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Crime Bill

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**The White House
Washington**

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THE CRIME BILL, VIOLENCE, AND GUNS

- ◆ Ask any American what his greatest concern is and he will say it is fear for his personal security. It is all too clear that when our doors must be barred and our hearts must be locked to others, violent crime and the fear it provokes is paralyzing our society.
- ◆ In the midst of this epidemic of crime, our leaders cannot afford to be paralyzed, as well. They must put aside the smallness of party politics and ideology and look to the greater challenge of providing real answers to the real fears of real people. It is time to pass the Crime Bill.
- ◆ The Crime Bill was created with bipartisan support. Democrats and Republicans recognized that to fight crime effectively, we need a smart approach that includes punishment and prevention. We must tell repeat violent offenders that their actions will not be tolerated, but we must also tell young people that if they say no to a life of crime, we can offer them something "to say yes to."
- ◆ The Crime Bill provides for 100,000 police officers on the streets of America to forge new partnerships and cooperation between law enforcement and communities.
- ◆ And this Bill is not about "pork" -- it is about prevention programs put forth by Republicans and Democrats, because keeping kids away from a life of crime is far better than paying later for prisons to house them in.
- ◆ Senator Danforth is to be commended for authoring the Crime Bill's Community Schools program. He knows that by giving grants to community groups to keep schools open after hours and on weekends, kids have a safe and constructive place to go and stay out of trouble. Developing and implementing after-school programs for young Americans also has the effect of strengthening community resolve by drawing together parents, clergy, social workers, teachers, youth groups, community and business leaders and local officials. His program deserves passage because intelligent prevention programs work.
- ◆ The Crime Bill bans 19 listed weapons, copy-cats and other clearly-defined semi-automatic guns that are the weapons of choice of drug dealers, gang members and terrorists.
- ◆ The overwhelming majority of Americans support a legislative ban on semiautomatic assault weapons because a ban saves lives. For example, the ban would prohibit the Cobray M-11/9 semiautomatic assault pistol -- the weapon used by a student at the Atlantic Shores Christian School, who went on a killing spree, murdering one of his teachers and wounding another. Pure and simple, a ban saves lives.
- ◆ Every major police organization in America supports a ban on assault weapons because they cannot do their job when they are outmanned and outgunned by violent criminals with street sweepers and uzis. The ban is not about gun control; it is about crime control.

Amia

WHY BLOCK GRANTS ARE BAD

by Joe E. Brann

For a number of years the American people have been demanding that their elected officials do something about crime. Last year, the Clinton Administration and Congress responded by working together to pass the Crime Bill, a monumental piece of legislation that provides hiring and training grants to put 100,000 additional law enforcement officers on the streets of America, officers who are dedicated to community policing. This unprecedented federal commitment to local law enforcement agencies was developed with the guidance and support of every major law enforcement organization in the country.

The Department of Justice established the Office of Community Oriented Policing Services -- the COPS Office for short -- to administer the hiring program under the Crime Bill. I accepted the challenge of directing this federal effort because, as a former police chief and based upon my experience as a cop in two California cities, I know what it's like to fight an ever-growing crime problem with ever-diminishing resources. The COPS Office has already awarded grants to more than 1,000 law enforcement agencies to hire and train nearly 10,000 new officers. [NOTE: These figures include officers hired under the PHS program which predates the Crime Bill] Several thousand more agencies will receive notification of their eligibility for grants in the very near future.

Communities can receive grants which provide three-years' of funding to hire additional officers. Depending on the costs of those officers' salaries and benefits, the Federal government

will contribute up to 75 percent of the costs to a maximum of \$75,000 per officer. Local agencies must come up with the remaining amount. The Federal share declines over the three years to ensure that the local agencies develop a plan for retaining the officers beyond the life of the grant. This guarantees that the 100,000 new officers will stay on America's streets and not just disappear when the money runs out.

Unfortunately, there is a movement afoot in Congress to replace the COPS program with a Block Grant which would not provide the guarantee of 100,000 new officers contained in the current Crime Bill. The Block Grant approach would permit expenditures for "law enforcement or public safety" purposes -- categories so broad that it is certain that grant funds will simply be absorbed in municipal budgets across the country -- with no guarantee that a single new officer will be put on America's streets. Conceivably, this money could be used to buy office supplies or furniture.

The Block Grant approach has been tried before under the Law Enforcement Assistance Administration and it failed miserably. There was no accountability for the money that was sent to local law enforcement agencies under that program. Over the life of the LEAA, tens of millions of dollars were spent on helicopters, airplanes, fancy cars, radios and surveillance equipment -- some of it was never used. LEAA grants paid for ridiculous studies that provided a windfall to consultants with no worthwhile resulting product. Much of the money that was spending was determined to be nothing more than wasteful pork barrel spending. It would be a grievous error for this country to return to this kind of "slush fund" approach to law enforcement.

Opponents of the COPS program argue that local governments don't like the local match requirements. This stands in stark contrast to our experience. We have seen an overwhelming demand for COPS grants. For example, we received more than 800 Letters of Intent from law enforcement agencies that wanted to participate in our expedited hiring program for municipalities with populations over 50,000 -- more than 50 percent of the eligible jurisdictions nationwide.

In a similar program for smaller cities and towns, we anticipated that 10 to 15 percent of eligible jurisdictions would apply. We have received more than 6,000 applications for this program -- nearly half the smaller jurisdictions in America that are eligible.

For years police chiefs, sheriffs, mayors, town council members and the American people have said that we need more police to help fight crime. Congress heard this call and passed the Crime Bill after six years of gridlock and promised to put 100,000 more law enforcement officers on America's streets. It was long hard battle to get to the point of enacting a strong crime bill. Now is not the time to break that promise and go back to a system that has failed before.



Bureau of Justice Statistics Selected Findings

November 1994, NCJ-149259

Domestic violence

Violence between Intimates

What is violence between intimates?

Violence between intimates includes those murders, rapes, robberies, or assaults committed by spouses, ex-spouses, boyfriends, or girlfriends. In this report, intimates are distinguished from —

- *other relatives* (parent, child, sibling, grandparent, in-law, cousin)
- *acquaintances* (friend, someone known)
- *strangers*.

Violence between intimates is difficult to measure; it often occurs in private, and victims are often reluctant to report incidents to anyone because of shame or fear of reprisal.

How many people are victims of nonfatal violence committed by intimates?

According to an analysis of the National Crime Victimization Survey (NCVS) from 1987-91, intimates commit an annual average of 621,015 rapes, robberies or assaults representing over 13% of all of these violent victimizations.

In the NCVS in 1992, 51% of the victims of intimate violence were attacked by boyfriends or girlfriends, 34% were

This report summarizes the following Department of Justice statistics about violence between intimates:

- The National Crime Victimization Survey (NCVS) produces estimates of violence that victims perceive to be crimes and are willing and able to report to survey interviewers. Violent crimes included in the NCVS are rape, robbery, and assault. (Murder is not measured because of the inability to question the victims.)
- Data about murder are from two sources: the FBI's Supplemental Homicide Report from the Uniform Crime Reports (UCR) program and a Bureau of Justice Statistics (BJS) study of 1988 murder cases from

prosecutors' files in large urban counties.

- Information on police policies and units for domestic violence is from the Law Enforcement Management and Administrative Statistics survey (LEMAS).
- Information about confined violent offenders was collected in the 1989 Survey of Inmates in Local Jails and the 1991 Survey of Inmates in State Correctional Facilities.

Sources of the information in this report are listed on page 9. Additional detail and methodological explanations about each of these datasets are contained in the publications listed.

attacked by spouses, and 15% were attacked by ex-spouses. In 1992, 54% of the general population age 12 and over were married, 30% were never married, 10% were divorced, and 7% were widowed.

Most violence between intimates is assault: the intentional inflicting of injury on another person. In 1992, 81% of the violent victimizations committed by spouses and ex-spouses were assaults. The remainder were rapes and robberies, which also may have involved assault.

How many murders are committed by intimates?

According to the FBI's *Crime in the U.S.*, 22,540 murders were committed nationwide in 1992. The relationship between the victims and the offender was known in 61% of these murders and unknown in 39%. About 15% of the murders where the relationship between the victim and the assailant was known involved a victim described in police records as an intimate (spouse, ex-spouse, boyfriend, girlfriend) of the killer. (See methodological note on page 9 for further information about these data.)

Of those murders where the relationship between the victim and the killer was known, about 10% involved the killing of a spouse or ex-spouse and nearly 6% involved the killing of a boyfriend or girlfriend.

Females are more likely than males to be victims of violence by intimates

Annually, compared to males, females experienced over 10 times as many incidents of violence by an intimate. On average each year, women experienced over 572,000 violent victimizations committed by an intimate, compared to approximately 49,000 incidents committed against men.

Average annual number of single-offender violent victimizations, 1987-91

Victim-offender relationship	Sex of victim	
	Female	Male
Intimate	572,032	48,983
Other relative	117,201	75,587
Acquaintance	796,067	1,268,506
Stranger	571,114	1,182,307

Source: BJS, *Violence Against Women: A National Crime Victimization Survey Report*, 1994

Women are much less likely than men to become victims of violent crime in general, but they are more likely than men to be victimized by intimates, such as husbands or boyfriends. Men are more likely than women to be victims of violence perpetrated by acquaintances or strangers.

Average annual rate per 1,000 population of single-offender violent victimizations, 1987-91

Victim-offender relationship	Sex of victim	
	Female	Male
Intimate	5.0	.5
Other relative	1.0	.7
Acquaintance	8.0	13.0
Stranger	5.0	12.0

Source: BJS, *Violence Against Women: A National Crime Victimization Survey Report*, 1994

What are the characteristics of women violently victimized by intimates?

Race

White and black women had equivalent rates of violence committed by intimates and other relatives (about 5 per 1,000 persons).

Ethnicity

Hispanic and non-Hispanic females had about the same rate of violence attributable to intimates, 6 per 1,000 persons.

Age

Women age 20 to 34 had the highest rates of violent victimization attributable to intimates (16 per 1,000 persons) of any age group.

Education

Women who graduated from college had the lowest rates of violence attributable to intimates (3 per 1,000 persons) compared to women with less than a high school education (5 per 1,000), high school graduates,

(6 per 1,000) or women with some college (6 per 1,000)

Income

Women with family incomes under \$9,999 had the highest rates of violence attributable to an intimate (11 per 1,000 persons) and those with family incomes over \$30,000 had the lowest rates (2 per 1,000).

Marital status

Divorced or separated women had higher rates of violence by intimates (16 per 1,000 persons) than women who never married (7 per 1,000) or married women (1.5 per 1,000).

Location of residence

Women living in central cities, suburban areas and rural locations experienced similar rates of violence committed by intimates.

Source: BJS, *Violence Against Women: A National Crime Victimization Survey Report*, 1994

Women were more likely to be raped or assaulted by an acquaintance than by an intimate, another relative, or a stranger. Robbery was the only non-fatal crime in which women were more likely to be victimized by strangers rather than intimates, other family members, or acquaintances.

In over 90% of the violence by intimates recorded in the NCVS from 1987-91, the victim was female.

Victim-offender relationship	Percent of all victims who were female
Intimate	
Spouse	93%
Boyfriend/girlfriend	91
Ex-spouse	89
Other relatives	
Child	78
Brother/sister	59
Other relative	57
Parent	52
Unspecified	28
Other known offender	38
Stranger	32

Source: *Highlights from 20 Years of Surveying Crime Victims: The National Crime Victimization Survey, 1973-92, 1993*

An estimated 1,432 females were killed by intimates in 1992 according to the FBI's *Crime in the U.S.* Female victims represented 70% of the intimate murder victims. About a third of all female murder victims over age 14 were killed by an intimate compared to 4% of male murder victims. The wives-to-husbands ratio for spousal murder differs for blacks and whites: 59% of black victims of spousal murder were wives while 74% of white victims were wives.

How many female victims of intimate violence experienced repeated victimizations?

About 1 in 5 females victimized by their spouse or ex-spouse reported to the NCVS that they had been a victim of a series of 3 or more assaults in the last 6 months that were so similar that they could not distinguish one from another. For assaults in general in 1992, fewer than 1 in 10 victimizations involved this type of victimization.

What are the trends in violence between intimates?

During the past five years, rates of intimate rapes, robberies and assaults for both male and female victims have been constant

According to the NCVS between 1987 and 1992, the rate of violent victimizations committed by intimates varied little from the average annual rate of 5 per 1,000 for females and 0.5 per 1,000 for males. The proportion of all violence committed by intimates was also consistent during the period: about 27% of all violence against females and about 2% of all violence against males.

	Number of single-offender victimizations by intimates	Rate per 1,000 population	Percent of all victimizations committed by intimates
Male victims			
1987	31,685	0.3	1.6%
1988	55,877	0.6	2.1
1989	52,816	0.5	2.0
1990	26,737	0.2	1.1
1991	62,004	0.6	2.2
1992	49,038	0.5	2.2
Female victims			
1987	405,640	4.0	27.0%
1988	585,261	5.5	26.6
1989	586,137	5.6	28.1
1990	531,179	5.0	26.9
1991	585,385	5.5	27.4
1992	593,546	5.5	27.4

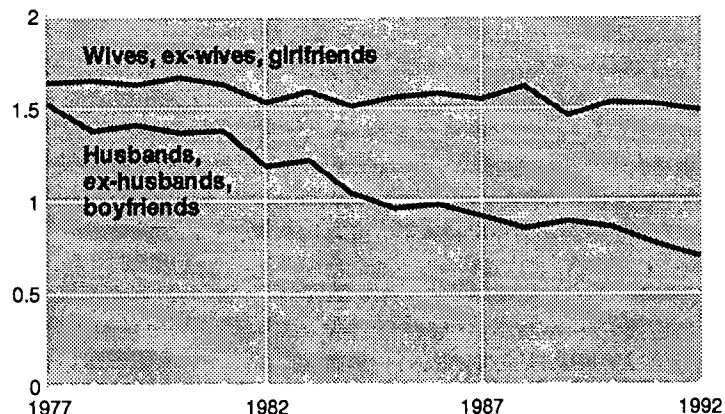
Note: The numbers from NCVS presented here do not show a statistically significant trend.

Improvements to the NCVS will better measure intimate violence

In the mid-1970's the National Academy of Sciences evaluated the NCVS for accuracy and usefulness. While the survey was found to be an effective instrument for measuring crime, reviewers identified aspects of the methodology and scope of the NCVS that could be improved. Many of the recommendations resulted in improvements to the measurement of domestic violence.

The murder rates for both male and female intimates have declined; the rate for males dropped the most, falling in half from 1977 to 1992

Number of intimate murders per 100,000 persons age 16 and over



Source: FBI, *Crime in the U.S.*, 1977-92 and U.S. Population Estimates from the U.S. Bureau of the Census. See page 9 of this report for the data points.

During the last 15 years —

• The ratio of male to female victims of intimate murder fell

In 1977, 54% of the murder victims who were killed by intimates were female. By 1992, the ratio of female to male victims had changed, with 70% of the victims being female.

In other words the number of male victims fell from 1,185 in 1977 to 657 in 1992 and the number of female victims increased from 1,396 to 1,510 during the same period.

• Murder rates of young black females killed by intimates declined

For black female victims of intimate murder age 18-34, the rate fell from 8.4 per 100,000 in 1977 to 6 per 100,000 in 1992.

During the same time period the rate for white females age 18-34 remained relatively constant (1.4 per 100,000).[†]

• The ratio of black husbands to black wives killed fell

In 1977, more black husbands were killed than black wives. In 1982, the same pattern prevailed, but by 1992, fewer black husbands were killed than black wives.

For whites, wives have consistently outnumbered husbands as victims of intimate murder.

[†] James Alan Fox, *Domestic Homicide in America: Trends and Patterns for 1976-92*, unpublished paper, June 23, 1994.

Within the categories of violent crime measured by the NCVS, the redesign will produce fuller reporting of those incidents that involved intimates or other family members.

The redesigned questionnaire was implemented into 100% of the sample in June 1993 and an initial release of the data was made at the end of October, 1994. Regular processing of the

NCVS data results in a release of the analysis of the detailed variables including victim-offender relationship several months after the initial release. Therefore, no data from the redesign are included in this report.

Additional information about the redesign of the NCVS and the changes in domestic violence questions is presented on page 10.

How many victims of intimate violence face an armed assailant?

For rape, robbery, and assaults recorded in the NCVS, 18% of the women victimized by intimates faced an armed offender, compared to 33% of those victimized by strangers, 22% by other relatives, or 21% by acquaintances.

Of the intimate victimizations where weapons were present, 40% involved knives or sharp instruments, 34% involved guns, 12% involved blunt objects, and 15% involved other weapons. Strangers, compared to other types of offenders, were more likely to be armed with guns.

Most murders of intimates are committed with firearms

According to the FBI's Supplemental Homicide Reports in 1992, 62% of the murder victims known to have been killed by intimates were shot to death (see table on page 10). Firearms were most frequently used to kill —

- wives and ex-wives (69%)
- husbands and ex-husbands (61%)
- girlfriends (60%).

Boyfriends were more often killed with knives (54%) than firearms (41%).

