

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Communications

Series/Staff Member: General Files

Subseries:

OA/ID Number: 11665

FolderID:

Folder Title:

CBC [Congressional Black Caucus] Crime Bill/Operation Safe Home - Outline, Accomplishments

Stack:

S

Row:

90

Section:

6

Shelf:

7

Position:

2

CBC CRIME BILL OUTLINE

Emphasis on preventing crime

- **Community policing grants**
- **Drug rehabilitation programs**

National Commission on crime and drugs

No death penalty - includes Racial Justice Act

Strong habeas provisions

Eliminates all mandatory minimum sentences

Strong gun control, including

Brady bill

Bans Semi-automatic assault weapons

Bans Saturday night specials

Strong police brutality provisions

Provisions to assist crime victims

Reforms civil forfeiture law

Congressional Black Caucus Alternative Crime Bill

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

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

It strengthens the habeas corpus guidelines for prisoners.

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

It has no death penalty statutes or provisions.

It allows for on-demand drug treatment for all.

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

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

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

CRIME BILL - Introduced by Rep. Washington

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

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

Title II: Crime Victims

Allows for the victims of crime to seek restitution.

Strengthens statutes regarding violence against women.

Title III: Crime Prevention

Provides full and expanded funding for Head Start.

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

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

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

Title IV: Recidivism Reduction

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

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

Title V: Addressing Long-Term Causes of Violent Crime

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

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

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

Civil Forfeiture Reform

Reforms civil asset forfeiture laws by:

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

Title VII: Fiscal Impact of Criminal Justice Sentencing

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

Title VIII: Habeas Corpus

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

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

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

Title IX: Gun Control

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

Title X: Coerced Confessions

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

H.R. 3319: THE CRIME PREVENTION AND CRIMINAL JUSTICE REFORM ACT

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

Section-by-Section Analysis

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

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

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

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

Subtitle A -- Grants to Combat Violent Crimes

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

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

Subtitle B -- Community Policing

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

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

Subtitle C -- Law Enforcement Family Support

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

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

Subtitle D -- Police Misconduct

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

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

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

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

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

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

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

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

Subtitle B -- Confidentiality for Abused Persons

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

Subtitle C -- Full Faith and Credit for Protection Orders

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

Title III: Crime Prevention

Subtitle A -- Safe Schools

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

Subtitle B -- Midnight Sports

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

Subtitle C -- Rape Prevention

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

Title IV: Strategies to Combat Recidivism

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

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

Subtitle A -- Family Unity Demonstration Project

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

Subtitle B -- Drug Rehabilitation for Federal Prisoners

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

Subtitle C -- Drug Rehabilitation for State Prisoners

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

Subtitle D -- Grants for Alternatives to Incarceration

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

Subtitle E -- Voting Rights for Former Offenders

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

Subtitle F -- Sex Offender Treatment Programs

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

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

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

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

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

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

Title V: Commission on Crime, Drugs, and Violence

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

Title VI: Confidence in the Criminal Justice System

Subtitle A -- Racial Justice Act

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

Subtitle B -- Racial Bias

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

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

Subtitle C -- Minimum Sentencing

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

Subtitle D -- Crack Cocaine Equitable Sentencing

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

Subtitle E -- Uniformity in Sentencing

This subtitle eliminates all existing mandatory minimum sentences.

Subtitle F -- Coerced Confessions and Harmless Error

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

Title VII: Fiscal Impact of Criminal Justice Sentencing

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

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

Title VIII: Habeas Corpus

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

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

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

Title IX: Gun Control

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

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

It also strengthens federal standards for licensing firearms dealers.

Subtitle A -- Firearms

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

Subtitle B -- Semiautomatic Assault Weapons

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

Subtitle C -- Gun Violence Liability

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

Subtitle D -- Ammunition

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

Subtitle E -- Two Handguns-Per-Month

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

Subtitle F -- Gun Dealer Licensing

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

Subtitle G -- Saturday Night Specials

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

Title I: Civil Forfeiture Reform

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

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

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

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

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

Title XI: Miscellaneous

Subtitle A -- Amendments

This subtitle increases authorizations of discretionary grant programs.

Subtitle B -- Juvenile Justice

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

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

House version .65m

1 Subtitle B—Community Policing;
2 Cop on the Beat

3 SEC. 111. COMMUNITY POLICING; COP ON THE BEAT.

4 (a) IN GENERAL.—Title I of the Omnibus Crime
5 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
6 et seq.) is amended—

7 (1) by redesignating part R as part S;

8 (2) by redesignating section 1801 as section
9 1901; and

10 (3) by inserting after part Q the following:

11 “PART R—COMMUNITY POLICING; COP ON THE
12 BEAT GRANTS

13 “SEC. 1801. GRANT AUTHORIZATION.

14 “(a) GRANT PROJECTS.—The Director of the Bureau
15 of Justice Assistance may make grants to units of local
16 government and to community groups to establish or ex-
17 pand cooperative efforts between police and a community
18 for the purposes of increasing police presence in the com-
19 munity, including—

20 “(1) developing innovative neighborhood-ori-
21 ented policing programs;

22 “(2) providing new technologies to reduce the
23 amount of time officers spend processing cases in-
24 stead of patrolling the community;

Policing;

HE BEAT.

Dinnibus Crime

12 U.S.C. 3711

art S;

301 as section

following:

OP ON THE

of the Bureau

units of local

establish or ex-

community

in the com-

neighborhood-ori-

reduce the

g cases in-

- 1 “(3) purchasing equipment to improve commu-
- 2 nications between officers and the community and to
- 3 improve the collection, analysis, and use of informa-
- 4 tion about crime-related community problems;
- 5 “(4) developing policies that reorient police em-
- 6 phasis from reacting to crime to preventing crime;
- 7 “(5) creating decentralized police substations
- 8 throughout the community to encourage interaction
- 9 and cooperation between the public and law enforce-
- 10 ment personnel on a local level;
- 11 “(6) providing training and problem solving for
- 12 community crime problems;
- 13 “(7) providing training in cultural differences
- 14 for law enforcement officials;
- 15 “(8) developing community-based crime preven-
- 16 tion programs, such as safety programs for senior
- 17 citizens, community anticrime groups, and other
- 18 anticrime awareness programs;
- 19 “(9) developing crime prevention programs in
- 20 communities which have experienced a recent in-
- 21 crease in gang-related violence; and
- 22 “(10) developing projects following the model
- 23 under subsection (b).

