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Folder Title:
Crime Conference

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Minyon Moore to Alexis Herman; re: NRC [National Rainbow Coalition] & CBC [Congressional Black Caucus] Crime Hearing (3 pages)	01/21/1994	Personal Misfile

COLLECTION:

Clinton Presidential Records
Public Liaison
Ben Johnson
OA/Box Number: 4762

FOLDER TITLE:

Crime Conference

2009-1305-F
jp3641

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

*file
crime
briefings*

*Rev John
66402 62777*

THE WHITE HOUSE
WASHINGTON
February 2, 1994

Ike Fulwood

MEMORANDUM FOR OPL CONSTITUENCY LEADS

967-4608

From: Chris Lin
Subject: Crime Leadership Days

As you know, the first crime leadership day is scheduled for Thursday, February 10, in the morning. We anticipate briefers to include the Vice President, Attorney General Reno and Secretary Riley; and we will be inviting people from Connecticut, New York, and New Jersey to attend.

Since the bulk of the invitees will be driven by members of Congress, a limited number of our constituents can receive invitations. I have allocated a number of invitees for the constituency groups who we anticipate would have an interest and who should have a strong presence at the briefing. The breakdown is as follows:

Congressional	85	
Intergovernmental	20	
Public Liaison		
African American	15	Ben
Ethnic	30	Marilyn D.
Hispanic	15	Suzanna
Religious	20	Suzanna
Women/Children/Education	15	Doris
Law Enforcement	15	Steve
TOTAL	215	

Please try and get me a list of names by close of business Friday, so that calls can go out Monday morning. Thanks.

NOTE: It would be helpful if you tiered your lists (i.e., an A-List and a B-List). This way, as soon as we know that we have room, we can extend invitations to your B-List.

February 10, 1994

MEMORANDUM FOR OPL STAFF

From: Chris Lin
Subject: Upcoming Crime Leadership Days

Please make note of the upcoming crime leadership days. They are as follows:

Thursday, February 17

Virginia
Maryland
Pennsylvania
D.C.

Wednesday, February 23

Illinois
Tennessee
Missouri

Week of February 28

Georgia
Florida
North Carolina

Week of March 7

California
Louisiana
Arkansas

Week of March 14

Ohio
Indiana
Michigan

Week of March 21

North Dakota
South Dakota
Nebraska
Idaho
Montana
Utah
Arizona
Nevada
Washington State

We are trying to schedule these briefings for Thursday mornings (VEEP schedule permitting, of course).

Withdrawal/Redaction Marker

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(3)

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

January 21, 1994

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

Dear Mr. President:

In recent months, you have spoken eloquently of your deep concern about violent crime and the urgent need for a multifaceted strategy to combat it, including a strong federal legislative response. You have advocated federal funding for "Cops on the Beat," a ban on assault weapons, and constructive intervention for young offenders through intermediate sanctions such as boot camps. You have alerted the entire nation to the need for bold new partnerships involving all levels of government and citizens to rebuild communities and families.

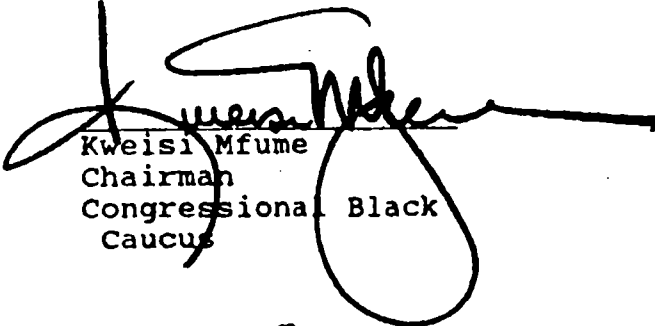
In these efforts, we wish to support you, and are committed to playing the most active role in passing such legislation. Moreover, we are promoting broad legislation, including H.R. 3315, the Crime Prevention and Criminal Justice Reform Act, the cornerstones of which are the restoration of public faith in the effectiveness and fairness of the criminal justice system and a comprehensive long-term strategy for the control and prevention of crime. We seek to blend the need for certain and severe punishment for today's most serious offenders, with the need for compassion and community-building to provide potential offenders with alternatives, opportunity and hope. We emphatically reject proposals for more mandatory sentences and endless billions every year for maintaining prisons packed with nonviolent offenders and building new prisons, when America by far already has the highest incarceration rate in the world.

Obviously, we have differences to resolve with those in Congress who support a continuation of the failed short-term strategies of previous administrations. We seek your assistance in keeping the door open and allowing us the time for these efforts to craft effective crime legislation. The remarks you make on crime in your upcoming State of the Union address will, perhaps more than any other event, shape the outcome of this process.

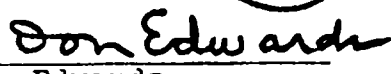
In framing your vision of an effective anti-crime strategy in the State of the Union, we hope you will focus on the elements described above, to which we all are committed. We are deeply concerned that it would only foster confusion and frustrate the search for meaningful crime control legislation were you specifically to endorse the Senate crime bill or other omnibus legislation that may contain your key elements, but also includes regressive and highly divisive proposals that you have not requested, that many in Congress strongly oppose, and that have not been the subject of hearings.

We believe that this State of the Union address can forge consensus on critical solutions, rather than simply strengthening the hand of those who have sought to manipulate the crime issue for partisan advantage.

Most sincerely,



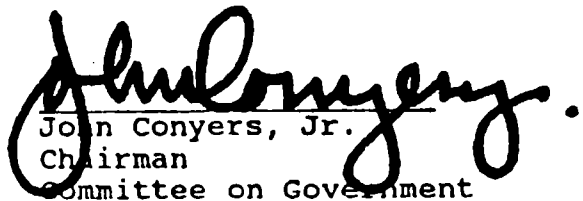
Kweisi Mfume
Chairman
Congressional Black
Caucus



Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights

Luis V. Gutierrez
Chairman
Congressional Hispanic Caucus
Judiciary Task Force

Jose E. Serrano
Chairman
Congressional Hispanic
Caucus



John Conyers, Jr.
Chairman
Committee on Government
Operations

Craig A. Washington
Chairman
Congressional Black
Caucus Task Force on
Crime

Officers
 Kwesi Mfume
 Chairman
 Cardiss Collins
 Vice Chairman
 Alcee Hastings
 Vice Chairman
 William Jefferson
 Secretary
 Barbara-Rose Collins
 Treasurer
 Eddie Bernice Johnson
 CBC Host



Congressional Black Caucus **Congress of the United States**

H2-344 House Annex #2
 The Ford Building
 Washington, D.C. 20515
 202 — 226-7790

CBC Braintrust on Crime

2154 Rayburn House Office Building

Confirmed Participants

PANEL I (9:00 a.m.) -
Clinton Administration Witnesses

Director Lee Brown
 Office of Drug Policy Control

Secretary Henry Cisneros
 Department of Housing and Urban Development

Peter Edelman, Counselor to the Secretary
 Director, Inter-Agency Task Force on Violence
 Department of Health and Human Services

Jeff Robinson, Deputy Assistant Attorney General
 Legislative Affairs
 Department of Justice

PANEL II - (10:00 a.m.) -
Law Enforcement & Legal Community: Current Strategies

Attorney Paulette Brown, President
 National Bar Association

Ronald Hampton, President
 National Black Police Association

Laura Murphy Lee, Director
 ACLU - Washington Office

U.S. House of Representatives
 John Conyers, Jr. MI '87
 William Claiborne, MO '85
 Louis Stokes OH '85
 Ronald A. DeLuca, CA '87
 Charles B. Rangel, NY '87
 Cardiss Collins, IL '83
 Harold E. Ford, TN '81
 Julian C. Dixon, CA '89
 Major R. Owens, NY '83
 Edolphus Towns, NY '83
 Alan Wheat, MO '83
 Floyd Flake, NY '87
 John Lewis, GA '87
 Kwesi Mfume, MD '87
 Donald M. Payne, NJ '89
 Craig A. Washington, TX '90
 Barbara-Rose Collins, MI '91
 Gary Franks, CT '91
 Eleanor Holmes-Norton, DC '91
 William Jefferson, LA '91
 Maxine Waters, CA '91
 Lucien Blackwell, PA '91
 Eva Clayton, NC '92
 Sanford Bishop, GA '93
 Corrine Brown, FL '93
 Jim Clyburn, SC '93
 Cleo Fields, LA '93
 Alcee Hastings, FL '93
 Earl Hilliard, AL '93
 Eddie Bernice Johnson, TX '93
 Cynthia McKinney, GA '93
 Carrie Meek, FL '93
 Mel Reynolds, IL '93
 Bobby Rush, IL '93
 Robert Scott, VA '93
 Walter Tucker, CA '93
 Melvin Watt, NC '93
 Albert Wynn, MD '93
 Bennie G. Thompson, MS '93
 U.S. Senate
 Carol Moseley Braun, IL '93

Congressional Black Caucus Alternative Crime Bill

- * The Congressional Black Caucus has joined with the Hispanic Caucus and members of the Caucus on Women's Issues to create an Alternative Crime Bill.
- * The Alternative Crime Bill differs significantly from other approaches in several ways.