The proportion of murders involving firearms was smaller for victims killed

by intimates (62%) than for victims killed by strangers (75%) or acquaintances (69%). For all types of victims killed by firearms, most are killed by handguns. Over three-quarters of the firearms used to kill intimates were handguns. Wives and girlfriends were more likely than other types of victims to have been killed with shotguns.

Some murder victims are also armed.

In a study of murder cases in large urban counties in 1988, about 15% of the victims killed by spouses were armed with a gun, knife, or other weapon.

How many victims of intimates receive a nonfatal injury?

According to the NCVS, about 3% of the women who were victimized by intimates received serious but nonfatal injuries. This proportion was similar to that for women victimized by other relatives, acquaintances, or strangers.

About 54% of the women victimized by intimates received minor injuries. Women victimized by other relatives, acquaintances, or strangers were less likely to sustain minor injuries.

If the attacker was an intimate rather than a stranger, injured women were also more likely to —

- receive medical care (27% vs. 14%)
- require hospitalization (15% vs. 8%).

For rape victims, however, the outcome was different: women who were raped by a stranger received injuries in addition to the rape itself more often than women raped by someone whom they knew.

Most women who are victims of intimate violence took some form of self-protective action

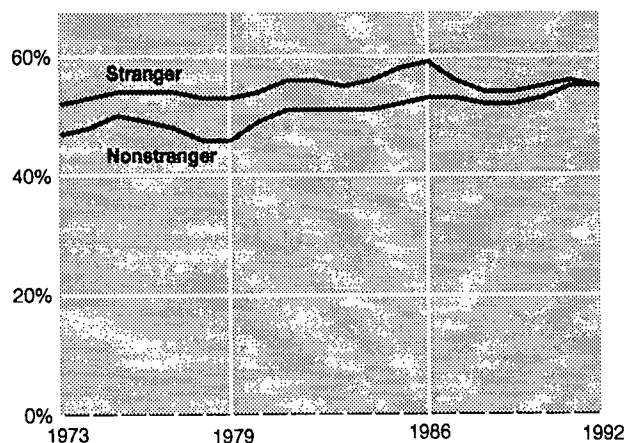
The NCVS data show that 80% of women victimized by an intimate took some form of self-protective action, including 40% who took a physical action and 40% who took a passive/verbal action. Of women victimized by intimates, the proportion who used self-protective action was about the same as that for women victimized by strangers, acquaintances, or relatives other than intimates. The proportion of women who used physical self-protection such as fighting back was higher for women victimized by an intimate than for women victimized by a stranger (40% vs. 20%).

Of women who tried to protect themselves against intimate attackers —

- over half believe their self-protective behavior helped the situation
- almost a quarter believe their actions actually made the situation worse.

Reporting to the police by females victimized by nonstrangers increased to equal the reporting by females victimized by strangers

Percent of victimizations reported to the police by female victims of violence



Source: National Crime Victimization Survey, 1973-92

For all violent victimizations —

- victims of all types report about half of their victimizations to the police
- since 1973, the percent reported to the police increased.

Female victims of violence —

- are more likely to report to the police than male victims
- are reporting an increasing proportion of both stranger and nonstranger crimes.

Female victims of violence by intimates —

- report over half of their victimizations to the police
- are about as likely to report to the police as those female victims who were attacked by other relatives or strangers.

What reasons do women victimized by intimates give for reporting or not reporting the crime to the police?

According to the NCVS, the most frequent reason female victims of intimates gave for not reporting to police was that they believed the incident was a private or personal matter. The reason for not reporting most often given by females victimized by strangers was that they felt the incident was minor and might not be considered a crime.

Almost 6 times as many women victimized by intimates (18%) as those victimized by strangers (3%) said that they did not report their violent victimization to police because they feared reprisal from the offender.

Half of the female victims attacked by intimates said that the most important reason they reported to police was to punish the offender and another quarter said that the most important reason was to stop or prevent this from happening to "me or others." The most common reasons given for reporting by women victimized by nonintimates were similar to those given by women victimized by intimates.

How do the police respond to reports of intimate victimization?

Victims reported to the NCVS that police respond to over three-quarters of all reports by females victimized by intimates, as well as by acquaintances, other relatives, or strangers by coming to the crime scene.

According to victims' perceptions, the police responded within 5 minutes in 36% of the victimizations where the offender was a stranger, in 25% where the offender was an intimate, in 24% where the offender was a relative other than an intimate, and in 24% where the offender was an acquaintance.

Police take a report in over two-thirds of all incidents of violence reported, regardless of the victim-offender relationship. However, the police are more likely to take a formal report if the

offender is a stranger (77%) rather than an intimate (69%), other relative (67%), or acquaintance (70%).

Police question witnesses in about the same proportion of violent victimizations of females, regardless of the victim-offender relationship. Searching the scene for evidence occurs more often when a stranger rather than an intimate or other known offenders committed the crime.

How do police agencies deal with domestic disputes?

According to the 1990 Law Enforcement Management and Administrative Statistics Survey (LEMAS), 93% of the large local police agencies (agencies with more than 100 officers) and 77% of the sheriffs' departments have written policies concerning domestic disturbances. In addition, 45% of the large local police agencies and 40% of the sheriffs' departments have special units to deal with domestic violence.

As of 1992, 14 States and the District of Columbia had laws mandating arrest in crimes of domestic violence.** The States with mandatory arrest laws include Arizona, Connecticut, Hawaii, Iowa, Louisiana, Maine, Missouri, Nevada, New Jersey, Oregon, Rhode Island, South Dakota, Washington, and Wisconsin.

To legally arrest a suspect, police are required to obtain an arrest warrant from a judge before arresting a suspect unless they are able to show at the time of the arrest they had probable cause to believe the suspect had committed the crime. Warrantless probable-cause arrests in cases of domestic violence are authorized in 47 States and the District of Columbia. Most State codes permitting warrantless arrests for domestic violence crimes also instruct police to inform victims of certain rights including the

availability of protection orders, shelter or emergency facilities, and transportation.

What are the characteristics of defendants accused of killing their spouse?

In a study of murder cases in large urban counties in 1988, of defendants who killed their spouse —

- almost 60% were male
- 77% were over age 30.

By comparison, of defendants in nonfamily murders —

- 93% were male
- 65% were under age 30.

Over half of the defendants who killed their spouse had a prior criminal history. However, they were less likely to have a prior criminal history than defendants who killed nonfamily members. Also, they were less likely than nonfamily murder defendants to be unemployed (25% vs. 37%) but more likely to have a history of mental illness (12% vs. 3%).

Most defendants in spousal murder cases are convicted

In the study of murder cases in 1988 in large urban counties, about 80% of the defendants in spousal murder cases were convicted or pleaded guilty.

Outcomes of murder cases where the defendant killed a spouse are similar to the outcomes of nonfamily murder cases.

Case disposition	Percent of murder defendants accused of killing —	
	Spouses	Nonfamily victims
Diverted	.6%	.7%
Rejected	6.5	8.4
Dismissed	3.5	7.5
Acquitted	6.1	7.6
Insanity acquittal	1.2	.2
Convicted at trial	37.4	33.9
Pleaded guilty	42.1	38.2
Other*	2.5	3.4

*Includes murder defendants who died or whose individual cases had not been disposed.

Source: BJS, *Murder in Families*, July 1994.

** Barbara J. Hart, Esq., "State codes on domestic violence: Analysis, commentary and recommendations," *Juvenile & Family Court Journal*, National Council of Juvenile and Family Court Judges, 43:4, 1992.

What are the characteristics of spousal murder cases in urban areas?

Time and place of the murder

Over a third of the victims of spouses were killed during the day. Comparatively, a quarter of the nonfamily murder victims were killed during the day. About 86% of victims who were killed by spouses were murdered at home, a proportion similar to other victims of murder by a family member. About a fifth of nonfamily murder victims were killed at home.

Number of victims

Most defendants who murdered their spouse killed no one else at the time. Of the defendants accused of killing a spouse, 2% killed more than one victim. The proportion of defendants accused of killing more than one victim was 13% when one of the victims was a parent, 12% when one of the victims included a child, and 5% when the victims were unrelated to the defendant.

Victim involvement

About 23% of the murdered spouses precipitated the incident by provoking

the defendant with a deadly weapon, a nonlethal weapon, or other physical contact such as hitting with fists or pushing. Nonfamily victims were about as likely to have precipitated the incident as spouses.

Alcohol use at the time of the murder

Over half of the defendants accused of murdering their spouse had been drinking alcohol at the time of the offense. Nonfamily murder defendants were more likely to have been drinking. Also, almost half of the victims of spousal murder had been drinking alcohol at the time of the offense, about the same proportion as the nonfamily murder victims.

Time to arrest

Over 62% of the defendants accused of murdering spouses were arrested on the day of the crime. About 32% of the defendants accused of killing nonfamily members were arrested on the day of the crime.

Source: BJS, *Murder in Families*, Special Report, NCJ-143498, July 1994.

There are differences in outcomes of cases where a woman is accused of killing her husband and those where a man is accused of killing his wife

In spousal murder cases in large urban counties in 1988, women defendants were more likely than men defendants to have their cases —

- diverted, rejected or dismissed (12% vs. 9%)
- result in an acquittal (13% vs. 1%).

Of those accused of killing their spouses —

- 41% of the men and 31% of the women were convicted at trial
- 46% of the men and 38% of the women pleaded guilty.

Persons convicted of killing their spouses were about as likely as other murderers to be convicted on the most serious arrest charge

Of those convicted in large urban counties in 1988, spousal murderers were less likely than nonfamily murderers to be convicted of first-degree murder or other types of murder (47% vs. 58%) and more likely to be convicted of voluntary/nonnegligent manslaughter (43% vs. 29%)

For convicted murderers, the most serious conviction offense was —

- first-degree murder for 18% of the women who killed their husbands and 24% of the men who killed their wives
- voluntary/nonnegligent manslaughter for 54% of the women who killed their husband and 37% of the men who killed their wives.

Most convicted murderers are sentenced to a prison term, regardless of their relationship to the victim

The study of murder cases in large urban counties in 1988 found some sentencing differences between murderers convicted of killing their spouses and other murderers:

- Of the men convicted of killing their wives, 94% were sentenced to prison, including 15% who were sentenced to life terms. Women who killed their husbands were less likely to receive a prison sentence: 81% were sentenced to prison, including 8% who received a life term.
- Spousal murderers were more likely than nonfamily murderers to be sentenced to probation rather than incarceration (9% vs. 3%). Of the women convicted of killing their husbands, 16% were sentenced to probation compared to 5% of the men who killed their wives.

Of those convicted of spouse murders, men receive longer prison sentences than women

In large urban counties, the average prison sentence length on a murder or nonnegligent manslaughter conviction (excluding life sentences or the death penalty) was —

- 17.5 years for men convicted of killing their wives
- 6.2 years for women convicted of killing their husbands.

Of the 328,000 State prisoners incarcerated for a violent offense in 1991, 7% had victimized an intimate

Prisoner relationship to the victim	Percent of State prisoners incarcerated for —								
	Total violence	Murder	Man-slaughter	Kidnaping	Rape	Other sexual	Robbery	Assault	Other violent
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Intimates	7	11	12	14	10	6	1	12	1
Spouse or ex-spouse	3	6	4	5	2	1	0	5	0
Boy/girl friend	4	5	8	9	8	4	1	7	1
Other relative	10	6	7	3	23	36	1	6	49
Known	27	33	35	23	36	41	11	29	30
Stranger	56	50	47	59	31	17	87	53	20

◆ Like the prison population, 7% of jail inmates serving sentences in 1989 for violent offenses had victimized intimates.

◆ Most violent State prisoners were incarcerated for crimes against strangers.

◆ 87% of the State prisoners incarcerated for robbery victimized a stranger.

Source: BJS Survey of Inmates in State Correctional Facilities, 1991.

Almost two-thirds of the violent State prisoners who victimized intimates were convicted of murder or assault

Prisoner relationship to the victim	Percent of State prisoners incarcerated for a violent offense								
	Total	Murder	Man-slaughter	Kidnaping	Rape	Other sexual	Robbery	Assault	Other violent
Total	100%	23%	4%	3%	8%	13%	31%	17%	1%
Intimates	100%	35%	6%	5%	11%	10%	3%	30%	0%
Spouse or ex-spouse	100	48	5	5	6	5	0	31	0
Boy/girl friend	100	27	7	5	14	13	5	29	0
Other relative	100%	14%	3%	1%	18%	48%	2%	10%	5%
Known	100%	29%	5%	2%	10%	20%	13%	19%	1%
Stranger	100%	21%	3%	3%	4%	4%	48%	16%	0%

◆ Of violent State prisoners who victimized intimates, 35% were convicted of murder and 30% were convicted of assault.

◆ 48% of the violent State prisoners who victimized their spouses were convicted of murder.

◆ Over a quarter of the State prisoners who victimized a boyfriend or girlfriend were convicted of rape or other sexual assault.

Source: BJS Survey of Inmates in State Correctional Facilities, 1991.

What are the characteristics of violent prisoners who victimized intimates?

Prisoner characteristics	Percent of violent State prisoners who victimized:	
	Intimates	Nonintimates
Sex		
Male	90%	97%
Female	10	3
Age		
24 and under	10%	20%
25-34 years	41	45
35-44 years	30	23
45-54 years	11	8
55 or older	9	4
Race and ethnicity		
White	47%	37%
Black	40	47
Hispanic	10	14
Other	3	3

Source: BJS Survey of Inmates in State Correctional Facilities, 1991.

The background characteristics of prisoners who victimized intimates were similar to those of prisoners convicted of similar crimes who victimized nonintimates

In 1991, of violent State prisoners who victimized intimates —

- about half grew up living with both parents
- 12% had lived in a foster home at some time
- 22% reported some physical or sexual abuse
- 31% had parents who abused drugs or alcohol
- 35% had a family member who served time in prison or jail.

Female prisoners are more likely than male prisoners to have harmed an intimate

In 1991, of the State prisoners incarcerated for violent crimes excluding robbery, over a quarter of the female prisoners and a tenth of the male prisoners harmed an intimate. About a third of the female prisoners incarcerated for homicide killed their husband, ex-husband, or boyfriend.

Conviction offense	Percent of violent prisoners who victimized intimates	
	Male prisoners	Female prisoners
Total*	7%	20%
Homicide	9	32
Robbery	1	1
Sexual assault	7	3
Assault	12	20
Kidnaping	14	11

Source: BJS Survey of Inmates in State Correctional Facilities, 1991.

What are the differences in offense type between male and female prisoners incarcerated for harming an intimate?

Inmates' relationship to the victim	Number of prisoners	Prisoners who were incarcerated for violent offenses								
		Percent of prisoners								
		Total	Murder	Manslaughter	Kidnaping	Rape	Other sexual	Robbery	Assault	Other violent
Male prisoners who had:										
Intimate victims	20,170	100%	32%	5%	6%	12%	11%	3%	31%	0%
Wives and ex-wives	7,431	100	44	4	5	7	6	0	34	0
Girlfriends	12,739	100	25	6	6	16	14	5	29	0
All other victims	279,677	100	22	4	2	8	13	33	16	1
Female prisoners who had:										
Intimate victims	2,345	100%	61%	16%	1%	0	1%	1%	20%	1%
Husbands and ex-husbands	1,308	100	73	10	1	0	0	0	16	0
Boyfriends	1,037	100	47	22	0	0	1	3	25	1
All other victims	9,455	100	31	10	1	1	5	30	19	3

Note: Excludes cases where the victim-offender relationship could not be determined.
Source: BJS Survey of Inmates in State Correctional Facilities, 1991.

Two-thirds of the State prisoners incarcerated for harming intimates had a criminal history

In 1991, of those male prisoners with violent offenses against intimates —

- 30% were first offenders (persons who had not been sentenced to probation or incarceration prior to this conviction)
- 34% had a previous conviction for a violent offense
- 36% had a previous conviction for a nonviolent offense.

This pattern was similar to that for violent male prisoners with other types of victims.

In general, violent female prisoners were more likely than violent male prisoners to be first offenders. For female prisoners incarcerated for intimate violence the pattern is the same:

- 72% were first offenders
- 13% had a previous conviction for a violent offense
- 15% had a previous conviction for a nonviolent offense.

Female prisoners with violent offenses against intimate victims were more likely than those who victimized others to be first offenders (72% vs. 52%).

Sentence lengths of State prisoners who victimized intimates are similar to those who attacked nonintimates

In 1991, the average sentence length for State prisoners convicted of violence other than robbery was about 20 years. Of those prisoners convicted of violence against intimates —

- 16% were sentenced to 5 years or less
- 14% were sentenced to 5 to 10 years
- 50% were sentenced to 10 or more years
- 20% were sentenced to life terms or the death penalty.

The proportion of female prisoners convicted of violence against intimates who received life terms or the death penalty (33%) is higher than that for male prisoners convicted of violence against intimates (19%) and that for female prisoners who victimized nonintimates (22%). This difference is probably attributable to the higher proportion of female prisoners who victimized intimates being convicted of some form of homicide.

How long do State prisoners who victimized intimates expect to stay in prison?

Most State prisoners are released from prison eventually: some before their entire sentence is served through parole or good time provisions, the rest when their sentences expire. State prisoners who victimized intimates and those who victimized others share similar expectations about how long they will serve. For State prisoners who victimized intimates —

- 60% expected to serve at least 5 years.
- the average time expected was about 9 years.