18

1 “(b) MODEL PROJECT.—The Director shall develop
2 a written model that informs community members
3 regarding—

4 “(1) how to identify the existence of a drug or
5 gang house;

6 “(2) what civil remedies, such as public nui-
7 sance violations and civil suits in small claims court,
8 are available; and

9 “(3) what mediation techniques are available
10 between community members and individuals who
11 have established a drug or gang house in such com-
12 munity.

13 **“SEC. 1802. APPLICATION.**

14 “(a) IN GENERAL.—(1) To be eligible to receive a
15 grant under this part, a chief executive of a unit of local
16 government, a duly authorized representative of a com-
17 bination of local governments within a geographic region,
18 or a community group shall submit an application to the
19 Director in such form and containing such information as
20 the Director may reasonably require.

21 “(2) In such application, one office, or agency (public,
22 private, or nonprofit) shall be designated as responsible
23 for the coordination, implementation, administration, ac-
24 counting, and evaluation of services described in the appli-
25 cation.

1 “(b) ‘
2 subsection
3
4 part
5
6 to l
7
8 u
9 s
10 a
11
12 inclu
13
14
15
16
17
18
19
20
21
22
23
24
25

1 “(b) GENERAL CONTENTS.—Each application under
2 subsection (a) shall include—

3 “(1) a request for funds available under this
4 part for the purposes described in section 1801;

5 “(2) a description of the areas and populations
6 to be served by the grant; and

7 “(3) assurances that Federal funds received
8 under this part shall be used to supplement, not
9 supplant, non-Federal funds that would otherwise be
10 available for activities funded under this part.

11 “(c) COMPREHENSIVE PLAN.—Each application shall
12 include a comprehensive plan which contains—

13 “(1) a description of the crime problems within
14 the areas targeted for assistance;

15 “(2) a description of the projects to be devel-
16 oped;

17 “(3) a description of the resources available in
18 the community to implement the plan together with
19 a description of the gaps in the plan that cannot be
20 filled with existing resources;

21 “(4) an explanation of how the requested grant
22 shall be used to fill those gaps;

23 “(5) a description of the system the applicant
24 shall establish to prevent and reduce crime problems;

25 and

20

1 “(6) an evaluation component, including per-
2 formance standards and quantifiable goals the appli-
3 cant shall use to determine project progress, and the
4 data the applicant shall collect to measure progress
5 toward meeting project goals.

6 **“SEC. 1803. ALLOCATION OF FUNDS; LIMITATIONS ON**
7 **GRANTS.**

8 “(a) **ALLOCATION.**—The Director shall allocate not
9 less than 75 percent of the funds available under this part
10 to units of local government or combinations of such units
11 and not more than 20 percent of the funds available under
12 this part to community groups.

13 “(b) **ADMINISTRATIVE COST LIMITATION.**—The Di-
14 rector shall use not more than 5 percent of the funds avail-
15 able under this part for the purposes of administration,
16 technical assistance, and evaluation.

17 “(c) **RENEWAL OF GRANTS.**—A grant under this part
18 may be renewed for up to 2 additional years after the first
19 fiscal year during which the recipient receives its initial
20 grant, subject to the availability of funds, if the Director
21 determines that the funds made available to the recipient
22 during the previous year were used in a manner required
23 under the approved application and if the recipient can
24 demonstrate significant progress toward achieving the
25 goals of the plan required under section 1802(c).

1 “(d) **FEDERAL SHARE.**—The Federal share of a
2 grant made under this part may not exceed 75 percent
3 of the total costs of the projects described in the applica-
4 tion submitted under section 1802 for the fiscal year for
5 which the projects receive assistance under this part.

6 **“SEC. 1804. AWARD OF GRANTS.**

7 “(a) **SELECTION OF RECIPIENTS.**—The Director
8 shall consider the following factors in awarding grants to
9 units of local government or combinations of such units
10 under this part:

11 “(1) **NEED AND ABILITY.**—Demonstrated need
12 and evidence of the ability to provide the services de-
13 scribed in the plan required under section 1802(c).

14 “(2) **COMMUNITY-WIDE RESPONSE.**—Evidence
15 of the ability to coordinate community-wide response
16 to crime.

17 “(3) **MAINTAIN PROGRAM.**—The ability to
18 maintain a program to control and prevent crime
19 after funding under this part is no longer available.

20 “(b) **GEOGRAPHIC DISTRIBUTION.**—The Director
21 shall attempt, to the extent practicable, to achieve an equi-
22 table geographic distribution of grant awards.

23 **“SEC. 1805. REPORTS.**

24 “(a) **REPORT TO DIRECTOR.**—Recipients who receive
25 funds under this part shall submit to the Director not

1 later than March 1 of each year a report that describes
2 progress achieved in carrying out the plan required under
3 section 1802(c).

4 “(b) REPORT TO CONGRESS.—The Director shall
5 submit to the Congress a report by October 1 of each year
6 that shall contain a detailed statement regarding grant
7 awards, activities of grant recipients, and an evaluation
8 of projects established under this part.

9 “SEC. 1802. DEFINITIONS.

10 “For the purposes of this part—

11 “(1) the term ‘community group’ means a com-
12 munity-based nonprofit organization that has a pri-
13 mary purpose of crime prevention; and

14 “(2) the term ‘Director’ means the Director of
15 the Bureau of Justice Assistance.”.

16 “(b) CONFORMING AMENDMENT.—The table of con-
17 tents of title I of the Omnibus Crime Control and Safe
18 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
19 by striking the matter relating to part R and inserting
20 the following:

 “PART R—COMMUNITY POLICING; COP ON THE BEAT GRANTS

 “Sec. 1801. Grant authorization.

 “Sec. 1802. Application.

 “Sec. 1803. Allocation of funds; limitation on grants.

 “Sec. 1804. Award of grants.

 “Sec. 1805. Reports.

 “Sec. 1806. Definitions.

 “PART S—TRANSITION; EFFECTIVE DATE; REPEALER

 “Sec. 1801. Continuation of rules, authorities, and proceedings.”.

