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Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Domestic Policy Council

Series/Staff Member: Jose Cerda

Subseries:

OA/ID Number: 5874

FolderID:

Folder Title:

Misc. [Miscellaneous] Outside Groups [1]

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Laura DeKoven Waxman to Marcia Hale; re: City Representatives Attending Wednesday's Meeting [Personally Identifiable Information] [Partial] (1 page)	05/09/1994	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5874

FOLDER TITLE:

Misc. [Miscellaneous] Outside Groups [1]

2009-1305-F

jp3660

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

CRIME Bill

PHOTOCOPY
PRESERVATION



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

January 27, 1994

President Bill Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

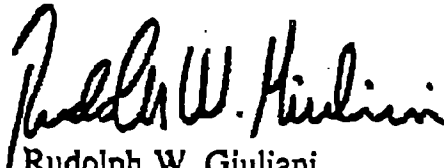
We, the mayors of eight of our country's largest cities, are writing to urge that your FY 1995 Budget, and the attendant four year budget estimate, reflect a commitment to fund 100,000 "police on the beat".

First, let us thank you for taking the initiative by purposing a plan to put more police on the street. We applaud that effort and want to convey several recommendations that we believe would improve upon this plan. The Crime Bill should authorize 100,000 fully funded new police officer positions for your "police on the beat" program.

We strongly support this level of funding on a per capita basis for major urban areas and we urge that each municipality be given sufficient flexibility to address its unique needs in areas such as training, equipment, and overtime provisions. Moreover, we feel that it is extremely important that your FY 1995 budget request support this level of funding. We urge that the funding for police be made a permanent part of the budget so that the additions to our forces remain permanent.

We are also concerned about the local match requirements as currently proposed. We realize, however, the importance of getting more officers on the street and therefore pledge to work with your administration to resolve all of these issues in a manner that insures the ultimate success of this plan.

Sincerely,



Rudolph W. Giuliani
Mayor of New York



Richard J. Riordan
Mayor of Los Angeles



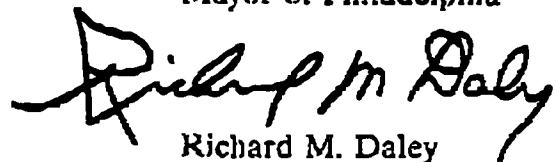
Bob Lanier
Mayor of Houston



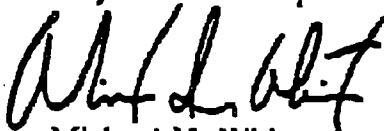
Edward G. Rendell
Mayor of Philadelphia



Stephen Goldsmith
Mayor of Indianapolis



Richard M. Daley
Mayor of Chicago



Michael H. White
Mayor of Cleveland



Dennis W. Archer
Mayor of Detroit

THE WHITE HOUSE
WASHINGTON

Jose -

Thanks for your
help.

Dawn

THE WHITE HOUSE

WASHINGTON

November 12, 1993

It gives me great pleasure to greet the mayors, police chiefs, and other officials gathered in Chicago for this emergency meeting on crime and violence. I commend Jerry Abramson, President of the U.S. Conference of Mayors, for calling this session to address an issue that weighs so heavily upon our communities.

In recent months, Americans have witnessed a series of brutal crimes and acts of violence in our neighborhoods. Our feeling of security has been shaken and severely undermined. A government's primary responsibility is to keep its citizens safe and secure, and it is imperative that we rededicate ourselves to protecting people all over this nation.

I am pleased that both Houses of Congress are considering anti-crime legislation that will provide mayors and police chiefs with important resources to make our streets safe. Recent efforts in the House and the Senate to substantially increase the number of police working in partnership with communities will tremendously benefit our war against violent crime in America's neighborhoods. I firmly believe that putting more officers on the streets is a vital step in making our neighborhoods free of danger, and that it will allow us to pursue an ambitious, common sense agenda of crime control and prevention measures.

The House and Senate are also moving ahead with gun control legislation, such as the Brady Bill, that will impose waiting periods on handgun purchases to give officials time to perform background checks on buyers. This legislation is long overdue, and I hope to sign it into law soon.

I applaud all of the participants in this session for working to address the urgent issues of crime and violence. I remain as committed as ever to stopping violent crime and protecting our citizens, and I look forward to meeting with you at the White House to discuss these issues.

Best wishes for a most successful conference.

A handwritten signature in black ink, reading "Bill Clinton". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

Schedule Proposal

date 11/17/93

Jose-My Dawn

 ACCEPT

 REGRET

 PENDING

TO: Ricki Seidman

FROM: Marcia Hale *MHB*

REQUEST: meeting with mayors and police chiefs to discuss crime

PURPOSE: To emphasize the President's commitment to the issue of violent crime. To further his commitment to Mayor Abramson to host the mayors at the White House to discuss crime.

BACKGROUND: The U.S. Conference of Mayors called an emergency meeting on November 15, 1993 in Chicago, IL, with the police chiefs to discuss violent crime. The attached letter from the President was sent to the meeting and promises a White House meeting.

PREVIOUS PARTICIPATION: The President promised Mayor Abramson on a flight back from Lexington, KY that he would call this meeting to address violent crime.

DATE AND TIME: between November 29, 1993 - December 15, 1993 (prefer December 11 - 15)

DURATION: 1 hour

LOCATION: Oval Office or Cabinet Room

PARTICIPANTS: The President
The Vice President
Attorney General Reno
(see attached list for November 15 participants)

REMARKS REQUIRED: Event memorandum to be prepared by Intergovernmental Affairs and talking points to be prepared by Domestic Policy)

MEDIA COVERAGE: pool spray

FIRST LADY'S ATTENDANCE: If possible

VICE PRESIDENT'S ATTENDANCE: If possible

SECOND LADY'S ATTENDANCE: If possible

RECOMMENDED BY: Marcia Hale

CONTACT: Dawn Friedkin x 7060

cc: Loretta Avent
Joan Baggett
David Gergen
Alexis Herman
Roy Neel
Carol Rasco
Patti Solis
Christine Varney
Tony Wilson

**CONFIRMED LIST OF ATTENDEES
EMERGENCY MEETING ON VIOLENT CRIME
Chicago, IL -- November 15, 1993**

MAYORS

Jerry Abramson - President
Victor Ashe, Knoxville
Ed Austin, Jacksonville
Sidney Barthelamy, New Orleans
Charles Box, Rockford
Emanuel Cleaver II, Kansas City
Robert Coble, Columbia
Deedee Corradini, Salt Lake City
Juanita Crabb, Binghamton
Richard Daley, Chicago
Richard Clay Dixon, Dayton
Paul Helmke, Fort Wayne
Sharpe James, Newark
Frank Jordan, San Francisco
Sharon Pratt Kelly, Washington
Patrick J. McManus, Lynn
Rita Mullins, Palatine
James P. Perron, Elkhart
Joseph P. Riley, Charleston
Paul Soglin, Madison
Wellington Webb, Denver
Michael White, Cleveland

POLICE CHIEFS

Doug D. Hamilton

Sheriff Jim McMillan
Alan J. Abadie

Stephen Bishop
Charles Austin
Ruben Ortega

Matt Rodriguez
James E. Newby
Neil Moore
William Celester, Police Director
Tony Ribera

Jerome Ivory
Ruben Greenberg
Richard Williams

William Bratton, Commissioner - Boston
Richard Neal, Commissioner - Philadelphia
Melvin McQuay, Acting Commissioner - Baltimore

PUBLIC SAFETY DIRECTORS

Julian Boyd, St. Louis
Payne Brown, Fort Wayne

THE WHITE HOUSE

WASHINGTON

November 12, 1993

It gives me great pleasure to greet the mayors, police chiefs, and other officials gathered in Chicago for this emergency meeting on crime and violence. I commend Jerry Abramson, President of the U.S. Conference of Mayors, for calling this session to address an issue that weighs so heavily upon our communities.

In recent months, Americans have witnessed a series of brutal crimes and acts of violence in our neighborhoods. Our feeling of security has been shaken and severely undermined. A government's primary responsibility is to keep its citizens safe and secure, and it is imperative that we rededicate ourselves to protecting people all over this nation.