It does away with mandatory minimum sentences for crimes. This will allow for more discretion from our Nation's judges to ascertain what is the proper sentence for a crime.

It strengthens the habeas corpus guidelines for prisoners.

It states the importance of full funding of Head Start and comprehensive employment and social counseling, drug treatment and job training. Children who are well fed, become introduced to education early, and are in a nurturing environment are less likely to want to engage in criminal behavior.

It has no death penalty statutes or provisions.

It allows for on-demand drug treatment for all.

It allows for after-release counseling and guidance for ex-offenders. This provision will help those who have paid their debt to society to become better incorporated into the mainstream of society.

It puts more police officers on the street, incorporates the seven-day waiting period for the purchase of handguns (Brady Bill), and requires higher standards for gun dealers.

It allows for the victims of crime to be recompensed for their losses and strengthens provisions for crimes against women.

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CRIME BILL - Introduced by Rep. Washington

Title I: State and Local Government Assistance in Responding to Violent Crime

Provides direct and matching grants to state and local government and community groups to establish or extend training and support programs for Community policing programs.

Title II: Crime Victims

Allows for the victims of crime to seek restitution.

Strengthens statutes regarding violence against women.

Title III: Crime Prevention

Provides full and expanded funding for Head Start.

Establishes a new funding pool, Build A Better Community, which will have three purposes:

- provide funding to local governments, community groups, and non-profit organizations with funding to clean up vacant lots, board up vacant buildings, refurbish abandoned buildings and start neighborhood beautification projects;
- provide adolescents training to develop social and peer-pressure skills and to become multi-talented;
- provides for child abuse and family violence prevention initiatives.

Schools will also be used as "one-stop shopping" for before and after school care, counseling, job training and recreation for the residents of the community.

Title IV: Recidivism Reduction

Will allow for inmates who are the primary custodial parents to serve their sentences with their children under six years of age in special facilities set aside for that purpose.

Requires for the rehabilitation while incarcerated of those individuals suffering from the disease of drug addiction, and for the after-care of their counseling upon their release from prison. Encourages alternatives to incarceration, such as "boot camps". Encourages and continues the counseling, job training, and drug rehabilitation of ex-offenders once they are no longer incarcerated.

Title V: Addressing Long-Term Causes of Violent Crime

Creates a National Commission on Crime and Violence to re-evaluate the effectiveness of criminal justice policy to respond to crime, violence, and drug use in the U.S.

- The Commission will examine the following:
- The impact of criminal justice policy on minority communities, and criticism that the criminal justice system functions in a racially disparate manner;
 - The root causes of violent crime and make recommendations for creating a national public education strategy on violence; and
 - The root cause of the demand for drugs in the U.S.

Title VI: Re-Assuring Faith in the Criminal Justice System

Civil Forfeiture Reform

Reforms civil asset forfeiture laws by:

- Ensuring that the forfeiture of property can only take place after the criminal conviction of the owner;
- Requires the Dept. of Justice to maintain case management files of all persons from whom property is seized, according to race, national origin, gender and age.
- Directs 50% of the proceeds into the Dept. of Justice Asset Forfeiture program to community-based crime control efforts, drug education, and treatment programs.

Title VII: Fiscal Impact of Criminal Justice Sentencing

Requires a criminal justice impact assessment be prepared for each bill considered in the House to address indirect costs of the legislation.

Title VIII: Habeas Corpus

Ensures that capital defendants with hard evidence of their innocence will be able to bring that evidence before the federal courts.

Limits petitioners to one habeas petition and requires them to file within one year. Would impose a reasonable statute of limitations and limit on successive petitions.

Allows for the filing of race claims. Relief is limited to vacating the capital sentence, not the conviction itself.

Title IX: Gun Control

Incorporates the Brady Bill and controls the sale and use of assault rifles. Transfers the duties from ATF from the Department of the Treasury to the Justice Dept. Regulates gun dealers.

Title X: Coerced Confessions

Does not allow the admission into evidence confessions that were coerced, and the admission of a coerced confession shall not be considered a "harmless error".

RESPONSIBLE CRIME CONTROL: A BETTER WAY TO SPEND \$22 BILLION

	<u>RESPONSIBLE CRIME PREVENTION</u>	<u>AMOUNT</u>	<u>SENATE CRIME BILL</u>	<u>AMOUNT</u>
<u>Community Policing</u>	50,000 additional local police, police training, police scholarships, and police corps.	5.5 billion	100,000 cops.	9.0 billion
	50,000 additional local police can be funded through modified Local Partnership act that can be used to hire more police, for other public safety programs, and for education and health programs related to crime prevention.	4.0 billion	Police Corps	350 million
			Police Scholarships	150 million
<u>Children</u>	Nurturing and child protection programs, including additional summer jobs, Safe Schools, and Ounce of Prevention Council.	5.0 billion	Safe Schools, Ounce of Prevention Council, Olympic Youth Development, Child Safety.	1.01 billion
<u>Drug Treatment</u>	In and out of prison.	2.2 billion	Drug treatment.	360 million
<u>Economic and Community Development</u>	Includes Community Development Bank and Corporations.	2.0 billion	Community Development Corporation, Revolving Loan Fund.	40 million
<u>Prisons</u>	Cost effective corrections such as boot camps, family unity programs and other alternative punishments.	1.9 billion	Regional Prisons	3 billion
			Boot camps, youth facilities, and alternatives.	4.1 billion
<u>Violence Against Women Prevention</u>	Violence Against Women Act	1.2 billion	Violence Against Women Act	1.8 billion
<u>Other</u>	Treatment of crime victims at trauma centers.	.5 billion	Drug testing, aid for rural law enforcement and courts.	2.5 billion
	Total	22.3 billion	Total	22.3 billion

H.R. 3315: THE CRIME PREVENTION AND CRIMINAL JUSTICE REFORM ACT

10/19/93: Reps. Washington, Edwards (CA), Conyers, Scott, Watt, Tucker, Rangel, Payne (NJ), Schroeder, Becerra, Mfume, Serrano, Hastings, Underwood, Norton, Velazquez, Rush, Waters, Brown (FL), Wynn, Roybal-Allard, Stark, Reynolds, and Thompson.

Section-by-Section Analysis

This comprehensive legislation is designed to provide immediate short term relief from violent crime and long term strategies for reducing crime and to reform the criminal justice system to make it more fair.

Title I: Strategies to Assist State and Local Governments in Providing an Immediate Response to Crime

This title acknowledges the predominant role of state and local law enforcement in fighting crime in America. Numerical and jurisdictional restraints on federal law enforcement dictate that the vast majority of crime in America must be handled by state and local agencies. This title provides direct and matching grants to state and local government and community groups to establish or extend training and support programs for all components of the criminal justice system to enhance the system's efficient and effective functioning. The funding is earmarked for Community Policing programs, education and training, homicide investigative units, violence against women, violent crimes, and offender training and rehabilitation; training and support programs for criminal prosecution and defense, and judges as well; support for community groups in their interaction with law enforcement and the criminal justice system as components to aid in reducing crime and drug abuse and in rehabilitating criminals.

This title will impact on the community in significant ways. The advent of Community Policing will bring more officers to the streets, where research has shown that their presence inhibits street crime. But simply adding more police officers will not be enough -- they must have the attitude as co-partners with the communities they serve. Also, although crime investigative and prosecution techniques have improved greatly in the last decade, many law enforcement agencies, local prosecutors, and defense counsel do not have access to or training in these innovations. This bill will allow that access.