1 **SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 1001(a) of title I of the Omnibus Crime Con-
3 trol and Safe Streets Act of 1968 (42 U.S.C. 3793) is
4 amended by adding after paragraph (11) the following:

5 "(12) There are authorized to be appropriated
6 \$150,000,000 for each of the fiscal years 1995, 1996, and
7 1997 to carry out the projects under part R."

8 **Subtitle C—Law Enforcement**
9 **Family Support**

10 **SEC. 121. LAW ENFORCEMENT FAMILY SUPPORT.**

11 (a) **LAW ENFORCEMENT FAMILY SUPPORT.—**Title I
12 of the Omnibus Crime Control and Safe Streets Act of
13 1968 (42 U.S.C. 3711 et seq.), is amended—

14 (1) by redesignating part S as part T;

15 (2) by redesignating section 1901 as 2001; and

16 (3) by inserting after part R the following:

17 **"PART S—FAMILY SUPPORT**

18 **"SEC. 1901. DUTIES OF DIRECTOR.**

19 "The Director shall—

20 "(1) establish guidelines and oversee the imple-
21 mentation of family-friendly policies within law en-
22 forcement-related offices and divisions in the De-
23 partment of Justice;

24 "(2) study the effects of stress on law enforce-
25 ment personnel and family well-being and dissemi-
26 nate the findings of such studies to Federal, State,

OPERATION SAFE HOME - HIGHLIGHTS

Public housing and publicly assisted housing are valuable, critical social assets. For millions of low-income Americans, they can and should be engines of transition: from welfare to work; from dependence to self-sufficiency; from tenancy to home ownership. Most public and assisted housing plays this role today.

But public and assisted housing cannot live up to its promise if it is racked by crime, drugs and violence and undermined by fraud and abuse. Operation Safe Home will, for the first time, bring the coordinated resources and expertise of the Departments of Housing and Urban Development, Justice and Treasury, and the Office of National Drug Control Policy (ONDCP) -- in cooperation with state and local law enforcement agencies and public housing authorities -- to bear on violent crime and white collar crime in public and assisted housing.

President Clinton is already committed to an aggressive assault on crime in American communities -- through the addition of 100,000 officers to the nation's police forces, community policing, increased fees for gun-dealer licenses and a ban on assault weapons. Operation Safe Home will complement the President's efforts by concentrating resources in areas where crime is most serious and delivering law-enforcement services to low-income individuals and families who are crime's first and most frequent victims.

Operation Safe Home will combat violent crime in public and assisted housing through:

- ✓ • Tightly coordinated law enforcement and crime prevention operations at targeted sites.
- ✓ • Federal initiatives and policies to strengthen law enforcement and crime and drug prevention in public and assisted housing.
- ✓ • Improved consultation and coordination between HUD and federal law enforcement agencies and ONDCP on design and implementation of HUD crime-prevention initiatives.

White collar crime will be fought and deterred through:

- ✓ • An assault on bribery, embezzlement and bid rigging in selected public housing sites.
- ✓ • Prosecution of owners of private, HUD-insured multifamily housing who illegally divert project resources.

*File - Housing
Liz's file
checked (based
HUD and
Treasury
Q and A)
UB*

A number of these initiatives involve new funding, all of them involve better coordinated, more creative and smarter use of federal resources. In the final analysis, broad-based coordination, innovation and flexibility will be key to Operation Safe Home's success.

COMBATTING VIOLENT CRIME

Public and assisted housing communities must be safe and drug-free. Residents of public and assisted housing long for safe homes and streets just as much, and deserve them just as much, as their fellow Americans.

Yet residents of public housing and surrounding areas daily run a ferocious gauntlet of crime unthinkable to other people. The rate of reported violent crime in public housing and nearby neighborhoods far outstrips the violent crime rate in greater metropolitan areas.

This reign of terror in public and assisted housing must end. It is destroying whole generations of young people and ultimately threatens to destroy the very fabric of our society. Operation Safe Home will address this critical treat through a series of measure:

- Coordinated Law Enforcement and Crime Prevention Operations at Targeted Sites
- New federal policies and initiatives to support law enforcement and crime prevention in public and assisted housing
- Better targeting of HUD's existing crime- and drug- prevention programs

COMBATTING WHITE COLLAR CRIME

Fraudulent activity leads to the literal physical deterioration of public and assisted housing and erodes public support for public and assisted housing programs.

HUD's ^{office of Inspector General} OIG and the FBI are undertaking a joint effort to target, investigate and prosecute cases involving substantial fraud (such as bribery, embezzlement, and bid-rigging) in public housing administrations throughout the country. Cases in this area are often the result of information provided by public housing officials and concerned residents.

After-School Programs Prevent Crime

Too Many American Children Are Left Unsupervised

- “[A]s many as **57% of children in America do not have full-parental supervision**, either living with a single parent who works full-time or in a two-parent household with both parents working full-time. The lack of parental supervision for young children is nearly as great. As many as 49% of children under age six do not have the benefit of full-time parenting. While some children enjoy suitable, substitute supervision provided by friends and relatives or in day-care, far too many do not.” [Trends in Juvenile Violence 3/96]
- “Because of deep funding cuts in support programs for youth--from after-school care to recreation, from mentoring to education--as a society, we are missing the fleeting window of opportunity to compensate for the diminished role of the family. As a consequence, **children spend too little time engaged in structured activity with positive role models, and too much time ‘hanging out’ or watching a few savage killings on television.**” [Trends in Juvenile Violence 3/96]

A Rising Juvenile Population Creates a Rising Crime Rate

- “As if the situation with youth violence is not bad enough, future demographics are expected to make matters even worse. Not only are today’s violent teens maturing into more violent youth adults, but they are being succeeded by a new and larger group of teenagers. The same massive babyboom cohort that as teenagers produced a crime wave in the 1970s has since grown up and has had children of their own. There are now nearly 40 million children in this country under the age of ten, a larger count than existed for several decades.” [Trends in Juvenile Violence 3/96]
- “By the year 2005, the number of teens, ages 14-17 will have increased 20% over its 1994 level, likely producing **additional increases in crime and other social problems associated with an expanding youth population.**” [Trends in Juvenile Violence 3/96]
- “[T]he number of teenage offenders has grown in recent years, even as the population of teenagers has contracted. But now the teen population is on the upswing.” [Trends in Juvenile Violence 3/96]
- “[T]he estimated number of teen killers . . . could increase from nearly 4,000 per year in 1994 to almost 5,000 per year by 2005, as a result of demographic growth alone.” [Trends in Juvenile Violence 3/96]

