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Folder Title:
Crime Bill [4]

Stack:
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Row:
90

Section:
4

Shelf:
10

Position:
3

file: CRIME

THE WHITE HOUSE
WASHINGTON

DATE: 11/01/93

TO: MACK MCLARTY
DAVID GERGEN
GEORGE STEPHANOPOULOS
HOWARD PASTER
MARK GEARAN
BRUCE REED
FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

The attached has been forwarded
to the President.

THE WHITE HOUSE

WASHINGTON

November 1, 1993

MR. PRESIDENT:

Senator Kerry called me this evening to say that he had spoken with you in Boston and that you had asked him to send you his recommendations for a crime package. He later messengered the attached package which recommends an increase in spending of an additional \$23 billion **above the Biden crime bill levels**. He recommends paying for this by declaring a national emergency (i.e. add the additional spending to the deficit). I would normally circulate this for comment before forwarding it to you, but the Senator was clear that he believed that it was your desire that you receive it **directly**, which I am respecting. Senator Kerry said that he intends to raise this in the Democratic Caucus tomorrow.

I'll send copies to Mack, David, George, Howard and Bruce Reed.

A handwritten signature in black ink, appearing to be 'JP', written in a cursive style.

John Podesta

United States Senate

WASHINGTON, DC 20510

MEMORANDUM

TO: President William J. Clinton

FROM: Senator John F. Kerry *[Signature]*

DATE: November 1, 1993

Thank you for your generous availability during your visit to Boston. As I mentioned to you, I believe you must place crime more at the center of your governmental and political agenda, with dramatic initiatives that demonstrate beyond doubt the commitment and the ability of your Administration to restore social order and reasonable peace. Otherwise is to invite growing disorder, racial conflict and political defeat. The Crime Bill now on the table is woefully inadequate.

1. Crime and fear continue to dominate the unofficial politics of the country. Nothing else explains Riordan's victory in Los Angeles and Guiliani's potential victory in New York. Polls of "most important issues facing the country" shift with press attention and publicity. But polls of "most important issue affecting your community," or "your life," show crime as most important year in and year out.

2. Crime and violence are rapidly completing what Congressman John Lewis calls the social "disintegration" of the Black lower class. Inner-city dwellers are being destroyed. Every year, in America we are raising more and more children without human ties.

3. Americans of all races -- but particularly the middle-class and other aspiring immigrants who carry the age-old values of the laboring and the middle-classes -- family, work, morality, peace and prosperity -- are filled with horror and increasing deep resentment. They have utterly lost confidence in the ability or determination of the government to protect them. They move out (from Baltimore, Cleveland, Detroit, Washington, DC, St. Louis and California as a whole); they hire private police (1.5 million private police versus 535,000 public police); they buy guns (hundreds of thousands were sold legally in California this last year); 13 states now have laws now mandating the issuance of carry permits for any citizens without a physical, mental or legal disability.

4. It is impossible to over-estimate the cynicism and resentment of politics and politicians that result. What mother, huddled in a housing project, can believe we care about her when we can send troops to bring to peace to Somalia but can find no police for her? What suburbanite is not filled with horror when he or she

hears of a carjacking in a nearby mall, or an intruder to a California slumber-party who kidnaps a teenaged girl after tying up her friends? For thirty years, the political system has taken not one serious initiative against this growing menace. Does not our own lassitude suggest that we think the situation hopeless, that we believe that those who live in the inner city or in poverty are just that way, and that our only policy is to let them kill each other?

5. One substantial reason for your own election was Mr. Bush's demonstrated inattentiveness to domestic security (his biggest single drop in the polls was in the week of the Los Angeles riots), coupled with your own promise to add 100,000 police, indeed it was this pledge that Mrs. Clinton said on a visit to New York proved you were "new kind of Democrats." You cannot renege on this promise, nor postpone to some indefinite future.

6. Your present Crime Bill provides in Title I for about 20,000 police (not 50,000, as the press is beginning to discover). The Senate Police Corps provisions, not duplicated in the House Bill, would give you 80,000 more officers; but the Administration has made no provision for funding them (or any portion of the Billion crime package). One hundred thousand cannot be considered as more than a downpayment on what we will need. Your own cited statistic that each policeman today must face ten times as much violence as his predecessors in the 1950s implies that we need many more. It is evident that, at least, several hundred thousand are needed additionally and quickly, for crime prevention, as well as for crime control. Nor is there adequate provision in this bill for coordinating our federal, state and country prison systems, or for creative use of ex-military personnel and military facilities so as to provide the space for those who deserve to be confined.

7. The latest uniform crime reports released by the FBI two weeks ago show a shocking drop in the clearance rates for the most serious crimes, especially homicide. Basically, in the 63 largest cities -- a part of the country where 42 million people live and tens of more millions work -- the chances are about even that a killer will even be arrested, and about 1 in 3 that he/she will be sentenced to serve as much as one year in prison. Half of our murders are now committed by strangers. This is a national emergency with real national security implications. Should any foreign threat take the lives of this number of Americas, we would not argue whether or not we need armies and munitions to defend ourselves. We would spend whatever it takes. We will know how much that is after we have solved the problem.

8. The Bush Administration focused its priorities on enforcement and interdiction, both at the federal level. You have focused your rhetoric on prevention and treatment, at the local level, although to date, this has not been reflected in your budgets. In truth, prevention programs that deal with children up

front through anti-drug efforts in schools, and through providing local, structured, community clubs and evening sports programs for young people are critical anti-crime interventions that will not take place without federal support. By tying these needed programs to the anti-crime effort, rather than as part of a "stimulus package," or other job related package, you have a better chance of breaking through with those in Congress who resist new federal spending of any kind.