Subtitle A -- Grants to Combat Violent Crimes

This section allows for the use of grants to assist in the training of additional personnel, technical assistance, data collection and other equipment for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes and specifically for training law enforcement officers to identify crimes of sexual assault and domestic violence, developing and implementing police and prosecution policies, expanding data collection systems, and enlarging victim services programs, including sexual assault and domestic violence programs.

Grants will be provided to states for this purpose. \$190,000,000 will be authorized for fiscal years 1995 and 1996.

Subtitle B -- Community Policing

This subtitle authorizes grants to local governments and community groups to establish or expand cooperative efforts between police and a community for an increased police presence in the community. These programs include developing neighborhood oriented policing programs, providing new technology to police officers in order for them to do their jobs better, creating decentralized substations to encourage interaction between the public and law enforcement personnel on a local level, providing cultural awareness training for officers, safety programs for senior citizens, and community anti-crime groups and awareness programs, and developing crime prevention programs in areas that have gang violence.

\$150,000,000 will be authorized to local governments and community groups for this purpose in FY 1995, 1996, and 1997.

Subtitle C -- Law Enforcement Family Support

This subtitle will allow for grants to provide family support to law enforcement personnel. This support is to include counseling for law enforcement family members, 24-hour child care, stress reduction programs, post-shooting debriefing for officers and their spouses, groups therapy, peer counseling, and other counseling activities. Law enforcement agencies would apply directly to the Director for these grants. These grants are not to exceed \$100,000, and no more than 10 percent of the grant is to be used for administrative purposes.

The goal of this subtitle is to promote a family friendly policy to promote or improve the moral and well being of law enforcement personnel. This section would include Federal, state and local law enforcement personnel. \$5,000,000 per fiscal year for the next five fiscal years are authorized.

Subtitle D -- Police Misconduct

This subtitle states that it is unlawful for any law enforcement agency to engage in a pattern or practice of conduct that deprives persons of rights, privileges, or immunities under the Constitution of the United States. In the event of violations, civil action for injunctive relief may be brought by injured persons and by the Attorney General.

The Attorney General will gather data on the use of excessive force by law enforcement officers, and publish an annual survey of the data. The subtitle also amends the standards governing recovery of monetary damages against government units and includes a new criminal code section on police misuse of force.

Subtitle E -- Police Corps and Law Enforcement Officers Training and Education

This subtitle provides for educational assistance in the form of grants to those individuals who are interested in becoming or are already police officers. It will put more police officers on the street, and these officers will be better educated and trained. The goal of this section will be to enhance the educational status of law enforcement personnel both through increasing the educational level of existing officers and by recruiting more highly educated officers.

The scholarships to police officers are not to exceed \$10,000 per year, with a total amount not exceeding \$30,000. Special efforts are to take place with the recruiting of minorities.

\$100,000,000 is authorized for FY 1995 and 1996, and \$200,000,000 is authorized for FY 1997, 1998, and 1999.

Title II: Crime Victims**Subtitle A -- Victims**

This allows for the compensation of the victims of crime. It also specifies rights that victims should be granted, including the right to make a statement and present any information in relation to the sentence.

Subtitle B -- Confidentiality for Abused Persons

The Postmaster General will promulgate regulations that will protect the confidentiality of persons who have been abused. This will include the prohibition against the disclosure of an abused person's address, except for legitimate law enforcement or other governmental purpose.

Subtitle C -- Full Faith and Credit for Protection Orders

This ensures and strengthens protection orders that are given by the court to keep one spouse away from another in the cases of abuse.

Title III: Crime Prevention**Subtitle A -- Safe Schools**

Grants under this subtitle will fund anti-crime and safety measures by local educational agencies, including measures to develop education and training programs for the prevention of crime, violence, illegal drugs and alcohol, for counseling for victims of crime within schools, for crime prevention equipment, including metal detectors and video-surveillance devices, and for the prevention and reduction of the participation of young individuals in organized crime and drug and gang-related activities in schools.

Subtitle B -- Midnight Sports

This will allow for grants for midnight sports leagues, for men, women, children, and young adults. These grants will be to local governmental agencies and to non-profit organizations, and will require those persons participating in these leagues to attend employment counseling, job training, and other educational classes that will be held immediately after the conclusion of the games or near the site of the games.

Subtitle C -- Rape Prevention

This subtitle provides grants to support early educational intervention to change attitudes regarding rape, promote non-violent conflict resolution, self defense, or other relevant skills, establish a telephone hotlines regarding sexual assault and rape, develop treatment for convicted sex offenders and makes these programs available in local and federal prisons, and develop other projects that will increase the awareness of sexual assault prevention among racial, ethnic, cultural and language minorities.

Title IV: Strategies to Combat Recidivism

This title will fund demonstration projects allowing families of certain incarcerated individuals to be united. It also requires for the rehabilitation while incarcerated of those individuals suffering from the disease of drug addiction, and for after-care upon their release from prison. The legislation also encourages

alternatives to incarceration, such as "boot camps" to lower recidivism among ex-offenders, and finally encourages and continues the counseling, job training, and drug rehabilitation of ex-offenders once they are no longer incarcerated.

Subtitle A -- Family Unity Demonstration Project

This subtitle allows for the establishment of community correctional facilities with no more than 25 inmates, in addition to their children, to care for their children on the sites of these facilities. These persons must not have been convicted of homicide, assault, kidnapping, child neglect or mental, physical, or sexual abuse of a child, forcible rape, or sodomy. The persons selected for this program will be selected from a board that is to include local community groups and organizations, and non-profit organizations are to be intimately involved in the selection of the site and the day-to-day operation of the site.

Subtitle B -- Drug Rehabilitation for Federal Prisoners

This provides substance abuse treatment for federal prisoners in prison and an after-care service for Federal prisoners. This subtitle allows for random drug testing if needed of these prisoners.

Subtitle C -- Drug Rehabilitation for State Prisoners

This subtitle provides substance abuse treatment for state prisoners in prison and an after-care service for state prisoners. This subtitle allows for random drug testing if needed of these prisoners.

Subtitle D -- Grants for Alternatives to Incarceration

This subtitle will promote alternatives to incarceration, to include day fines, house arrest, electronic monitoring, intensive probation supervision, day-reporting centers, shock incarceration, substance abuse treatment in lieu of incarceration, victim-offender reconciliation, and therapeutic communities.

Subtitle E -- Voting Rights for Former Offenders

This subtitle allows for those persons who were formerly incarcerated to participate in the political process. No person shall be denied the right to vote once they are released from prison and have paid their debt to society.

Subtitle F -- Sex Offender Treatment Programs

This subtitle supports the establishment of training programs to assist probation and parole officers who work with released sex

offenders in the area of case management, supervision, and relapse prevention. —

Subtitle G -- Education and Training for Judges and Court Personnel in State Courts

This subtitle is for the purpose of developing, testing, and disseminating programs to be used by States in training judges and court personnel in the laws of the States on rape, sexual assault, domestic violence, and other crimes motivated by gender.

Subtitle H -- Education and Training for Judges and Court Personnel in Federal Courts

In order to gain a better understanding of the nature and extent of gender bias in Federal courts, this subtitle of the bill will allow for studies to be conducted that will examine the effects of gender on a variety of court proceedings, from the treatment of litigants, witnesses, jurors and judges in the courts, sentencing, appointments to committees of the Judicial Conference, the selection of employees, and other areas.

Title V: Commission on Crime, Drugs, and Violence

This title will create a NATIONAL COMMISSION ON CRIME, DRUGS AND VIOLENCE to re-evaluate the effectiveness of criminal justice policy to respond to crime, violence, and drug use in the United States. This Commission will examine the impact of criminal justice policy on minority communities, examine the root causes of violent crime and make recommendations for creating a national strategy on violence and drugs.

Title VI: Confidence in the Criminal Justice System

Subtitle A -- Racial Justice Act

This subtitle of the bill will prohibit the imposition or execution of the death penalty in a racially discriminatory pattern.

Subtitle B -- Racial Bias

This subtitle says that defendants under a sentence of death with claims that racial discrimination infected their trials may make those claims in the federal courts. Because racial discrimination is incompatible with fairness in criminal proceedings, the courts should hear the merits of these claims notwithstanding various procedural bars that might otherwise prevent the courts from hearing them. Defendants must, however,

make these claims within one year of enactment of the bill, and relief is limited to vacating a capital sentence, not the conviction itself.

Subtitle C -- Minimum Sentencing

This subtitle provides that federal judges, in sentencing an offender, may impose a sentence pursuant to the federal sentencing guidelines, notwithstanding the existence of any statutory mandatory minimum sentence.