Prisoners' sex and relationship to the victim	Percent of violent* State prisoners who expected to serve —			
	2 years or less	More than 2 to 5 years	More than 5 to 10 years	More than 10 years
Total	14%	26%	26%	34%
Intimate	15	26	30	30
Others	14	26	26	34
Male	14%	26%	26%	34%
Intimate	15	27	30	29
Others	14	26	26	35
Female	18%	26%	30%	26%
Intimate	15	19	31	36
Others	19	29	30	23

*Excluding robbery
Source: Survey of Inmates in State Correctional Facilities, 1991.

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Methodological note

Since nearly 4 in 10 murders reported by law enforcement have an unknown victim-offender relationship, it is possible that they may distribute in the same way as known cases, especially if the unknown cases disproportionately occur in some jurisdictions due to poor reporting of this variable. However, it may also be the case that unknown assailants are more likely to be reported in cases where the victim and offender have no prior relationship, indicative of a higher prevalence of stranger murders. In light of the substantial fraction of murders with unknown victim-offender relationships, readers are urged to use caution in estimating the proportion of murders occurring between intimates.

Trends in the number and rates of homicide victims by relationship to the offender, 1977-92

	Estimated number of homicide victims						Rate per 100,000 population age 16 and over	
	Wife or girlfriend	Husband or boyfriend	Other relatives	Other known	Stranger	Unknown	Wife or girlfriend	Husband or boyfriend
1977	1,396	1,185	1,683	7,113	2,562	5,162	1.6	1.5
1978	1,428	1,095	1,701	6,199	2,640	5,886	1.7	1.4
1979	1,438	1,137	1,674	6,909	2,682	7,574	1.6	1.4
1980	1,498	1,129	1,797	7,304	3,064	8,248	1.7	1.4
1981	1,486	1,149	1,869	7,837	3,491	6,666	1.6	1.4
1982	1,408	1,008	1,807	7,290	3,551	5,904	1.5	1.2
1983	1,487	1,043	1,796	6,681	2,897	5,445	1.6	1.2
1984	1,420	897	1,701	6,542	3,289	4,822	1.5	1.0
1985	1,480	835	1,708	7,099	2,752	5,106	1.6	1.0
1986	1,525	866	1,690	7,708	2,679	6,142	1.6	1.0
1987	1,508	824	1,729	7,377	2,653	5,950	1.6	0.9
1988	1,592	765	1,613	7,383	2,564	6,783	1.6	0.9
1989	1,441	817	1,741	7,568	2,817	7,117	1.5	0.9
1990	1,524	797	1,688	7,946	3,375	8,134	1.5	0.9
1991	1,528	714	1,703	7,567	3,716	9,472	1.5	0.8
1992	1,510	657	1,531	7,550	3,218	9,295	1.5	0.7

Note: Wife or girlfriend and husband or boyfriend includes ex-spouses.
Source: FBI, *Crime in the U.S.*, 1977-92 and U.S. Population Estimates from the U.S. Bureau of the Census.

Marianne W. Zawitz of the BJS staff prepared this report. Substantial assistance was provided by Patsy Klaus, Ronet Bachman, Patrick Langan, Helen Graziadei, and Caroline Wolf Harlow of the BJS staff.

October 1994, NCJ-149259

Additional details about the redesign of the National Crime Victimization Survey

The redesign of the NCVS

In the mid-1970's the National Academy of Sciences evaluated the NCVS for accuracy and usefulness. While the survey was found to be an effective instrument for measuring crime, reviewers identified aspects of the methodology and scope of the NCVS that could be improved. They proposed research to investigate the following:

- an enhanced screening section that would better stimulate respondents' recall of victimizations
- screening questions that would sharpen the concepts of criminal victimization and diminish the effects of subjective interpretations of the survey questions
- additional questions on the nature and consequences of victimizations that would yield useful data for analysis
- enhanced questions and inquiries about domestic violence, rape, and sexual attack to get better estimates of these hard-to-measure victimizations.

The redesign has improved the measurement of domestic violence

Respondents may be reluctant to report acts of domestic violence as crimes, particularly if the offender is present during the interview. In addition, victims may not perceive domestic violence as discrete criminal acts but as a pattern of abuse. Though these issues still pose measurement problems, the redesigned screening section includes explicit questions about incidents involving family members, friends, and acquaintances. Screening questions also include multiple references to acts of domestic violence to encourage respondents to report such incidents even if they do not define these acts as crimes. The survey staff review these reported incidents using standardized definitions of crimes. Thus, within the categories of violent crime measured by the NCVS, the redesign will produce fuller reporting of those incidents that involved intimates or other family members.

A comparison of the old and new questionnaire illustrates the expanded cues that help a respondent recall an incident

New

2. People often don't think of incidents committed by someone they know. Did you have something stolen from you OR were you attacked or threatened by —
 - a. Someone at work or school —
 - b. A neighbor or friend —
 - c. A relative or family member —
 - d. Any other person you've met or known?
3. Did you call the police to report something that happened to YOU which you thought was a crime?
4. Did anything happen to you which you thought was a crime, but did NOT report to the police?

Old

2. Did you call the police to report something that happened to YOU which you thought was a crime?
3. Did anything happen to YOU which you thought was a crime, but did NOT report to the police?

Percent of murder victims by relationship to the offender and weapon type, 1992

Victim's relationship to the offender	Percent of murder victims										
	Firearms					Other guns and not stated	Knives or cutting instruments	Personal weapons (hands, fists, feet)	Blunt objects (clubs, hammers, etc.)	Other weapons*	Weapon type not specified
	Total	Total firearms	Handguns	Rifles	Shotguns						
Total	100%	68%	55%	3%	5%	5%	15%	5%	5%	3%	5%
Intimates total	100	62	48	5	8	1	24	5	3	3	3
Males	100	53	44	3	5	1	40	1	2	1	2
Husband	100	61	50	5	6	1	30	2	3	1	2
Boyfriend	100	41	35	1	4	1	54	1	1	1	2
Females	100	66	50	6	9	1	17	7	4	4	3
Wife	100	69	51	6	10	1	15	5	4	4	3
Girlfriend	100	60	47	4	7	1	19	9	3	5	3
All other relatives	100	45	31	5	8	1	18	18	6	8	4
Other known	100	69	56	4	6	3	18	5	4	2	2
Stranger	100	75	64	3	4	3	11	4	5	2	2
Unknown	100	71	58	1	3	9	10	3	5	3	8

*Poison, pushed or thrown, explosives, fire, narcotics, drowning, strangulation, or asphyxiation.
Source: Special analysis of Supplemental Homicide Report, Uniform Crime Reports, FBI, 1992

VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

The Violent Crime Control and Law Enforcement Act of 1994 represents the bi-partisan product of six years of hard work. It is the largest crime bill in the history of the country and will provide for 100,000 new police officers, \$9.7 billion in funding for prisons and \$6.1 billion in funding for prevention programs which were designed with significant input from experienced police officers. The Act also significantly expands the government's ability to deal with problems caused by criminal aliens. The Crime Bill provides \$2.6 billion in additional funding for the FBI, DEA, INS, United States Attorneys, Treasury Department and other Justice Department components, as well as the Federal courts. Some of the most significant provisions of the bill are summarized below:

I. Substantive Criminal Provisions

- o **Assault Weapons** -- Bans the manufacture of 19 military-style assault weapons, assault weapons with specific combat features, "copy-cat" models, and certain high-capacity ammunition magazines of more than ten rounds.
- o **Death Penalty** -- Expands the Federal death penalty to cover about 60 offenses, including terrorist homicides, murder of a Federal law enforcement officer, large-scale drug trafficking, drive-by-shootings resulting in death and carjackings resulting in death.
- o **Domestic Abusers and Firearms** -- Prohibits firearms sales to and possession by persons subject to family violence restraining orders.
- o **Firearms Licensing** -- Strengthens Federal licensing standards for firearms dealers.
- o **Fraud** -- Creates new insurance and telemarketing fraud categories. Expands Federal jurisdiction to cases that do not involve the use of the mail or telephone wire to commit a fraud. Provides special sentencing enhancements for fraud crimes committed against the elderly.
- o **Gang Crimes** -- Provides new and stiffer penalties for violent and drug trafficking crimes committed by gang members.
- o **Immigration** -- Provides for enhanced penalties for alien smuggling, illegal reentry after deportation and other immigration-related crimes. (See Part II).
- o **Juveniles** -- Authorizes adult prosecution of those 13 and older charged with certain serious violent crimes. Prohibits the sale or transfer of a firearm to or possession of certain firearms by juveniles. Triples the maximum penalties for using children to distribute drugs in or near a protected zone, i.e., schools, playgrounds, video arcades and youth centers.
- o **Registration of Sexually Violent Offenders** -- Requires states to enact statutes or regulations which require those determined to be sexually violent predators or who are convicted of sexually violent offenses to register with appropriate state law enforcement agencies for ten years after release from prison. Requires state prison officials to notify appropriate agencies of the release of such individuals. Requires states to criminally punish those who fail to register. States which fail to establish registration systems may have Federal grant money reduced.

- o **Repeat Sex Offenders** -- Doubles the maximum term of imprisonment for repeat sex offenders convicted of Federal sex crimes.
- o **Three Strikes** -- Mandatory life imprisonment without possibility of parole for Federal offenders with three or more convictions for serious violent felonies or drug trafficking crimes.
- o **Victims of Crime** -- Allows victims of Federal violent and sex crimes to speak at the sentencing of their assailants. Strengthens requirements for sex offenders and child molesters to pay restitution to their victims. Improves the Federal Crime Victims' Fund and the victim-related programs it supports.
- o **Other** -- Creates new crimes or enhances penalties for: drive-by-shootings, use of semi-automatic weapons, sex offenses, crimes against the elderly, interstate firearms trafficking, firearms theft and smuggling, arson, hate crimes and interstate domestic violence.

II. **Immigration Initiatives**

The Crime Bill contains specialized enforcement provisions respecting immigration and criminal aliens. Those programs are highlighted here:

- o \$1.2 billion for border control, criminal alien deportations, asylum reform and a criminal alien tracking center.
- o \$1.8 billion to reimburse states for incarceration of illegal criminal aliens. (See SCAAP Grants in Section III).
- o Enhanced penalties for failure to depart the United States after a deportation order or reentry after deportation.
- o Expedited deportation for aliens who are not lawful permanent residents and who are convicted of aggravated felonies.
- o Statutory authority for abused spouses and spouses with abused children to petition for permanent residency or suspension of deportation.

III. **Grant Programs For 1995**

Most of these programs are authorized for six years beginning October 1, 1994. Some are formula grants, awarded to states or localities based on population, crime rate or some other combination of factors. Many are competitive grants. All grants will require an application process and are administered by the Department of Justice unless otherwise noted. As always, all funds for the years 1996-2000 are subject to appropriation by the Congress.

- o **Boot Camps For Young Offenders** -- Competitive grant program for state corrections agencies to build and operate boot camps for non-violent younger offenders with limited criminal histories. \$24.5 million available in 1995. \$300 million available in 1996-2000.

- o **Brady Implementation** -- Competitive grant program for states to upgrade criminal history records keeping so as to permit compliance with the Brady Bill. \$100 million available in 1995. \$100 million available in 1996-2000.
- o **Byrne Grants** -- Formula and competitive grant program for states for use in more than 20 law enforcement purposes, including state and local drug task force efforts. \$450 million available for the formula grant program in 1995. \$550 million available in 1996-2000.
- o **Community Economic Partnership** -- Competitive program administered by the Department of Health and Human Services for lines of credit to community development corporations to stimulate business and employment opportunities for low-income, unemployed and underemployed individuals. \$270 million available.
- o **Community Policing** -- Competitive grant program (COPS Program) to put 100,000 police officers on the streets in community policing programs. \$1.3 billion available in 1995. \$7.5 billion available in 1996-2000.
- o **Community Schools** -- Formula grant program administered by the Department of Health and Human Services for supervised after-school, weekend, and summer programs for at-risk youth. \$37 million available in 1995. \$530 million available in 1996-2000.
- o **Drug Courts** -- Competitive grant program to support state and local drug courts which provide supervision and specialized services to offenders with rehabilitation potential. \$29 million available in 1995. \$971 million available in 1996-2000.
- o **Hotline** - Competitive grant program administered by the Department of Health and Human Services to establish a National Domestic Violence Hotline. \$1 million available in 1995. \$2 million available in 1996-2000.
- o **Ounce of Prevention** -- Provides funding for the Ounce of Prevention Council to coordinate new and existing crime prevention programs. \$1.5 million available in 1995. \$88.5 million available for competitive grants in 1996-2000.
- o **SCAAP Grants** -- Formula grant program to reimburse states for the cost of incarcerating criminal aliens. \$130 million available in 1995. \$1.67 billion available in 1996-2000.
- o **Violence Against Women** -- Formula grant program to support police and prosecutor efforts and victims services in cases involving sexual violence or domestic abuse, and for other programs which strengthen enforcement and provide services to victims in such cases. \$26 million available in 1995. \$774 million for formula grants and over \$200 million for competitive grants available in 1996-2000.

IV. Grant Programs For 1996-2000

All programs available in 1995 are continued. All programs are administered by the Department of Justice unless otherwise noted. Funding for 1996-2000 is, as always, subject to appropriation by the Congress.

- o Battered Women's Shelters -- Competitive grant program administered by the Department of Health and Human Services for battered women's shelters and other domestic violence prevention activities. \$325 million available.
- o Capital Improvements to Prevent Crime in Public Parks -- Competitive grant program administered by the Department of Interior for states and localities for crime prevention programs in national and public parks. \$15 million available.
- o Crime Prevention Block Grants -- \$377 million for a new Local Crime Prevention Block Grant program to be distributed to local governments to be used as local needs dictates. Authorized programs include: anti-gang programs, sports leagues, boys and girls clubs, partnerships (triads) between the elderly and law enforcement, police partnerships for children and youth skills programs.
- o Delinquent and At-Risk-Youth -- Competitive grant program for public or private non-profit organizations to support the development and operation of projects to provide residential services to youth, aged 11 to 19, who have dropped out of school, have come into contact with the juvenile justice system or are at risk of either. \$36 million available.
- o DNA Analysis -- Competitive grant program for states and localities to develop or improve DNA identification capabilities. \$40 million available. An additional \$25 million is available to the FBI for DNA identification programs.
- o Drug Treatment -- \$383 million for prison drug treatment programs, including \$270 million in formula grants for states.
- o Education and Prevention to Reduce Sexual Assaults Against Women -- Competitive grant program administered by the Department of Health and Human Services to fund rape prevention and education programs in the form of educational seminars, hotlines, training programs for professionals and the preparation of informational materials. \$205 million available.
- o Family and Community Endeavor Schools -- Competitive grants program administered by the Department of Education for localities and community organizations to help improve the overall development of at-risk youth living in poor and high-crime communities. This program is for both in-school and after-school activities. \$243 million available.
- o Local Partnership Act -- Formula grant program administered by the Department of Housing and Urban Development for localities to enhance education, provide substance abuse treatment and fund job programs to prevent crimes. \$1.6 billion available.

- o **Model Intensive Grants** -- Competitive grant program for model crime prevention programs targeted at high-crime neighborhoods. Up to 15 cities will be selected. \$625 million available.
- o **Police Corps** -- Competitive funding for the Police Corps (college scholarships for students who agree to serve as police officers), and formula grants to states for scholarships to in-service law enforcement officers. \$100 million available for Police Corps, and \$100 million available for in-service law enforcement scholarships.
- o **Prison Grants** -- Formula grant program to states to build, expand, and operate prisons and alternatives to incarceration such as boot camps to insure that additional prison cells will be available to put - and keep - violent offenders incarcerated. Fifty percent of money to be set aside for those states which adopt truth-in-sentencing laws (violent offenders must serve at least 85% of their sentence) or which meet other conditions. \$7.9 billion available.
- o **Prosecutors** -- Competitive grant program for state and local courts, prosecutors and public defenders. \$150 million available.
- o **Rural Law Enforcement** -- Competitive grant program for rural anti-crime and drug efforts. \$240 million available.
- o **Technical Automation** -- Competitive grant program to support technological improvements for law enforcement agencies and other activities to improve law enforcement training and information systems. \$130 million available.
- o **Urban Recreation For At-Risk-Youth** -- Competitive grant program administered by the Department of Interior for localities to provide recreation facilities and services in areas with high crime rates and to provide such services in other areas to at-risk-youth. \$4.5 million available.