9. The following attached is a plan which represents my view of minimal systemic approach which will have an impact. It would cost an additional \$5 billion or so a year beyond the amount currently in the Biden crime bill, which requires you to find \$1.1 billion a year beyond the amount currently in the budget -- but not yet funded.

10. In funding a real federal response to crime, you have the following choices:

A. Cut other programs to fund it, beginning with the rescission process.

B. Raise dedicated taxes, which could include taxes on ammunition and gun licenses.

C. Declare a national emergency waiving the budget act.

I recommend that you declare a national emergency, thereby raising the overall national commitment to anti-crime efforts and making it more difficult for Congressional opponents of the Administration to prevent you from moving ahead with a real anti-crime plan.

NECESSARY RESOURCES FOR A REAL ANTI-CRIME PROGRAM
SENATOR JOHN KERRY
NOVEMBER 1, 1993

BACKGROUND: BUDGET FACTS

THE PREVIOUS ADMINISTRATION MADE ANTI-CRIME EFFORTS A GREATER BUDGETARY PRIORITY THAN THE CURRENT ADMINISTRATION.

The Clinton Administration budgeted an overall 8 percent increase for criminal justice funding in 1993, and a 6.5 increase in the anti-drug budget (these increases overlap to a substantial degree). The overall budget request was for a \$776 million increase in anti-drug efforts.

By comparison, over the four years of the Bush presidency, overall anti-drug spending increased by an average of \$900 million each year, and by an average of 20 percent.

The Bush-era budgets provided larger percentage budget increases in essentially every category of fighting crime each year than did the first Clinton-era budget.

ELEMENTS OF AN URGENT COMPREHENSIVE PLAN

The administration should offer a comprehensive plan for reclaiming our communities. The five most important short-term components of this plan should embrace: (1) sufficient resources to guarantee adequate community policing throughout the country, including the Police Corps; (2) emergency and, in some cases, temporary measures for incarceration and detention so that anyone who should be jailed is; (3) proposals for bail modification combined with speedy trial capacity to avoid any flight of drug dealers or other criminals who encourage people to treat our system with disregard; (4) emergency court capacity to provide swift and certain punishment; and (5) treatment on demand for drug addiction. In addition to these five key components, there must be further proposals for diversion for certain youth with adequate counseling or boot camp availability; high school equivalency requirements for parole or release; a major federal grant program to provide incentives for state action and cooperation with bail, gun law and other requirements; a set of emergency inner-city resources to schools for tutoring, counseling and evening hours.

RATIONALE FOR A REAL ANTI-CRIME PROGRAM

PROGRAMS ALREADY IN CRIME BILL, BUT INADEQUATELY FUNDED.

1. ADEQUATE NUMBER OF COMMUNITY POLICE ARE NEEDED FOR CRIME SUPPRESSION/PREVENTION. Cops on the beat are the first casualty of police department cutbacks, as police are pulled first into "emergency response" to respond to crimes after they have taken place. The critical functions of CRIME SUPPRESSION/CRIME PREVENTION

are lost. The Administration needs to meet its commitment of 100,000 new community police without delay. FIVE YEAR COST: \$6.8 billion for community police, using formula of declining federal share over five years.

2. DRUG TESTING AND TREATMENT FOR YOUTHFUL DRUG OFFENDERS. Drug addiction rates are higher than they have ever been, for both cocaine and heroin. Most violent crime is drug-related. Only through testing and treatment can we begin to address the problem of incarcerated juveniles immediately returning to using drugs and committing violent crimes upon release. The Administration has adopted this strategy in its rhetoric, but not in its budget. Today, only one in four drug-addicted prisoners receives testing and treatment. Additional 600,000 per year need to be treated. FIVE YEAR COST: \$3.6 billion.

3. A SYSTEMIC APPROACH TO INCARCERATION AND DIVERSION, IN WHICH THE FEDERAL GOVERNMENT WORKS WITH THE STATES AND LOCALITIES TO ENSURE THAT VIOLENT OFFENDERS ARE NOT PREMATURELY RELEASED, AND NON-VIOLENT OFFENDERS RECEIVE TREATMENT AND BOOT CAMP TRAINING. State prisons are overcrowded, creating the problem of early release of violent offenders. The federal government offers states no systemic help for managing prison populations. Regional prisons, modular prisons, boot camps, drug treatment, and diversion programs are necessary to provide a systemic means of preventing early releases that today endanger communities. FIVE YEAR COST: \$4.2 billion.

4. JUVENILE OFFENDER AND JUVENILE CRIME PREVENTION PROGRAMS. The largest category of violent offenders today, including murderers, are juveniles aged 15-19. The largest group of victims of crime are their peers. Teenagers in violent-prone communities need to be served in two ways, neither of which are today available in most areas -- (a) secure facilities that segregate the 60,000 most violent criminals from other teenagers; and (b) Boys and Girls clubs (or similar local community centers with structured activities and adult leadership aimed at teenagers), at a level of some 30,000 clubs, to serve some one million at risk children. (This is an essential component of crime prevention) FIVE YEAR COST: \$2.3 billion.

5. POLICE CORPS. Urban police departments have shrunk over the past thirty years, as the demands on each officer have radically increased. Even with 100,000 additional community police, police departments face unprecedented challenges. Creation of a police corps of 80,000 police who rotate through departments after college as part of a national service plan provides an essential "boost" to demoralized, overworked, and sometimes corrupt urban police departments. FIVE YEAR COST: \$5.4 billion.

6. SAFE SCHOOLS AND MISCELLANEOUS PROGRAMS IN CRIME BILL. Current crime bill has \$300 million for safe schools over five

years. Current bill has \$500 million for rural drug enforcement and other miscellaneous programs in bill. Most people who have looked at these programs say these amounts are probably minimally adequate. FIVE YEAR COST: \$800 million.