Child Safety Locks

Child-Safety Locks Would Save Lives

- “Firearms are the 4th leading cause of accidental deaths among children 5 to 14 years old and the third leading cause of accidental deaths among 15- to 24-year-olds.” [U.S. General Accounting Office, Accidental Shootings 3/91]
- “Shootings are the fourth leading cause of unintentional injury deaths among American children under the age of 20.” [Accident Facts 1995]
- “Of all firearm-related deaths, . . . 22% [are reported] as unintentional.” [CDC 2/7/97]
- “A 1993 national poll cites that **one in six parents knows a child found playing with a loaded gun**, and about one in six parents also knows a child who accidentally shot himself or herself with a gun.” [L.H. Research, Inc. 6/93]
- “**The overall firearm-related death rate among U.S. children aged <15 years was nearly 12 times higher than among children in . . . 25 [other recently surveyed] countries combined.**” [CDC 2/7/97]
- “The firearm-related homicide rate in the United States was nearly 16 times higher than that in all of the other [recently surveyed] countries combined (0.94 compared with 0.06); the firearm-related suicide rate was nearly 11 times higher (0.32 compared with 0.03); and the unintentional firearm-related death rate was nine times higher (0.36 compared with 0.04).” [CDC 2/7/97]

Firearms are Too Easily Accessible for all American Children

- “**Approximately 1.2 million latchkey children have access to guns when they come home from school.**” [JAMA 1990; 264: 2210]
- A “cross-section of 1250 adults nationwide [were questioned] to determine just how much the American people perceive guns to be a hazard to children.
42% of households report ownership of a gun. This translates into **40 million American homes which possess a firearm.**
Among the 44% of parents of children under 18 who own a gun, **only 43% say they keep their gun under lock and key in a gun cabinet or drawer;**
24% keep their gun in a closet;
9% in an unlocked drawer of a desk or dresser;
3% on the floor under the bed;
2% on a bedside table;
26% have another, unspecified place they keep their guns.”

“20 % of all gun owners say they sometimes leave their gun loaded and locked for ‘ready use,’ while 13% of such owners keep their gun loaded and unlocked ‘for ready use.’ The number of parents who leave loaded guns around is a much lower 6%.”

“And 88% to 10% majority is concerned that ‘people often forget to put the safety latch on guns around the house, and sometimes leave them loaded, which causes many accidental injuries or even death.’ This concern is also expressed by 81% of all handgun owners.”

“By 87% to 10%, another sizable majority is concerned that ‘small guns that many women obtain because they are easier to use are mistaken by children as toy guns which they play with and injure themselves with.’ An 81% to 16% majority of handgun owners agree with this worry.”

“An 85% to 13% majority expresses concern that ‘a common cause of injury of death among family members, especially children, results from either cleaning or playing around with a gun.’ Among handgun owners, a 73-24% majority agrees with this concern.”

“By 78% to 20%, most Americans are concerned that ‘when people’s homes are broken into and they own a gun, the intruder might take the gun away from the owner and shoot him or her.’ A 61% to 38% majority of handgun owners agrees that this is a worrisome matter.”

“18% of all adults and 20% of all parents report having had or knowing someone who had ‘a child who was wounded or killed by another child who had a gun.’ Among blacks, 30% know such a case, while among Latinos, the number is 16%.”

“14% of all adults and 16% of all parents report ‘a child who was found playing with a gun that was loaded.’ Among blacks, 20% report such a happening, while a lower 13% of Latinos know such a case.”

“12% of all adults and 15% of all parents report knowing ‘a child who accidentally shot himself or herself with a gun.’ Among blacks, 17% know such a child, while among Latinos 13% say they know such a case.” [Gun Acquisition and Possession in Selected Juvenile Samples; National Institute of Justice, OJJDP 1993]

- **“In a 1993 national survey of students in grades 6 through 12, 59 percent indicated that they knew where to get a gun if they wanted one, and two-thirds of these said they could get a gun within 24 hours.”** [LH Research, Inc. 1993, rptd. in Center to Prevent Handgun Violence]
- “59 handguns were taken from seventh-graders in 1993-1994, nearly double the number from the previous year.” [Virginia Commission on Juvenile Justice Reform 1995, rptd. in Center to Prevent Handgun Violence]

Violent Juvenile Crime

The Threat of America's Violent Youth

- “Recent reports of a declining rate of violent crime in cities across the country would seem to be at odds with the growing problem of youth violence. The overall drop in crime hides the grim truth. There are actually two crime trends in America--one for the young, one for the mature--which are moving in opposite directions.”
 “From 1990 to 1994, for example, the overall rate of murder in America changed very slightly, declining a total of four percent. For this same time period, the rate of killing at the hands of adults, ages 25 and over, declined 18 percent, and that for young adults, ages 18-24, rose barely two percent; however, the rate of murder committed by teenagers, ages 14-17, jumped a tragic 22 percent.”
 “The recent surge in youth crime actually occurred while the population of teenagers was on the decline. But this demographic benefit is about to change. As a consequence of the ‘baby boomerang’ (the offspring of the babyboomers), **there are now 39 million children in this country who are under the age of ten**, more young children than we’ve had for decades. Millions of them live in poverty. Most do not have full-time parental supervision at home guiding their development and supervising their behavior. Of course, these children will not remain young and impressionable for long; they will reach their high-risk years before too long. As a result, we likely face a future wave of youth violence that will be even worse than that of the past ten years.” [Trends in Juvenile Violence]
- **“Juveniles had higher violent victimization rates than adults in all types of communities in 1994.”** [Hashima and Finkelhor analysis of 1994 NCVS data, rptd. in OJJDP 1997 Update on Violence]
- “[A]lthough the percentage of 18-24 year-olds has declined in recent years, younger teens have become more involved in serious violent crime, including homicide, thereby expanding the age limits of the violence-prone group to as young as 14.” [Trends in Juvenile Violence 3/96]
- **“Teens now exceed young adults in absolute rate of arrest for violent crime overall.”** [Trends in Juvenile Violence 3/96]
- “Juveniles ages 12-17 were namely three times as likely as adults to be victims of violent crimes in 1994.” [Hashima and Finkelhor analysis of 1994 NCVS data, rptd. in OJJDP 1997 Update on Violence]
- “Juveniles were almost three times as likely as adults to experience a crime-related

injury; however, the rates of injury that required hospitalization were similar.” [Hashima and Finkelhor analysis of 1994 NCVS data, rptd. in OJJDP 1997 Update on Violence]