Crime Bill Implementation Update
(September 14, 1994)

1. Overall

- * President & AG meet w/US Atty's today
- * AG and ASG meeting w/key Mayors today
- * Daily updates to Cabinet, Hill, Mayors, Govs., AG's, etc.
- * Congressional staff briefing by 9/23
- * Briefings for all constituency groups by 10/15
- * Surrogate speaker materials finalized by 9/23
- * Articles in key law enforcement and governmental org. publications by 10/15
- * Vice-President announced as Prevention Council Chair
- * Crime bill information 800-number operating (800/421-6770)
- * Implementation computer tracking system up by 9/30

*Release of
Urban Dist. Study*

2. COPS

- * AG swears in new Phoenix cops on 9/16
- * \$200 million in awards first week in October
- * COPS management staff complete by 9/25
- * COPS Director announcement at completion of FBI check (3-4 weeks)
- * COPS hiring grant applications available by 10/31

① Announce 325 cities
1 wk of October
② Rose Garden ceremony
for COPS division

3. Other Grant Programs

- * SCAAP grant guidelines published by 10/1; grants in October
- * Brady/Criminal History Record grant guidelines published by 10/1
- * Prison grant regulations by 10/31 - how admin with it? \$100M available to states
- * Drug Court regulations by 10/31
- * AG Advisory Committee on Violence Against Women in process

*Alien Inmate
\$128 M - maintenance for
US Spain*

4. Immigration Initiatives

- * AG address in LA on 9/17

5. Substantive Criminal Provisions

- * Written guidance provided to all USA's yesterday
- * Develop program for tracking prosecutorial successes by 10/1
- * Special coordination effort between US Atty's and local prosecutors on youth handgun ban - September and October

6. Non-Crime Bill Matters (other crime legislation and initiatives)

*Presidential directive
for info on
the law*

*Not necessary
illegal under
state law
prosecutorial
inference*

*Safe Schools
- Crime gun
- Zero Tolerance*

*Crime Town
working group
Hosley
Ongelt / focus on
substance*

703
695 -6429
John Decker

9:15
9/21

Crime Bill

House version. One weapons; another offense to commit a firearm carried

bill will look like is and Senate negotia-duce a compromise y as mid-May, but it / serious opposition ves if it keeps the ban ns in the Senate bill se provision allowing es to challenge their acial grounds. Mr. ould fight to keep both in the legisla-

, 34 Democrats and opposed the crime ocrats, 65 Republi-ndent favored it. came primarily es who said they f the bill, but voted st the death-row litmus test of sorts ht wing. That group e Republicans who e party's minority tive Newt Gingrich oted "no."

ic opposition was Many were conser-ber were also liber-he bill's additional ns and its stricter them were more bers of the House's argued that the bill ice system that eutes a disproport-black Americans.

Bill ion

to-141 roll-call by A "yes" vote is to ublicans and one ublicans. An "X" y were present at There are two

NORTH CAROLINA
s — Clayton, Y; Helner, ster, Y; Neal, Y; Price, Y; Valentine, Y; Watt, N.
ns — Ballenger, N; Co-llilian, N; Taylor, N.
NORTH DAKOTA
s — Pomero, Y.

— Applegate, Y; Fingerhut, Y; Hall, Y; Mann, Y; Sawyer, Y; Strickland, Y; Trafli-

s — Boehner, N; Gill-Y; Hoke, N; Ka-xiev, N; Portman, N; Regula, Y.

OKLAHOMA
— Brewster, Y; Synar, Y.
s — Inhofe, N; Istook,

— DeFazio, Y; Furse, N; Wulsten, Y.

LEGISLATION

Major Provisions of the Crime Bill

Police

- **SENATE** Authorizes \$9 billion to put 100,000 new police officers on the nation's streets over the next five years.
- **HOUSE** Grants \$3.45 billion for the hiring and training of 50,000 police officers over the next six years. House leaders have said they will accept the Senate figure.
- **PRESIDENT'S POSITION** Supports Senate provision.

Guns

- **SENATE** Bans the manufacture, sale and possession of 19 semiautomatic assault weapons and clips that feed more than 10 rounds of ammunition. Specifically exempts more than 650 hunting weapons, in addition to assault weapons that have already been manufactured. Also prohibits the sale or transfer of guns to minors.
- **HOUSE** No provision on assault weapons. House is expected to consider a separate assault-weapons bill after a crime bill has passed. Has a provision banning sale or transfer of guns to minors similar to Senate's.
- **PRESIDENT'S POSITION** Supports the Senate provision on assault weapons; supports provision on sale of guns to minors.

Prisons

- **SENATE** Authorizes \$3 billion for construction of regional high-security prisons over five years. To take advantage of the program, states would have to adopt "truth in sentencing" guidelines, insuring that violent felons serve at least 85 percent of their sentences. Authorizes another \$3 billion for boot camps for young offenders and other innovative correctional programs.
- **HOUSE** Authorizes \$13.5 billion over the next five years for construction of prisons for violent repeat offenders and \$600 million over three years for states to develop alternative correctional programs. Includes more flexible "truth in sentencing" guidelines.
- **PRESIDENT'S POSITION** Supports House version of "truth in sentencing" but an amount of money closer to the Senate's.

Three-Time Felons

- **SENATE** Mandatory life sentences for people convicted of a third violent felony. The first two crimes could be violent Federal or state felonies.

The third one must be a Federal crime that either involves a violent offense or a major drug trafficking crime. For the first two strikes a violent offense includes one punishable by at least a maximum term of five years.

- **HOUSE** Mandatory life sentences for people convicted of a third serious violent felony. The first two offenses can be state or Federal violent crimes or a major drug offense. The third has to be a violent Federal offense or a major drug offense. Establishes a two-category structure for determining which crimes qualify as a strike.

- **PRESIDENT'S POSITION** Supports the "three strikes" concept but opposes permitting drug offenses to be counted as a strike.

Capital Punishment

- **SENATE** Expands the Federal death penalty to cover 52 offenses.
- **HOUSE** Expands the Federal death penalty to cover the same offenses but enumerates them differently. The House version also contains a provision that lets future death-row prisoners use statistical evidence of racial bias in past executions to prove in court that their own death sentences were motivated by discrimination.
- **PRESIDENT'S POSITION** Supports the expansion of death penalty.

Crime Prevention

- **SENATE** Authorizes \$3.759 for crime prevention programs like grants to combat violence against women and \$4.26 billion for rehabilitation programs including drug treatment in prison.
- **HOUSE** Authorizes \$6.7 billion for direct aid to community programs intended to prevent crime and \$2.45 billion for rehabilitation programs.
- **PRESIDENT'S POSITION** Supports the greater funding for crime prevention found in the House.

First-Time Offenders

- **SENATE** Allows judges to drop mandatory penalties for first-time, nonviolent drug offenders.
- **HOUSE** Exempts a slightly broader group of offenders from mandatory penalties, but provides that such offenders must be sentenced to at least two years.
- **PRESIDENT'S POSITION** Supports either provision.

MONICA BORKOWSKI



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

CRIME-
~~PROVISIONS~~
PROVISIONS IN
BILL

D R A F T

**Violent Crime Control and Law Enforcement Act of 1993
H.R. 3355**

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C L O S E H O L D

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Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title I - Public Safety and Policing							
Community Policing Grants		SUPPORT	1,035	1,720	2,070	2,270	1,900
Ounce of Prevention Fund			75	--	--	--	--
Title II - Death Penalty							
Death Penalty Procedures - 25 Aggravating Factors							
Death Penalty Procedures - 8 Mitigating Factors							
Include Intent To Kill and Reckless Disregard For Life							
Protection Due To Diminished Capacity, Pregnancy, or Under 18 Years							
27 Specific Offenses							
Title III - Firearms							
Licensees Required To Be Photographed & Fingerprinted		SUPPORT					
Requires Reporting of Theft of Firearms By Licensees							
Requires Notification of Names & Addresses of Licensees							
Title IV - Gun Crime Penalties							
Mandatory Minimums			TREASURY: Secs 401, 402, & 412 -- Prefers Prior Enacted Penalties Rather Than Changing Sentencing Guidelines				
Use of a Semi-Automatic Firearm During a Crime	Enhanced						
Second Offense Using An Explosive To Commit A Felony	Enhanced						
Smuggling Firearms in Aid of Drug Trafficking	10 Year Maximum						
Theft of Firearms and Explosives	10 Year Maximum						
Drug or Firearm Possession and Drug Testing Refusal	Parole/Probation Revocation						
Making False Statements To Acquire a Firearm	Added						
Possession of Explosives By Felons	Added						
Using A Firearm in Counterfeiting or Forgery	Enhanced						
Firearms Possession By Violent Felons & Serious Drug Offenders	Enhanced						
Receipt of Firearms by Nonresident	Added						
Firearms and Explosives Conspiracy							
Conspiracy Any Weapon	20 Year Maximum						
Conspiracy Silenced Machinegun	Life Maximum						
Conspiracy Explosives	20 Year Maximum						
Requires Study of Incendiary Ammunition			TREASURY: Sec 416 -- Study of Incendiary Ammunition Unnecessary				
Theft of Firearms From Licensee	10 Year Maximum						
Interstate Gun Trafficking	10 Year Maximum						

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title V - Obstruction of Justice							
Attempted Murder of Court Officer or Witness	20 Year Maximum						
Attempted Retaliatory Killings of Witnesses, Victims, and Informants	20 Year Maximum						
Title VI - Gangs, Juveniles, Drugs, and Prosecutors							
		FIX					
Creates Criminal Street Gang Offenses			TREASURY: Sec. 611 -- Provision Is Silent On Jurisdiction - Thus Would Give FBI Exclusive Investigative Jurisdiction Over Firearms Violations Committed By Gangs				
Employing Children To Distribute Drugs	Triple Sentence		HHS: Concerns With Overlapping Treatment Grant Authorities				
Gang Activity [Drug, Violence, or Conspiracy]	10 Year Maximum						
Violent Juvenile Bindover [16 & 17 Year Olds]	Bindover As Adults						
Violent Juvenile Offenders Prosecuted As Adults							
Prohibits Transfer of a Handgun To a Juvenile	10 Year Maximum						
Gang Prosecution - Additional U.S. Attorneys		USA	20	20	20	20	20
Gang Investigation, Coordination, & Information Collection		FBI	1	---	---	---	---
Juvenile Drug Trafficking and Gang Prevention Grants (Formula)			100	88	---	---	---
Eliminates Part D Gang Grants (Discretionary)							
Youth Development Centers Grants To Study Youth Crime			---	25	25	---	---
Title VII - Terrorism							
		SUPPORT					
Threat To Safety - Maritime Platform	5 Year Maximum						
Threatened Use of Weapon of Mass Destruction	10 Year Maximum						
Violence Against Civil Aviation	20 Year Maximum						
Counterfeiting of U.S. Currency Abroad	15 Year Maximum						
Any Act Promoting Terrorism	Enhanced						
Providing Material Support To Terrorists	10 Year Maximum						
Title VIII - Sexual Violence and Abuse of Children, Elderly, and Disabled							
Establishes National Criminal Background Check System For Caregivers							
Establishes Criteria For Access To System							
Defines "Child Abuse" and "Sex Crime" and Others							
Requires OJJDP To Study Information on Abuse Offenders							
Grants To Improve Child Abuse Crime Information (Records Upgrade)			---	40	---	---	---
Reduces By 10% Amount of Federal Grants To States Not Complying							
Admissibility of Evidence of Similar Crimes In Sex Offense Cases							
Requires Reporting of Location of Violent Sexual Offenders							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title IX - Crime Victims							
Allows Victim or Relative of Victim To Make Statement in Court							
Mandate Restitution Regardless of Financial Circumstances of Offender							
Changes Allocation of Crime Victims Fund							
Allows Grants For Pilot Crime Prevention Programs for Senior Citizens							
Triad Pilot Program			---	2	2	2	2
Nat'l Training			---	1	1	1	1
Public Service Announcements			---	1	1	1	1
Nat'l Assessment and Training Assistance			---	2	2	2	2
Title X -- State and Local Enforcement			SUPPORT				
Established Drug Control and System Improvement Grant Program							
DNA Identification State & Local Grants			5	5	5	5	5
DNA Identification Index - FBI		FBI	4.5	4.5	4.5	4.5	4.5
Community Partnerships - Substance Abuse Prevention			---	15	20	25	---
Racial/Ethnic Bias Study Grants			---	2	2	2	2
Training & Tech. Automation Grants			100	---	---	---	---
Training Facility Improvements at Quantico		FBI	40	---	---	---	---
Intelligence Gathering		FBI	10	---	---	---	---
Title XI -- Provisions Relating To Police Officers			FIX				
Establishes a Family Support Office Within DOJ							
Establishes Grant Program To Assist States			---	5	5	5	5
Establishes Cause of Action for Unlawful Conduct of Police Officers							
Requires Annual AG Report on Data On Use of Excessive Force							
Establishes Police Corps Program (Including Payments To States)			---	100	250	88	88
Law Enforcement Scholarship Program			---	30	30	30	30
OMB: Sec 1131 -- Opposes Additional Payments To States Employing PC Officers							
Title XII - Drug Court Program			SUPPORT				
Limits Participation To Non Violent Offenders							
Establishes Grant Program To Provide Drug Testing Upon Arrest			---	100	100	100	---
Provides Funding For Grants For Alternative Punishments [Boot Camps]			---	200	200	200	---
Residential Substance Abuse Treatment for Prisoners			---	100	100	100	---
Title XIII -- Prisons			FIX				
Establishes Program of Impact Assessment							
Provides Funds To Test Federal Prisoners			88	88	88	88	88
Requires Drug Treatment for 50% of Federal Prisoners in 1995							
75 % in 1996, and 100% Thereafter			---	88	88	88	88

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations					
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	
Title XIII (Con't)								
Provides Authority For US Sentencing Commission To Set Fines								
Using Consideration of Cost To Government of Incarceration and Treatment								
Provides Grants For Boot Camps & Prisons For Violent Offenders								
Authorizes Use Of Closed Military Facilities For Camps								
Restricts Usage for Construction of Treatment Facilities To One Third								
Requires NU Study Housing Prisoners Close To Their Families								
Requires NU Study of Alcohol Use and Treatment								
Requires BOP To Notify S&L Law Enforcement of Release Information								
Establishes Grants For Community Based Violent Juvenile Facilities								
Provides For Construction of No Less Than 10 Regional Prisons								
Prison Capacity @ 2500 Beds With 75% Allotted To State Prisoners								
			==	3,000	--	--	--	--
			Two prison initiatives are redundant [Boot Camp/Prisons - Democrat Proposal Regional Prison Proposal Is Republican]					
			Need To Convert Regional Prison Funding To Grants-In-Aid For States Rather Than Federal Dollars and FTE. Creates Major Burden To FTE Ceilings.					
			100	100	100	100	100	
			==	600	600	600	600	600
Violent Crime Reduction Trust Fund								
			FIX					
Sense of Congress That Measures Must Be Fully Funded								
Establishes Levels of Full Time Equivalent Employees								
Creates The VCRTF By Transferring Funds At Start of Each Fiscal Year								
Provides For Appropriations From The Fund @ Specified Amounts								
Requires Report By President of Status of The Fund								
Requires Listing of The VCRTF In Budget Among Government Trust Funds								
			FY 1994 BA & OL Need To Be Deleted -- Budget Authority Cannot Be Spent FY 1995 OL Need To Be Reduced To Accomodate Spendout of BA For Priority Insure Pre-Crime Bill Provisions Are Not Excluded [e.g., Brady Bill]					
			BA	720	2,423	4,267	6,313	8,545
			OL	314	2,330	4,184	6,221	8,443
Title XIV - Rural Crime								
			50	50	50	50	50	
Authorizes Grants For Rural Drug Enforcement								
Creates Rural Drug Enforcement Task Forces								
Provides For Cross Designation of Federal Officers								
Provides Funds For Rural Drug Enforcement Training								
Provides Funds For Hiring More DEA Agents								
			DEA	1	1	1	1	1
			20	20	20	20	20	
Drug Free Truck Stops		Enhanced	--	10	10	10	--	
Provides Grants For Rural Domestic Violence & Child Abuse Enforcement								
Title XV - Drug Control								
			SUPPORT					
Drug Trafficking In Prison		Enhanced						
Drug Dealing in Public Housing		Enhanced						
Anabolic Steroids		5 Year Maximum						
Drug Dealing in Drug-Free Zones		Level 20 Minimum						
Drug Use in Federal Prison		Enhanced						
Requires Inclusion of Drug Treatment In National Strategy								
Title XVI -- Drunk Driving Provisions								
Increases Penalties Under Certain Conditions		Enhanced Minimum						

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XVII -- Commissions		FIX	OMB: Pursue Combining Commission Into Single Entity Consistent With EO				
Establishes National Commission on Crime and Violence			SS	SS	SS	SS	SS
Establishes National Commission To Study Demand Causes For Drugs							
Establishes National Commission To Support Law Enforcement							
Establishes National Commission On Violence In Schools		DEd	SS	SS	SS	SS	SS
Calls For President To Convene A National Summit On Violence							
Title XVIII -- Bail Posting Reporting							
Requires Report of Bails Above \$10K To IRS							
Title XIX -- Motor Vehicle Theft Prevention							
Require The Attorney General To Develop Voluntary Prevention Program							
Establishes Decal System To Allow Cars To Be Stopped			SS	SS	SS	SS	SS
Establishes Crime of Unlawful Use of Theft Decal	Fine						
Title XX -- Protections For The Elderly							
Missing Alzheimer's Disease Patient Alert Program			---	1	1	1	---
Sentencing Guideline For Crimes Against Elderly	Enhanced						
Title XXI - Consumer Protection							
Insurance Crime Affecting Interstate Commerce	10 Year Maximum						
Credit Card Fraud - Access Devices							
Title XXII - Financial Institution Fraud							
Financial Institution Fraud	5 Year Maximum/\$1M Fine						
Title XXIII -- Savings and Loan Prosecution Task Force							
Require AG To Establish Task Force							
Title XXIV - Sentencing Provisions		FIX					
Revocation of Supervised Release							
Flexibility in Application of Mandatory Minimum Sentences							
Mandatory Prison For Firearms Use In A Crime							
Death or Life In Prison For Murder Involving A Firearm	Mandatory Minimum						