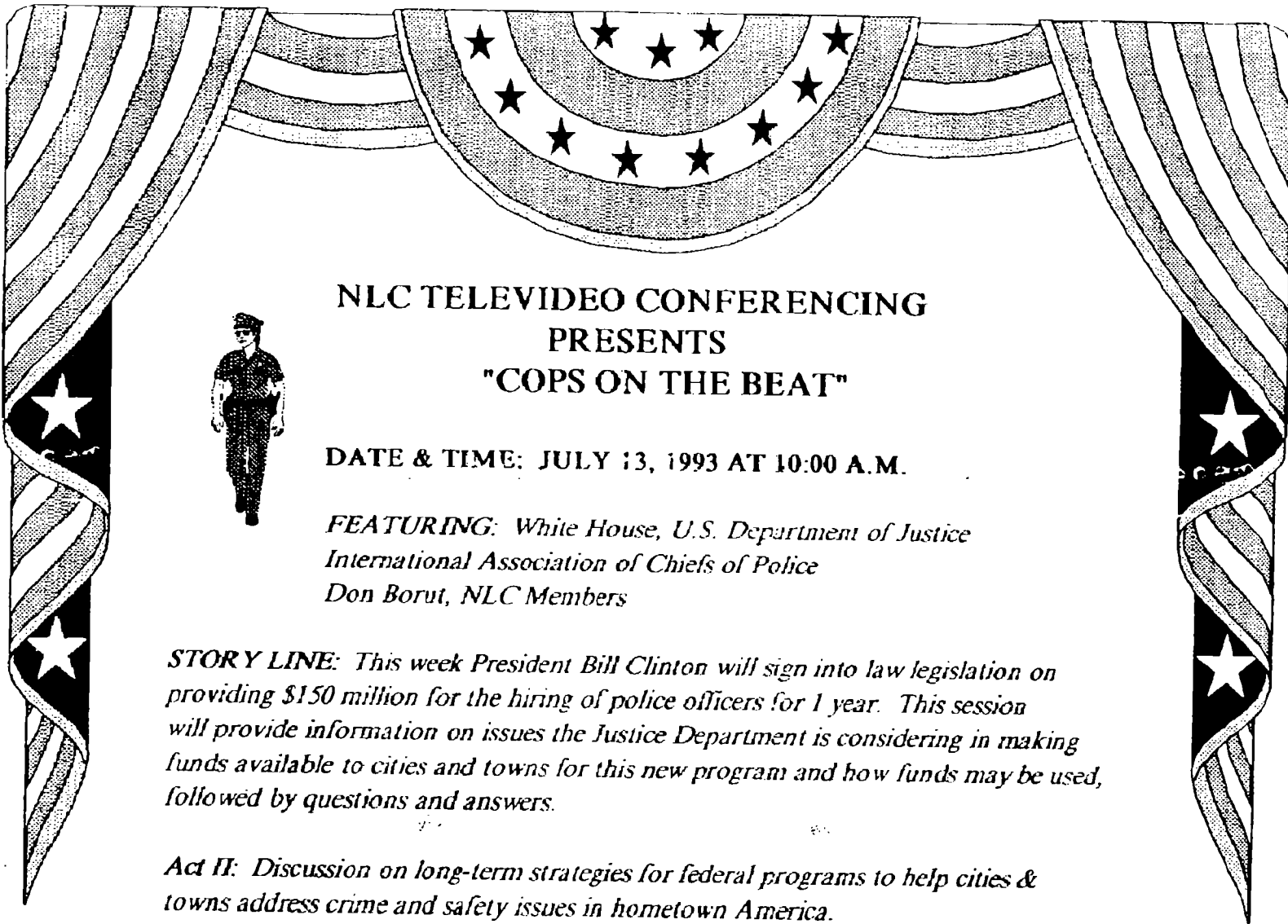
I am pleased that both Houses of Congress are considering anti-crime legislation that will provide mayors and police chiefs with important resources to make our streets safe. Recent efforts in the House and the Senate to substantially increase the number of police working in partnership with communities will tremendously benefit our war against violent crime in America's neighborhoods. I firmly believe that putting more officers on the streets is a vital step in making our neighborhoods free of danger, and that it will allow us to pursue an ambitious, common sense agenda of crime control and prevention measures.

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I applaud all of the participants in this session for working to address the urgent issues of crime and violence. I remain as committed as ever to stopping violent crime and protecting our citizens, and I look forward to meeting with you at the White House to discuss these issues.

Best wishes for a most successful conference.

A handwritten signature in black ink, reading "Bill Clinton". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.



**NLC TELEVIDEO CONFERENCING
PRESENTS
"COPS ON THE BEAT"**

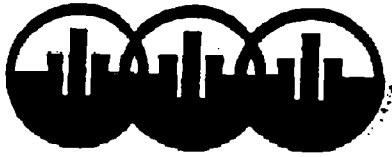
DATE & TIME: JULY 13, 1993 AT 10:00 A.M.

*FEATURING: White House, U.S. Department of Justice
International Association of Chiefs of Police
Don Borut, NLC Members*

***STORY LINE:** This week President Bill Clinton will sign into law legislation on providing \$150 million for the hiring of police officers for 1 year. This session will provide information on issues the Justice Department is considering in making funds available to cities and towns for this new program and how funds may be used, followed by questions and answers.*

***Act II:** Discussion on long-term strategies for federal programs to help cities & towns address crime and safety issues in hometown America.*

Please place on Jose's Chair or where



National League of Cities

FAX SHEET

he will see this 1st thing in am

National League of Cities
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Date: 7-12-93

To: Jose Certa

Of: Domestic Policy

Office Telephone #: () ~~517~~ 456 2564

FAX NUMBER: () 456-7739

From: Janet Quest

Office Telephone #: (202) 626-3020

FAX NUMBER: (202) 626-3043

Total Number of Pages Being Transmitted: 4
(including cover page)

Comments: Please call in morning. I'll
be here by 8:30. I need your title
for intro. TKS-JC

If any part of this transmission is illegible or incomplete, please call the office telephone number of the originating party above. If there is no answer, call the NLC switchboard between 8:30 a.m. and 5:00 p.m. EST at (202) 626-3000.



**National
League
of
Cities**

1301 Pennsylvania Avenue N.W.
Washington, D.C.
20004
(202) 626-3000
Fax: (202) 626-3043

Officers

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Donald M. Fraser
Mayor, Minneapolis, Minnesota

First Vice President
Sharpe James
Mayor, Newark, New Jersey

Second Vice President
Carolyn Long Banks
Councilwoman-at-Large, Atlanta, Georgia

Immediate Past President
Glenda E. Hood
Mayor, Orlando, Florida

Executive Director
Donald J. Borut

July 12, 1993

**To: Grace Mastelli, Attorney General's Office
Jose Certa, Domestic Policy Council
Dick Ward, Acting Director, Discretionary Programs
Justice Department**

From: Janet Quist, Legislative Counsel

Subject: Agenda for Televideo Conference

Attached is the agenda for the meeting on Tuesday. Based upon our phone conversations, the purpose of the televideo conference is to 1) introduce the White House to NLC's capabilities in this area and 2) provide NLC members the opportunity to raise issues of concern with respect to the implementation of the \$150 million to hire additional law enforcement personnel.

Grace, I am hoping you will provide a brief overview of the Attorney General's philosophy on community policing and direct funding similar to the discussion she had with NLC's leadership.

Dick, I would like you to provide an overview of the Byrne Discretionary grant program in current law and the uses of those funds. I would also like you to cover the provisions of the new law and how it fits with current law. If you can provide some glimmer of where Justice is coming from on this program that would be helpful. However, participants have been told that the guidelines are not out and that the purpose of the presentation is for them to provide you with their perceptions, concerns and suggestions.

Jose, you may feel free to jump in at any time or sit with the audience. It is your call.

Past Presidents: Sidney J. Barthelemy, Mayor, New Orleans, Louisiana • Tom Bradley, Mayor, Los Angeles, California • Ferd L. Harrison, Mayor, Scotland Neck, North Carolina • Cathy Reynolds, Councilwoman-at-Large, Denver, Colorado • **Directors:** Joseph L. Adams, Councilmember, University City, Missouri • Victor Ashe, Mayor, Knoxville, Tennessee • Kenneth Bullock, Executive Director, Utah League of Cities and Towns • Jimmy Burke, Mayor, Deer Park, Texas • William D. Burney, Jr., Mayor, Augusta, Maine • Jon C. Burrell, Executive Director, Maryland Municipal League • Anthony Capizzi, Commissioner, Dayton, Ohio • Patricia E. Castillo, Mayor, Sunnyvale, California • Pasa Chavez, Councilor, Santa Fe, New Mexico • E. W. Cromartie, II, Councilman, Columbia, South Carolina • Charles A. DeVaney, Mayor, Augusta, Georgia • William Evers, Mayor, Bradenton, Florida • Martin Gipson, Alderman, North Little Rock, Arkansas • Charles K. Hazama, Mayor, Rochester, Minnesota • Frances Huntley-Cooper, Mayor, Fitchburg, Wisconsin • Robert R. Jefferson, Councilmember, Lexington Fayette, Kentucky • Abbe Land, Councilmember, West Hollywood, California • Christopher G. Lockwood, Executive Director, Maine Municipal Association • Millie MacLeod, Council Member, Moorhead, Minnesota • Gary D. McCaleb, Mayor, Abilene, Texas • Thomas Menino, Councilor, Boston, Massachusetts • J. Ed Morgan, Mayor, Hattiesburg, Mississippi • Meyera Oberndorf, Mayor, Virginia Beach, Virginia • Judith P. Olson, Councilmember, Madison, Wisconsin • Sandra Pickett, Mayor Pro Tempore, Liberty, Texas • Mary Pinkett, Council Member, New York City, New York • Lynn Rex, Executive Director, League of Nebraska Municipalities • Raymond Sittig, Executive Director, Florida League of Cities • Woodrow Stanley, Mayor, Flint, Michigan • Frank Sturzl, Executive Director, Texas Municipal League • Kent E. Swisher, Executive Director, Alaska Municipal League • Daniel K. Tabor, Councilmember, Inglewood, California • Dan Thompson, Executive Director, League of Wisconsin Municipalities • Paul E. Thornton, Councilmember, Vienna, West Virginia • Doris Ward, Supervisor, San Francisco, California • Wellington Webb, Mayor, Denver, Colorado • Jim W. White, Councilmember, Kent, Washington • Jack Williams, Mayor, Franklin Park, Illinois • Alice K. Wolf, Mayor, Cambridge, Massachusetts • Robert G. Young, Jr., Mayor, Henderson, North Carolina

1301 Rem.
64 Pl.

TELECONFERENCE ON IMPLEMENTATION OF "COPS ON THE BEAT"
July 13, 1993, 10 a.m. (Eastern Time)

WORKING SCRIPT

9:15 - 9:45 a.m.