- In addition to the increasing number of violent incidents involving juveniles, **“more than two-thirds of juvenile violent victimizations were not reported to law enforcement.”** [Hashima and Finkelhor analysis of 1994 NCVS data, rptd. in OJJDP 1997 Update on Violence]
- “About 1 in 7 juvenile arrests in 1995 was for a crime involving violence or the threat of violence.” [OJJDP 1997 Update on Violence]
- “A greater portion of violent crimes were attributed to juveniles in 1994 and 1995 than in any of the last 20 years.” [OJJDP 1997 Update on Violence]
- “A portion of all violent crimes reported to police are cleared, or solved, by law enforcement. In 1995 the FBI reports that law enforcement agencies cleared 45% of reported Violent Crime Index offenses--more specifically 65% of murders, 51% of forcible rapes, 25% of robberies, and 56% of aggravated assaults. If cleared crimes are representative of all crimes, then the portion of these crimes cleared by juvenile arrests should provide an indication of the proportion of violent crimes committed by juveniles.” [OJJDP 1997 Update on Violence]
- “In both 1994 and 1995, 14% of violent crimes cleared by law enforcement were cleared by the arrest of a juvenile. Based on these statistics, juveniles were responsible for a greater portion of the Nation’s violent crime problem in 1994 and 1995 than in any other year in the previous two decades. The juvenile responsibility was nearly as high in 1975 (13%). However, the level gradually declined after 1975, reaching a low point in 1987 (9%), then increasing through 1994.” [OJJDP 1997 Update on Violence]
- “The juvenile arrest rate for murder peaked in 1993 and declined nearly 25% between 1993 and 1995.” [OJJDP 1997 Update on Violence]
- “The juvenile portion of murder arrests in 1995 was double the proportion of murders attributed to juveniles.” [OJJDP 1997 Update on Violence]
- **“[S]ince the mid-1980's, the number of gun-homicides, particularly with handguns, perpetrated by juveniles has quadrupled, while the prevalence of juvenile homicide involving all other weapons combined has remained virtually constant.”** [Trends in Juvenile Violence 3/96]
- “From a study of more than 4,000 juvenile arrestees in 11 cities during the first 3 months of 1995, the following statistics emerged:
40% or juvenile males--for whom the possession of most firearms is by statute illegal--reported ever possessing a firearm. Just over a third of the juveniles

admitted to owning a firearm in the previous 30 days.

Among juvenile male arrestees, 22% reported carrying a gun all or most of the time. For arrestees who admit gang membership, this figure jumps to 36%.

32% of the juvenile males interviewed admitted using a gun in a crime, and one-third of that group said they fired the gun during the crime.” [L.H. Research, Inc. 7/95]

- The report Trends in Juvenile Violence [3/96] concluded:

“From 1985 to 1994, the rate of murder committed by teens, ages 14-17, increased 172 percent. The rate of killing rose sharply for both black and white male teenagers, but not for females.”

“Since 1984, the number of juveniles killing with a gun has quadrupled, Guns, and especially handguns, have played a major role in the surge of juvenile murder while the number killing with all other weapons combined has remained virtually constant.”

“The largest increase in juvenile homicide involves offenders who are friends and acquaintances of their victims.”

“By the year 2005, the number of teens, ages 14-17, will increase by 20%, with a larger increase among blacks in this age group.”

“Even if the per-capita rate of teen homicide remains the same, the number of 14-17 year-olds who will commit murder should increase to nearly 5,000 annually because of changing demographics. However, if offending rates continue to rise because of worsening conditions for our nation’s youth, the number or teen killings could increase even more.” [Trends in Juvenile Violence 3/96]

Race & Sex Statistics of Juvenile Crime Victims

- “Young black males continued to be the population sub-group most vulnerable to handgun crime victimization. For males age 20-24, the rate for blacks (29 per 1,000) was *3 times* that of whites (9 per 1,000).” [Crime Data Brief 4/94]

Guns Threaten American Youth

- **“Firearms are used in about 60% of the murders committed in this country. The risk of being murdered with a firearm falls disproportionately on young people, particularly young, black men.”** [A Survey of the American People on Guns as a Children’s Health Issue (Study No. 930018) 1993]
- **“Among teenagers 15-19 years, 1 of every 4 deaths were by firearm.”** [CDC National Center for Health Statistics 1993; U.S. Dept. of Health and Human Services PHS 93-1250]
- “Firearms are the 4th leading cause of accidental deaths among children 5 to 14 years old and the third leading cause of accidental deaths among 15- to 24-year-olds.” [U.S.

General Accounting Office, Accidental Shootings 3/91]

- “Shootings are the fourth leading cause of unintentional injury deaths among American children under the age of 20.” [Accident Facts 1995]
- “12% of fatalities among American children and teens are from guns.” [U.S. Dept. of Health and Human Services PHS 95-1120; CDC, National Center for Health Statistics 1995]
- **“In 1992, 735 deaths in the United States of individuals younger than 25 years of age were attributed to the unintentional discharge of a firearm, with the highest death rate occurring among persons 15-19 years of age.”** [U.S. Dept. of Health and Human Services PHS 95-1120]
- “On average between 1987 and 1992, about 35% (or 22,000 per year) of the violent crime victims defending themselves with a firearm faced an offender who also had a firearm.” [Crime Data Brief 4/94]

Gang-Related Crimes Remain Prevalent among American Youth

- “Between 1994 and 1995, violent crimes committed by juveniles in groups declined more than those committed by lone juveniles.” [OJJDP 1997 Update on Violence]
- **“In 1995, 54% of violent victimizations by juveniles were committed in groups, compared to 23% of violent victimizations by adults.”** [OJJDP 1997 Update on Violence]