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Mandatory Minimum For Selling Drugs To Minors							
Life In Prison For 3rd Offense		Life Imprisonment					
Enhanced Sentences For Hate Crimes		Enhanced					
Sentencing Commission Study							
Title XXV -- Sentencing and Magistrate Amendments		SUPPORT					
Authorizes Trial By Magistrate For Petty Offenses							
Title XXVI -- Computer Crime							
Creates Computer Abuse Crimes		Maximum 1 Year					
Creates Cause of Civil Action							
Title XXVII - International Parental Kidnapping		FIX					
Creates Offense of International Parental Kidnapping		OMB: Replicates Enacted Statute (H.R. 3378)					
Establishes Training Program for State Courts	3 Year Maximum		0.25	---	---	---	---
Title XXVIII -- Safe Schools		FIX					
Establishes BJA Grants To States For Safe Schools Programs		DoED: Replicates Currently Enacted Program; Grants Administered By DoED	100	100	100	---	---
Provides Funds To State To Coordinate Statewide Efforts		G-DEd	---	10	10	---	---
		OMB:					
Title XXIX - Miscellaneous		FIX					
Increased Penalties							
Assault On Certain Protected Persons		Increased Fines					
Manslaughter		From 3 Yrs to 6 Yrs Max					
Civil Rights Violations		Various Increases					
Murder For Hire							
Conspiracy To Commit Murder For Hire							
Travel Act Violations							
Fair Housing Act Violations		Various Increases					
Damage To Religious Property							
Trafficking in Counterfeit Goods		From 5 Yrs to 10 Yrs Max					
White Collar Crime							
Receiving Proceeds of Extortion		3 Year Maximum					
Receiving Proceeds of Postal Robbery		10 Year Maximum					
Theft of Major Artwork		10 Year Maximum					
Extention of Protection of Civil Rights Statutes							
Conspiracy Against Rights							
Deprivation Under Color of Law							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Audit Requirement For S&L Receiving Forfeiture Funds							
Requires Report To Congress On Administrative & Contracting Costs							
Gambling							
Undercover Operations - Churning							
AG Report on Battered Women's Syndrome							
Balance in the Criminal Justice System - SoC Regarding Add'l Judgeships							
Extension of Statute of Limitations For Arson							
Gun Free School Zones - SoC							
Title XXX - Technical Corrections							
Title XXXI -- Driver's Privacy Protection Act							
Prohibits The Release of Personal Information From DMV Records							
Defines Scope of Personal Information							
Title XXXII -- Violence Against Women; Safe Streets							
Enhanced Penalties For Repeat Sex Offenders	Enhanced						
Sentencing Commission Review and Report on Guidelines							
Mandates Restitution For Sex Crimes							
Provides For Federal Victims/Witness Counselors			1.5	---	---	---	---
Establishes Grant Program For High Intensity Crime Areas			100	100	100	---	---
Establishes Grant Program To Combat Crimes Against Women			190	190	190	---	---
Grants To Indian Tribes			10	10	10	---	---
Grants For Capital Improvement in Public Transportation		G-DOT	10	---	---	---	---
Grants For Capital Improvements To National Parks		G-INT	10	---	---	---	---
Grants For Capital Improvements in Public Parks		G-INT	15	---	---	---	---
National Commission on Violence Against Women			0.5	---	---	---	---
Allows Sexual History To Be Used In Civil Cases							
Amendments To Rape Shield Law							
Waiverability of Evidence By Victims							
Victim's Clothing Not Admissable For Defense							
Establishes Education and Prevention To Reduce Sexual Assaults		G-HHS	65	65	65	---	---
Requires States To Pay For Rape Examinations							
Establishes Grants To Prevent Sexual Exploitation		G-HHS	10	10	10	---	---
Establishes Victim's Right To Allocution in Sentencing							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XXXIII -- Safe Homes For Women							
Establishes Grants For National Domestic Violence Hotline		G-HHS	0.5	0.5	0.5	---	---
Interstate Enforcement - Traveling To Commit Spousal Abuse	Maximum 20 Years						
Interstate Violation of Protection Orders	Maximum 20 Years						
Establishes Restitution Mechanism							
Establishes Grants To Improve Spousal Abuse Law Enforcement		G-HHS	25	25	25	25	25
Establishes Grants For Domestic Violence and Family Support		G-HHS	100	100	100	---	---
Establishes Family Violence Prevention Grants		G-HHS	85	100	125	---	---
Establishes Youth Education Programs		HHS	0.4	---	---	---	---
Domestic Violence Injury Study		HHS	0.1	---	---	---	---
NIJ Research Into Domestic Violence		NIJ	88	88	88	88	88
Title XXXIV -- Civil Rights			SUPPORT				
Sense of Congress Regarding Gender Discrimination							
Sense of Senate Regarding Right To Privacy of Rape Victims							
Title XXXV -- Safe Campuses For Women							
Authorization For Campus Programs		G-DEd	20	88	88	88	---
Title XXXVI -- Equal Justice For Women In Courts							
Established Grants To Train Court Personnel			0.6	---	---	---	---
Establish Courts Clearinghouse & Education Programs							
Courts of Appeals, District Courts		Judiciary	0.4	---	---	---	---
Federal Judicial Center		Judiciary	0.1	---	---	---	---
Administrative Office of Courts		Judiciary	88	---	---	---	---
Title XXXVII -- Violence Against Women Act Improvement							
Increases Penalties For Sex Offenses Against Victims Under 16							
Requires Payment For Cost of HIV Testing		DOJ	88	88	88	88	88
Extends and Strengthens Restitution Provisions							
Provides For Suspension of Federal Benefit To Support Restitution Claims							
Makes Inadmissible Provocation or Invitation By Victim							
Requires Campus Baseline Study on Campus Sexual Assault		DOJ	0.2				
Requires AG Report On Battered Women's Syndrome							
Requires Report on Confidentiality of Addresses For Victims							
Requires AG Report on Recordkeeping Relating To Domestic Violence							
Requires AG Report on Fair Treatment in Legal Proceedings							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Requires Judicial Conference Report on Federal Rule of Evidence							
Establishes Supplemental Grants For States For Effective Laws [Up to \$1M]			88	88	88	88	88
Title XXXVIII -- Enhanced Penalties For Anti-Fraud Efforts							
Health Care Fraud	Maximum 10 Years						
Provides For Forfeiture of Property For Health Care Fraud							
Adds Health Care Fraud To List of RICO Offenses							
Adds False Claims To List of Offenses Covered Under Fraud							
Title XXXIX -- Senior Citizens Against Marketing Scams							
Enhanced Penalties For Telemarketing Fraud	Added 5 Years						
Enhanced Penalties For Telemarketing Fraud Against Seniors	Added 10 Years						
Provides For Forfeiture of Fraud Proceeds							
Establishes A System of Rewards For Information							
Additional Funding To Support Fraud Investigations							
Federal Bureau of Investigation		FBI	10	---	---	---	---
Adds 30 New U.S. Attorneys		USA	3.5	---	---	---	---
Senior Citizen Awareness Seminars		OJP	10	---	---	---	---
Broadens Mail Fraud Coverage To Include Cash Access Devices							
Requires AG To Establish A National Fraud Hotline							
Title XL -- Child Safety							
Establishes Grant For Supervised Visitation Centers		G-HHS	15	20	25	---	---
20% of Grants To Be Earmarked For Abused Children							
Title XLI -- Family Unity Demonstration Project							
Establishes "Community Correctional Facilities" Grants		G-BOP	---	8	8	8	8
Allow Up To 50 Inmates To Be Housed With Children Under Age 7							
Up To 10% of Funds May Be Used For Violators of Federal Law							
Title XLII -- Domestic Violence							
Prohibition Against Sale or Transfer of A Weapon To Persons							
Who Have Committed Domestic Violence							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XLIII --- Missing and Exploited Children							
Establishes A Missing Children Task Force							
Task Force Empowered To Enforce Federal Law Related To Child Abduction							
Title XLIV -- Public Corruption							
Provides For Public Corruption Offenses	Maximum 10 Years + Fine						
Provides For Narcotics-Related Public Corruption	Class B Felony						
Title XLV -- Semiautomatic Assault Weapons			FIX	OMB: Strong Public Presidential Support			
Bans The Manufacture, Transfer, and Possession of Semi Automatic Firearms				TREASURY: Sec 4506 -- Records Requirements Meaningless and Should Be Dropped			
Establishes Record Keeping Requirement and Restrictions							
Exempts Weapons Owned Prior To Effective Date of Law							
Exempts Semi-Automatic Shotguns Holding Five Rounds or Less							
Bans Large Capacity Ammunition Feeding Devices							
Defines Large as 10 Rounds							
Requires AG Study Of Impact of Title To Drug Trafficking Crime							
Requires Large Capacity Magazine Manufactured After Enactment To Be Dated							
Provision Expires 10 Years After Enactment							
Title XLVI -- Recreational Hunting Safety							
Creates An Offense of Obstructing A Lawful Hunt	Up To \$5,000 Fine						
Obstruction of Hunt Involving Force or Violence	Up To \$10,000 Fine						
Authorizes Collection of Damages and Attorney's Fees							
Provides For Non Preempting of State and Local Law							
Title XLVII -- Correctional Job Training and Placement							
Provides For Establishing An Office of Correctional Job Tng and Placement							
Office To Enhance Job Placement Activities and Information Sharing							
Title XLVIII -- Police Partnerships For Children							
Establishes Grant Program To Support Activities For Children			20	88	88	88	88
Provides For Reducing Federal Share From 80% to 60% Over 3 Years							
Limits Mentoring and Conflict Resolution Portion To 10%							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XLIX -- National Community Economic Partnership		FIX	OMB: Duplicative of "Empowerment Zones" Need To Work To Make It Consistent With Administration Initiatives				
Establishes Lines of Credit To Community Development Corps							
Limits Lines To \$2M Per Applicant							
Establishes Community Development Corp Improvement Grants							
Requires 60% Use For Lines of Credit							
		G-HHS	40	85	85	---	---
		DoC: Objects To HHS Management of Grants -- EDA Has Function Currently					
Title L -- Deportation of Criminal Aliens		SUPPORT					
Expands Definition of Aggravated Felony To Include Drug Trafficking & Other Offenses							
Eliminates Administrative Hearings For Criminal Aliens							
Provides For Assumption of Deportability Of Aliens Convicted of Agg. Felony							
Provides For Jurisdiction of District Court Over Deportation							
Restricts Defenses To Deportation							
Provides For Enhanced Penalties For Failure To Depart	Adds 4 to 10 Years						
Establishes Criminal Alien Tracking Centers		INS	5	2	2	2	2
Title LI -- General Provisions							
Provides For BOP Discretion Regarding Awarding of "Good Time"							
Prohibits Payment of Federal Benefits To Illegal Aliens							
Creates A Task Force Addressing Introduction of Non Indiginous Plants							
Establishes A Task Force on Prison Construction and Techniques							
Requires Report on Royal Hong Kong Police Recruitment							
Prohibits Interstate Wagering Mechanisms							
Alien Terrorist Removal							
Establishes Special Court and Procedures							
Requires Mandatory Life For 3rd Violent Felony	Life Imprisonment						
Requires Assessment of Prison Contruction Methods							
Resticts Payments of Benefits To Persons Confined To Mental Institutions							
Driving While Intoxicated Programs							
Provides For Civil Penalties For Parents of Juvenile Offenders							
Mandatory Minimum Fine	Minimum \$100						
Provides For Community Service or Parenting Class In Lieu							
Provides For Protection of Recipients of Counterterrorism Rewards							
Established Violent Crime and Drug Emergency Areas Program							
Eligibility For Federal Assistance							
AG Required To Establish Regulations To Implement Program							
State and Local Cooperation With Immigration Service							
AG Report On Adverse S&L Laws							
Denial Of Federal Funds For Refusing To Cooperate With INS							
Department of Education Organization Act Amendments							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Prevention, Diagnosis, Treatment of Tuberculosis In Prisons							
AG To Develop Guidelines							
Establishes Grants To State & Local Corrections Authorities			20	—	—	—	—
Federal Share of Grants Shall Not Exceed 50%							
Community Program On Domestic Violence							
Establishes Demonstration Grants			—	20	88	88	88
Adds "Disabilities" To Hate Crime Statistics Act							
Penalties For Document Fraud	Increased Fines						
Directs AG Study of Model Anti-Loitering Laws							
Victims of Child Abuse							
Court Appointed Special Advocates			—	7	10	10	10
Child Abuse Training For Judicial Officials			—	7	10	10	10
Grants For Televised Testimony			—	3.5	5	5	5
Special Treatment of Indian Tribes and DC For Grant Matching							
SSA Agreement To Assist In Locating Parents							
Adds Solicitation of a Minor To Commit A Crime	Enhanced Penalties						
SoC on Asylum							
Increased Funding For Federal Judicial Processing							
Federal Judiciary		Judicial	20	70	70	70	70
Department of Justice		DOJ	25	125	150	150	150
Federal Bureau of Investigation		FBI	20	50	60	60	60
United States Attorneys		USA	10	35	35	35	35
Funds Used In Indian Country Need Not Be Matched							
Statute of Limitations On RTC Prosecutions Extended							
Prohibits Awards of Pell Grants To Prisoners							
Transfer of Certain Aliens Criminals To Federal Facilities							
Provides For Compensation To Be Paid To States For Costs of Incarceration							
Grants To State Courts To Ease Burden of Act			100	100	100	100	100
Requires FBI Report On How To Accelerated Automated Fingerprint ID							
Appropriate Remedies For Prison Overcrowding							
Prisoner Must Prove Crowding Is Cruel or Unusual Punishment							
Prohibits Courts From Placing Capacity Ceilings On Prisons							
Establishes Community Programs On Domestic Violence							
Grants To States		G-HHS	—	20	88	88	88
Child Centered Activities							
Establishes School Youth Services Grants		G-HHS	100	100	100	100	100
Grants Eligible For Disbursement To Community Based Organizations							
Establishes Olympic Youth Development Centers		G-HHS	50	25	25	25	25
Makes Federal Land and Wilderness Available To Youth Programs							

OMB: Enacted In RTC Bill (H.R. 5714)

DoED/DOJ: Object To Provision

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Bankruptcy Fraud							
Concealment of Assets	Maximum 5 Years, \$5,000 Fine						
Embezzlement Against An Estate	Maximum 5 Years, \$5,000 Fine						
Adverse Interest and Conduct							
Handguns In Schools							
Provides For Award of Up To 25 % More In Grant Funds Incentives							
Driver's License Revocation For Gun In School							
Sense of Senate Regarding Study of Out-Of-Wedlock Births							
Congressional Approval For Expansion of Lorton Prison							
National Narcotics Leadership Act							
Extends "Sunset" of ONDCP to September 30, 1993							
Authorizes Staff At 75. Subjecto To Appropriations							
Extension of Full Time Status of Member of U.S. Sentencing Commission							
Sense of Senate That Able Bodied Prisoners Should Work							
First Time Violent Offender Rehabilitation Program							
Asset Forfeiture							
Allows For Payment of Property Taxes On Seized Property							
Clarification of Definition of "Court of United States"							
Permits Cooperative Extradition of Criminals To U.S.							
Provides Funds For Expedited Deportation of Denied Asylum Applicants		INS	88	88	88	88	88
Provides For Improved Border Controls Through Increase INS Funding		INS	88	88	88	88	88
Expands Special Deportations Proceedings							
Provides Funds For Construction of INS Service Processing Centers		INS	---	---	88	---	---
Assistant U.S. Attorneys Shall Reside Within 50 Miles of District							
Additional Funding For Department of Treasury							
Create 50 Gang Resistance Education and Training Projects [GREAT]		ATF	88	88	88	88	88
Adds 200 BATF Agents		ATF	30	30	30	30	30
Provides Funding For More U.S. Secret Service Agents		USSS	6	6	6	6	6
Sense of Congress That Law Enforcement Personnel Should Not Be Reduced							
Requires AG Review of Prison Capacity and Standards							
Requires AG and Secretary HHS Consultation on Coordination of							
Treatment and Prevention Programs							
Authorizes Juvenile Anti-Drug and Anti-Gang Grants in Federal Housing							
Total Authorizations			6,391	4,494	4,991	4,186	3,380

SENATE CRIME BILL FUNDING
(\$ In Millions)

		FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Bill Authorizations:	BA	6,365	4,733	5,231	4,384	3,292	72	24,077
Violent Crime Reduction Trust Fund								
	BA	720	2,423	4,287	6,313	8,545	---	22,288
	OL	314	2,330	4,184	6,221	8,443	---	21,492
Crime Bill Initiatives Funded Within DOJ Budget								
Community Policing	BA	---	1,720	2,072	2,270	1,900	---	7,962
[100,000 Cops]	OL	---	378	1,057	1,878	2,085	1,631	7,029
Criminal Records Upgrade	BA	---	100	100	---	---	---	200
[Brady Bill]	OL	---	22	57	73	43	5	200
All Other	BA	---	603	2,115	4,043	6,645	---	
[Includes Immigration Reform, Drug Courts, Police Corps, Boot Camps, & Others]	OL	---	368	n/a	n/a	n/a	n/a	
Total Budget	BA	---	2,423	4,287	6,313	8,545	0	21,568
	OL	---	768	n/a	n/a	n/a	n/a	n/a

Funding Issues For Conference

- o Authorizations in the Crime Bill are significantly greater than amounts provided for within the Trust Fund; Presidential priorities should be the principal consideration when allocating among competing initiatives.
- o FY 1994 Trust Fund allocations are unworkable and should be eliminated.
- o Trust Fund "Outlay Caps" should reflect actual outlays associated with planned spending.
- o Changes need to be enacted which reduce pressures for outyear growth [e.g., mandatory minimums].
- o Crime bill initiatives call for increases to Federal FTE's which are inconsistent with Executive Order order to reduce Federal FTE's.
- o Technical changes need to be made to ensure Brady provision is covered by Trust Fund.