PROGRAMS NOT IN CRIME BILL WHICH REQUIRE FUNDING

1. **DRUG TREATMENT.** The single most urgent program not in the crime bill is drug treatment for those not in the criminal justice system. The Administration has promised this at the level of rhetoric, but its actual increases in budgeting for drug treatment are barely distinguishable from the Bush Administration. The Congress has already passed an open-ended authorization for drug treatment. What is missing are necessary appropriations at the level of another \$1.1 billion a year, to treatment 50% of addicts who are (a) treatable and (b) want treatment, for heroin and cocaine addiction. FIVE YEAR COST: \$5.5 billion.

2. **ANTI-VIOLENCE CRIME GRANTS, MID-NIGHT SPORTS, RAPE PREVENTION, AND ENHANCED RECORDKEEPING.** The House crime bill introduced by Congressman Washington contains proposals for "anti-violence crime grants," "mid-night sports programs," "rape prevention," and improvement of local and state law enforcement criminal record keeping, with a combined cost of about \$430 million per year. These are each fundamentally community-oriented crime prevention programs and would help restore the balance between prevention and enforcement/prosecution. FIVE YEAR COST: \$3.5 billion.

3. **REGIONAL EMERGENCY ANTI-CRIME TEAMS.** Serious consideration needs to be given to some form of regional emergency anti-crime reaction teams, as a variant or alternative to either national guard or other federalization of law enforcement. In some localities, such as Washington, D.C. recently, or Los Angeles after the 1992 riots, local law enforcement cannot do the job without help from outside. Federal assistance for regional law enforcement units, with a local match, to be deputized by state and local officials for short-term emergency response, would provide an essential back-stop when violence becomes greater than local law enforcement can handle. FIVE YEAR COST: \$375 million.

CONTROLLING THE AVAILABILITY OF GUNS AND AMMUNITION TO VIOLENT CRIMINALS THROUGH TAXING LICENSES AND AMMUNITION.

Nationally, 68% of all murders are committed with firearms. Handguns were used in 80 percent or more of these firearms-related murders. Limiting the availability of handguns, particularly to teenagers, would save lives. There are many gun-control proposals currently available for consideration by the Congress that would help. But most effective would be proposals to tax gun-dealer licenses and ammunition. These taxes could generate substantial revenues to offset the cost of anti-drug and anti-crime measures.

BUDGET SUMMARY

A. PROGRAMS IN CRIME BILL NOW

BIDEN BILL:

\$5.9 BILLION OVER FIVE YEARS (\$1.145b/year)

- \$3.4 billion 50,000 community police
- \$1.2 billion drug court/drug testing and treatment for 200,000 youthful drug offenders
- \$.3 billion prisons (boot camps for 42,000 inmates, drug treatment for 110,000 prisoners or incarceration of 26,000 violent drug offenders)
- \$.1 billion juvenile offenders; secure facilities for 3,000 violent juveniles, 3300 Boys and Girls Clubs serving 120,000 at-risk children
- \$.9 billion; \$.3b for safe schools; .2 b for Police Corps, .05 for rural drug enforcement and miscellaneous programs

RECOMMENDED HIGHER LEVELS FOR BIDEN/FUNDED PROGRAMS:

\$23.0 BILLION OVER FIVE YEARS (\$4.6b/year)

- \$6.8 billion 100,000 community police (priority hiring of 40,000 former U.S. military)
- \$3.6 billion drug court/drug testing and treatment for 600,000 youthful drug offenders
- \$4.2 billion prisons (boot camps for 150,000 inmates, drug treatment for 200,000 prisoners and incarceration of 30,000 violent drug offenders)
- \$2.3 billion juvenile offenders; secure facilities for 60,000 violent juveniles, 30,000 Boys and Girls Clubs serving 1 million at-risk children
- \$6.1 billion; \$.3b for safe schools; 5.4 b for Police Corps (80,000 police), .05 for rural drug enforcement and miscellaneous programs

TOTAL APPROPRIATIONS NEEDED FOR PROGRAMS NOW IN CRIME BILL (CATEGORY A): \$9.2 billion over two years (\$4.6 billion per year)*
***spend out on police corps only \$1 billion first two years; increase to \$1.5 billion/year over last three years)**

ADDITIONAL APPROPRIATIONS NEEDED FOR PROGRAMS NOW IN CRIME BILL BEYOND AMOUNT ALLOTTED IN BUDGET (CATEGORY A): \$6.91 billion over two years (\$3.455 billion per year)

B. ADDITIONAL APPROPRIATIONS FOR OTHER NECESSARY PROGRAMS NOT COVERED IN CRIME BILL AS OF TODAY

DRUG TREATMENT. \$2.2 billion over two years (expanding drug treatment to cover 450,000 additional addicts per year).

According to April, 1993 report by Senator Biden, the system could expand this quickly. In the April, 1993 report, based on expert opinion, Biden recommended an increase in FY 1994 of \$1.1 billion over FY 1993 funding, from the current level of \$2.4 billion to \$3.5 billion. (Such funds as may be appropriated are already authorized for this purpose for these years)

ANTI-VIOLENCE CRIME GRANTS. \$380 million over two years. Federal grants to states and localities for 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 and enlarging victim services programs.

REGIONAL EMERGENCY REACTION TEAMS. (Would be alternative to National Guard request of DC Mayor Kelly rejected by President Clinton) \$150 million over two years. Establishes regional units, with local match, of specially trained police force regional teams seconded from local departments, called up on a temporary basis to assist state and local law enforcement agencies in combatting crime. Members would be deputized by state officials so that they could make arrests and proceed under state law.