Site connections/testing

10 a.m. - 10:10 a.m.

Frank Shafroth convenes the session from NLC headquarters; introductions of participants at all sites. One lead person should be designated to speak first for the site -- e.g., From Atlanta, this is Carolyn Long Banks, councilwoman-at-large, Atlanta, and NLC second vice president. Then others introduce themselves. We will follow this order -- NLC headquarters; Atlanta; Ann Arbor; St. Paul; NACo headquarters.

10:10 - 10:15

Frank states the purpose of the session and describes the general process.

10:15 - 10:30

Grace Mastelli and Dick Ward, U.S. Department of Justice, provide a brief overview of the "cops on the beat" program -- what it is, what are the issues, and how it relates to current programming.

10:30 - 10:45

Frank leads a general discussion with comments/questions from each of the sites on issues and concerns from a local perspective on implement the program. Focus of this discussion will be to ask clarifying questions of the Justice representatives and identify local issues or concerns that participants would like the Justice representatives to be aware of. Frank will call on sites to get the discussion started beginning with Atlanta.

(more)

SENT BY:

7-14-94 : 5:37PM :

U. S. CONF. MAYORS-

2024566220:# 2/ 3



THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 293-7330
FAX (202) 293-2352

July 14, 1994

The Honorable Kweisi Mfume, Chair
Congressional Black Caucus
344 Ford House Office Building
Washington, D.C. 20515

Dear Mr. Mfume:

The crime bill currently in conference has the potential of providing critical help to the nation's cities and of having a significant impact on the crime problems we face. It is a balance of prevention and punishment. We know that the inclusion of the prevention provisions is a direct result of the hard work of the Congressional Black Caucus. You played a key role in writing the House bill, which is clearly the preferable of the two.

One of the provisions in the House bill, and one which we support, is the Racial Justice Act. Data has shown that African-Americans proportionally have received the death sentence more frequently than other Americans. This is an injustice which must be addressed.

We do not believe, however, that the Racial Justice Act or any one critical provision should bring down the entire bill. It includes too many important provisions: funding that will increase the availability of drug treatment, a ban on semi-automatic weapons, a range of crime prevention provisions that will provide alternatives and real help to our young people, and the ability to hire additional police officers. It also includes provisions that could prevent people from turning to crime in the first place and having to face stiff penalties, including the death sentence. We cannot afford to lose the opportunities this bill provides to the people of our cities.

None of us supports all of the individual provisions included in the crime bill. Clearly it represents many compromises, and there is too much in it that is good for us to oppose it because of those individual provisions. We urge you and other members of the Congressional Black Caucus not to oppose a crime bill which includes so many vital provisions for the people of our cities because it may not include the Racial Justice Act. We would like to work with you to secure passage of the Racial Justice Act either as a separate measure or as part of another bill.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wellington Webb".

Wellington Webb
Mayor of Denver

A handwritten signature in dark ink, appearing to read "Norman Rice".

Norman Rice
Mayor of Seattle

SENT BY:

7-14-94 : 5:38PM :

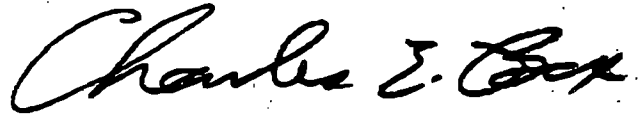
U. S. CONF. MAYORS-

2024566220:# 3/ 3

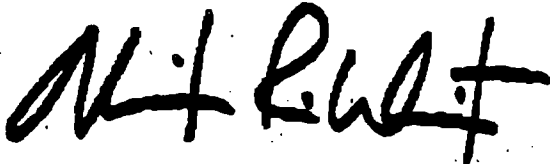
The Honorable Kweisi Mfume
Page 2



Dennis Archer
Mayor of Detroit



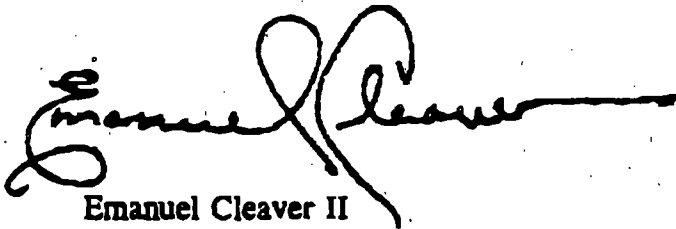
Charles Box
Mayor of Rockford



Michael White
Mayor of Cleveland



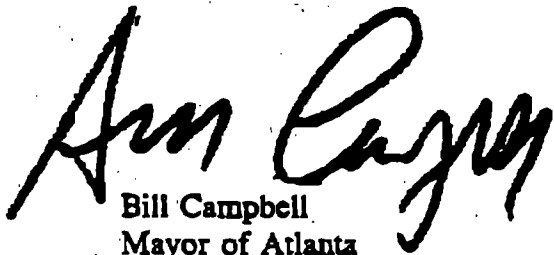
Willie Herenton
Mayor of Memphis



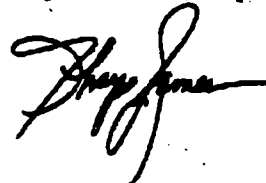
Emanuel Cleaver II
Mayor of Kansas City



Sharon Sayles Belton
Mayor of Minneapolis



Bill Campbell
Mayor of Atlanta



Sharpe James
Mayor of Newark

cc: Members, Congressional Black Caucus



THE UNITED STATES CONFERENCE OF MAYORS

1620 RYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 293-7330
FAX (202) 293-2352

July 1, 1994

The Honorable Orrin Hatch
United States Senate
135 Russell Senate Office Building
Washington, D.C. 20510-4402

Dear Senator Hatch:

I am writing to express my extreme concern and that of mayors across the nation with the Republican Alternative Crime Bill Conference Report which you announced yesterday. We have highlighted three key issues in our correspondence with you and other conferees. Your proposal contradicts our request and moves in the opposite direction.

We have requested that the grants for police hiring allow increased flexibility so that the funds can be used for items such as overtime, equipment and new technology, all of which could increase police presence on the streets. The Alternative Conference Report removes any flexibility from the bill. In addition, it would distribute the funds among the states on the basis of population (the Byrne grant formula). That will add an unnecessary and complicating level of bureaucracy to the program and assure -- between the non-needs based formula to the states and the tendency of states to spread funds around rather than target them -- that the funds will not likely be available to those areas which need them most. Cities are invariably short-changed when state governments handle allocations.

We have urged that the crime bill include a strong prevention package, in particular the Local Partnership Act. The Local Partnership Act provides flexible funds to local governments for education, substance abuse and jobs programs that prevent crime. How they use the money would be based on local needs. Among the kinds of programs that could be funded by it are the DARE program, metal detectors in schools, job training programs, keeping school facilities open longer for community activities, gang prevention programs, drug treatment, drug intervention programs, employment programs for young people or adults, and capitol improvements relating to educational, drug treatment or employment programs that prevent crimes. Your proposal deletes the Local Partnership Act and many of the other prevention provisions that have been included in the House and Senate versions of the crime bill. There may be room for debate concerning the distribution formula for the LPA, but the concept of prevention is a vital one.

The U.S. Conference of Mayors has urged that the bill include the ban on semi-automatic assault weapons that was passed by both Houses of Congress. The Alternative Conference Report drops this critical provision.

Our positions have been developed by mayors and police chiefs and represent our best thinking about how to address the serious crime problem in our cities. They are based on our comprehensive National Plan to Combat Violent Crime and the adopted policy of The United States Conference of Mayors. I request a meeting of mayors and police chiefs with Senate Republican leaders and conferees to discuss these issues further. In the meantime I would be pleased to talk with you about this further. I can be reached at (615) 521-2040.

Sincerely,

Victor Ashe
Mayor of Knoxville
President

cc. Wellington Webb, Mayor of Denver
Deedee Corradini, Mayor of Salt Lake City



White House Intergovernmental Affairs

Washington, D.C. 20500

telephone (202) 456-7060

facsimile (202) 456-6220

Facsimile Transmission Cover Sheet

Date 7/22/94

To: Jose ~~Estrella~~ Cerda

Fax Number: 6-7078

From: Dawn Friedman at (202) 456-7060.