Subtitle D -- Crack Cocaine Equitable Sentencing

This subtitle eliminates the disparity between sentences for possession of crack vs. cocaine (5 years vs. probation).

Subtitle E -- Uniformity in Sentencing

This subtitle eliminates all existing mandatory minimum sentences.

Subtitle F -- Coerced Confessions and Harmless Error

This subtitle returns to the traditional, longstanding rule that involuntary confessions may never be considered harmless error and, therefore, may not be used in court.

Title VII: Fiscal Impact of Criminal Justice Sentencing

This title requires that a criminal justice impact assessment be prepared for each bill, joint resolution, amendment, or conference report considered in the House of Representatives or the Senate. Although the Congressional Budget Office routinely provides direct cost estimates of criminal justice legislation, most crime bills carry very high indirect costs on the prison system, the probationary process, and the judicial system that are never addressed.

For example, each new mandatory sentence has a very high price tag. Instead of just sounding tough on crime, the time has come to take responsibility for the implications of the rhetoric on crime.

Title VIII: Habeas Corpus

This title of the bill preserves the ability of the federal courts to enforce the Bill of Rights in state criminal cases through habeas corpus. It also ensures that capital defendants with hard evidence of their innocence will be able to bring that evidence before the federal courts.

In recent years, the Supreme Court has dramatically narrowed the jurisdiction of the federal courts to hear constitutional claims through habeas corpus. This title restores that jurisdiction.

This title also ensures that the system for hearing capital cases will be fairer and more efficient. It ensures fairness by requiring the states to appoint competent, adequately paid lawyers for defendants facing the death penalty, and by barring the rigid application of procedural default rules, at least until an adequate counsel system is in place. It ensures efficiency by limiting prisoners to one habeas petition, except in certain exceptional circumstances, and it requires them to file their petition within one year. It eliminates the unwarranted eleventh-hour stays of execution that have diminished respect for the criminal justice system.

Title IX: Gun Control

This subtitle includes the Brady Bill, establishing a seven-day waiting period for handgun purchases. It also includes comprehensive controls on the sale and use of assault rifles. It also requires gun dealers, as a condition for renewal of licenses, to submit tax returns and aggregate purchase and sale information sufficient to demonstrate that they are meeting the statutory definition of engaging in the business of being a bona-fide gun dealer.

The subtitle will aggressively enforce the "business premise" requirement which allows dealers to operate out of their homes, which would also include spot checks. It would also require finger-printing and photo identification as part of background checks of gun dealers.

It also strengthens federal standards for licensing firearms dealers.

Subtitle A -- Firearms

This subtitle, known as the Brady Bill, establishes a seven-day waiting period for the purchase of handguns, requires a background check during that seven-day period, and establishes an instant background check system to identify felons seeking to buy firearms.

Subtitle B -- Semiautomatic Assault Weapons

This subtitle bans the possession, transfer, or purchase of 21 specific automatic and assault weapons.

Subtitle C -- Gun Violence Liability

This subtitle holds manufacturers liable for the harm caused by their weapons.

Subtitle D -- Ammunition

This subtitle imposes an 89% tax on the sale of ammunition. The \$100 million raised from this tax will go to shock-trauma centers.

Subtitle E -- Two Handguns-Per-Month

This subtitle prohibits the transfer of 2 or more handguns to any individual in any 30- day period.

Subtitle F -- Gun Dealer Licensing

This subtitle increases the license application fee from \$10 to \$100, extends the existing 45 day limit to 90 days for a license application to be either accepted or rejected, increases the inspection of gun dealers from one per year to as many as warranted at the discretion of the ATF, gives the ATF the authority to collect record from suspect dealers before they go out of business -- not afterward (as in current law) and for dealers to report all firearm thefts and losses promptly to local police and ATF/Department of Justice officials.

Subtitle G -- Saturday Night Specials

This subtitle bans the manufacture, transfer and possession of handguns that are easily concealable, poorly made, and already prohibited from importation into the United States.

Title X: Civil Forfeiture Reform

This subtitle provides comprehensive due process and oversight protections for the victims of civil asset forfeiture and redistributes the assets seized. It requires the conviction of the property owner prior to seizure of property, and requires the U.S. government to establish, by clear and convincing evidence, that the property was subject to seizure.

The subtitle requires forfeitures to be proportional to the criminal activity involved, and limits the kind of property that may be seized to the drugs, weapons, and equipment used in a drug enterprise.

The subtitle directs all proceeds from assets seized to federal and state treasuries, rather than to law enforcement, and requires that 50 percent of all assets be used for drug

treatment, prevention, and community-based crime control programs.

The subtitle establishes reporting requirements by the states of all asset forfeiture funds, and requires the Department of Justice to maintain case management files of all persons from whom property is seized, according to race, national origin, gender and age.

Title XI: Miscellaneous

Subtitle A -- Amendments

This subtitle increases authorizations of discretionary grant programs.

Subtitle B -- Juvenile Justice

This subtitle will allow for more funding for delinquency prevention and early intervention programs.

The Washington Post

TUESDAY, NOVEMBER 23, 1993

John Conyers and Craig A. Washington

Senate Crime-Busters Got It Wrong

Does anyone remember that when President Clinton came to office he asked for \$30 billion to meet the urgent crisis in our cities? As the Senate approves \$22.3 billion for police and prisons, it is useful to return to the aftermath of the Los Angeles riots, when everyone knew it was critical to find money for a serious urban renewal package for our cities.

Many experts recommended \$60 billion for an economic stimulus package to deal with the economic decline and loss of jobs. President Clinton came in at half that, because the political reality wouldn't support more. But even that was doomed. In its deficit reduction fervor, the Senate killed the House's scaled-down \$16 billion stimulus package for jobs and economic development, leaving only \$5 billion for unemployment insurance and other domestic programs. They argued that the nation could no longer afford big spending on federal programs to deal with our social ills.

Who would have benefited the most from a serious urban renewal package? The same people most victimized by crime—the poor, who are predominantly African American and Latino people in our cities. But at a time of enormous financial deficit, it was not popular to further increase that deficit to help our cities.

Now, in the wake of the Nov. 3 elections, the Senate has once again discovered our cities and the urban poor—only this time they are to be dealt with through a crime bill. In a deal cut behind closed doors, the \$22 billion that Vice President Al Gore found could be “saved” by reforming the bureaucracy is now available to spend. Instead of reducing the deficit or investment in prevention programs, the money is to be spent solely for more police and more prisons.

Yes, our cities do need more police. But our cities also need jobs and job training to target the very people who are trapped in a cycle of crime and violence. Our prisons are filled beyond capacity. The statistics are grim: The

United States currently locks up more people per capita than any other nation on Earth. Twenty-three percent of all young black men are caught up in the criminal justice system: in prison, on probation, or on parole. There are more young black men in prison today than in college. For every Latino male with a BA, there are 24 behind bars.

Despite 19 get-tough crime bills over the past two decades and a quadrupling of our prison population, violent crime has increased. Why has this approach failed? Because too many of the urban poor have no jobs and no hope for the future. A “tough” prison sentence

Prisons and police aren't enough.

will never provide enough deterrence for communities with high rates of substance abuse and unemployment. Yet once again, there is no money for treatment, no money for children and no money for education.

Several weeks ago, along with other like-minded colleagues, we introduced a different kind of crime bill: the Crime Prevention and Criminal Justice Reform Act. The focus of our legislation is on the front end—to help prevent criminal activity in the first place, enable prisoners to make changes in their lives and eliminate racial disparity in the criminal justice system.

How would our bill have a different impact from the one just passed by the Senate? We would provide treatment for low-income substance abusers; the Senate would lock them up in prisons at \$20,000 a year. We would provide educational and vocational opportunities for young people; the Senate would increase penalties for juveniles. We would try to reduce the shockingly high rates of incarceration of minorities. The Senate would perpetuate a

prison system where 60 percent of inmates are black and Latino. Our bill represents the best possible balance between those who want a quick fix and those of us who want to get serious about funding lasting solutions to a national crisis of crime and violence.

Today, many law enforcement professionals agree that the solutions to the nation's crime and drug problems will be found in crime prevention. We need more police on our streets and in our neighborhoods. But a real anti-crime strategy needs also to include drug treatment, early childhood intervention programs, full funding for Head Start and the Women Infants and Children Program, family support programs and strong gun control.