MIDNIGHT-SPORTS PROGRAMS. \$6 million over two years. Federal grants to serve youths and young adults from neighborhoods with a substantial drug, crime, teenaged pregnancy, and unemployment programs for midnight sports, job counseling, job training and education, matched by 50% non-federal funds.

RAPE PREVENTION. \$120 million over two years. Federal grants to provide anti-rape education programs, to operate rape telephone hotlines, to develop treatment programs for sex offenders, and to prepare educational material on sexual assault and prevention.

IMPROVING CRIMINAL RECORDS. \$200 million over two years. Federal grants to create computerized criminal history record systems and to improving existing systems, to improve accessibility to a national instant check background system (for handgun purchases and other law enforcement purposes).

TOTAL REQUESTED APPROPRIATIONS FOR ADDITIONAL PROGRAMS IN CATEGORY B: \$3.056 billion over two years (\$1.528 b per year).

TOTAL REQUESTED APPROPRIATIONS FOR PROGRAMS IN CATEGORY A (THE CRIME BILL): \$9.2 billion over two years (\$4.6 billion per year)

GRAND TOTAL REQUESTED APPROPRIATED FUNDS (A+B): \$6.128 billion/year, an increase of \$4.983 billion over budget.

GUIDE TO CHARTS

CHART ONE: CRIME CLOCK. Violent crimes are taking place in America every 22 seconds, with a murder every 22 minutes.

CHART TWO: Since 1988, violent crime rates are up 19 percent.

CHART THREE: Murder is up 11 percent.

CHART FOUR: Rape is up 14 percent.

CHART FIVE: Aggravated assault is up 19 percent.

CHART SIX: Robbery is up 19 percent.

CHART SEVEN: There are six hundred thousand more violent crimes a year in the U.S. today than there were eight years ago.

CHART EIGHT: There are four thousand more murders a year in the U.S. today than there were eight years ago.

CHART NINE: Drug overdoses are increased to 105,000 per quarter, higher than they have ever been.

CHART TEN: Heroin overdoses are dramatically increasing, to levels higher than they have ever been.

CHART ELEVEN: Cocaine overdoses remain at record levels.

CHART TWELVE: Illegitimacy rates have dramatically increased over the past 25 years for all races.

CHART THIRTEEN: The largest category of murder offenders are teenagers aged 15 to 19.

CHART FOURTEEN: Violent crime rates have dramatically increased over the past twenty years.

CHART FIFTEEN: Clearance rates for violent crimes range from 65% for murder, to 56% percent for aggravated assault, 52% for forcible rape, and 24% for robbery.

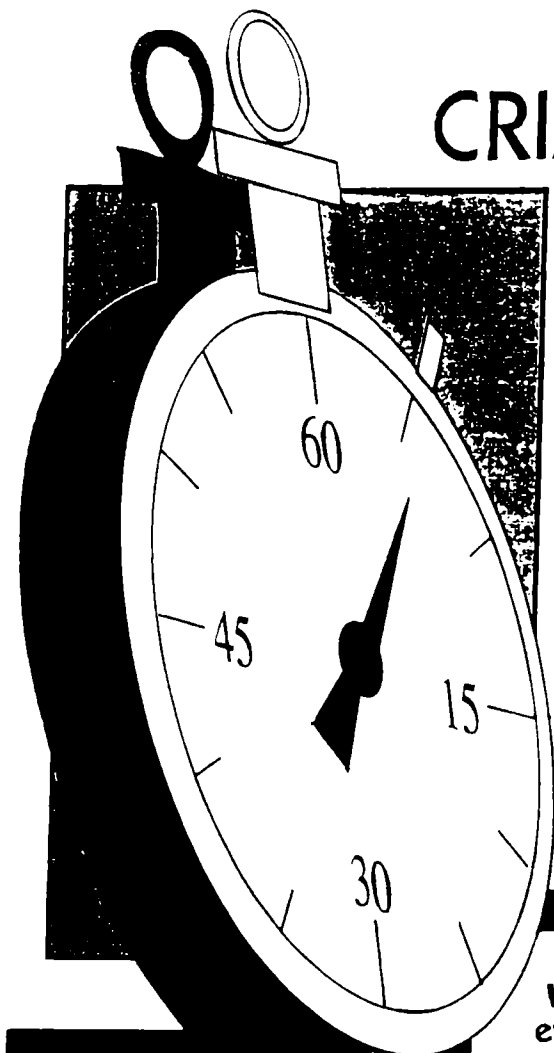
CHART SIXTEEN: Clearance rates for property crimes are almost never cleared. (20% for theft, 14% auto theft, 13% for burglary)

CHART SEVENTEEN: Clearance rates in cities of 250,000 and over and 1 million and over are less than 40% for violent crime and less than 15% for property crime.

CHART EIGHTEEN: Total federal government expenditures on local law enforcement have declined from \$2.3 billion in 1974 in constant dollars to about \$700 million today.