Message: _____

Note: The information contained in this facsimile message is CONFIDENTIAL and is intended for the recipient ONLY. If there is a problem with this transmission, please contact the sender as soon as possible.

Number of pages with cover: 3

7-22-94 10:21AM

U. S. CONF. MAYORS-

2024566220: # 2/ 4



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

July 21, 1994

Honorable Joseph Biden
Chair, Committee on the Judiciary
United States Senate
226 Dirksen Senate Office Building
Washington, D.C. 20510-6275

Dear Senator Biden:

I write to urge you and the members of the conference committee to make changes in the Crime Bill such that the people of New York City can productively benefit from this initiative.

New York City shares the objective of the President and the Congress to increase the number of police officers on our streets. Indeed with this objective in mind, New York City increased its level of police officers by over 7,000 in the last three years, reaching the level of 38,310 officers. Unique to New York City, this increased uniformed level is mandated by State law and, consistent with State law, presently must be maintained by the City. Therefore, at this juncture, the City's critical need is not to add new police officers but is to utilize our existing force of officers in a more effective manner through the use of technology and equipment purchases, overtime initiatives and civilianization programs designed to relieve officers of administrative functions - all of which would have the desired effect of placing more officers in direct enforcement functions. In short, we can effectively add officers to enforcement in New York City if we have the flexibility to use the Community Policing funds currently slated in the bill for hiring new officers in more creative ways. As I mentioned in my May 4th letter to you on this topic, if the Crime Bill does not add this type of flexibility into that section of the Crime Bill which currently allocates 85% of the Community Policing funds for hiring and/or re-hiring police officers, New York City, as well as many other localities throughout the country, would be limited in its ability to avail itself of these funds.

7-22-94 10:21AM

U. S. CONF. MAYORS-

2024566220:# 3/ 4

Hon. Joseph Biden
July 21, 1994
Page 2

In our view, New York City should be assured of receiving its fair share of the funds presently earmarked for hiring and re-hiring police officers, but should be given the flexibility to determine how best to use the funds to yield the equivalent number of additional officers on our streets. The absence of such an assurance would unfairly prejudice New York City for recently hiring over 7,000 officers at considerable expense to its taxpayers. If we were to be given the flexibility I am requesting, we would be willing to certify to the Federal government how the funds were used to actually enhance policing. For example, if the funds were used for overtime, we would assure the Federal government that the funds would not supplant those funds we currently have available for this purpose, and we would demonstrate the extra hours of policing those funds made possible to the streets of New York City and, of course, be open to any audit necessary to certify the same.

I am also concerned about two additional areas of the Crime Bill. As I mentioned in my May 4th letter to you, the Roth Amendment to the Senate bill, which requires States and localities receiving monies under the bill to notify the Immigration and Naturalization Service (INS) of all known illegal aliens, poses a significant problem for New York City. Requiring state and local law enforcement authorities to notify INS when illegal aliens are in custody or suspected of criminal behavior is, of course, clearly appropriate. However, to require states and localities to report to INS on illegal aliens who require emergency health care, attend pre-natal or other public health clinics, enroll their children in public schools or seek police protection from criminal behavior, for example, is not in the interest of public health or safety. To deter illegal aliens from seeking these services for fear of deportation will jeopardize everyone, citizens, legal resident aliens and illegal resident aliens alike, not to mention the virtually impossible burden the Roth Amendment would place on an already understaffed INS. Accordingly, I urge that these concerns be taken into consideration, and that the Roth Amendment be modified.

Additionally, I am concerned with the potential reduction in the Police Corps authorization funding. The Police Corps is a very important part of the Crime Bill inasmuch as it would assist localities, such as New York City, in its efforts to recruit a diverse group of officers with greater levels of education and training. New York City supports the program particularly given its experience with its own police cadet corps which has been operational since 1986. I urge the Congress to preserve the funding authorization for this program as well as provide funds for local police cadet programs that seek to enhance the diversity in our police force and to provide educational assistance to youth interested in pursuing a law enforcement career.

I appreciate your efforts and those of your colleagues to address the nation's pressing crime problem through the provision of Community Policing funds. In order to ensure that the overall objectives of the legislation are met, and the safety and welfare of

SENT BY:

7-22-94 10:22AM :

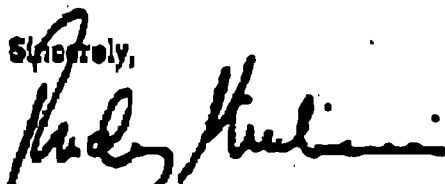
U. S. CONF. MAYORS-

2024566220:# 4/ 4

Hon. Joseph Biden
July 21, 1994
Page 3

all of our citizens can benefit from your efforts. I urge you to consider the particular needs of New York City in your deliberations on the Crime Bill.

Sincerely,



Rudolph W. Giuliani
Mayor

THE WHITE HOUSE

WASHINGTON

August 26, 1994

The Honorable Edward G. Rendell
Mayor of Philadelphia
Philadelphia, Pennsylvania 19107

Dear Ed:

Thank you for all of your support for the crime bill. The passage of this legislation is a crucial victory for all Americans, and I'm grateful for your extraordinary commitment.

Your dedication and support mean a great deal to me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill", written in a cursive style.

THE WHITE HOUSE

WASHINGTON

August 26, 1994

The Honorable Rudolph W. Giuliani
Mayor of New York
New York, New York 10007

Dear Rudy:

I deeply appreciate your tremendous support for the crime bill. The passage of that legislation is a crucial victory for all Americans, and I'm grateful for your extraordinary commitment.

Thanks especially for your willingness to urge others to put aside partisan differences and work together to make our communities safer for all Americans.

Your dedication and support mean a great deal to me.

Sincerely,

Bill Clinton

cc: Jose Cerda



White House Intergovernmental Affairs

Washington, D.C. 20500

telephone (202) 456-7060

facsimile (202) 456-6220

Facsimile Transmission Cover Sheet

Date 12-17-94

To: Jose Cerda

Fax Number: 6-1028

From: Dawn Friedman at (202) 456-7060.

Message: _____

Note: The information contained in this facsimile message is CONFIDENTIAL and is intended for the recipient ONLY. If there is a problem with this transmission, please contact the sender as soon as possible.

Number of pages with cover: 3



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

January 27, 1994

President Bill Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We, the mayors of eight of our country's largest cities, are writing to urge that your FY 1995 Budget, and the attendant four year budget estimate, reflect a commitment to fund 100,000 "police on the beat".

First, let us thank you for taking the initiative by purposing a plan to put more police on the street. We applaud that effort and want to convey several recommendations that we believe would improve upon this plan. The Crime Bill should authorize 100,000 fully funded new police officer positions for your "police on the beat" program.

We strongly support this level of funding on a per capita basis for major urban areas and we urge that each municipality be given sufficient flexibility to address its unique needs in areas such as training, equipment, and overtime provisions. Moreover, we feel that it is extremely important that your FY 1995 budget request support this level of funding. We urge that the funding for police be made a permanent part of the budget so that the additions to our forces remain permanent.

U S O P Y
January 27, 1994

We are also concerned about the local match requirements as currently proposed. We realize, however, the importance of getting more officers on the street and therefore pledge to work with your administration to resolve all of these issues in a manner that insures the ultimate success of this plan.

Sincerely,



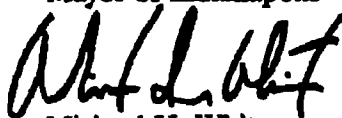
Rudolph W. Giuliani
Mayor of New York



Bob Lanier
Mayor of Houston



Stephen Goldsmith
Mayor of Indianapolis



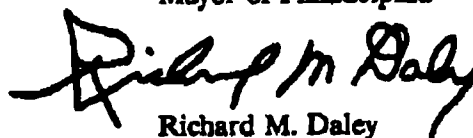
Michael H. White
Mayor of Cleveland



Richard J. Riordan
Mayor of Los Angeles



Edward G. Rendell
Mayor of Philadelphia



Richard M. Daley
Mayor of Chicago



Dennis W. Archer
Mayor of Detroit

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Laura DeKoven Waxman to Marcia Hale; re: City Representatives Attending Wednesday's Meeting [Personally Identifiable Information] [Partial] (1 page)	05/09/1994	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5874

FOLDER TITLE:

Misc. [Miscellaneous] Outside Groups [1]

2009-1305-F
jp3660

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 293-7330
FAX (202) 293-2352
TDD (202) 293-9445

President:

JEFF AMMONSON
Mayor of Louisville

Vice President:

VICTOR ASKE
Mayor of Knoxville

Presidents:

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ORING SPANLOW
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Mayor of Madison

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Executive Director:

J. THOMAS COCHRAN

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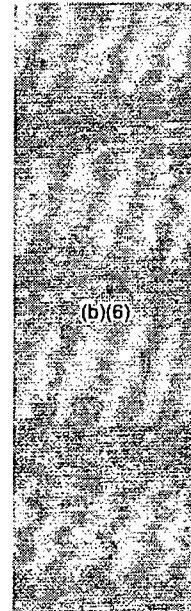
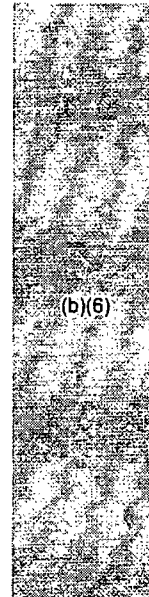
May 9, 1994

To: Marcia Hale
From: Laura DeKoven Waxman *LDW*
Re: City Representatives Attending Wednesday's Meeting

*4:45 pm
Roosevelt
Room*

Below is the list of city representatives attending Wednesday's meeting on funding issues relating to the Supplemental Hiring and the "Cops on the Beat" program:

Chicago:	Jay Michaud
Houston:	Marlene Colucci
	Sylvia de Leone
New York City:	Alice Tetelman
	Mary Helen Mathis
Los Angeles:	Jim Seeley
Newark:	Marilyn Berry Thompson
Dallas:	Stephanie Stapleton
Beaumont:	Carolyn Chaney
Cleveland:	Darlene Taylor
Philadelphia:	Peter Peyser
	Deirdre Pappalardo
Indianapolis:	Julie Church
Conference of Mayors:	Laura DeKoven Waxman



[00]

Thanks for setting up the meeting. I look forward to seeing you on Wednesday.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

FOR IMMEDIATE RELEASE
Date: August 15, 1994

Release # 366-94

Contact: Cristyne Lategano (212) 788-2958

MAYOR GIULIANI, REP. SCHUMER AND POLICE COMMISSIONER BRATTON
URGE CRIME BILL PASSAGE

Mayor Rudolph W. Giuliani joined with Rep. Charles Schumer and Police Commissioner William Bratton today to urge Congress to pass the 1994 Crime Bill, which was blocked last week in a procedural vote in the House.

"The 1994 Crime Bill is primarily aimed at enhancing law enforcement," Mayor Giuliani said. "The bill contains money for police departments, prisons and jails and provides for the death penalty. That is why the legislation has the support of virtually every law enforcement organization in the nation, as well as the support of Democratic and Republican Mayors of America's major cities, including Los Angeles and Philadelphia. The bill also contains money for prevention programs, including those that will keep kids off the street by extending the school day."

"Here in New York, the bill would provide state-of-the-art computer equipment for the NYPD and would allow us to speed civilianization in the Police Department, putting more officers on the street," continued the Mayor.

"The bill also addresses the crisis of family violence," Mayor Giuliani added. "We recently unveiled our Domestic Violence Initiatives, a strategy aimed at breaking the cycle of family violence in New York City. Our efforts will be enhanced by the Violence Against Women Act contained in the Crime Bill, which provides funds for special prosecution and investigation units and training for police and prosecutors in the special problems in rape and domestic violence cases."

"This bill is needed to help dispel the cloud of hopelessness that has descended over so many of our nation's young people," Mayor Giuliani concluded. "It has wide bipartisan support -- so let's put aside political concerns and work together to pass this legislation."

Jose
Cerde

THE WHITE HOUSE
WASHINGTON

July 1, 1994

The Honorable Paul Keenan
Mayor of Albany
Albany, Georgia 31702-0447

Dear Paul:

You have an historic opportunity to directly affect one of the most important issues facing our nation today -- crime and violence. Congress is now in the process of reconciling the differences between the House- and Senate-passed versions of the crime bill, and you have an important voice.

You and many other Mayors have already done a great deal to focus public attention on crime, and I thank you for your efforts to date. Working together, we have been able to get Congress to pass sweeping crime legislation that focuses on getting resources to those on the front lines -- local governments and local law enforcement. This is a significant departure from past crime bills. Instead of merely expanding the federal government's role in state and local matters, the current crime bill takes the monies we save from shrinking the federal bureaucracy -- some \$28 billion -- and gives them to you to fight crime. Here are some of the things that the crime bill will do: It will help cities put more police on the street and expand community policing; it will provide more monies for prisons, jails, and boot camps, and to house criminal aliens; it will say to repeat violent offenders "three strikes and you're out"; it will ban the deadliest assault weapons; and it will give equal billing to crime prevention activities, particularly those that target our youth.

However, with the passage of the most sweeping and sensible crime bill near completion, I will need your support and assistance to finish the job we began six months ago. I encourage you to become personally involved so that Congress can move quickly. The crime bill is too important to delay or sacrifice to the politics of gridlock. Let us not lose this historic opportunity to act decisively.

Sincerely,

Ric Clinton



INFO BYE PRINT, NORTHWEST
 WASH. DC, OR, FL, SOUTH
 TEL: (202) 452-7330
 FAX: (202) 452-7330
 TEL: (202) 452-7330

[illegible]

**The Honorable Robert Dole
Minority Leader
United States Senate
Washington, D.C. 20510**

DEAR SENATOR BOLIN:

On behalf of the United States Conference of Mayors, we are writing to express our strong support for the omnibus crime legislation pending in the Senate and to urge immediate passage of the bill.

Last year, our nation's mayors and police chiefs joined together to develop our own recommendations for federal measures to address crime, culminating in the release last December of our report, A National Action Plan to Combat Violent Crime. This was a bipartisan effort which called for flexible law enforcement assistance, firearms control, a strengthened criminal justice system, and crime prevention programs.

Mayors and police chiefs took the recommendations of the report to the Administration and to Congress, and the crime bill now before the Senate closely mirrors our recommendations. That is why we believe this bill to be balanced legislation which will have a major impact on violence in our society.

Republican and Democratic mayors recently met with the bipartisan leadership in the House to urge action on balanced crime legislation, and we support the compromise which was approved.

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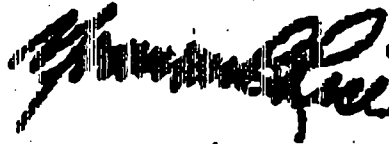
The Honorable Robert Dale
August 24, 1994
Page 2

The time for the Senate to act is now. Any delay in enactment of this legislation will only lengthen the time until new police officers hit our streets and needed prevention programs begin to impact our communities. We urge your support for the crime bill.

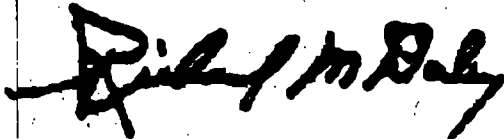
Sincerely,



Victor Ashe
Mayor of Knoxville
President



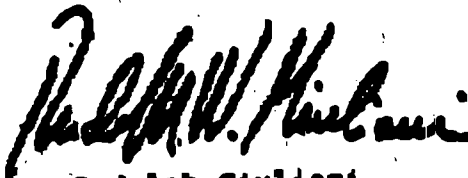
Norman Rice
Mayor of Seattle
Vice President



Richard Daley
Mayor of Chicago
Chair, Advisory Board



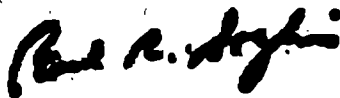
Jerry Abramson
Mayor of Louisville
Past President



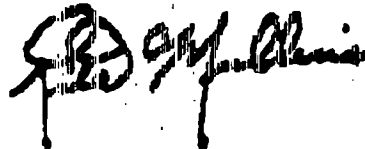
Rudolph Giuliani
Mayor of New York City



Edward Rendell
Mayor of Philadelphia



Paul Seglin
Mayor of Madison



Rita Mullins
Mayor of Polatino

Wellington E. Webb
MAYOR



City and County of Denver

CITY AND COUNTY BUILDING • DENVER, COLORADO • 80202

AREA CODE 303 640-2721

640-2720 (V/TDD)

April 13, 1994

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

Dear Mr. President:

In recent months, you have spoken eloquently of your deep concern about violent crime and the urgent need for a multifaceted strategy to combat it. You have advocated federal funding to put 100,000 more police on our streets, a federal ban on assault weapons, and federal funding for constructive intervention for young offenders. You have alerted the entire nation to the need for bold new partnerships involving all levels of government and citizens to rebuild communities and families.

We wish to support you in these efforts to blend the need for certain and severe punishment for today's most serious offenders with the need for compassion and community-building to provide potential offenders with alternatives, opportunity, and hope.

Accordingly, we strongly support the \$6.8 billion in crime prevention measures contained in Title X of H.R. 4092, the Violent Crime Control and Law Enforcement Act of 1994. For the first time in the history of omnibus crime bills, there is an opportunity to include a comprehensive legislative package directed at preventing crime in our communities. For the first time, it may be possible to achieve some measure of parity between punishment and prevention, by addressing the root causes of crime alongside of the need to sound tough.

The major prevention measures in Title X include:

\$2 billion: Local Partnership Act grants within 60 days to the most needy rural and urban local governments for either education or substance abuse programs related to crime prevention (Subtitle I)

\$1.5 billion: grants to 15 high crime areas (Subtitle A)

The Honorable William J. Clinton

April 13, 1994

Page Two

\$1.4 billion: grants for drug treatment for convicted criminals in drug courts (Subtitle E)

\$1.15 billion: grants to help children (Subtitle B Part II)

\$525 million: job training grants to ten local governments (Subtitle J)

\$125 million: Ounce of Prevention Council grants (Subtitle B Part I)

\$157 million: miscellaneous programs: Police Partnerships for Children, Midnight Sports, Assistance for Delinquent and At-Risk Youth, Police Recruitment, and National Triad Program.