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Authorizations Summary							
Public Safety and Policing	1,035	1,720	2,072	2,270	1,900	--	8,997
Haheas Corpus Reform	--	50	50	50	--	--	150
Youth Violence - Juvenile Anti-Gang Grants	0	100	100	0	0	0	200
Sexual Violence and Child Abuse	0	60	60	60	0	0	180
State & Local Law Enforcement	5	27	32	37	12	12	122
Police Officer Provisions	0	135	135	135	35	35	475
Drug Court Programs	0	400	400	400	0	0	1,200
Prisons	3,720	708	708	708	708	0	6,552
Rural Crime	0	51	51	51	0	0	153
Protection For The Elderly	--	1	1	1	--	--	3
Parental Kidnapping	0	0	0	0	0	0	2
Safe Schools	100	100	100	--	--	--	300
Safe Streets For Women	377	375	375	0	0	0	1,127
Safe Homes For Women	88	88	88	88	88	88	0
Violence Against Women Act Improvements	88	88	88	88	88	88	0
Rural Domestic Violence	--	10	10	10	--	--	30
Law Enforcement	200	50	50	50	50	0	400
Gang Violence	121	20	20	20	20	0	201
Additional Justice Funding	55	210	245	245	245	0	1,000
Total DOJ Authorizations	5,613	4,017	4,409	4,037	2,970	47	21,092
 Violent Crime Reduction Trust Fund							
BA	720	2,423	4,287	6,313	8,545	--	22,288
OL	314	2,330	4,184	6,221	8,443	--	21,492

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

		FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Authorizations Summary								
Office of Justice Programs - Grants								
	Discretionary Grants	4,670	2,816	3,173	3,066	2,070	12	15,809
	Formula Grants	190	365	365	100	30	30	1,080
	Sub-Total Grants	4,860	3,181	3,538	3,166	2,100	42	16,889
Federal Programs								
	Bureau of Prisons (Regional Prisons)	620	600	600	600	600	0	3,020
	Federal Bureau of Investigation	65	55	65	65	65	5	317
	US Attorneys	30	55	55	55	55	0	250
	Other Justice	38	126	151	151	150	0	616
	Sub-Total Federal Programs	753	836	871	871	870	5	4,203
Total Justice Authorizations In Bill		5,613	4,017	4,409	4,037	2,970	47	21,092
Non Justice Authorizations								
	Judiciary	21	88	95	95	95	---	394
	All Other	416	321	326	25	25	---	1,112
Total Authorizations To Date		6,050	4,425	4,829	4,157	3,090	72	22,622
Violent Crime Reduction Trust Fund								
	BA	720	2,423	4,287	6,313	8,545	---	22,288
	OL	314	2,330	4,184	6,221	8,443	---	21,492

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Detail of Authorizations							
Public Safety and Policing							
Cops on the Beat	1,035.0	1,720.0	2,072.0	2,270.0	1,900.0	---	8,997.0
Habeas Corpus Reform							
Counsel in Capital Cases (State Court)	---	50.0	50.0	50.0	---	---	150.0
Youth Violence - Juvenile Anti-Gang Grants							
Formula Grants	---	75.0	75.0	---	---	---	150.0
Discretionary Grants	---	20.0	20.0	---	---	---	40.0
Special Discretionary Grants	---	5.0	5.0	---	---	---	10.0
Sexual Violence and Child Abuse							
Child Abuse Crime Information Imp.	---	20.0	20.0	20.0	---	---	60.0
Mental Health Screening	ss	ss	ss	ss	ss	ss	0.0
Protection of Children & Elderly	---	40.0	40.0	40.0	---	---	120.0
State & Local Law Enforcement							
DNA Identification - State & Local Grants	---	5.0	5.0	5.0	5.0	5.0	25.0
DNA Identification - FBI	4.5	4.5	4.5	4.5	4.5	4.5	27.0
Community Substance Abuse Prevention	---	15.0	20.0	25.0	---	---	60.0
Racial & Ethnic Bias Study Grants	---	2.0	2.0	2.0	2.0	2.0	10.0
Police Officer Provisions							
Law Enforcement Family Support	---	5.0	5.0	5.0	5.0	5.0	25.0
Police Corps	---	100.0	100.0	100.0	---	---	300.0
Law Enforcement Scholarship Program	---	30.0	30.0	30.0	30.0	30.0	150.0
Drug Court Programs							
Drug Testing of Arrestees	---	100.0	100.0	100.0	---	---	300.0
Certainty of Punishment Youthful Offenders	---	200.0	200.0	200.0	---	---	600.0
Residential Subst. Abuse Treatment For Prisoners	---	100.0	100.0	100.0	---	---	300.0

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Prisons							
Federal Prisoner Drug Testing	SS	SS	SS	SS	SS	---	
Federal Prisoner Drug Treatment	SS	SS	SS	SS	SS	---	
Regional Prisons For Violent Criminals	600.0	600.0	600.0	600.0	600.0	---	3,000.0
Boot Camps & State Prisons	3,000.0	---	---	---	---	---	3,000.0
Community Based Violent Juvenile Facilities	100.0	100.0	100.0	100.0	100.0	---	500.0
TB Protection & Treatment in Correctional Inst.	20.0	SS	SS	SS	SS	---	20.0
Family Unity Demonstration Grants	---	8.0	8.0	8.0	8.0	---	32.0
Rural Crime							
Rural Drug Enforcement Assistance	---	50.0	50.0	50.0	---	---	150.0
Rural Drug Enforcement Training	---	1.0	1.0	1.0	---	---	3.0
Protection For The Elderly							
Missing Alzheimer's Patients Program	---	1.0	1.0	1.0	---	---	3.0
Parental Kidnapping							
State Court Programs - Child Abduction	0.3	0.3	0.3	0.3	0.3	0.3	1.5
Safe Schools							
Safe Schools Assistance	100.0	100.0	100.0	---	---	---	300.0
Safe Streets For Women							
Federal Victims Counselors	1.5	---	---	---	---	---	1.5
High Intensity Crime Areas Grants	100.0	100.0	100.0	---	---	---	300.0
Grants To States	190.0	190.0	190.0	---	---	---	570.0
Grants To Indian Tribes	10.0	10.0	10.0	---	---	---	30.0
Violence Against Women Task Force	0.5	---	---	---	---	---	0.5
Rape Prevention Education	65.0	65.0	65.0	---	---	---	195.0
Sexual Abuse/Exploitation Prevention	10.0	10.0	10.0	---	---	---	30.0
Safe Homes For Women							
State Data Base Study	SS	SS	SS	SS	SS	SS	0.0
Violence Against Women Act Improvements							
Sexual Violence Supplemental Grants	SS	SS	SS	SS	SS	SS	0.0

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Rural Domestic Violence							
Rural Domestic Violence Grants	---	10.0	10.0	10.0	---	---	
Law Enforcement							
Rural Law Enforcement Grants	50.0	50.0	50.0	50.0	50.0	---	250.0
Technical Assistance To States Grants	100.0	---	---	---	---	---	100.0
FBI Training - Quantico	40.0	---	---	---	---	---	40.0
Intelligence Gathering	10.0	---	---	---	---	---	10.0
Gang Violence							
Grants To States	100.0	ss	---	---	---	---	100.0
Gang Prosecutions	20.0	20.0	20.0	20.0	20.0	---	100.0
AG Report On Gangs	1.0	---	---	---	---	---	1.0
Additional Justice Funding							
Department of Justice	25.0	125.0	150.0	150.0	150.0	---	600.0
Federal Bureau of Investigation	20.0	50.0	60.0	60.0	60.0	---	250.0
United States Attorneys	10.0	35.0	35.0	35.0	35.0	---	150.0
Total DOJ Authorizations	5,612.8	4,016.8	4,408.8	4,036.8	2,969.8	46.8	21,091.5

Other Departments

Transportation

Capital Improvements	10.0	---	---	---	---	---	10.0
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Interior

National Parks	10.0	---	---	---	---	---	10.0
Public Parks	15.0	---	---	---	---	---	15.0

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

		FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Health and Human Services								
Rape Prevention Education		65.0	65.0	65.0	---	---	---	195.0
Sexual Abuse/Exploitation Prevention		10.0	10.0	10.0	---	---	---	30.0
Domestic Violence Hotline		0.5	0.5	0.5	---	---	---	1.5
Spousal Abuse Grants		25.0	25.0	25.0	25.0	25.0	25.0	150.0
Domestic Violence Grants		100.0	100.0	100.0	---	---	---	300.0
Family Violence Prevention		85.0	100.0	125.0	---	---	---	310.0
Youth Education		0.4	---	---	---	---	---	0.4
Domestic Violence Injury Study		0.1	---	---	---	---	---	0.1
Community Programs on Domestic Violence		---	20.0	88	---	---	---	20.0
Ounce of Prevention Fund - Grants		75.0	---	---	---	---	---	75.0
Education								
Safe Campuses for Women		20.0	88	88	88	---	---	20.0
Courts								
Courts Training Grants		0.6	---	---	---	---	---	0.6
Courts Judges Training - Study		0.5	---	---	---	---	---	0.5
Add'l Funds To Judiciary		20.0	70.0	70.0	70.0	70.0	---	300.0
Victims of Child Abuse Special Advocates Program		---	7.0	10.0	10.0	10.0	---	37.0
Child Abuse Training Programs For Judicial Personnel		---	7.0	10.0	10.0	10.0	---	37.0
Grants For Televised Testimony		---	3.5	5.0	5.0	5.0	---	18.5
Total Bill To Date		6,049.9	4,424.8	4,829.3	4,156.8	3,089.8	71.8	22,622.1
Violent Crime Reduction Trust Fund								
	BA	720.0	2,423.0	4,287.0	6,313.0	8,545.0	---	22,288.0
	OL	314.0	2,330.0	4,184.0	6,221.0	8,443.0	---	21,492.0

Comparison of Senate and House "Cops/Community Policing" Provisions

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Provision	House Version	Senate Version	Administration Preferred/Comment	
Minimum \$ per State	0.25%	0.60%	H	0.25%
Matching Requirements				
Federal Share	75%	75%		75%
Outyear Matching requirement changes	Decreasing annually	Decreasing annually up to 5 years		Either House or Senate
AG Waiver Authority	Y	Y		Y
Size of Applicants - Who Applies Where?				
Applicants which must go through States	Pop. under 100,000 people	Pop. under 150,000 people	S	Pop. under 150,000 people
Applicants which apply directly to AG	Pop. over 100,000 people	Pop. over 150,000 people	S	Pop. over 150,000 people
Indian Tribes	No provision	Directly to AG	S	Directly to AG
Term of Grant Limits				
New cops grants	Up to 3 years	Up to 3 years		Up to 3 years
Community policing program grants	Up to 6 years	Up to 6 years		Up to 6 years
Non-Supplanting Requirement	Y	Y		Y
Other Authorized Activities for Funding				
Administration costs of States	5%	5%		5%
Technical Assistance by AG	5%	5%		5%
Funding Allocation by Size of Jurisdiction				
Applicants which go through States	60%	60%		60%
Applicants which apply directly to AG	40%	40%		40%
Funding Allocation for Cops/Non-Cops Grants				
For Cops Grants	85%	85%		85%
For Comm. Policing Program Grants	15%	15%		15%
Total Cost per Officer	Up to \$75,000 over life of grant	\$50,000 annually	H	Up to \$75,000 over life of grant

Comparison of Senate and House "Cops/Community Policing" Provisions

10-Jan-94

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Provision	House Version	Senate Version	Administration Preferred/Comment
Ounce of Prevention Fund (\$75M)		Y	?
Authorized Activities for Cops Hiring			
Rehire laid off cops	Y	Y	Y
Hire & train new cops	Y	Y	Y
Explicitly authorizes hiring former Armed Forces members	N	Y	S Y
Authorized Activities for Comm. Policing Grants			
Increase # of officers in community	Y	Y	Y
Provide Comm. Pol. training	Y	Y	Y
Increase # of officers in multidiscipline & early intervention teams	Y	Y	Y
New crime prevention techniques	Y	Y	Y
Programs for community & police to work together to prevent crime	Y	Y	Y
Programs to minimize court time of officers	Y	Y	Y
Programs to increase police interaction with young people	Y	Y	Y
Programs to reorganize police departments to comm. policing structure	Y	Y	Y
Programs to coordinate government crime prevention programs	Y	N	H Y
Preferential Consideration for Applicants			
Greater Non-Federal Match	Y	Y	Y
Hiring of former Armed Forces members	N	Y	S Y
Authorizations			
(in millions)			
1994	\$200	\$1,035	\$0
1995	\$650	\$1,720	\$1,720
1996	\$650	\$2,070	\$2,070
1997	\$650	\$2,270	\$2,270
1998	\$650	\$1,900	\$1,900
1999	\$650	\$0	\$0
TOTAL ----->	\$3,450	\$8,995	\$7,960

Senate and House Violent Crime Control Bills

Side-By-Side

***Provisions
Funding Authorizations
Administration Views***

Prepared For

House and Senate Conferees

Prepared By:

The Office of Management and Budget

June 20, 1994

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]		Administration Views		House Bill [H.R. 4092]
	Total Senate			Total House
Title I - Public Safety and Policing		STRONGLY SUPPORT		Title XIV - Community Policing
Police Hiring/Community Policing Grants "Cops On Beat"	8,995 < =	[See DOJ Ltr Atchmnt Page #1]	= >	Police Hiring/Community Policing Grants "Cops On Beat"
Minimum State Allocation 0.6% of Funds Available				Minimum State Allocation .25% of Funds Available
Waivable Annual Cap At \$50,000 Per Hire			= >	Waivable Overall Cap At \$75,000 Per Hire
Preference To Grantees Contributing More Than 25%		SUPPORT OBJECTIVE		Subtitle G, Title X - Police Recruitment
Preference To Grantees Hiring Former Members of Armed Forces		[See DOJ Ltr Atchmnt Page #54]		Grants To Community Organizations To Assist Programs To Recruit & Retain Applicants To Police Departments
Ounce of Prevention Fund		STRONGLY SUPPORT		Subtitle B, Title X - Ounce of Prevention Grant Program
Supports Programs For Juveniles Such As After School and Summer Academic	75	Recommend President Appoint Chair	= >	Similar To Senate But Administered by Secretary of HHS
Administered By "OUNCE" Council Chaired By AG and Secretaries of HHS & Ed		Maximum Authority To Coordinate Authority To Administer Funds Upon Request of Agency		Adds Secretary of Interior To Council
		[See DOJ Ltr Atchmnt Page #1]		
Title II - Death Penalty		SUPPORT		Title VII - Death Penalty
Death Penalty Authorizations for Murders in Federal Cases		[See DOJ Ltr Atchmnt Page #3 & 4]		Death Penalty Authorizations for Murders in Federal Cases
Constitutional Death Penalty Procedures		Recommendation:		Constitutional Death Penalty Procedures
Includes Intent To Kill and Reckless Disregard For Life		Repeal of 21 USC 848 Procedures		Includes Intent To Kill and Reckless Disregard For Life
		Require Defense Give Notice of Mitigating Factors		
Includes Death Penalty For Drug Kingpins		Include Use-of-Firearm As Agg. Factor		Includes Death Penalty For Drug Kingpins
		Authorize Federal Execution in Federal Capital Cases		
		SUPPORT DEATH PENALTY & OPPOSE DISCRIMINATION		Title IX - Racially Discriminatory Capital Sentencing
		See DOJ Statement Regarding RJA		Creates new standards for claims of racial discrimination in capital punishment
		[DOJ Ltr Page #9]		Based upon statistical evidence
Title III - Firearms		SUPPORT		NO PROVISION
Licenses Required To Submit Photographs & Fingerprints	< =	[See DOJ Ltr Atchmnt Page #4]		
Requires Reporting of Theft of Firearms By Licensees	< =			
Requires Treasury Notification to local LE of Names & Addresses of Licensees	< =			