CHART 2.1

CRIME CLOCK 1992



one
CRIME INDEX OFFENSE
every 2 seconds

one
VIOLENT CRIME
every 22 seconds

one
PROPERTY CRIME
every 3 seconds

one
MURDER
every 22 minutes

one
FORCIBLE RAPE
every 5 minutes

one
ROBBERY
every 47 seconds

one
AGGRAVATED ASSAULT
every 28 seconds

one
BURGLARY
every 11 seconds

one
LARCENY-THEFT
every 4 seconds

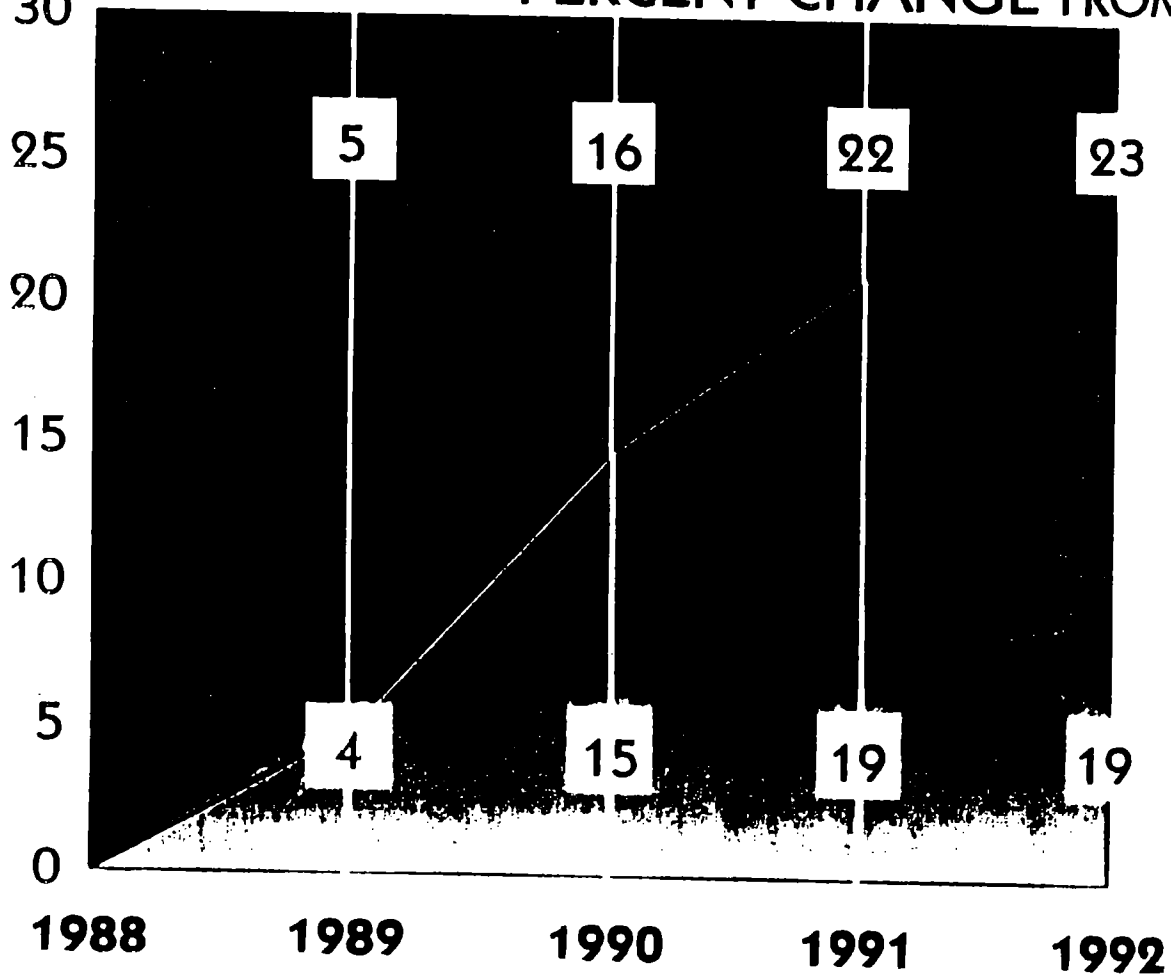
one
MOTOR VEHICLE THEFT
every 20 seconds

The Crime Clock should be viewed with care. Being the most aggregate representation of UCR data, it is designed to convey the annual reported crime experience by showing the relative frequency of occurrence of the Index Offenses. This mode of display should not be taken to imply a regularity in the commission of the Part I Offenses; rather, it represents the annual ratio of crime to fixed time intervals.