The crisis of crime and violence is vicious, and no one suffers from it more than the African American and Latino communities. Homicide is the leading cause of death among young black men. The time has come to admit to a history of failed criminal justice policy and to take the opportunity to re-evaluate the traditional knee-jerk response to the political hysteria about crime.

Recently the House Judiciary Committee tried a different strategy. Instead of playing to the politics of crime, the committee supported six initiatives to fund cops on the beat, substance abuse treatment in prison, juvenile justice programs, boot camps and the Brady Bill. The House is engaged in a thoughtful debate about what will really prevent crime. That's exactly what the Senate needed to do.

If we are going to spend \$22 billion, let's have a serious discussion about how that money can best be spent. Our failure to address urban issues guarantees that crime, violence and drug abuse in the inner city will continue and will only get worse.

Reps. John Conyers (D-Mich.) and Craig Washington (D-Tex.) are members of the House Judiciary Committee.

The crime bill's easy ways out

By H. Scott Wallace

A majority of Congress feels very badly about imposing so many "unfunded mandates" on the states. But sometimes Congress just can't help itself. The Senate has just passed a crime bill with an amendment ordering the states to vastly increase their prison populations. As the amendment whisked through 94-4, the net cost the states — tens of billions of dollars for new prisons — was not mentioned, and not a minute of hearings had been held to give state and local officials any say in how their taxpayers' dollars should be spent.

State and local government officials hate unfunded mandates: federal regulations and legislation which set federal standards that states and municipalities must spend millions to comply with. Their complaints have provoked an outpouring of sympathy in Congress. Dozens of bills have been introduced, some preventing unfunded mandates outright, and others requiring at least a cost impact study before new mandates are voted on. The leading bills have attracted the co-sponsorship of a majority of both Houses.

But such mundane concerns can be quickly eclipsed by political pressures to do something flashier and more expensive than ever about crime.

Expensive the Senate bill certainly is. It will cost the unprecedented amount of \$22 billion over five years, mostly for more prisons and police.

In fact, the bill will actually cost far more, in both federal and state taxpayer dollars. One of the bill's biggest hidden costs will fall exclusively on state and local governments. The bill would spend \$3 billion on 10 "regional prisons," where three-quarters of the 25,000 spaces would be reserved for state inmates. But to use these spaces, states are mandated to make their sentencing laws look more like federal laws in a variety of controversial ways: people accused of violent crime would be imprisoned before trial, mandatory sentencing guidelines must be enacted, and sentences for certain crimes, from violent firearms offenses to sexual

harassment, must be at least as long as under federal law — with an ongoing obligation for states to change their laws every time Congress increases sentences or the U.S. Sentencing Commission issues the hundreds of amendments it writes every year.

But most important, states must eliminate parole or make other changes requiring that all violent offenders serve at least 85 percent of the sentence ordered, which is more than double the amount of time currently served. With half of the nation's 1.2 million prisoners currently serving time for violent offenses, this is the equivalent of adding at least 12,000 additional prisoners per year to the average state's correctional population.

And what does a state get in return? The privilege of putting, on average, 375 prisoners into a federal regional

One of the bill's biggest hidden costs, for making use of new regional prisons, will fall exclusively on state and local governments.

prison — about 3 percent of the extra space required. It is a broad federal mandate, in other words, that is 97 percent unfunded.

There are other hidden costs in the bill too. The 100,000 cops on which the Senate wants to spend \$9 billion will not be simply fired at the end of five years; someone will have to continue paying them. Meanwhile, they will be making millions of arrests, requiring thousands of additional prosecutors, public defenders and judges to handle the extra cases — a reality the Senate acknowledged while putting off another day the question of how to pay for it. The \$6 billion to build new prisons is a modest down payment: the cost of building a prison is just 5 percent of the total cost of operating it over its life cycle.

The Senate bill misleadingly suggests that these ongoing costs will be taken care of by putting the \$22 billion into an anti-crime "trust fund." While this sounds like something that will grow over the years, the fact is that it is

just a separate account set aside mostly for prisons and cops. In five years, there won't be a penny left.

Other provisions in the bill are just plain flashy. The bill includes more federal death penalties than ever, including some that the Justice Department reportedly finds unconstitutional. It endorses the execution of juveniles, trying 13-year-olds as adults, and vastly expanded mandatory prison sentences, even as their efficacy and fairness are being universally questioned.

What the Senate bill accurately reflects is the powerful desire of the American people for longer sentences for violent criminals. What it does not adequately reflect is the reality of finite resources and the need for Congress and the states to make tough, smart choices about how to allocate them both to fight and prevent crime.

America already has the highest incarceration rate in the world and imprisons its black citizens at a rate five times that of South Africa. Our exploding prison populations — and still increasing crime rate — stand as a monument to the retreat of government from the most basic social support services and equal opportunity.

At some point, either national embarrassment or the simple realization that these policies are not working will force Congress to play a more constructive role. In improving the criminal justice system, Congress must be concerned with the effectiveness of punishment — not just its severity or popularity — in controlling crime and reducing recidivism.

The unwelcome fiscal reality is that we can no longer afford to lock up everybody the public wants to. Worthwhile increases in prison terms for violent, repeat offenders may necessitate less prison time — and more innovative non-prison alternatives — for the 50 percent of prisoners who are non-violent. States must prioritize and choose. States who thought they could do it all, as with Florida's tough mandatory sentences for non-violent drug offenders, boxed themselves into releasing their worst violent criminals to make room.

The Senate is now telling the states that they don't have to choose; just double prison sentences and Uncle Sam will help pick up the tab. For the states, it's a gigantic, unfunded mandate. For the Senate, it's facile hypocrisy. And for the public, it's a cr — and expensive hoax.

H. Scott Wallace is special counsel for the National Legal Aid and Defender Association. He is a former co-chair to the U.S. Senate Judiciary Committee.



▲ Larry King, (l) takes his CNN show "Larry King Live" to Washington Church. He's joined by (l-r) the Rev. Raymond East, Attorney General Janet Reno and Bill Cosby.

coalition will implement the following 10 - point program:

- Youth march at the White House on April 4, (the day Dr. Martin Luther King, Jr., was assassinated) to call for an urban policy that includes jobs and justice.

- Meet with President Bill Clinton to discuss need for jobs bill,

an urban policy and commitment to an anti-discrimination policy.

- Anti-violence conferences, similar to the one held in Washington, DC, to be held in other cities across the country.

- Challenge 100 churches to mentor 10 troubled youths in 10 different cities.

▼ Rev. Jesse Jackson speaks at conference as Dr. Mary Berry (l), chairperson of the Civil Rights Commission, listens. At Jackson's right is Dr. Dorothy Height, founder of the National Council of Negro Women.



Conference participants also included Congressman Kweisi Mfume, entertainer-movie maker Spike Lee and Tom Skinner of Tom Skinner Associates.



▲ Dr. Betty Shabazz (r) and Rev. Willie Barrow give insight on violence at the event.

► Former DC Chief of Police Isaac Fulwood (l) and Drug Czar Lee Brown participate in session on ways to curb violence in U.S.

- Continue to challenge both students and parents to sign the Rainbow pledge to end violence.

- Challenge schools and jails to start mentoring programs.

- Escalate plan for an effective anti-discrimination policy.

- Study media influence on violence.

- Action campaign against racist films.

- Join Atlanta disc jockey Jack The Rapper in his challenge to record industry heads to cease distributing records with violent and demeaning lyrics.



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Experts Tell What Can Be Done To Curb Violence

Whether you read about it in the newspaper, hear it on the 6 o'clock TV newscast or are among the growing number of victims, violence threatens to erode the very makeup



▲ Dr. Carl Bell favors professional help to identify those at risk, over concentration on tougher law enforcement procedures and punishment.

of our nation.

The statistics bring home the cold-blooded facts: numerous cities around the U.S. experienced a record number of homicides for 1993 and gun murders are the leading cause of death for Black men between 15-34.

Fed up with the blood of their sons and daughters running in the street, experts from various fields shed some light on what can be done to curb the violence.

Dr. Carl Bell, president of

NATIONAL REPORT

► Mayor Thomas Barnes of Gary relates inner-city violence erupts from a mixture of drugs, handguns and joblessness.



the Community Mental Health Council on Chicago's South Side, said there are two basic schools of thought for stemming the rising tide of violence in America. The criminal justice approach, which calls for stiff penalties for violent criminals, and the interpersonal approach, which attempts to identify and diffuse a situation that could turn lethal.