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title IV - Gun Crime Penalties	SUPPORT	
Mandatory Minimums		
Use of a Semi-Automatic Firearm During a Crime	< = Recommendation:	
Second Offense Using An Explosive To Commit A Felony	< = Add "Definition of Conviction" Provision	
Smuggling Firearms in Aid of Drug Trafficking	< = Incendiary Ammunition Study Unnecessary	
Theft of Firearms and Explosives	< = Modify Non-Resident Receipt Provision	
Release Revocation for Firearm Possession and Drug Testing Refusal	< = [See DOJ Ltr Atchmnt Page #5]	
Making False Statements To Acquire a Firearm	< =	
Possession of Explosives By Felons	< = SUPPORT = >	Subtitle G, Title XXX - Explosives Crime Penalties [Slaughter]
Using A Firearm in Counterfeiting or Forgery	< =	
Firearms Possession By Violent Felons & Serious Drug Offenders	< =	Strengthens Federal Explosives Laws
Receipt of Firearms by Nonresident	< = [See DOJ Ltr Atchmnt Page #58]	Same Provisions Also In Senate Bill Title IV
Firearms and Explosives Conspiracy	< =	
Revocation of Supervised Release For Firearms Possession		
Requires Study of Incendiary Ammunition		
Theft of Firearms From Licensee		
Interstate Gun Trafficking		
Title V - Obstruction of Justice	SUPPORT	[Same As Senate Version]
Includes Increased Penalties for Violence Against Witnesses, Jurors, Court Officers, and Other Criminal Justice Participants	[See DOJ Ltr Atchmnt Page #6]	Contained In House Title VII - Death Penalty Sections 703, 708-9, and 715.
Title VI - Gangs, Juveniles, Drugs, and Prosecutors	GENERALLY SUPPORT	
Creates Criminal Street Gang Offenses	[See DOJ Ltr Atchmnt Page #6 - 10]	
< = SUPPORT WITH MODIFICATION		
[See DOJ Ltr Atchmnt Page #7]		
	SUPPORT OBJECTIVES	Subtitle F, Title X - Assistance for Delinquent and At-Risk Youth
	[See DOJ Ltr Atchmnt Page #54]	Grants For Residential Services
Employing Children To Distribute Drugs	< =	50
Armed Career Criminal and Adult Prosecution Predicates		
Drug Trafficking Near Public Housing	SUPPORT	
Violent Travel Act Violations	[See DOJ Ltr Atchmnt Page #6 & 7]	
Juvenile Records	SUPPORT	Title XI - Youth Violence
	[See DOJ Ltr Atchmnt Page #9]	Violent Juvenile Offenders [To Age 13] May Be Prosecuted As Adults

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]		Administration Views		House Bill [H.R. 4092]
	Total Senate			Total House
Title VI - Gangs (Cont'd)				
Subtitle F - Youth Handgun Safety		SUPPORT		Title XIX - Youth Handgun Safety
Generally Prohibits Handguns For Juveniles		[See DOJ Ltr Attchmt Page #10]		Generally Prohibits Hanguins for Juveniles
Gang Prosecution - Additional Prosecutors	100 < =	SUPPORT	= >	Title XXII - Juvenile Drug Trafficking and Gang Prevention
		[See DOJ Ltr Attchmt Page #7]		Creates Juvenile Drug Trafficking and Gang Prevention Grants
Gang Investigation, Coordination, & Information Collection	1	Recommendation:		
Juvenile Drug Trafficking and Gang Prevention Grants	100 < =	Consolidate Anti-gang Programs	= >	Subtitle M, Title X - Gang Prevention Services For Boys and Girls
Violence Prevention Grants	50 < =	[See DOJ Ltr Attchmt Pages #8-9]		Grants For Gang Preventions Services
		SUPPORT		Subtitle O, Title X - Urban Recreation and At-Risk Youth
		[See DOJ Ltr Attchmt Pages #55-56]		Provides Authority To Use Recovery Act Funds For At-Risk Youth Recreation
		SUPPORT		Subtitle L, Title X - Hope In Youth Program
		[See DOJ Ltr Attchmt Page #55]		Grants for Coordination of Family Outreach and Other Service Programs
		SUPPORT		Subtitle N, Title X - Anticrime Youth Councils
		[See DOJ Ltr Attchmt Pages #55-56]		Grants to Communities To Establish Councils Programs
Title VII - Terrorism		GENERALLY SUPPORT		
Implementing Maritime and Airport Counterterrorism Conventions		[See DOJ Ltr Attchmt Page #10-12]		Implementing Maritime and Airport Counterterrorism Conventions
Offense of Using Weapons of Mass Destruction				Offense of Using Weapons of Mass Destruction
				[In Title VII, Sections 711-12 and 710]
Increased Penalties for Travel Document Offenses				Increased Penalties for Travel Document Offenses
				[Subtitle D of Title XXIV]
Counterfeiting of U.S. Currency Abroad				
Territorial Sea Provisions				
Limitation Period Extension				
Providing Material Support To Terrorism				
Violations of Airport Security Regulations [Sec720]	< =	OPPOSE		
Create Economic Terrorism Task Force [Sec722]	< =	Sections 720 & 722		
		[See DOJ Ltr Attchmt Page #12]		

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title VIII - Sexual Violence and Abuse of Children, Elderly, and Disabled	STRONGLY SUPPORT	Title III - Assaults Against Children
Extends Background Check System To Elderly and Disabled Care		Increases Penalties for Assaults Against Children in Areas Under Federal Jurisdiction
Requires OJJDP Child Abuser Study	Recommendations:	
Grants To Improve Child Abuse Crime Information (Records Upgrade)	Assign Child Abuser Study To BJS	
Creates International Child Pornography Offense	Merge "Sexually Violent Predators"	Title XIII - Jacob Wetterling Crimes Against Children Registration Act
Encourages State Registration Systems for Child Molesters [Jacob Wetterling]	Registration with Jacob Wetterling Proposal	
	Delete Molester "Privacy" Provision	Title XII - Child Sexual Abuse Prevention Act
		International Child Pornography and Sexual Abuse Provisions
Encourages State Registration Systems for Sexually Violent Predators	[See DOJ Ltr Attchmt Page #12-13]	
Title IX - Crime Victims	SUPPORT	Title I - Victims of Crime
Establishes Right of Allocution in Sentencing for Victims	Recommendation:	Establishes Right of Allocution in Sentencing for Victims
Mandates Full Order of Restitution	Technical & Limited Changes	Improves Administration of Crime Victims Funds and Programs It Support
Improves Administration of Crime Victims Fund and Programs It Supports		
Grants For Pilot Crime Prevention Programs for Senior Citizens [TRIAD]	[See DOJ Ltr Attchmt Page #13]	Subtitle H, Title X - National Triad Program
Grants for Triad Programs		
Nat'l Training and Technical Assistance		[Similiar To Senate Version]
Public Service Announcements		
Requires National Assessment		
Title X -- State and Local Enforcement	< = GENERALLY SUPPORT	Title XV - DNA Identification
Establishes DNA Identification Program	Generally Prefer Senate Version	
DNA Identification State & Local Grants	Of DNA Identification	
Federal Activities - FBI		[Similiar To Senate Version]
Community Substance Abuse Prevention Grants	60 < = Community Substance Abuse Prevention	
Authorizes Racial/Ethnic Bias Study Grants	Funding Should Go To Existing Program	
Improved Training and Technical Automation in Law Enforcement		
Automation and Technology Grants		
Training Expansion and Improvements		
Intelligent Information Systems	[See DOJ Ltr Attchmt Page #15]	

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]		Administration Views		House Bill [H.R. 4092]
	Total Senate		Total House	
Title XI -- Provisions Relating To Police Officers		GENERALLY SUPPORT		
Establishes a Law Enforcement Family Support Program		Recommendations:		
Grant Program For State and Local Law Enforcement	20	AG Administer Law Enforcement Family Support Program		
AG Pattern or Practice Authority for Unlawful Conduct of Police Officers		Modify Data Collection Provision		
Requires Collection of Data On Use of Excessive Force				
Police Corps and Law Enforcement Scholarships				
Establishes Police Corps Program	350	Delete Hiring Subsidy Under Police Corps	350	Title XXVII - Police Corps [McCurdy]
Law Enforcement Scholarship Program	120	In Favor of General Police Hiring Program	150	[Same As Senate Version]
Provides Subsidy Payments For Hiring Corps Grads	< =	[See DOJ Ltr Attchmt Page #16]		
Title XII - "Drug Court" Programs		GENERALLY SUPPORT		
		STRONGLY SUPPORT = >		Subtitle E, Title X - Drug Courts
	0	Recommendation:		
Grants For Pre-Trial and Drug Testing Diversion	300	Broaden To Non-Judicial Rehab	1,400	Grants for Drug Court Programs
		[See DOJ Ltr Attchmt Page #17]		
Grants For Alternative Punishments	600	Recommendations:	600	Title XXI - Alternative Punishments for Young Offenders
		Make Funding Distribution More Flexible		Provides Grants To Develop Alternative Sanctions
		Delete Age Limits For Alternative Punishments		
		Broaden Fundable Correctional Drug Treatment		
Grants For Residential Substance Abuse Treatment for State Prisoners	300	[See DOJ Ltr Attchmt Page #17]	300	Title XXIII - Residential Substance Abuse Treatment for State Prisoners
				[Similar To Senate Version]
Title XIII - Prisons		SUPPORT OBJECTIVES = >		Title VI - Violent Repeat Offender Incarceration
		[See DOJ Ltr Attchmt Page #18 & 19]	3,000	Grants To States To Develop, Expand, Modify, or Improve Prisons
Provides For Federal Construction of 10 Regional Prisons [Sec 1341]	3,000 < =	OPPOSE		Requires 25% State Match
Prison Capacity @ 2500 Beds With 75% Allotted To State Prisoners for States That Adopt "Truth In Sentencing" and Other Reforms		Expensive & Slow To Implement		Requires Assurances That Funds Will Be Used To Ensure The Incarceration Of Violent Offenders
		Years To Get Capacity On Line		
		Significant Other Problems		
		[See DOJ Ltr Attchmt Page #20]		
		OPPOSE = >		Subtitle E, Title XXX - Conversion of Military Bases
Drug Testing Of Federal Offenders on Post Conviction Release	< = SUPPORT ss	Conversion Not Cost Effective		Requires AG To Identify 3 Military Bases For Conversion To Prisons For Violent Offenders
	[See DOJ Ltr Attchmt Page #18]	For Violent Criminal Incarceration		
		[See DOJ Ltr Attchmt Page #58]		

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XIII -- Prisons (Cont'd)		
Requires Residential Drug Treatment for 50% of Eligible Federal Prisoners in 1995 75% in 1996, and 100% Thereafter	SUPPORT WITH MODIFICATION = > [See DOJ Ltr Atchmnt Page #18]	Title XX - Substance Abuse Treatment In Feder'l Prisons Requires Residential Drug Treatment for 50% of Eligible Federal Prisoners in 1995 75% in 1996, and 100% Thereafter
Provides Authority For US Sentencing Commission To Include Correctional Costs in Fines		
	<= SUPPORT [See DOJ Ltr Atchmnt Page #18]	Title VIII - Truth In Sentencing
Provides Grants For Correctional Capacity Expansion	3,000 <=	
	SUPPORT OBJECTIVES = > Recommendation: Funding @ \$6.5 Billion Use Combination of Senate Secs 1321,1331, and House Titles VI and VIII	Provides Grants To States To Build, Expand, or Provide Incarceration Space 75% Of Funds Allocated By Formula Based Upon Violent Crime Statistics
Establishes Grants For Secure Violent Juvenile Facilities [Sec. 1331]		Twenty Five Percent of Funds Allocated Based Upon Incentive Program
	500 <=	
	[See DOJ Ltr Atchmnt Pages #19 & 20]	
Requires BOP To Notify S&L Law Enforcement of Release Information		
	<= SUPPORT WITH MODIFICATION [See DOJ Ltr Atchmnt Pages #19 & 20]	
	OFFPOSE = > Would Impede Prison Security [See DOJ Ltr Atchmnt Page #59]	Subtitle N, Title XXX - Prison Security Enhancement Prohibits Strength Training in Federal Prisons
Violent Crime Reduction Trust Fund		
Declaration of Congress That Measures Must Be Fully Funded	STRONGLY SUPPORT Recommendation: Expand Coverage To 6th Year Provide Funding @ Nearly \$28 Billion [See DOJ Ltr Atchmnt Page #21]	NO PROVISION
Establishes Levels of Full Time Equivalent Employees		
Creates The VCRTF By Transferring Funds At Start of Each Fiscal Year		
Provides For Appropriations From The Fund @ Specified Amounts		
Requires Report By President of Status of The Fund		
Requires Listing of The VCRTF In Budget Among Government Trust Funds		

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XIV - Rural Crime		Title XXV - Rural Crime
Grants For Rural Drug Enforcement	250	250
Creates Rural Drug Enforcement Task Forces		[Same As Senate Version]
Provides Funds For Rural Drug Enforcement Training	5	5
Provides Funds For Hiring More DEA Agents	100	100
Drug Free Truck Stops & Rest Areas		
Provides Grants For Rural Domestic Violence & Child Abuse Enforcement	30	30
	[See DOJ Ltr Attchmt Page #21 & 22]	
Title XV - Drug Control		
Drug Trafficking In Prison	GENERALLY SUPPORT	
Drug Dealing in or Near Public Housing	Recommendations:	
Anabolic Steroids Penalties for Coaches, etc.	Precursor Chemical Provisions Enacted	NO PROVISION
Drug Dealing in Drug-Free Zones	Other Formulation Recommendations	
Schedule I Drug Advertising		
Drug Paraphernalia Civil Remedies	[See DOJ Ltr Attchmt Pages #22 & 23]	
Title XVI -- Drunk Driving Provisions		
Increases Penalties Under Certain Conditions	SUPPORT OBJECTIVES	
	[See DOJ Ltr Attchmt Page #23]	
Title XVII -- Commissions		Title XXVI - National Commission On Crime and Violence
Establishes National Commission on Crime and Violence	SUPPORT OBJECTIVES	
Establishes National Commission To Study Demand Causes For Drugs	Recommendation:	
Establishes National Commission To Support Law Enforcement	Establish Single Comprehensive Commission	Subtitle F, Title XXX - Commissions
Establishes National Commission On Violence In Schools	[See DOJ Ltr Attchmt Page #23]	Appointment Provisions For Commission To Support Law Enforcement
Calls For President To Convene A National Summit On Violence		
Title XVIII -- Bail Posting Reporting		
Requires Report of Cash Bails Above \$10K To IRS and Prosecutors	GENERALLY SUPPORT	
	[See DOJ Ltr Attchmt Page #23]	NO PROVISION

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XIX - Motor Vehicle Theft Prevention		
Attorney General To Develop Voluntary Decal System for Auto Theft Prevention	SUPPORT [See DOJ Ltr Attchmt Page #23 & 24]	NO PROVISION
0		
Title XX -- Protections For The Elderly		
Grants to Locate Missing Alzheimer's Disease Patients Sentencing Guidelines For Crimes Against Elderly	SUPPORT Recommendation: HHS Administer Missing Alzheimer's Patient Grants [See DOJ Ltr Attchmt Page #24]	NO PROVISION
3		
Title XXI - Consumer Protection		
Creates Federal Jurisdiction Over Insurance Business Crimes Broadens Federal Jurisdiction Over Credit Card Fraud (Access Devices) Extends Mail Fraud Statute To Cover Private and Commercial Interstate Carriers	Concerns Regarding Federalization [See DOJ Ltr Attchmt Page #24] SUPPORT <=	Title IV - Consumer Protection Creates Federal Jurisdiction Over Insurance Business Crimes
	OPPOSE Inconsistent With Existing Rules Burdensome for American Businesses [See DOJ Ltr Attchmt Page #59]	Subtitle R, Title XXX - Labels On Products Requires Registration and Pre-Approval of "Made in America" Labels
Title XXII - Financial Institution Fraud		
Strengthens Disqualification From Participating In Banking For Certain Offenders Encourages AG To Submit Report Concerning Collapse of Private Deposit Insurance Corps	GENERALLY SUPPORT [See DOJ Ltr Attchmt Page #24 & 57]	Subtitle C, Title XXX - Financial Institution Fraud Authorizes Secret Service To Investigate Financial Institution Fraud
Title XXIII -- Savings and Loan Prosecution Task Force		
Requires AG To Establish Task Force	UNNECESSARY Task Forces Already Established [See DOJ Ltr Attchmt Page #24 & 25]	NO PROVISION

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XXIV - Sentencing Provisions	SUPPORT [See DOJ Ltr Attchmt Page #60]	Subtitle T, Title XXX - Cocaine Penalty Study Requires Sentencing Commission Study of "Crack" Penalties
Probation and Revocation of Supervised Release Amendments Flexibility in Application of Mandatory Minimum Sentences [Safety Valve]	SUPPORT Recommendation: Prefer House Version But Prospective Only As In Senate Version [See DOJ Ltr Attchmt Page #25]	Title II - Application of Mandatory Minimum Sentences
Federalization of Crimes Involving Firearms [Secs 2405-06]	OPPOSE Creates Problems For Prison Administration and Discipline [See DOJ Ltr Attchmt Page #60]	Subtitle U, Title XXX - Inmate Rehabilitation High School Equivalency Condition for "Good Time" Credits
Increased Mandatory Minimums For Drug Crimes Involving Minors	STRONGLY OPPOSE Federalizes Large Array of Crimes [See DOJ Ltr Attchmt Page #25]	
Life In Prison For 3rd Offense [Three Strikes]	OPPOSE [See DOJ Ltr Attchmt Page #26]	
Enhanced Sentences For Hate Crimes	STRONGLY SUPPORT Recommendation: Use House Version With Limited Modification SUPPORT Delete Requirement That Jury Find Enhancement Factor Beyond Reasonable Doubt [See DOJ Ltr Attchmt Page #26]	Title V - Mandatory Life Imprisonment [Three Strikes] Provides For Mandatory Life Imprisonment For A Serious 3rd Violent Felony
Title XXV -- Sentencing and Magistrate Amendments	SUPPORT [See DOJ Ltr Attchmt Page #25]	Title XVII - Hate Crime Sentencing Enhancement Provides For Sentencing Enhancements For Hate Crimes
Title XXVI -- Computer Crime	OPPOSE AS FORMULATED Recommendation: Revise to Remove Negative Features [See DOJ Ltr Attchmt Pages #26 & 27]	NO PROVISION NO PROVISION