VIOLENT CRIME

Percent

PERCENT CHANGE FROM 1988



Number of Offenses Known - Up 23%

Rate per 100,000 Inhabitants - Up 19%

MURDER

Percent

25

PERCENT CHANGE FROM 1988

25

15

10

5

0

1988

1989

1990

1991

1992

4

13

19

15

4

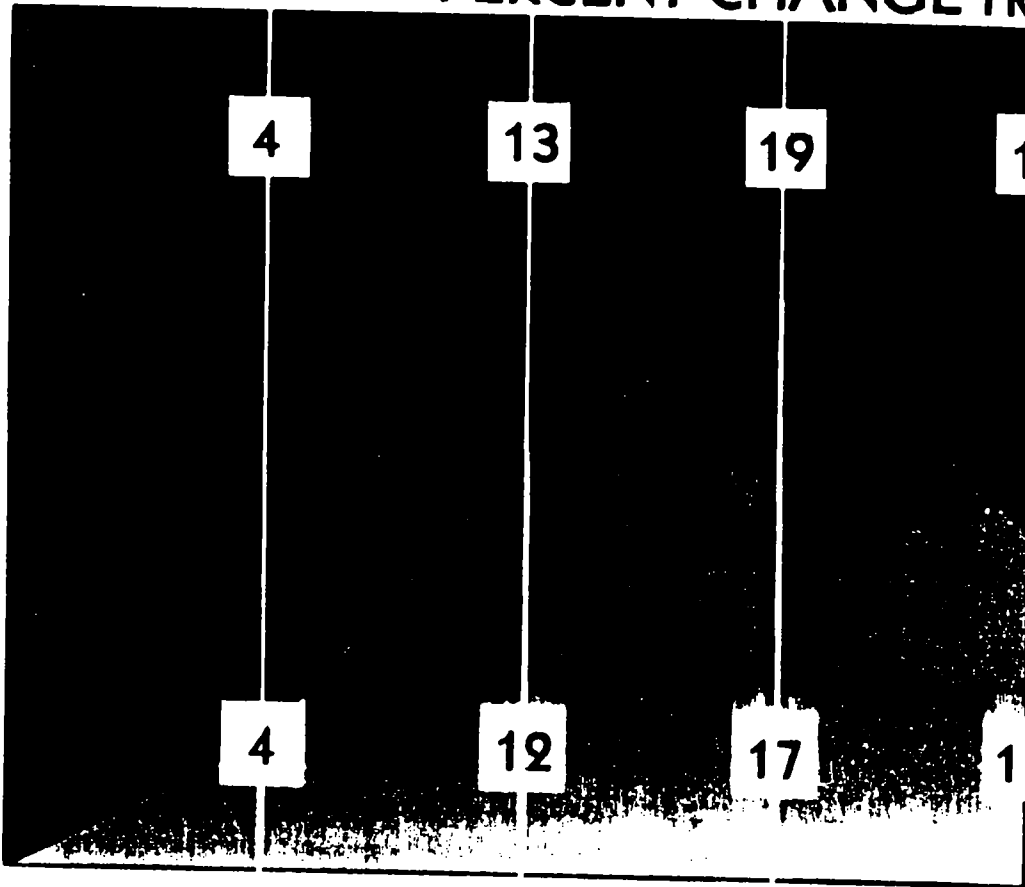
12

17

11

Number of Offenses Known - Up 15%

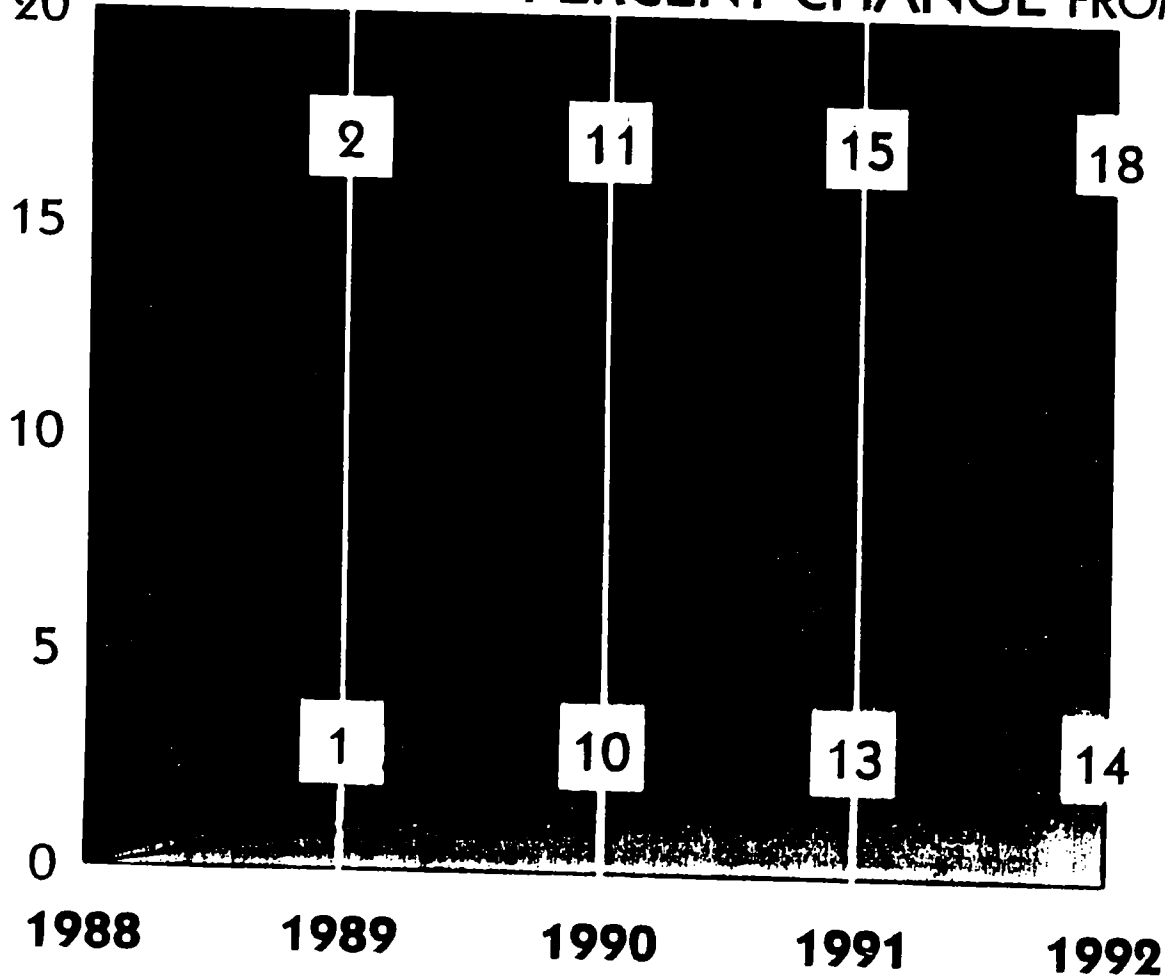
Rate per 100,000 Inhabitants - Up 11%



FORCIBLE RAPE

Percent
20

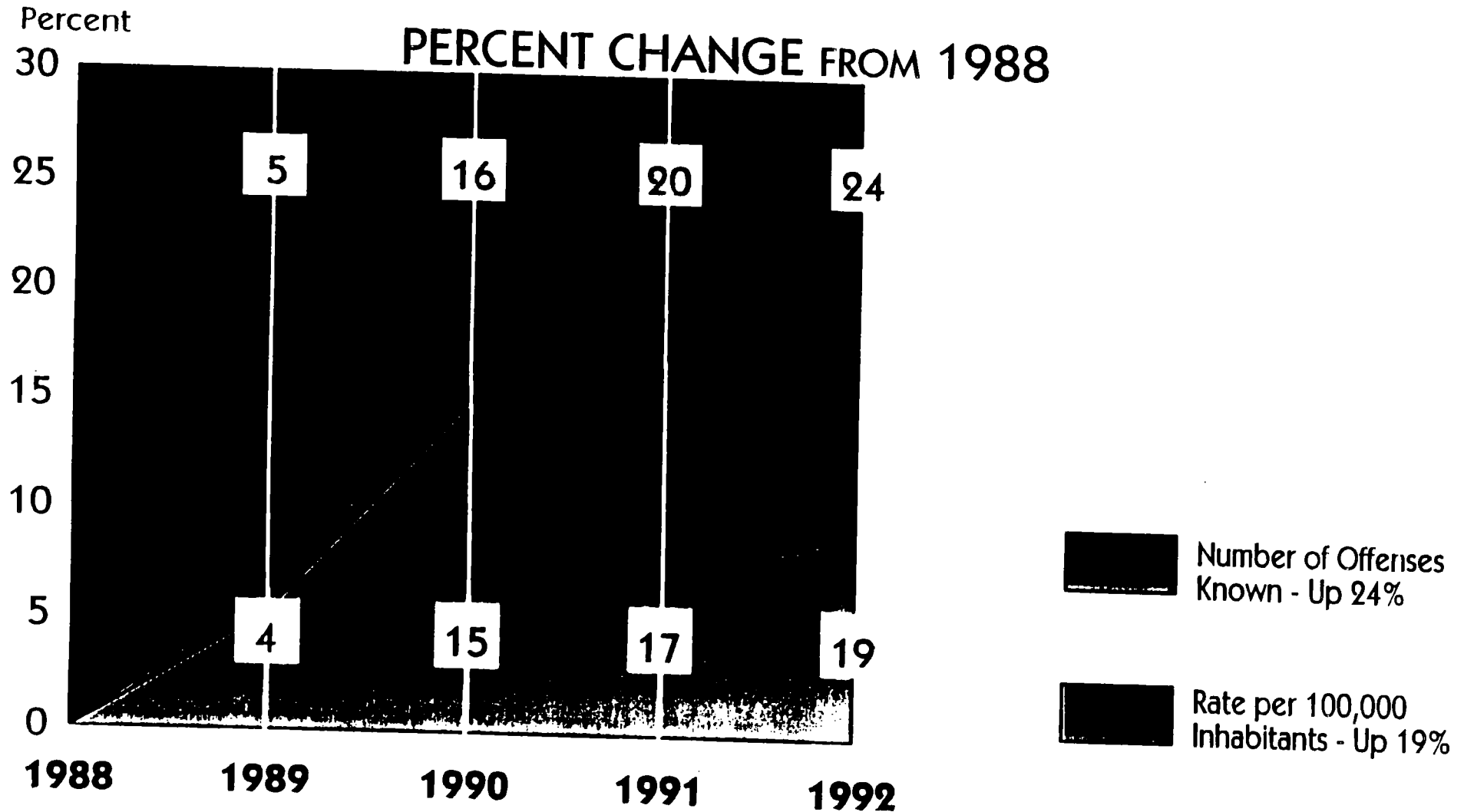