Our cities will benefit greatly from the passage of a Crime Bill that includes such a comprehensive prevention package. For example, under the Local Partnership Act Detroit will receive \$32 million; Baltimore -- \$19 million; Cleveland -- \$11 million; New Orleans -- \$10 million; Newark -- \$6 million; and Atlanta -- \$4 million.

We understand that efforts will be made during the debate of the House of Representatives in April to delete, or seriously modify, these provisions in Title X, which were approved by the Committee on the Judiciary by a bipartisan vote on March 17, 1994.

We urge you to oppose these efforts so that H.R. 4092 can be passed quickly, thereby enabling the Senate and House conferees to promptly complete Congressional consideration of significant crime legislation.

Sincerely,

(the undersigned)

Wellington E. Webb, Mayor
Denver, Colorado
Chair, U.S. Conference of Mayors Task Force on Violence

Dennis Archer, Mayor
Detroit, Michigan

Sharpe James, Mayor
Newark, New Jersey
President, National League of Cities

Freeman Bosley, Mayor
St. Louis, Missouri

Michael White, Mayor
Cleveland, Ohio

Bill Johnson, Mayor
Rochester, New York

Kurt Schmoke, Mayor
Baltimore, Maryland

Sidney Barthelemy, Mayor
New Orleans, Louisiana

cc: Attorney General Reno
Members of Congress from areas of signing Mayors

**NAAUSA
FAX COVER SHEET**

AUGUST 17, 1994

TO: MR CERDA

NATIONAL ASSOCIATION OF ASSISTANT UNITED STATES ATTORNEYS

901 North Pitt Street
Suite 375
Alexandria, VA 22314
703-518-8882

August 16, 1994

The Honorable Janet Reno
Attorney General
Main Justice
10th & Constitution Avenue, NW
Washington, DC 20530

Dear General Reno:

On behalf of the National Association of Assistant United States Attorneys, we thank you for allowing us to meet with representatives of the Department of Justice yesterday to discuss the crime bill. We are confident they have expressed our views to you and, therefore, we will not reiterate them here. Suffice it to say it appears that the vast majority of AUSAs strongly oppose the present language in the crime bill regarding mandatory minimums for "low level" drug offenders.

The position of the Department, expressed at our meeting, was that there was to be no compromise and the Administration was again going to seek a vote on the rule. Today the press is reporting that, in fact, some concessions are to be made. We urge the Department and Administration to correct the flawed mandatory minimum language in the crime bill. We have submitted language that achieves the overall objective of the proposal without taking away our discretion and burdening us with thousands of motions, many of which will be frivolous. We think justice can be well served by a "blue sheet" requiring all AUSAs to review their past cases to determine if any previously convicted offenders qualify and then move the court for a sentence reduction.

Obviously time is of the essence. We need to know immediately whether our position will be accepted by the Administration. If it is we will join with you in anyway you choose to help pass the crime bill. Please do not close out and leave us to make a decision in the dark that could be damaging to the Department or this Administration.

Respectfully yours,

Lawrence J. Leiser, AUSA
President, NAAUSA

NATIONAL ASSOCIATION OF ASSISTANT UNITED STATES ATTORNEYS**DRAFT -- DRAFT -- DRAFT**

Dear Member of Congress:

The National Association of Assistant United States Attorneys represents the front-line federal prosecutors responsible for the enforcement of the nation's laws, including the criminal laws of the United States.

The language contained in the current crime bill, as reported by conference, which relaxes mandatory minimum sentences for certain drug offenders and which applies retroactively to those already convicted, would severely weaken our efforts to fulfill our public responsibilities as prosecutors. The bill's language is unacceptable to our members and our association.

We have previously provided the House leadership with language which would achieve flexibility in the application of mandatory minimums while maintaining the government's authority to permit reductions in sentences for cooperation. This authority has been used responsibly by prosecutors for almost a decade.

Accordingly, we strongly oppose the current provisions and request that corrections be made to address our concerns.

Sincerely,

Lawrence J. Leiser, AUSA
President, NAAUSA

NAAUSA FAX

TO: MR. CERDA

NATIONAL ASSOCIATION OF ASSISTANT UNITED STATES ATTORNEYS POLICY BRIEF

MANDATORY MINIMUMS

The National Association of Assistant United States Attorneys represents frontline federal prosecutors, including criminal narcotics prosecutors and designated Organized Crime Drug Enforcement Task Force prosecutors, charged with enforcing the federal narcotics laws. We are encouraged that "The Mandatory Minimum Sentencing Reform Act of 1994", H.R. 3979, as amended, and adopted by the Committee on the Judiciary's Crime Subcommittee, recognizes the importance of limiting relief from provisions of existing mandatory minimum sentences to those defendants who have made every effort to provide assistance to the government.

The proposed amendment to Section 3553 of Title 18, United States Code, to create a relief mechanism from application of mandatory minimum sentences in certain cases, includes the criteria as set forth in paragraph (5) that the defendant has provided to the government all information the defendant has concerning the offense or other criminal conduct related to the offense.

While we are encouraged by the obvious recognition that any relaxation from mandatory minimum application should be limited to those who provide information to the government, we suggest that the existing language is problematic in its application. The first difficulty arises as to who is in a position to determine whether a defendant has provided the government all information. Only the government is able to make that determination, by comparing the information provided with other evidence of the case. The current language would conceivably allow the defendant to self-servingly state "that's all I know," without the government being in a position to test that assertion by debriefings, polygraph results, etc. In order to assist in this process, the defendant should be required to provide any evidence he can, in addition to information.

Similarly, we are concerned that this relief mechanism not be available to a defendant who has provided information which is not truthful, or to a defendant who in providing certain truthful information, nevertheless, also lies about other aspects or

details so as to mislead investigators or obstruct the investigation.

It also should be required that the information be timely. Under the current language, a defendant who goes to trial and is convicted, would presumably be able to stand up at sentencing, tell the government what it has already proved, and avoid the mandatory minimums under this escape provision.

Accordingly, we seek amended language which would require that the defendant must provide timely information, truthful information, other evidence, and that the determination as to whether a defendant has provided all this be by certification by the government. Otherwise the sentencing court will be inundated by litigation calling upon it to make determinations it is not equipped to make.

This is the natural complement to the existing "Substantial Assistance" reduction mechanism currently embodied under Section 3553(e) of Title 18 United States Code. This provision has been responsibly applied by federal prosecutors throughout the country.

It reflects the recognition that the government is in the best position to make such a determination, and provides the incentive to the low-level defendant to work with the government in working up the ladder to identify and target higher-up drug traffickers. The current amendment properly recognizes that there are simply those who are not able to provide "substantial assistance" but who nevertheless have done everything they can to assist.

Simply put, society has a right to ask that a defendant provide all that he knows. If what he knows constitutes "substantial assistance" he will have already earned relief. (18 U.S.C. 3553 (e)) If it does not, and he meets the other requirements of the currently proposed legislation, then justice dictates that he receive a lesser sentence.

The amended language which we have suggested (attached) will assure that defendants continue to have an incentive to cooperate with the United States by providing all truthful information in a timely manner, while allowing those who, through no fault of their own, are simply not in a position to provide "substantial assistance," an opportunity to receive a sentence below current mandatory minimums.

(f)(5) is hereby amended by striking

"(5) no later than the time of the sentencing hearing, the defendant has provided to the Government all information the defendant has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan. The fact that the defendant has no relevant or useful other information to provide shall not preclude or require a determination by the court that the defendant has complied with this requirement."

and inserting

"(5) the government certifies that the defendant has timely and truthfully provided to the government all information, and evidence the defendant has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan."

NAAUSA
FAX
August 17, 1994

TO:JOSE CERDA
PLEASE DELIVER ASAP!

NATIONAL ASSOCIATION OF ASSISTANT UNITED STATES ATTORNEYS

901 North Pitt Street
Suite 375
Alexandria, VA 22314
703-518-8882

August 17, 1994

The Honorable Joseph Biden
Chairman, Senate Judiciary
Washington, DC 20510

Dear Mr. Chairman:

The National Association of Assistant United States Attorneys has as its members front-line litigators. Our members represent the United States in all civil and criminal matters. We are our nation's lawyers. Most of our members are prosecutors who work very closely with federal and local law enforcement agents.

In 1987, Congress the Federal Sentencing Guidelines which, in part, had stiff but appropriate sentencing provisions, incorporating mandatory minimum sentences for certain drug traffickers. Those mandatory minimums have given our prosecutors the ability to get drug dealers to cooperate by forcing them to work with us in giving up their source (s) of supply or face years of incarceration. When their cooperation is deemed to be "substantial" by a committee of Assistant United States Attorneys (or, in some cases, the United States Attorney), their sentences may be reduced by a federal Judge. In fiscal 1993, almost one-fifth of convicted defendants benefited by having their sentences reduced because they cooperated with law enforcement authorities. The results of that cooperation led to the arrest and conviction of numerous drug suppliers and their sources.