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XXVII - International Parental Kidnapping		
	ENACTED	
	Intern'l Kidnapping Provision Enacted [See DOJ Ltr Attchmt Page #27]	NO PROVISION
0		
Title XXVIII -- Safe Schools		
	SUPPORT WITH MODIFICATION	
Establishes BJA Grants For Safe Schools Programs	Recommendation:	NO PROVISION
Provides Funds To State To Coordinate Statewide Efforts	Focus On School Security Under DoEd [See DOJ Ltr Attchmt Page #27]	
300		
20		
Title XXIX - Miscellaneous		
	SUPPORT MOST PROVISIONS	
Increased Penalties	[See DOJ Ltr Attchmt Page #27 - 29]	
Assault On Certain Protected Persons		
Manslaughter		
Civil Rights Violations		
Conspiracy To Commit Murder For Hire		
Travel Act Violations		
Trafficking in Counterfeit Goods & Services	Recommend: Adopt House Version of Counterfeit Goods Trafficking [See DOJ Ltr Attchmt Page #27]	Subtitle K, Title XXX - Trafficking In Counterfeit Goods & Services
White Collar Crime		
Receiving Proceeds of Extortion		
Receiving Proceeds of Postal Robbery		
Theft of Major Artwork		
Extention of Protection of Civil Rights Statutes		
Conspiracy Against Rights		
Deprivation Under Color of Law		
Audit and Reporting Requirements For Asset Forfeiture Funds	< = OPPOSE Burdensome and Unworkable As Formulated [See DOJ Ltr Attchmt Page #27 & 28]	
Gambling - NJ Gaming Agency Access To III [Sec 2921]		
Gambling Ships Act Inapplicable Outside Territorial Seas [Sec 2932]	< = Concerns With Gambling Provisions In Sections 2931 & 2932 [See DOJ Ltr Attchmt Page #28]	
Undercover Operations - Churning Extension		
AG Report on Battered Women's Syndrome		
Prohibition of Byrne Grants To Other Federal Agencies	< = OPPOSE [See DOJ Ltr Attchmt Page #28 & 29]	
Gun Free School Zones - Supporting Findings		

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]		Administration Views	House Bill [H.R. 4092]	
	Total Senate		Total House	
Title XXX - Technical Corrections		SUPPORT		NO PROVISION
Title XXXI -- Driver's Privacy Protection Act		SUPPORT OBJECTIVE		Title XXIX - Protecting Privacy of Information in State Motor Vehicle Records
Limits The Release of Personal Information From DMV Records		Prefer Some Aspects of House Version [See DOJ Ltr Attchmt Page #29]		
Title XXXII -- Violence Against Women; Safe Streets		STRONGLY SUPPORT		Subtitle A, Title XVI - Safe Streets For Women
Enhanced Penalties For Repeat Sex Offenders			0.2	Provides For Study of Campus Sexual Assault
Sentencing Commission Review Guidelines and Report				Mandates Restitution For Sex Crimes
Mandates Restitution For Sex Crimes				
Federal Victims/Witness Counselors Funding	2		2	NU Training Program for Probation and Parole Officers
		[See DOJ Ltr Attchmt Page #29-33]		
Establishes Grant Program For High Intensity Crime Areas	300		400	Establishes Grant Program To Combat Violence Against Women
Establishes Grant Program To Combat Crimes Against Women	570	Recommendations:		
Grants To Indian Tribes	30	Consolidate Criminal Justice Grant Authority		
Grants For Capital Improvements in Public Transportation	10	Under AG		
Grants For Capital Improvements To National Parks	10	Delete Separate Restitution Provisions for		
Grants For Capital Improvements in Public Parks	15	Sex Crimes in Favor of General Mandatory		
National Commission on Violence Against Women	1	Restitution Provision		
		Use Judicial Conference Version of Rape		
Extension and Strengthening of Rape Shield Law		Shield Law Amendments		
		Other Amendments or Refinements		
Evidence of Victim's Clothing Inadmissible To Show Incitement			235	Establishes Education and Prevention Grants To Reduce Sexual Assaults
Establishes Education and Prevention Grants To Reduce Sexual Assaults	195			
Establishes Grants Reduce To Sexual Abuse of Runaways and Street Youth	30			
Establishes Victim's Right of Allocation in Sentencing				

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XXXIII -- Safe Homes For Women	SUPPORT	
	Recommendations:	Subtitle D, Title XVI - Miscellaneous Provisions [In Part]
Establishes Grant For National Domestic Violence Hotline	Consolidate Criminal Justice Grant Authority	Establishes Grant For National Domestic Violence Hotline
Interstate Enforcement - Spousal Abuse Offenses	Under The AG	Establishes Task Force On Violence Against Women
Mandates Restitution for Interstate Spousal Abuse Offenses	Deletes Separate Restitution Provision For	
Full Faith and Credit for Protection Orders	New Interstate Offenses in Favor of Senate	Subtitle B, Title XVI - Safe Homes For Women
	Sec 902	Establishes Grants To Improve Domestic Violence Enforcement
Establishes Grants To Improve Spousal Abuse Law Enforcement	Domestic Violence Youth Education	Interstate Enforcement Provisions Similar to Senate Bill
Establishes Grants For Domestic Violence and Family Support	Programs Should be Locally Based	
Family Violence Prevention & Services Act Amendments and Authorizations	Other Amendments or Refinements	Subtitle C, Title XVI - Domestic Violence
Youth Education Regarding Domestic Violence		Protection of Abuse Alien Spouses
Domestic Violence Injury Study		Domestic Violence Perpetrator Firearms Disqualification
Violence Against Women Research Agenda	[See DOJ Ltr Attchmt Page #33-36]	
	SUPPORT	
Title XXXIV -- Civil Rights		
Cause of Action for Gender-Motivated Violence	[See DOJ Ltr Attchmt Page #36]	NO PROVISION
Sense of Senate Regarding Privacy of Rape Victims		
Title XXXV -- Safe Campuses For Women		NO PROVISION
Authorization For Campus Rape Education and Prevention Programs	20	
Title XXXVI -- Equal Justice For Women In Courts	SUPPORT	Subtitle E, Title XVI - Equal Justice For Women In the Courts
Established Grants To States For Model Training Programs For Court Personnel	Funding Varies Somewhat Between Bills	[Simillar To Senate Version]
Gender Bias Studies and Programs For Federal Courts	*\$0 Amounts Are Amounts Less \$1M	
Courts of Appeals, District Courts		
Federal Judicial Center		
Administrative Office of Courts	[See DOJ Ltr Attchmt Page #36]	

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XXXVII -- Violence Against Women Act Improvements	GENERALLY SUPPORT	
Increases Penalties For Sex Offenses Against Victims Under 16	[See DOJ Ltr Atchmnt Page #37-39]	
Payment For Cost of Victim HIV Testing		
Baseline Study on Campus Sexual Assault		
Report On Battered Women's Syndrome		
Report on Confidentiality of Addresses For Victims		Subtitle D, Title XVI - Miscellaneous Provisions
Report on Recordkeeping Relating To Domestic Violence		Report on Confidentiality of Addresses For Victims of Domestic Violence
Sexual Assault Defendant HIV Testing [Sec. 3703(c)-(g)]	OPPOSE	Report on Recordkeeping Relating to Domestic Violence
	Worthless and Oppressive To Victims	
	As Formulated	
	Recommendation:	Payment For Cost of STD Testing For Victims in Sex Offense Cases
	Substitute 102d Congress House Passed Version	Report on Confidentiality of Addresses For Victims of Domestic Violence
Supplemental Grants For States With Effective Laws [Up to \$1M]		
Title XXXVIII -- Enhanced Penalties For Anti-Fraud Efforts	SUPPORT OBJECTIVES	
Health Care Fraud Provisions	Recommendation:	
	Issue Should Be Dealt With In Context	NO PROVISION
	Of Health Care Legislation	
	Forfeiture Provisions Flawed	
	[See DOJ Ltr Atchmnt Page #39]	
Title XXXIX -- Senior Citizens Against Marketing Scams	SUPPORT WITH MODIFICATIONS	
Enhanced Penalties For Telemarketing Fraud	[See DOJ Ltr Atchmnt Page #39 & 40]	
Enhanced Penalties For Fraud Against Seniors		
Forfeiture of Fraud Proceeds		
Establishes Rewards For Information		
Additional Funding To Support Fraud Investigations & Prevention		NO PROVISION
Federal Bureau of Investigation	10	
Additional Prosecutors	4	
Prevention Initiatives	10	
Two National Telemarketing Fraud Hotline		

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]		Administration Views		House Bill [H.R. 4092]
	Total Senate		Total House	
Title XL -- Child Safety		SUPPORT OBJECTIVES		
Establishes Grants For Supervised Visitation Centers	60	[See DOJ Ltr Atchmnt Page #40]		NO PROVISION
Title XLI -- Family Unity Demonstration Project		SUPPORT OBJECTIVES		
Grants To Enable Certain Offenders To Live With Their Children In Community Correctional Facilities	32	Recommendation: Provide More Flexible Formulation AG (NOT BOP) Should Administer		NO PROVISION
Up To 10% of Funds May Be Used For Federal Prisoners		[See DOJ Ltr Atchmnt Page #40]		
Title XLII -- Domestic Violence		SUPPORT		
Firearms Disqualification for Domestic Violence Perpetrators		Recommendation: Merge With Other Overlapping Provisions [See DOJ Ltr Atchmnt Page #4]		
		SUPPORT OBJECTIVES		Title XXVII - National Stalker/Domestic Violence Reduction
		Recommendation: Various Corrections & Revisions Needed [See DOJ Ltr Atchmnt Page #57]	6	Includes Grants To Improve Processes For Entering Information
Title XLIII --- Missing and Exploited Children		SUPPORT OBJECTIVES		
Establishes Federal Task Force To Assist Investigation of Missing And Exploited Children Cases		[See DOJ Ltr Atchmnt Page #40]		
Title XLIV -- Public Corruption		SUPPORT		
Strengthens Laws Relating To Public Corruption		[See DOJ Ltr Atchmnt Page #40]		NO PROVISION

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XLV -- Semiautomatic Assault Weapons		
General Prospective Ban On Certain Semiautomatic Assault Weapons	STRONGLY SUPPORT	
Exempts Weapons Owned Prior To Effective Date of Law	Recommendation: Would Support Modifying Proposal To Delete Paperwork Requirements [See DOJ Ltr Attchmt Page #41]	NO PROVISION
Bans Large Capacity Ammunition Feeding Devices Defines Large Capacity More Than 10 Rounds		
Title XLVI -- Recreational Hunting Safety		
Provisions Relating to Interference With Hunting on Federal Lands		NO PROVISION
Title XLVII -- Correctional Job Training and Placement		
Provides For Establishing An Office of Correctional Job Training and Placement	Represents An Unfunded Mandate On DoJ [See DOJ Ltr Attchmt Page #41]	NO PROVISION
Title XLVIII -- Police Partnerships For Children		
Establishes Grants To Support Partnerships Between Police Agencies And Child and Family Support Agencies To Address Needs of Children Involved in Violent Incidents	20 <= SUPPORT Recommendation: Adopt House Version [See DOJ Ltr Attchmt Page #41] SUPPORT Add "Indian and Assisted" Housing [See DOJ Ltr Attchmt Page #56]	20 Subtitle C, Title X - Police Partnerships for Children Establishes Grant Program To Support Activities For Children - Similiar To Senate Grants To Support Police Officers Living In High Crime Areas 36 Subtitle P, Title X - Boys and Girls Clubs In Public Housing [Rostenkowski] HUD Contracts To Establish Boys and Girls Clubs In Public Housing

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]	Administration Views	House Bill [H.R. 4092]
Total Senate		Total House
Title XLIX -- National Community Economic Partnership	< = SUPPORT	
Assistance to Community Development Corporations That Promote Business and Employment Opportunities in Distressed Areas	Recommendation: Address Relationship of Title to Concepts 40 < = Established by Fed'l Credit Reform Act of 1990 [See DOJ Ltr Attchmt Page #41 & 42]	
	SUPPORT OBJECTIVES [See DOJ Ltr Attchmt Page #54-55]	2,000
		Subtitle I, Title X - Local Partnership Act Revenue Sharing Program for Crime Prevention
Title L -- Deportation of Criminal Aliens	SUPPORT WITH MODIFICATIONS	Sec 2412, Title XXIV - Authority To Accept Deportation Assistance
Expands Definition of Aggravated Felony Expedites Criminal Alien Deportation	[See DOJ Ltr Attchmt Page #42 & 44] Recommendation: Add Alien Smuggling Provisions [See DOJ Ltr Attchmt Page #43 & 44]	
Authorizes Judicial Orders of Deportation Restricts Defenses To Deportation Enhances Penalties For Failure To Depart and for Re-Entering Establishes Criminal Alien Tracking Center	13	
	NO OBJECTION Note Fiscal Constraints [See DOJ Ltr Attchmt Page #57]	ss
		Sec 2421, Title XXIV - Border Patrol Agents Authorizes 6,000 More Border Patrol Agents and Support Staff
Title LI -- General Provisions	< = [See DOJ Ltr Attchmt Pages #44-52]	
Alien Benefits Ineligibility	< = OPPOSE IN THIS VERSION	SUPPORT WITH MODIFICATIONS = > [See DOJ Ltr Attchmt Page #53]
		1,500
		Subtitle A, Title X - Model Intensive Grant Programs Targets 15 Chronic High Crime Areas For Development of Model Prevention Programs Promotes Innovative Programs That Involve Communities & Coordination
Interstate Wagering – Lottery Tickets	< = SUPPORT	
Alien Terrorist Removal	< = SUPPORT OBJECTIVES	
Establishes Special Court and Procedures	STRONGLY SUPPORT Increase Authorizations To \$1 Billion [See DOJ Ltr Attchmt Page #55]	= > 525
		Subtitle J, Title X - Youth Employment and Skills (YES) Department of Labor Grants To States

Senate & House Violent Crime Control Bills - Side-by-Side

Senate Bill [H.R. 3355]		Administration Views		House Bill [H.R. 4092]
	Total Senate		Total House	
General Provisions [Cont'd]				
Byrne Grant Funding for Driving While Intoxicated Programs	< =	SUPPORT	= >	Title XVIII - Use of Formula Grants To Prosecute Persons Driving While Intoxicated
Bars Social Security Benefits For Confined Insanity Acquittes	< =	Issue In Conference in H.R.4278 [See DOJ Ltr Attchmt Page #46]		
Provides For Civil Penalties For Parents of Juvenile Offenders	< =	CONCERNS [See DOJ Ltr Attchmt Page #46]		
Establishes Violent Crime and Drug Emergency Areas Program	< =	SUPPORT Recommendation: Remove Time Limit on Funding [See DOJ Ltr Attchmt Page #46]		
Denial Of Federal Funds For Refusing To Cooperate With INS		OPPOSE [See DOJ Ltr Attchmt Page #46]		
Evaluation Panel for Correctional Literacy Programs	< =	SUPPORT		
Guidelines and Grants for Dealing With Tuberculosis In Prisons		Make Subject To Appropriations		
Grants To State and Local Authorities	20 < =			
Community Programs On Domestic Violence	20 < =	REDUNDANT PROGRAM [See DOJ Ltr Attchmt Page #35]	= >	20 Subtitle C, Title XVI - Domestic Violence Grants For Community Programs on Domestic Violence
Adds "Disabilities" To Hate Crime Statistics Act	< =	NO OBJECTION		
Penalties For Document Fraud	< =	SUPPORT	= >	Subtitle D, Title XXIV - Passport and Visa Offense Penalties
Model Anti-Loitering Statute	< =	Make Subject To Appropriations [See DOJ Ltr Attchmt Page #47]		
Victims of Child Abuse Amendments		SUPPORT		
Court Appointed Special Advocates	37			
Child Abuse Training Programs	37			
Grants For Televised Testimony	19	[See DOJ Ltr Attchmt Page #47]		
Indian Tribes Matching Funds [Sec. 5128]	< =	SUPPORT		
Parent Locator Service Access	< =	REVISE		
Guidelines Enhancement For Using a Minor To Commit A Crime		[See DOJ Ltr Attchmt Pages #47 & 48]		
Increased Funding For Judiciary and Department of Justice	< = SUPPORT	STRONGLY SUPPORT		
Federal Judiciary	300	DOJ FUNDING		
Department of Justice	600	[See DOJ Ltr Attchmt Page #48]		
Federal Bureau of Investigation	250			
United States Attorneys	150	Oppose Sec 5133(b) Support Sec.1533(a),(c)-(d)		
Indian Tribe Funding Provisions [Sec. 5133]		[See DOJ Ltr Attchmt Pages #48 & 49]		