Bell, who favors the latter, told JET, "For instance, the wife who kills her abusive husband; locking her up

for life isn't doing any good when that's probably the only person she will ever kill. The problem could have probably been prevented..." by pinpointing a family at risk and getting professional help for them.

▼ St. Louis Police Chief Clarence Harmon recently announced a "get tough on handguns" policy for that city as St. Louis Mayor Freeman Bosley (D) and Circuit Attorney Dee Jayce Hayes looked on.



NATIONAL REPORT

That's why Bell feels "health care professionals need to have a strong role in intervening in family violence before it becomes murder." Furthermore, "people need to be taught non-violent conflict resolution in schools and churches and I think that children who have already seen a murder or seen somebody get shot should get some counseling, or they won't ever be quite right."

Cities from Baltimore to Oakland see the body count rise on a daily basis. In Baltimore, the 13-to-24 age group accounted for more than half the homicide arrests and nearly 40 percent of the victims last year. There were 173 homicides in Cleveland and a record high for Washington, DC, as the death toll there climbed to 465 last year.

The once-booming steel mill town of



Joycelyn Elders



David Satcher

Gary, Ind., won the dubious distinction of being America's "murder capital" among cities above 100,000 residents. So while the nation's capital had more murders, Gary was an easy "winner" on a per-capita basis of murder and mayhem.

Gary Mayor Thomas Barnes said the cause is a fatal mixture of inner-city woes compounded by a police shortage. Barnes explained, "It's the result of too many guns, too many drugs and not enough jobs."

Barnes said at a press conference he is adding 68 officers to the police department within the year to help augment the 220 regular and 75 auxiliary officers on the force. With a hint of desperation in his voice, Barnes said, "We can try to minimize the violence, minimize the guns. But, until we deal with the insanity of the weapons, until we deal with the insanity of the drugs, we are in for a long, hot season."

More police manpower is also the anti-violence technique being employed



Dr. Deborah Prothrow-Stith



Isaiah McKinnon



Cecil Williams



Marian Edelman

in St. Louis, which recently wrapped up 1993 with its deadliest year ever with 267 homicides. At a news conference, a grim-faced Police Chief Clarence Harmon started off the new year with the warning, "If you carry a gun in this city, it's going to get extra tough beginning tomorrow."

U.S. Surgeon General Joycelyn Elders and Centers for Disease Control head Dr. David Satcher agree that violence is a leading public health issue.

Elders is taking on guns and violence, calling them the most serious threat to our nation's youth. She told Congress recently, "It is time for us to roll up our sleeves and rid this country of this hideous, highly infectious, yet preventable problem—violence."

She believes a proactive approach to violence is far more effective than the lock-them-up-and-throw-away-the-key method. Elders advocates longer waiting periods on handgun sales, limiting the sale of assault weapons and taking anti-gun messages to schools all over the nation.

Satcher agrees with Elders that violence is a peril to public health. Considering CDC data show the homicide rates among Black men aged 15 to 24 rose 66 percent from 1984 to 1987 and 95 percent of that

jump was due to firearms, the CDC boss said his agency will attack the problem with a vengeance, using education as its primary weapon, as it has in other areas of disease prevention.

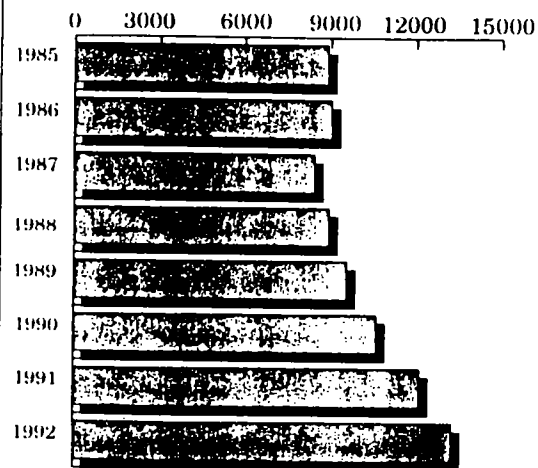
For those who feel the CDC should stick to "disease surveillance," Satcher counters, "I don't think you have to take anything from CDC's historic role in order to say that if you look at the major cause of death today, it's not smallpox or polio or even infectious diseases. Violence is the leading cause of lost life in this country today. If it's not a public health problem, why are all those people dying from it?"

Dr. Deborah Prothrow-Stith, assistant dean of the Harvard School of Public Health in Boston, is the author of *Deadly Consequences: How Violence Is Destroying Our Teenage Population and a Plan To Begin Solving The Problem*. She said parents can play a tremendous role in preventing the senseless loss of life.

"Often because they do not want their children to be wimps, they effectively encourage fighting," Prothrow-Stith added, "Children of such parents appear to be at the greatest risk for participating in violence."

In the first line of defense, parents,

HANDGUN MURDERS, 1985-1992



NATIONAL REPORT

Experts Agree Positive Family Values Help Curb Violence

"with encouragement from health care providers, can begin to reexamine their own attitudes and behavior and become an active force in teaching verbal rather than physical methods of resolving disagreements."

Detroit Police Chief Isaiah McKinnon and the Rev. Cecil Williams of Glide Memorial Church in San Francisco take a more compassionate and gentle approach to stopping the violence.

McKinnon began, "There have been numerous studies as to why violence occurs but we don't know how to stop it. It starts with teaching, sharing and caring for and with the children," McKinnon said, to augment law enforcement.

"A child whose family is on public assistance might grow up believing that is the only way to live. Or one who sees his father beating his mother, or is sexually assaulted, they don't know anything different until someone shows them," McKinnon said. "We've got to start from the time they are kids and educate them to love, care and share and teach them to want to be a constructive person, instead of a destructive, violent person."

Easing violence is as simple as restoring a sense of cohesion and family, especially in the Black community, Williams stressed. "We need to be more of a community family. We have to reach out to our brothers and sisters," he began.

"If we begin to embrace each other, they are responsible for us and we are responsible for what happens

to them; everybody will feel a part of that community. Then they'll know that they do count in the community and they don't have to join a gang. They don't have to use drugs, gangs and guns to gain power, the power will come from within."

In addition to stricter gun control regulations, Children's Defense Fund Founder and President Marian Wright Edelman maintains removing violence from television and in the movies—or at least reducing a child's access to them—is an excellent approach to curbing the brutality sweeping the nation.

Stressing "the urgency of reducing the violent content of movies and television programs," she pointed out, individuals behind the productions also share in the responsibility.

"The failure of parents to control the amount and quality of the television their children watch does not absolve the communications industry of responsibility for policing the violent content of its own products," Edelman said.

Aside from that, violence is all of our problem and we all must be part of the solution, she said. "We personally and collectively must struggle to reclaim our nation's soul and to give back to our children a sense of hope and security, a belief in American fairness and an ability to dream about, envision and work toward a future that is attainable and real. We must fill our children with the joy and the promise of life" not the reality of death and destruction, she said.

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National Rainbow Coalition, Inc.

Reverend Jesse L. Jackson
President and Founder

Testimony of Reverend Jesse L. Jackson, Sr.
President and Founder,
National Rainbow Coalition
before the Congressional Black Caucus Crime Braintrust
January 13, 1994

I want to thank the members of the **Congressional Black Caucus Crime Braintrust** for the opportunity to testify before you today. I want to commend your chairman, John Conyers, Jr., for his lifelong commitment to equal justice and equal protection under the law. My congratulations also to the leadership of Representatives Craig Washington, Bobby Scott, and Mel Watt for crafting a historic piece of legislation, the Crime Prevention and Criminal Justice Reform Act, H.R. 3315, that has placed the Black Caucus in the center of the anti-crime debate on Capitol Hill.

I join you today to lend my support to your efforts to formulate a more sane and realistic approach to addressing the crime epidemic facing our nation. I also wish to report the results of another milestone in the nation's anti-crime debate that was held this past weekend. On January 6th, 7th, and 8th, the Congressional Black Caucus joined with the National Rainbow Coalition and seven other national organizations to convene the **Rainbow Search Session on Violence: Conditioning, Causes, Costs and Cures**.

At this gathering, we were able to bring together the most critical elements of our community: elected officials, ministers, judges, entertainers, psychologists, law enforcement officials, educators, civil rights leaders, journalists, youth, students, ex-offenders, and an array of community activists from around the country.