The present Crime Bill contains a provision which not only severely negate the benefits of "mandatory minimums" for a certain class of offenders, but also would permit the filing of 10,000 to 20,000 frivolous law suits which would cause prosecutors to spend their time in needless litigation instead of investigating and prosecuting criminals. The present provision would dilute prosecutors' ability to determine if a drug dealer has "substantially" cooperated. In effect, our leverage to get to the suppliers would be eliminated for certain types of drug traffickers. We cannot stand idly by and allow this very effective tool to be taken from us and the citizens we are sworn to protect.

The bill's present language is intended to address low level drug traffickers who are so minimally involved that they cannot have their sentences reduced because they truly cannot provide information or cooperation which would be deemed to be "substantial". In some instances under mandatory minimums (and the Department of Justice's requirement that prosecutors had to charge the most serious provable crime), some injustices occurred. We believe that should be corrected. However, Attorney General Reno fixed this problem some time ago by no longer requiring Assistant United States Attorneys to charge the most serious readily provable offense if that would result in a miscarriage of justice. In addition, our Association proposed minor revisions to the present bill which would codify the intent to appropriately treat first time low level drug traffickers. We are not opposed to these goals and objectives. We are, however, very much opposed to the way the present bill achieves them.

NAAUSA

Page Two
August 17, 1994

We believe that prosecutors are in the best position to determine if an individual has cooperated substantially or truly has nothing to offer and therefore meets the other criteria to receive a reduced sentence in accordance with this bill's present language. We have proposed, therefore, that in order to qualify for "safety valve" relief, the current language be amended as follows:

(f)(5) is hereby amended by striking the current language and inserting:

(f)(5) the government certifies that the defendant has timely and truthfully provided to the government all information and evidence the defendant has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan.

We urge the Committee to make the change we have proposed.

Sincerely,

Lawrence J. Leiser, AUSA
President, NAAUSA

NATIONAL ASSOCIATION OF ASSISTANT UNITED STATES ATTORNEYS
POLICY BRIEF

MANDATORY MINIMUMS

The National Association of Assistant United States Attorneys represents frontline federal prosecutors, including criminal narcotics prosecutors and designated Organized Crime Drug Enforcement Task Force prosecutors, charged with enforcing the federal narcotics laws. We are encouraged that "The Mandatory Minimum Sentencing Reform Act of 1994", H.R. 3979, as amended, and adopted by the Committee on the Judiciary's Crime Subcommittee, recognizes the importance of limiting relief from provisions of existing mandatory minimum sentences to those defendants who have made every effort to provide assistance to the government.

The proposed amendment to Section 3553 of Title 18, United States Code, to create a relief mechanism from application of mandatory minimum sentences in certain cases, includes the criteria as set forth in paragraph (5) that the defendant has provided to the government all information the defendant has concerning the offense or other criminal conduct related to the offense.

While we are encouraged by the obvious recognition that any relaxation from mandatory minimum application should be limited to those who provide information to the government, we suggest that the existing language is problematic in its application. The first difficulty arises as to who is in a position to determine whether a defendant has provided the government all information. Only the government is able to make that determination, by comparing the information provided with other evidence of the case. The current language would conceivably allow the defendant to self servingly state "that's all I know," without the government being in a position to test that assertion by debriefings, polygraph results, etc. In order to assist in this process, the defendant should be required to provide any evidence he can, in addition to information.

Similarly, we are concerned that this relief mechanism not be available to a defendant who has provided information which is not truthful, or to a defendant who in providing certain truthful information, nevertheless, also lies about other aspects or details so as to mislead investigators or obstruct the investigation.

It also should be required that the information be timely. Under the current language, a defendant who goes to trial and is convicted, would presumably be able to stand up at sentencing, tell the government what it has already proved, and avoid the mandatory minimums under this escape provision.

Accordingly, we seek amended language which would require that the defendant must provide timely information, truthful information, other evidence, and that the determination as to whether a defendant has provided all this be by certification by the government. Otherwise the sentencing court will be inundated by litigation calling upon it to make determinations it is not equipped to make.

This is the natural complement to the existing "Substantial Assistance" reduction mechanism currently embodied under Section 3553(e) of Title 18 United States Code. This provision has been responsibly applied by federal prosecutors throughout the country.

It reflects the recognition that the government is in the best position to make such a determination, and provides the incentive to the low-level defendant to work with the government in working up the ladder to identify and target higher-up drug traffickers. The current amendment properly recognizes that there are simply those who are not able to provide "substantial assistance" but who nevertheless have done everything they can to assist.

Simply put, society has a right to ask that a defendant provide all that he knows. If what he knows constitutes "substantial assistance" he will have already earned relief. (18 U.S.C. 3553 (e)) If it does not, and he meets the other requirements of the currently proposed legislation, then justice dictates that he receive a lesser sentence.

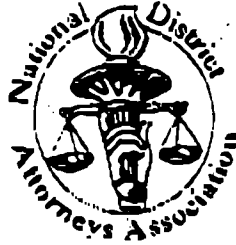
The amended language which we have suggested (attached) will assure that defendants continue to have an incentive to cooperate with the United States by providing all truthful information in a timely manner, while allowing those who, through no fault of their own, are simply not in a position to provide "substantial assistance," an opportunity to receive a sentence below current mandatory minimums.

(f)(5) is hereby amended by striking

"(5) no later than the time of the sentencing hearing, the defendant has provided to the Government all information the defendant has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan. The fact that the defendant has no relevant or useful other information to provide shall not preclude or require a determination by the court that the defendant has complied with this requirement."

and inserting

"(5) the government certifies that the defendant has timely and truthfully provided to the government all information, and evidence the defendant has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan."

**NATIONAL DISTRICT ATTORNEYS ASSOCIATION**

99 Canal Center Plaza • Suite 510 • Alexandria, Virginia 22314

Telephone: (703) 549-9222

Fax: (703) 836-3195

*Office of the President***August 1, 1994**

The Honorable Joseph R. Biden, Jr.
Chairman, Committee on the Judiciary
United States Senate
Washington, DC 20510-6275

Dear Senator Biden:

The National District Attorneys Association wholeheartedly supports the efforts of you, and your colleagues, in structuring a Crime Bill that promises to make significant inroads in our national fight against crime. The people of this country need and want leadership in directing these efforts and the final legislation that you have shaped provides a means for the will of the people to be fulfilled.

We appreciate that reaching this juncture was a long and difficult process and that the demands of all could not be accommodated. While many may criticize specific components of the Conference Report, we believe that the final effort provides a balance of programs that hold the potential for making a vast difference for our nation in reducing the crime rate.

We would urge that the Crime Bill be enacted. The members of this Association, serving as the prosecutors for every city, town and county across the country, renew our pledge to the American people to do all within our power to provide them the leadership to end the national blight of crime.

Sincerely,

Robert L. Deschamps, III
President



Melody M. Heaps, President • Louis B. Garippo, Chairman, Board of Directors

Administrative Offices • 1500 N. Halsted St. • Chicago, IL 60622

(312) 787-0208 • Fax: (312) 787-9663

August 3, 1994

Hon. Cardiss Collins
U.S. House of Representatives
Washington, DC 20515

Dear Congresswoman Collins:

I am writing to ask for your support on the federal crime bill rule and on the crime bill itself. Although there are varying opinions about some of the provisions in the bill, the substance abuse treatment and prevention programs that are included represent the largest commitment the federal government has ever made to address substance abuse in the criminal justice system.

Illinois treatment providers, criminal justice system personnel and local and state governments have all worked together to strengthen and expand treatment availability in the court system and in our communities—we have much to gain if this bill passes. The bill includes:

- \$1.3 billion for drug courts,
- \$300 million for treatment in state prisons,
- \$125 million for treatment in federal prisons, and
- \$100 million for the ounce of prevention program, which targets at-risk youth and families with crime prevention programming, including substance abuse prevention.

There seems to be sufficient support to pass the bill, but not the rule. If the rule is defeated and the bill is sent back to the conference committee, our drug treatment and prevention monies might be eliminated.

Even if you cannot vote for the bill, we need your help to pass the rule. I hope we can count on your support. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody M. Heaps", is written over a printed name and title.

Melody M. Heaps
President

Wednesday, Aug. 3

Legislative Action Alert
**THE FEDERAL CRIME BILL: DRUG TREATMENT AND
PREVENTION \$ IN DANGER!**

Many of us have been working very hard with our congressional representatives and the White House to include substance abuse treatment and prevention in the federal crime bill. Although there are varying opinions about some of the provisions in the bill, the substance abuse provisions we have achieved are among the most comprehensive ever. We have all worked very well together in Illinois to strengthen and expand treatment availability in the court system and in our communities—we have much to gain if this bill passes—and much to lose if it doesn't.

The situation: As you may know, the bill has passed out of the conference committee and is now in the House. The White House feels that there is enough support to pass the bill, but not the rule that would permit it to be heard on the House floor. If the rule is defeated now and the bill is sent back to the conference committee, treatment and prevention monies will be targeted for reduction or elimination.