Homicide

Juvenile Offenders Continue to Threaten Our Communities

- “In 1980 juveniles were known to be an offender in 8% of all homicides for which an offender was identified (or about 1,300). These numbers declined through 1984 when there were about 800 homicides in which a juvenile offender was involved, or 5% of all homicides. After 1984 homicides by juveniles grew both in number and in proportion to the whole. The levels peaked in 1994 when juveniles were implicated in 16% of all homicides (or about 2,300).” [[OJJDP 1997 Update on Violence](#)]
- “A juvenile was an offender in 14% of all homicides for which an offender was not identified in 1995 (or about 1,900). In nearly one-third (32%) of these juvenile-involved homicides, an adult offender was also implicated.” [[OJJDP 1997 Update on Violence](#)]
- A “salient factor intensifying concern about homicides is the increasing involvement of guns in young people’s homicides. Again, this can engender fear because of the sense that **young people are less likely to exercise the necessary restraint in handling dangerous weapons**, especially rapid-fire assault weapons.” [[Journal of Criminal Law and Criminology](#) Fall 95]
- “[B]eginning in 1985, and especially in 1988, there was a steady growth in the use of guns by juveniles, with no corresponding upward trend (indeed, a continuation of a slight downward trend) in non-gun homicides.” [[Journal of Criminal Law and Criminology](#) Fall 95]
- **Juvenile murderers were more likely to act with another offender, i.e., a “gang situation,” than alone between 1989 and 1994.** [[OJJDP 1997 Update on Violence](#)]
- “All the growth in homicides by juveniles between 1987 and 1994 was firearm-related--as was the 1995 decline.” [[OJJDP 1997 Update on Violence](#)]
- “[A]nalysis of the FBI’s Supplementary Homicide Reports for 1991, reveals that 28% of the homicides committed by people under twenty-five were against strangers, whereas only 18% of those committed by offenders twenty-five or older were against strangers. Thus, the perception of the increasingly random nature of murders is reinforced by this difference in the relationship between offender and victim associated with the shift to the younger offenders.” [[Journal of Criminal Law and Criminology](#) Fall 95]
- “For victims over age thirty, the fraction killed by guns has declined a small but statistically significant average of 0.46 percentage points per year over the sixteen years from 1976 through 1991. But for victims in the fifteen to nineteen range, that rate has gone from an average 63% from 1976 through 1984 to a level of 85% in 1992 (an average

annual increase of 3.0 percentage points from 1984 to 1992).” [Journal of Criminal Law and Criminology Fall 95]

- Of all firearm-related deaths, 55% were reported as homicides; 20% , as suicides; 22% , as unintentional; and 3%, as intention undetermined.” [CDC 2/7/97]
- **“The overall firearm-related death rate among U.S. children aged <15 years was nearly 12 times higher than among children in . . . 25 [other recently surveyed] countries combined.”** [CDC 2/7/97]
- **“The firearm-related homicide rate in the United States was nearly 16 times higher than that in all of the other countries combined** (0.94 compared with 0.06); the firearm-related suicide rate was nearly 11 times higher (0.32 compared with 0.03); and the unintentional firearm-related death rate was nine times higher (0.36 compared with 0.04).” [CDC 2/7/97]
- **“For black male aged 15 to 19, firearm homicides have been the leading cause of death since 1969.”** [”Juvenile Offenders and Victims: A National Report” U.S. Dept. of Justice 5/95]
- “The FBI estimates 21,600 persons were murdered in the U.S. in 1995. According to the FBI’s Supplementary Homicide Report data, law enforcement agencies were able to identify the offender in two-thirds (62% or about 13,400) of these crimes. In the remaining homicides (38% or about 8,200), no offender was identified. The proportion of homicides in which an offender was not identified has grown from about 30% in the early 1980s, with the levels being relatively constant from 1992 through 1995.” [OJJDP 1997 Update on Violence]
- **“Seventy-nine percent [79%] of the victims of juvenile homicide were killed with a firearm.** Ten percent of victims were family members, 54% were acquaintances, and 36% were strangers.” [OJJDP 1997 Update on Violence]
- “After more than a decade of increases, homicides by juveniles dropped substantially (17%) in 1995. A comparison of juvenile-involved murders in 1994 to those in 1995 indicates the nature of this decline. The decline was found in all age groups of offenders. Declines were observed in both homicides with lone offenders and in homicides committed by more than one person. The decline was observed in homicides by male juveniles, while homicides by female juveniles remained constant. Nearly all of the decline was in homicides by black juveniles. Between 1994 and 1995, while homicides of family members remained constant, declines were found in homicides of acquaintances and strangers. Finally, compared with 1994, all of the decline in homicides by juveniles in 1995 were firearm-related homicides. Therefore, compared with 1994, 1995 saw a reduction in homicides by black male juveniles of non-family members in which the weapon used was a firearm.” [OJJDP 1997 Update on Violence]

Firearm Possession

Guns Are Too Accessible for Kids

- “59 handguns were taken from seventh-graders in 1993-1994, nearly double the number from the previous year.” [[Virginia Commission on Juvenile Justice Reform 1995](#), rptd. in [Center to Prevent Handgun Violence](#)]
- “Half of high school students who carried a weapon [in 1995] took that weapon to school.” [[OJJDP Update on Violence](#)]
- **In 1995, “10% of high school students had carried a weapon on school property in the past month.”** [[OJJDP 1997 Update on Violence](#)]
- The 1995 Youth Risk Behavior Survey found that 10% of high school students said that in the past 30 days they had carried a weapon (e.g., gun, knife, club) on school property. This is half the overall proportion of students (20%) who reported carrying a weapon anywhere in the past month. For all grade levels, males were more likely than females to report carrying weapons on school property.” [[OJJDP 1997 Update on Violence](#)]
- **“In a year, 1 in 12 high schoolers were threatened or injured with a weapon at school.”** [[OJJDP 1997 Update on Violence](#)]
- “In the year prior to the [1995] survey, 8% of high school students had been threatened or injured with a weapon on school property. Given that 10% of students reported carrying a weapon to school in a one-month period, it appears that most weapon carrying is not for “threatening or injuring” others on school property. Males were more likely than females to have been threatened or injured with a weapon at school.” [[OJJDP 1997 Update on Violence](#)]
- “According to Metropolitan Life’s ‘Survey of the American Teacher,’ 22 percent of boys have carried weapons to school . . . [and] 4 percent of girls claim to have done so.” [[Metropolitan Life 1993](#), rptd. in [Center to Prevent Handgun Violence](#)]
- In a survey of 66 out of 67 Florida school districts (98.5), “data from 1986-1990 show that 18.7% of confiscations/incidents involved a gun or pistol. The total number of guns confiscated nationwide over the four-year period (1986-1990) was 1256. Data from 1986-1990 consistently identify the students’ residence as the primary source for obtaining the weapon or firearm. **Two-thirds of the incidents show the students’ residence as the primary source.** The number of weapons/firearms stolen or purchased by a student was minimal.” [[American Journal of Diseases and Children 143](#)]