For three days we grappled with some of the most difficult questions surrounding the crime and violence that have traumatized our nation and the African-American community in particular. We reviewed some successful models of crime prevention, examined the spiritual, financial and human costs of violence, and analyzed the welfare reform proposals central to any anti-crime crusade.

may have gone down to 6.4% nationally, but it is 13% in the African-American community, and 50% among black youth. We cannot critique the problem of violence without dealing with its roots in racism and economic violence. Today there are more African-American men in prison than in college.

Throughout the Search Session last weekend, there was an immense amount of dialogue and discussion about the causes and costs of this epidemic. At the close of the sessions, we reached several conclusions on Criminal Justice policy:

- 1) that those most victimized by crime had little opportunity to shape the approach taken by the U.S. Senate in its passage of S. 1607, the Violent Crime Control and Enforcement Act. Moreover, Congress has failed to review comprehensively the complex issues inherent in formulating a national strategy on crime.
 - 2) The Senate's adoption of dozens of hastily drawn amendments to its omnibus crime bill would worsen the already disproportionate incarceration rate of African-Americans and other people of color, and would fail to reduce crime.
 - 3) The Senate crime bill would authorize the death penalty for an additional fifty plus offenses, thereby superseding the will of many states, including the District of Columbia, that have outlawed the death penalty.
 - 4) The bill would mandate that children as young as thirteen be prosecuted as adults, which would eviscerate our nation's juvenile justice system. The Senate went on to defeat an amendment that would have restricted the death penalty to young people 18 and over, thereby making the U.S. one of only three nations on earth that allow executions of minors.
 - 5) The bill would extend mandatory minimum sentences, including mandatory life imprisonment for third time felons, a provision that could, by current standards of racial disparity, lead to the permanent elimination of tens of thousands of young people from our society who could still be rehabilitated. This "three strikes and you're out" provision presumes that everyone steps up to the plate with the same chance. But some are born with three strikes, short bats, and unfair umpires.
 - 6) The bill would adopt constitutionally questionable so-called anti-gang provisions which are overly broad and subject to racial bias in their implementation.
- Finally, the Senate anti-crime bill would spend \$22 billion dollars to fund its flawed approach to crime, with a disproportionate amount earmarked for new prisons.

The Senate crime bill allocates the federal budget toward expensive and counterproductive measures, to the detriment of other domestic programs that are more effective in preventing and reducing crime.

The Senate bill would make inmates ineligible for Pell Grants, destroying one of the few avenues for education and rehabilitation. Our failure to advance an urban policy plan to rebuild America, to provide jobs and job training, guarantees that crime, violence, and drug abuse in the inner city will continue and only get worse.

We must go another way.

A \$22 billion dollar alternative anti-crime package would focus on crime prevention, economic development, job creation, drug treatment and innovative alternatives to incarceration.

Members of the Congressional Black Caucus, the Congressional Hispanic Caucus, and other progressive members have taken a bold step in introducing H.R. 3315, the Crime Prevention and Criminal Justice Reform Act. The bill will address many of the root causes of crime, and eliminate inequities in the current criminal justice system.

The act represents a fundamental shift in priorities away from ineffective, tough-sounding non-solutions to more effective measures which will empower local communities and have a positive impact on crime. It will address the issues of racial disparity in sentencing and the application of the death penalty; it will set new standards of police accountability to address continued police brutality; it embraces several innovative crime prevention and rehabilitation remedies that have never been undertaken as a national crime fighting strategy.

After seeing 19 separate crime bills over the past two decades fail to stop the increase in crime, we offer our wholehearted support for the Crime Prevention and Criminal Justice Reform Act, H.R. 3315.

We urge the Judiciary, Government Operations, and other appropriate Committees to do what the Senate failed to do by holding hearings on the provisions of the Senate bill that were not adopted by the House, and on the Washington bill, H.R. 3315.

We urge Congress to develop crime policy with input and dialogue from those communities that are most affected by crime and crime policies.

We urge Congress to adopt an alternative anti-crime budget that directs resources towards job creation, economic development, child and youth initiatives, crime prevention, education and

community empowerment programs, and drug treatment. The CBC anti-crime alternative budget is a good beginning.

We urge Congress to avoid the usual political posturing around the issue of crime and violence and instead craft solutions that can unite all of our diverse communities and create a safe environment in which all of our families and children can thrive and prosper.

We must invest in rebuilding our cities and putting people back to work.

The cure must have the money to match the scope of the problem. We cannot nickel and dime this crisis. We need to put the money where the action is. If we can find the money and the technology to build prisons, we can certainly find the money and technology to rebuild our communities.

This year, four years after the fall of the Berlin Wall, the U.S. will spend \$274 billion on its military. The Russians will spend less than \$50 billion. Germany is united but we pay to keep over 300,000 troops and dependents in Germany looking for something to do.

If you don't count our closest allies in NATO and Japan, the U.S. alone spends 20% more than the rest of the world combined on its military. Let us decide that a safe measure of our security is to spend only as much as the rest of the world combined. That would free up over \$50 billion a year to reinvest in this country. We have the money; we need a change.

We need a combination of challenging the predators to stop, the victims to rise up, and the government and private industry to shift priorities. All are required.

The National Rainbow Coalition will join with the Congressional Black Caucus and others to cut the killing budget and shift to the healing budget.

In cities across the country, we want to rouse a movement to demilitarize our streets and stop the violence.

We don't need boot camps to sculpt muscles and learn marching. We need knowledge, skills, and discipline. Together, if we stand up, we can build a mighty movement to reclaim our streets, to save our children, to end the violence.

Just by shifting energy, we can begin to shift the budget. Stop the rise in crime and violence and we could shift billions of dollars from punishment and repair to development and hope. And by shifting our energy, we can regain a moral offensive and challenge society to change.

It's time to heal and rebuild. Keep hope alive. Thank you.

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Experts Tell What Can Be Done To Curb Violence

Whether you read about it in the newspaper, hear it on the 6 o'clock TV newscast or are among the growing number of victims, violence threatens to erode the very makeup



▲ Dr. Carl Bell favors professional help to identify those at risk, over concentration on tougher law enforcement procedures and punishment.

of our nation.

The statistics bring home the cold-blooded facts: numerous cities around the U.S. experienced a record number of homicides for 1993 and gun murders are the leading cause of death for Black men between 15-34.

Fed up with the blood of their sons and daughters running in the street, experts from various fields shed some light on what can be done to curb the violence.

Dr. Carl Bell, president of

NATIONAL REPORT

► Mayor Thomas Barnes of Gary relates inner-city violence erupts from a mixture of drugs, handguns and joblessness.



the Community Mental Health Council on Chicago's South Side, said there are two basic schools of thought for stemming the rising tide of violence in America. The criminal justice approach, which calls for stiff penalties for violent criminals, and the interpersonal approach, which attempts to identify and diffuse a situation that could turn lethal.

Bell, who favors the latter, told JET, "For instance, the wife who kills her abusive husband; locking her up

for life isn't doing any good when that's probably the only person she will ever kill. The problem could have probably been prevented..." by pinpointing a family at risk and getting professional help for them.

▼ St. Louis Police Chief Clarence Harmon recently announced a get tough on handguns policy for that city as St. Louis Mayor Freeman Bosley III and Circuit Attorney Dee-Joyce Hayes looked on.



NATIONAL REPORT

That's why Bell feels "health care professionals need to have a strong role in intervening in family violence before it becomes murder." Furthermore, "people need to be taught non-violent conflict resolution in schools and churches and I think that children who have already seen a murder or seen somebody get shot should get some counseling, or they won't ever be quite right."

Cities from Baltimore to Oakland see the body count rise on a daily basis. In Baltimore, the 13-to-24 age group accounted for more than half the homicide arrests and nearly 40 percent of the victims last year. There were 173 homicides in Cleveland and a record high for Washington, DC, as the death toll there climbed to 465 last year.

The once-booming steel mill town of



Joycelyn Elders



David Satcher

Gary, Ind., won the dubious distinction of being America's "murder capital" among cities above 100,000 residents. So while the nation's capital had more murders, Gary was an easy "winner" on a per-capita basis of murder and mayhem.

Gary Mayor Thomas Barnes said the cause is a fatal mixture of inner-city woes compounded by a police shortage. Barnes explained, "It's the result of too many guns, too many drugs and not enough jobs."

