & PALM BEACH COUNTIES
TOLL FREE
930-7429

Congress of the United States
House of Representatives
Washington, DC 20515-0922

August 12, 1994

President William J. Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

It was not the NRA that beat the Crime Bill last night. It was the greed of some of our Members and their thirst for pork that brought down this important piece of legislation.

I voted against the rule because it prevented us from stripping out many pork barrel projects that cost billions and have nothing to do with crime.

I pledge to you that if those non-germane items are removed, I will support the rule and join with you in vigorously working for the passage of a pure crime bill.

Sincerely,

E. Clay Shaw, Jr.
Member of Congress

FACSIMILE COVER PAGE

To: Whitehouse, Washington D.C.

Time: 21:20:25

Pages (including cover): 2

From: JOHN WHISENHUNT

Date: 8/11/94

11 Aug. 1994

President Clinton
The Whitehouse
Washington D. C.

Maybe you elitists DO NOT know what is best for everybody. Maybe the American people are tired of being lied to by politicians. Maybe the other 58% of the American electorate WHO DID NOT ELECT YOU are being heard. We DO NOT WANT a " crime (spending) bill. WE DO NOT WANT government intervention in our lives.

The NRA is not the "heavy " in your scheme that went awry. It seems interesting that the police officers I talk to think that the crime bill is eye wash. The NRA does not have a legislative axe to grind as you do-you are doing all of this for SELF-AGRANIZEMENT-so that you will look good in the history and sociology books. I've got news for you-you'll never be the president that Roosevelt, Truman nor Kennedy were because they had something you will never have-and that is TRUE concern for the COUNTRY AND the American people.

I think you should spend more time finding your own facts to quote instead of depending so much on your political dilitants to write your speeches and press releases. Stop quoting obscure or politically slanted polls(which you never cite the authors of). Be a president to the entire COUNTRY and not to just the Democrats. Stop blaming the Republicans and previous administrations for the shortcomings in your legislative agenda. I don't believe that the American people are ready for your socialistic brand of government. I also believe you should muzzle the mrs.-she was not elected to anything. The obstructionism you so often attribute to the Republicans was quite evident during the previous administrations-after all the Democrats had a majority in both houses of congress except for the first Reagan term so WHO IS TO BLAME FOR 8 YEARS OF LOGJAMS. Thats a lame reason to try to ram unwanted legislation through a "friendly" congress.

I don't believe I've ever been so embarrassed as I was in June when you (The head pacifist of the country) were at Normandy trying to offer a speech about the brave soles who gave their all for their country-it frankly made me very ill that this country could elect such an ammoral insensitive person, who should have had the good sense to stay home and send someone who knows of what they speak. Every service man and woman in this country was embarrassed beyond description. I think that the insensitivity was monumental. I think you did it to heap further humiliation on the military-just like requiring the queers to be re-instated in the military. I think that you are a presidential dunce. In case your subserviant assistants do not forward this to you for your perusal , I am sending a copy to the Newspapers and you may read it there.

AN American FIRST

John C. Whisenhunt
2201 Ivanhoe Lane
Abilene, Texas 79605
915/695-1806

PATH To A Crime Bill Victory

August 12, 1994

Yesterday Congress gave the country a Bi-Partisan VICTORY. That is what the country wants to see more of on future legislation.

NOW the President can give us a Crime Bill that makes sense:

1. Remove the Gun Ban (which is an attempt to restrict the Bill of Rights, of law abiding citizens).
2. Keep Mandatory Minimums for drug dealers. Those currently in jail should serve every minute of their sentence.
3. Eliminate the Pork in the old crime bill such as:
 - A. Midnight basketball
 - B. Dance classes for criminals
 - C. Craft classes
 - D. Social workers
 - E. the \$10 million for the university in Texas
 - F. etc, etc.

If the above items are removed from the "old" crime bill, I believe a Bi-Partisan "New" Crime Bill can be passed. This would be good for AMERICA.

Leslie Acapelo

11 August 1994

President of the United States
1600 Pennsylvania Avenue
Washington, DC

Mr President:

We just watched your press conference. With all respect, you just do not get it. The "special interest" group that confronts both your Crime Bill and the Health Care Bill are the people of our great nation. You cannot throw vast sums of money (no one knows the true dollars being earmarked) at a problem and believe it will go away. Do you want to pass either of these bills? Only two things are required:

1. Remove the "social program" money from the crime bill and it will breeze through Congress. Quit using it as an adjunct to get in more Great Society programs.

2. Quit trying to ram through a cradle to the grave health bill that changes many parts of a program where no real problems exist. Why not implement stages for malpractice reform, preexisting medical insurance, tort reform and other large existing shortcomings in the medical field. Make changes that will occur during your term - maybe some to take effect next year.

We are tired of hearing that this is being hamstrung by Republicans. If you are not aware, there is such a thing as C-SPAN. We see members of your party who are also concerned with what is happening. We hear the logical and sound reasons expressed in Congress for a delay and a more reasoned approach to the largest change to our Nation ever proposed.

HEALTH CARE REFORM AND CRIME ARE TOO IMPORTANT TO SCREW UP BY
PASSING ILL CONCEIVED LAWS!!!!

Respectfully

s/ James & Mary Cornwell

976 Velvet Way
Walnut Creek, CA 94596

August 12, 1994

Attention: Representative William Baker

Thank you for helping to defeat another Social Program with a few crime bill features. Now if you can just help formulate a real CRIME BILL with some teeth in it, not another criminal coddler, we, the public, will support it to the hilt. Contrary to the NRA, we think there is room in a crime bill to ban assault weapons.

Keep up the good work and thanks.

Ray and Judy Binder
156 Camille Avenue
Alamo, CA 94507

CC: President of the United States Clinton