There is an Epidemic of Fear of Guns Among American Students

- **“Fear of school-related violence kept 5% of high schoolers home at least once in the past month [in 1995].”** [OJJDP 1997 Update on Violence]
- “Nationwide, 5% of students said that they had missed at least one day of school in the past month because they had felt unsafe at school or when traveling to or from school. Non-Hispanic black (8%) and Hispanic students (8%) were more likely to feel unsafe than non-Hispanic white students (3%). The relationship between weapon carrying at school and fear of going to school is unclear. Students may feel unsafe because there are weapons at school or they may carry weapons because they feel unsafe.” [OJJDP 1997 Update on Violence]
- **“In a nationwide profile of juvenile gun possession and use, 70 percent of students who said they carried a gun, said they did so for protection.”** [California Bar Journal 7/95, rptd. in Center to Prevent Handgun Violence]
- **“A 1993 survey of public high school students in a suburban area found that 18 percent possessed a handgun.”** [Public Health Reports 1995, rptd. in Center to Prevent Handgun Violence]

Firearms are Easily Accessible for all American Children

- **“In a 1991 survey of 11th grade students, handguns were perceived to be easily accessible by more than 50 percent of male youths in all social classes except the highest class, in which 36 percent reported easy access (social class measured by occupation and highest grade of education of household wage earners).”** [JAMA 1992, rptd. in Center to Prevent Handgun Violence]
- **“A 1993 national poll cites that one in six parents knows a child found playing with a loaded gun, and about one in six parents also knows a child who accidentally shot himself or herself with a gun.”** [Survey of the American People on Guns as a Children’s Health Issue; rptd. in L.H. Research, Inc. 6/93]
- **“In a 1993 national survey of students in grades 6 through 12, 59 percent indicated that they knew where to get a gun if they wanted one, and two-thirds of these said they could get a gun within 24 hours.”** [LH Research, Inc. 1993, rptd. in Center to Prevent Handgun Violence]
- “In a nationwide profile of juvenile gun possession and use, 53 percent of students who said they carried a gun said they obtained the gun from family and 37 percent obtained the gun ‘off the street.’” [California Bar Journal 7/95, rptd. in Center to Prevent Handgun Violence]

- **“Approximately 1.2 million latchkey children have access to guns when they come home from school.”** [JAMA 1990; 264: 2210]

Firearm Use Among Arrestees; A Study

- “In a recent National Institute of Justice study, arrestees were interviewed to learn about gun acquisition and use. Seven of 11 study sites provided data on juvenile males: District of Columbia, Indianapolis, St. Louis, Denver, Phoenix, San Diego, and Los Angeles. Interviews were conducted on samples of individuals who were arrested and/or detained during the first 6 months of 1995.”

“1 in 5 juveniles studied carried a gun all or most of the time.”

“The proportion of respondents who were charged with a weapons offense ranged from 1% to 12%. Among the juvenile males interviewed, however, 20% said they carried a gun all or most of the time. In comparison, the overall proportion of arrestees (adults and juveniles) who carried guns all or most of the time was 14%.”

“Gun theft and use of guns in committing crime are common.”

“Among all arrestees interviewed, 13% reported stealing a gun. The proportion for juvenile males was 25%--almost twice that of arrestees overall. Gang members and drug sellers were also more likely than other arrestees to have stolen a gun (each about 30%).”

“Juveniles, drug sellers, and gang members were more likely than arrestees in general to say they had used a gun in committing crime. Overall, 23% of arrestees who owned a gun had used one in a crime. For juveniles the proportion was higher (33%), and higher still for drug sellers (42%), and gang members (50%).”

“Juvenile males and gang members were more likely than arrestees overall to have been shot at. Among juvenile males, 5 in 10 said they had been shot at. Among gang members, the proportion was nearly 8 in 10. In comparison, the overall proportion for all arrestees was about 4 in 10.”

“Although juveniles were more likely to be shot at, as a groups, they were not more likely to suffer gunshot injury. Overall, 16% of arrestees reported gunshot injuries.” [OJJDP 1997 Update on Violence]

Juvenile Crime Trends

American Youths Need Supervision After School

- **“Juveniles are more likely to commit violent crimes on school days than on non-school days.”** [[OJJDP 1997 Update on Violence](#)]
- **“Even though school days are half of all days, 57% of violent crimes committed by juveniles occur on school days.** In fact, data from the FBI’s National Incident-Based Reporting System (NIBRS) show that 1 in 5 violent crimes committed by juveniles occur in the four hours following the end of the school day (i.e., between 2 p.m. and 6 p.m.).” [[OJJDP 1997 Update on Violence](#)]
- **“On nonschool days, the incidence of juvenile violence increases through the afternoon and early evening hours, peaking between 8 p.m. and 10 p.m.** Temporal patterns of adult violence do not vary between school and nonschool days. Adult violence increases through the afternoon and evening hours, peaking around 11 p.m.” [[OJJDP 1997 Update on Violence](#)]

Juvenile Gang Crime’s Relation to School Hours

- Statistics reveal that most juvenile gangs commit crime in the late afternoon, between 2 p.m. and 6 p.m. [[OJJDP 1997 Update on Violence](#)]
- “Intervention programs to reduce juvenile violence often target juveniles in gangs, while after-school programs may be appropriate for the general delinquency population. The temporal patterns of juvenile gang behavior may differ from those of other juvenile offenders.” [[OJJDP 1997 Update on Violence](#)]
- “A study of the gang incidents involving juveniles shows similar temporal patterns to those found in the NIBRS data. In Orange County in 1994 and 1995, **gang activity involving juveniles was most prevalent on school days, with 60% of all juvenile gang incidents occurring on these days.** As with the NIBRS data, **juvenile gang crime peaked on these days immediately after school.** Unlike the general juvenile violence trends found in the NIBRS data, though, the level of juvenile gang violence did not decline as rapidly during evening hours.” [[OJJDP 1997 Update on Violence](#)]