Barnes said at a press conference he is adding 68 officers to the police department within the year to help augment the 220 regular and 75 auxiliary officers on the force. With a hint of desperation in his voice, Barnes said, "We can try to minimize the violence, minimize the guns. But, until we deal with the insanity of the weapons, until we deal with the insanity of the drugs, we are in for a long, hot season."

More police manpower is also the anti-violence technique being employed



D. Prothrow-Stith



Isaiah McKinnon



Cecil Williams



Marian Edelman

in St. Louis, which recently wrapped up 1993 with its deadliest year ever with 267 homicides. At a news conference, a grim-faced Police Chief Clarence Harmon started off the new year with the warning, "If you carry a gun in this city, it's going to get extra tough beginning tomorrow."

U.S. Surgeon General Joycelyn Elders and Centers for Disease Control head Dr. David Satcher agree that violence is a leading public health issue.

Elders is taking on guns and violence, calling them the most serious threat to our nation's youth. She told Congress recently, "It is time for us to roll up our sleeves and rid this country of this hideous, highly infectious, yet preventable problem—violence."

She believes a proactive approach to violence is far more effective than the lock-them-up-and-throw-away-the-key method. Elders advocates longer waiting periods on handgun sales, limiting the sale of assault weapons and taking anti-gun messages to schools all over the nation.

Satcher agrees with Elders that violence is a peril to public health. Considering CDC data show the homicide rates among Black men aged 15 to 24 rose 66 percent from 1984 to 1987 and 95 percent of that

jump was due to firearms, the CDC boss said his agency will attack the problem with a vengeance, using education as its primary weapon, as it has in other areas of disease prevention.

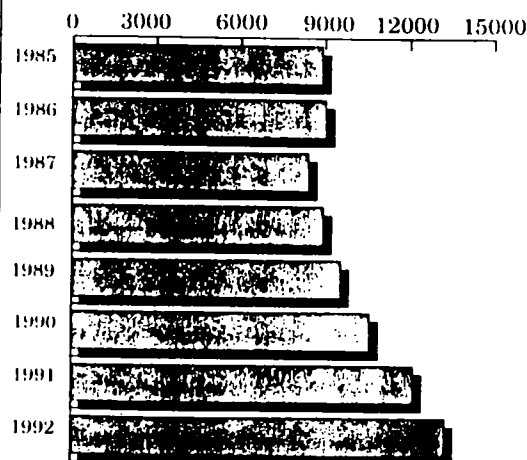
For those who feel the CDC should stick to "disease surveillance," Satcher counters, "I don't think you have to take anything from CDC's historic role in order to say that if you look at the major cause of death today, it's not smallpox or polio or even infectious diseases. Violence is the leading cause of lost life in this country today. If it's not a public health problem, why are all those people dying from it?"

Dr. Deborah Prothrow-Stith, assistant dean of the Harvard School of Public Health in Boston, is the author of *Deadly Consequences: How Violence Is Destroying Our Teenage Population and a Plan To Begin Solving The Problem*. She said parents can play a tremendous role in preventing the senseless loss of life.

"Often because they do not want their children to be wimps, they effectively encourage fighting," Prothrow-Stith added, "Children of such parents appear to be at the greatest risk for participating in violence."

In the first line of defense, parents,

HANDGUN MURDERS, 1985-1992





▲ Larry King, (l) takes his CNN show "Larry King Live" to Washington Church. He's joined by (l-r) the Rev. Raymond East, Attorney General Janet Reno and Bill Cosby.

coalition will implement the following 10-point program:

- Youth march at the White House on April 4, (the day Dr. Martin Luther King, Jr., was assassinated) to call for an urban policy that includes jobs and justice.
- Meet with President Bill Clinton to discuss need for jobs bill,

an urban policy and commitment to an anti-discrimination policy.

- Anti-violence conferences, similar to the one held in Washington, DC, to be held in other cities across the country.
- Challenge 100 churches to mentor 10 troubled youths in 10 different cities.

▼ Rev. Jesse Jackson speaks at conference as Dr. Mary Berry (l), chairperson of the Civil Rights Commission, listens. At Jackson's right is Dr. Dorothy Height, founder of the National Council of Negro Women.



Conference participants also included Congressman Kucsi Mfume, entertainer-movie maker Spike Lee and Tom Skinner of Tom Skinner Associates.



▲ Dr. Betty Shabazz (r) and Rev. Willie Barrow give insight on violence at the event.

► Former DC Chief of Police Isaac Fulewood (l) and Drug Czar Lee Brown participate in session on ways to curb violence in U.S.

- Continue to challenge both students and parents to sign the Rainbow pledge to end violence.
- Challenge schools and jails to start mentoring programs.

- Escalate plan for an effective anti-discrimination policy.
- Study media influence on violence.
- Action campaign against racist films.
- Join Atlanta disc jockey Jack The Rapper in his challenge to record industry heads to cease distributing records with violent and demeaning lyrics.



NATIONAL REPORT

Experts Agree Positive Family Values Help Curb Violence

"with encouragement from health care providers, can begin to reexamine their own attitudes and behavior and become an active force in teaching verbal rather than physical methods of resolving disagreements."

Detroit Police Chief Isaiah McKinnon and the Rev. Cecil Williams of Glide Memorial Church in San Francisco take a more compassionate and gentle approach to stopping the violence.

McKinnon began, "There have been numerous studies as to why violence occurs but we don't know how to stop it. It starts with teaching, sharing and caring for and with the children," McKinnon said, to augment law enforcement.

"A child whose family is on public assistance might grow up believing that is the only way to live. Or one who sees his father beating his mother, or is sexually assaulted, they don't know anything different until someone shows them," McKinnon said. "We've got to start from the time they are kids and educate them to love, care and share and teach them to want to be a constructive person, instead of a destructive, violent person."

Easing violence is as simple as restoring a sense of cohesion and family, especially in the Black community, Williams stressed. "We need to be more of a community family. We have to reach out to our brothers and sisters," he began.

"If we begin to embrace each other, they are responsible for us and we are responsible for what happens

to them; everybody will feel a part of that community. Then they'll know that they do count in the community and they don't have to join a gang. They don't have to use drugs, gangs and guns to gain power, the power will come from within."

In addition to stricter gun control regulations, Children's Defense Fund Founder and President Marian Wright Edelman maintains removing violence from television and in the movies—or at least reducing a child's access to them—is an excellent approach to curbing the brutality sweeping the nation.

Stressing "the urgency of reducing the violent content of movies and television programs," she pointed out, individuals behind the productions also share in the responsibility.

"The failure of parents to control the amount and quality of the television their children watch does not absolve the communications industry of responsibility for policing the violent content of its own products," Edelman said.

Aside from that, violence is all of our problem and we all must be part of the solution, she said. "We personally and collectively must struggle to reclaim our nation's soul and to give back to our children a sense of hope and security, a belief in American fairness and an ability to dream about, envision and work toward a future that is attainable and real. We must fill our children with the joy and the promise of life" not the reality of death and destruction, she said.

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WHEREAS other voices in the House and Senate are pressing for government censorship as a easy sounding solution to violence;

WHEREAS members of the Congressional Black Caucus, the Congressional Hispanic Caucus and other progressive Members have introduced H.R. 3315, the Crime Prevention and Criminal Justice Reform Act which will address the problem of crime and eliminate inequities in the current criminal justice system;

WHEREAS the Crime Prevention and Criminal Justice Reform Act would represent a fundamental shift in priorities away from ineffective tough sounding non-solutions, to more effective measures which will empower local communities and have a positive impact on crime;

NOW THEREFORE BE IT RESOLVED THAT :

- (1) We oppose the Senate Crime bill (S.1607);
- (2) We oppose government censorship.
- (3) We support [REDACTED] the Crime Prevention and Criminal Justice Reform Act H.R. 3315;
- (4) We urge the House to hold hearings on those measures in the Senate bill that were not adopted by the House; and on the Crime Prevention and Criminal Justice Reform Act H.R. 3315;
- (5) We urge the Congress to develop a process to develop crime policy with input and dialog from those communities that are most affected by crime and crime policies;
- (6) We urge the Congress to adopt an alternative anti-crime budget that directs resources toward job creation, economic development, drug treatment, crime prevention, child and youth development, education and community empowerment programs;
- (7) We urge the Congress to avoid the usual political posturing around the issue of crime and instead to craft solutions that can unite all of our diverse communities and create a safe environment in which all of our families and children can thrive and prosper.