Our message to our congressional representatives:

- We need your support on the crime bill rule and on crime bill passage. It's a good, balanced bill with tough and smart punishments, including prevention and drug treatment.
- We realize that there are varying positions about certain provisions in the bill, but we have worked hard with the Administration and crime conferees to get a \$1.3 billion drug court program, \$300 million for treatment in state prisons, \$125 million for treatment in federal prisons, and \$100 million for the ounce of prevention program, which targets at-risk youth and families with crime prevention programming, including substance abuse prevention. This is the largest commitment the federal government has ever made to promote treatment in the criminal justice system.
- Even if you can't support the bill, we need your help to pass the rule. There seems to be sufficient support to pass the bill, but not the rule. If the rule is defeated and the bill is sent back to the conference committee, our drug treatment monies could be stripped out. Please don't let this happen.
- Can we count on your support?

**CALL OR FAX YOUR MESSAGE OF SUPPORT TODAY (PREFERABLE)
OR VERY EARLY TOMORROW MORNING. THE VOTE WILL BE UP
TOMORROW!**

• are especially targeting:
**Cardiss Collins (202) 225-5006 and
Sidney Yates (202) 225-2111**

Fax 202-225-8396
Fax 202-225-3493

Let us know what you've done and any feedback you get from their offices. Thanks!

National Assn. of Drug Court Professionals

701 N. Fairfax Street • Alexandria, VA 22314

(703) 706-0563 • (703) 706-0565 FAX

FOR IMMEDIATE RELEASE

August 18, 1994

CONTACT: NADCP

(703) 706-0563

NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS DECLARES SUPPORT OF CRIME BILL

The National Association of Drug Court Professional (NADCP) today declared its strong support of the omnibus Crime Bill currently before Congress. NADCP President Jeffrey Tauber stated that the organization could not stand by and allow opponents of the bill to unfairly characterize drug courts and other important anti-drug programs within the Crime Bill as "pork."

"That broad characterization of important anti-drug programs is not only unfair but clearly inaccurate. Today over 30 drug courts nationwide provide frequent drug testing, judicial supervision and sanctions, as well as drug treatment, education and job training to drug users."

In communities such as Miami and Ft. Lauderdale, Florida, Oakland, California and Portland, Oregon, drug courts have substantially reduced the level of drug usage and criminality at a fraction of the cost of incarceration.

"The \$1.3 billion designated within the Crime Bill for drug courts is a small fraction of the monies allocated for prisons, but just as important to the nation's fight against drug abuse and criminality," said Jeffrey Tauber, a judge and architect of the Oakland Drug Court Program.

NADCP is comprised of judges, prosecutors, treatment providers, law enforcement officials, educators, and other community leaders from across the nation who are dedicated to the reduction of substance abuse and crime through the establishment of comprehensive drug court programs.

Executive Committee

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Oakland, California

Edenridge, Maryland

Oakland, Calif.

Vice President

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Michael Judge

Public Defender

Los Angeles, Calif.

Judge Jack Lehman

Las Vegas District Court

Las Vegas, Nev.

Timothy Hunter

Director, Metro Dade Office

of Substance Abuse Control

Miami, Fla.

Affiliated

with Community

Anti-Drug Foundation

of America



National Assn of Drug Court Professionals

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FOR IMMEDIATE RELEASE
August 18, 1994

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EXECUTIVE COMMITTEE

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Emeryville Municipal Court
Oakland, Calif.

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Michael Judge

Public Defender
Los Angeles, Calif.

Judge Jack Lehman

Las Vegas District Court
Las Vegas, Nev.

Timothy Murray

Director
Metro Dade Office of
Substance Abuse Control
Miami, Fla.

NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS ASKS CONGRESS TO PASS CRIME BILL

The National Association of Drug Court Professional (NADCP) today declared its strong support of the omnibus Crime Bill currently before Congress. NADCP President Jeffrey Tauber stated that the organization could not stand by and allow opponents of the bill to unfairly characterize drug courts and other important anti-drug programs within the Crime Bill as "pork."

"That broad characterization of important anti-drug programs is not only unfair but clearly inaccurate. Today over 30 drug courts nationwide provide frequent drug testing, judicial supervision and sanctions, as well as drug treatment, education and job training to drug users. In communities such as Miami and Ft. Lauderdale, Florida, Oakland, California and Portland, Oregon, drug courts have substantially reduced the level of drug usage and criminality at a fraction of the cost of incarceration."

Judge Tauber, an architect of the Oakland Drug Court Program urged all members of the NADCP and concerned citizens to contact their representatives in Congress in support of the Crime Bill.

"The \$1.3 billion designated within the Crime Bill for drug courts is a small fraction of the monies allocated for prisons, but just as important to the nation's fight against drug abuse and criminality."

NADCP is comprised of judges, prosecutors, treatment providers, law enforcement officials, attorneys, educators, and other community leaders from across the nation who are dedicated to the reduction of substance abuse and crime through the establishment of comprehensive drug court programs.

Affiliated with
Community Anti-Drug
Coalitions of America

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CHRISTINE T. MILLESEN
Executive Director
General Counsel

August 2, 1994

PRESIDENT
CHARLES W. BURSON
Attorney General of Tennessee

PRESIDENT-ELECT
TOM UDALL
Attorney General of New Mexico

VICE PRESIDENT
SCOTT HARRISBURGER
Attorney General of Massachusetts

IMMEDIATE PAST PRESIDENT
HUBERT H. HUMPHREY III
Attorney General of Missouri

via fax and U.S. mail

no. of pages: 3

The Honorable Janet Reno
U.S. Attorney General
U.S. Department of Justice
Washington, D.C. 20530

The Honorable Joseph R. Biden, Chair
The Honorable Orrin G. Hatch,
Ranking Member
Senate Committee on the Judiciary
Washington, D.C. 20510-6275

The Honorable Jack Brooks, Chair
The Honorable Bill McCollum
House Committee on the Judiciary
Washington, D.C. 20515-6216

Dear Attorney General Reno, Chairman Biden, Senator Hatch, Chairman Brooks, and
Congressman McCollum:

We write to thank you and congratulate you for your leadership in crafting an effective federal crime bill. As you are aware, state Attorneys General as the chief legal officers of the states have worked for the passage of an effective crime bill for several years. While the final version represents many views and compromises, we find that on the essential points it meets many of the goals set forth in the relevant Association-approved resolutions. These goals, along with how the Conference Report addressed each goal, are listed below:

- Between \$6.5 billion and \$8.3 billion in increased financial assistance for state prisons;
- Increased financial resources for state and local law enforcement and prosecutors through an additional \$650 million in state and local formula grants;
- Federal funding of \$8.8 billion to put 100,000 additional police on the streets in community policing programs;
- Inclusion of the Violence Against Women Act including extending civil rights protections to sex crimes;
- Approximately \$1.6 billion of greater support to local juvenile justice and anti-gang measures as part of a record-breaking \$7.4 billion for community-based crime reduction programs;

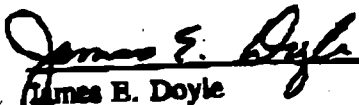
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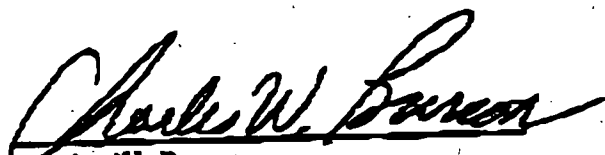
Attorney General Janet Reno
Senators Joseph R. Biden and Orrin G. Hatch
Congressmen Jack Brooks and Bill McCollum
August 2, 1994

- Increased penalties for drug dealing in drug-free zones -- near playgrounds, school yards, video arcades and youth centers as well as near public housing projects;
- New federal offenses, or increased penalties for existing offenses for violent career felons (three strikes you're out), for assaults against children, sex offenses, and aggravated sexual abuse; and
- A bill free of provisions which would undermine the finality and fairness of criminal convictions by allowing the introduction of statistical showings from unrelated cases or otherwise inappropriately disturbing final convictions.

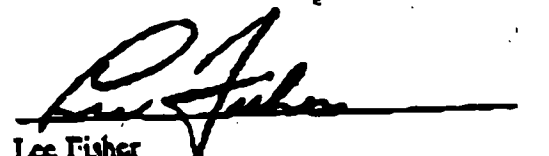
As members of the Executive Working Group on Prosecutorial Relations, the committee our Association charged with working with the Congress to achieve the passage of an effective crime bill, we are pleased to add our endorsement of your efforts and pledge the support of the Association in implementing the provisions of this bill.

Sincerely,


James E. Doyle
Attorney General of Wisconsin
EWG-Prosecutorial Relations Vice Chair


Charles W. Burson
Attorney General of Tennessee
NAAG President


Scott Harshbarger
Attorney General of Massachusetts
NAAG Criminal Law Committee Chair


Lee Fisher
Attorney General of Ohio
NAAG Criminal Law Committee Vice Chair