Juvenile Court System

Juvenile Court Cases Have Significantly Increased

- **“Juvenile court caseloads are rising and growing more violent.”** [[OJJDP 1997 Update on Violence](#)]
- **“Between 1985 and 1994 juvenile courts experienced disproportionate increases in cases involving violent offenses and weapons. Cases involving crimes against persons were up 93%, Violent Crime Index offenses (a subset of person offenses) were up 98% and weapons law violations were up 156%.”** [[OJJDP 1997 Update on Violence](#)]
- **“In 1994 U.S. courts with juvenile jurisdiction handled an estimated 1,555,200 cases in which the juvenile was charged with a delinquency offense--an offense for which an adult could be prosecuted in criminal court. This was a 41% increase over the number of cases handled in 1985.”** [[OJJDP 1997 Update on Violence](#)]

State Juvenile Crime Laws Have Become Much More Severe

- From 1992 through 1995:
 - “Jurisdictional authority--Laws removed an increasing number of serious and violent juvenile offenders from the juvenile justice system in favor of criminal court prosecution (41 states).”
 - “Sentencing authority--Laws gave criminal and juvenile courts new sentencing options (25 states).”
 - “Confidentiality--Laws modified or removed traditional juvenile court confidentiality provisions to make records and proceedings more open (40 states).”
 - “Victims’ rights--Laws increased the role of victims of juvenile crime in the juvenile justice process (22 states).”
 - “Correctional programming--Adult and juvenile correctional administrators felt pressure to develop programs as a result of new transfer and sentencing laws.”
 - The “‘dramatic shifts in [these] areas’ have resulted from a ‘trend toward redefining the purpose of the juvenile justice system [that] represents a fundamental philosophical departure.’ The rationale for the changes is ‘to punish, hold accountable, and incarcerate for longer periods of time those juveniles who, by history of instant offense, passed a threshold of tolerated juvenile law violating behavior.’”** [[OJJDP 1997 Update on Violence](#)]
- **“From 1992 through 1995, 41 States passed laws making it easier for juveniles to be tried as adults.”** [[OJJDP 1997 Update on Violence](#)]
- “Of the States that made the changes to the boundaries of juvenile court jurisdiction between 1992 and 1995, most made changes to their legislative exclusions:

5 States established exclusion provisions.

24 States expanded the list of crimes eligible for exclusion.

6 States lowered age limits for exclusion. [[OJJDP 1997 Update on Violence](#)]

Suicide

Firearm-Use Disproportionately Increases

- Although overall reports of suicide increased only 14% between 1979 and 1994, youth suicides involving a firearm increased 38% during this same period. [OJJDP 1997 Update on Violence; National Center for Health Statistics, 1979-1994 Mortality Files]

TABLE OF CONTENTS

- I. 2-Page Summary of President Clinton's FY 1998
Balanced Budget
- II. 1-Page Summary of Savings in the Budget
- III. 2-Page Chart on Selected Clinton Administration
Discretionary Investments
- IV. 1-Page Summary on Tax Cuts in the President's
Budget
- V. 1-page Summary of the President's Medicare Reform
Package
- VI. 1-Page Summary of President Clinton's Record on
Deficit Reduction
- VII. 1-Page Summary on Government Spending under
President Clinton
- VIII. 1-Page Summary on Credibility of Clinton
Administration Budget Assumptions
- IX. 1-Page Chart on Clinton Administration Higher
Education Initiatives

PRESIDENT CLINTON'S FY 1998 BALANCED BUDGET

Summary Talking Points: February 6, 1997

A BALANCED BUDGET THAT REFLECTS AMERICA'S VALUES. President Clinton's budget demonstrates that we can move the country beyond the false choices of the past -- and that we can finish the job of balancing the budget, to lower interest rates and keep the economy growing, while still investing in key priorities such as education that help the American people thrive and our economy grow.

A DETAILED PLAN TO BALANCE THE BUDGET IN 5 YEARS.

- **Protect and Strengthen Medicare & Medicaid.** Extend the life of the Medicare Trust Fund well into the next century. Protect the fundamental guarantee of health benefits for the disabled, nursing home residents, & strengthen health coverage for children.
- **Invest in Education -- our nation's number 1 priority for preparing for the next century.**
- **Strengthen environmental protections.**
- **Build on the Vice-President's efforts to make our government work better and cost less.**
- **Provide middle-class tax relief to pay for education, health care, to help raise a child and buy and sell a home.**

BUILD ON PRESIDENT CLINTON'S RECORD ON DEFICIT REDUCTION.

- We have cut the deficit by 63% after it had quadrupled during the previous 12 years.
- We now have a smaller deficit as a share of GDP than any other major country in the world.
- FY98 budget builds on this progress and reaches balance by 2002 while investing in the future.

MEETING REPUBLICANS HALFWAY ON MEDICARE.

On difficult issues such as Medicare reforms, the President shows that he is serious about reaching a bipartisan agreement to balance the budget.

- **The President's Balanced Budget uses responsible Medicare policies to strengthen the life of the Trust Fund without placing unnecessary burdens on beneficiaries.** The President's plan achieves \$100 billion of savings over 5 years (\$138 billion over 6 years) through several reforms including reducing reimbursement to managed care. The plan also guarantees the solvency of the Part A trust fund until 2007 while maintaining choice and the high-quality of Medicare services.

TAX CUTS FOR FAMILIES WHEN THEY NEED IT MOST.

The President's budget provides about **\$100 billion of tax cuts over the next five years** to help families:

- Raise their **children** (\$500 per child),
- Send them to **college** (\$1,500 HOPE Scholarship and \$10,000 tuition tax deduction),
- Save for the **future** (penalty-free withdrawals from IRAs for education and first homes; tax-free savings for education through combined use of the tuition tax deduction and education IRA);
- Buy and sell their **homes by the exclusion of \$500,000 of capital gains** on the sale of the home,
- **Move from welfare** to work with tax incentives to businesses, by allowing employers a 50% credit on the first \$10,000 of annual wages that they pay to long-term welfare recipients.
- And tax incentives to boost **investment** in distressed areas and promote hiring of the economically disadvantaged.