PERCENT CHANGE FROM 1988



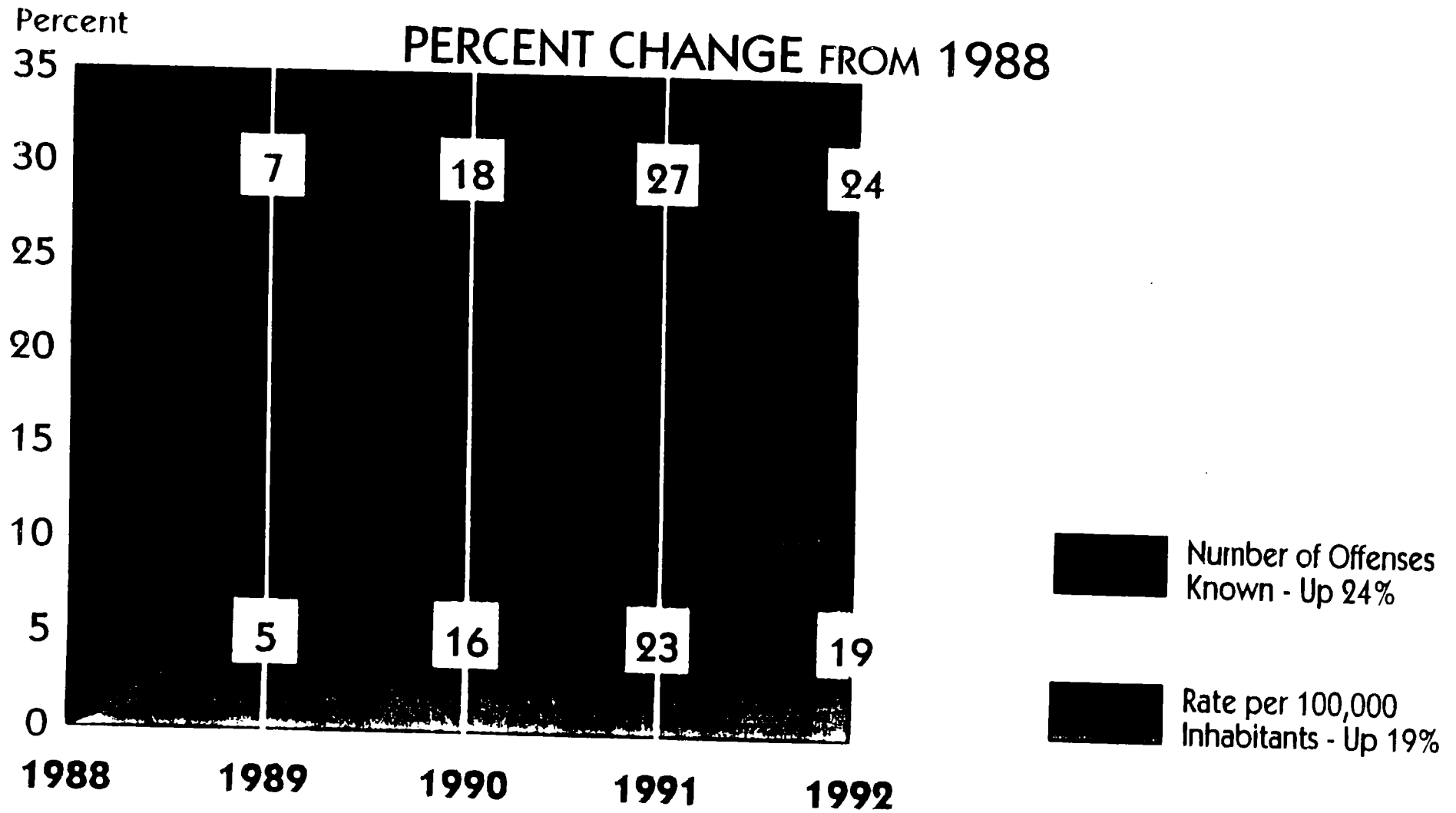
Number of Offenses
Known - UP 18%

Rate per 100,000
Inhabitants - UP 14%

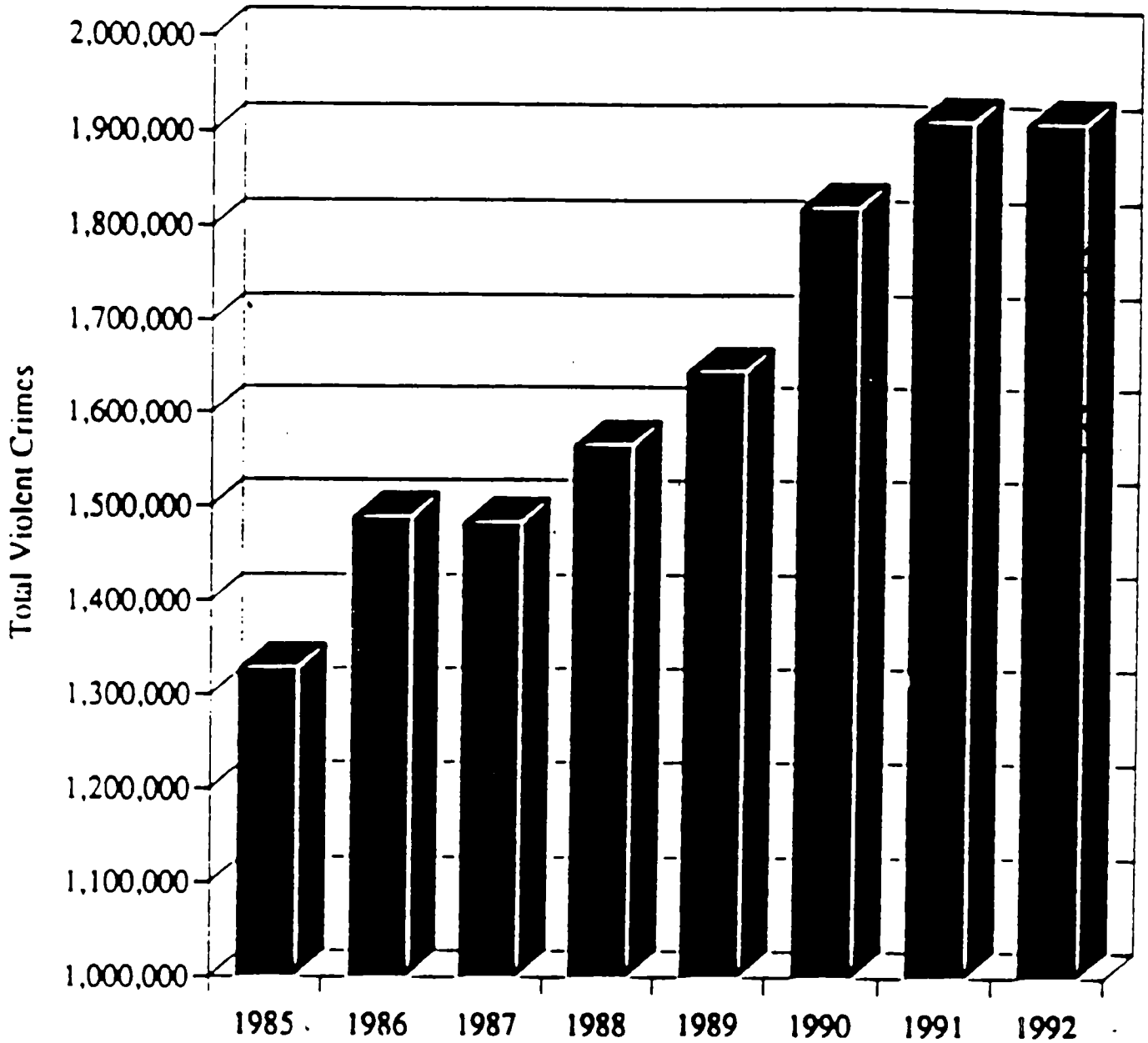
AGGRAVATED ASSAULT



ROBBERY

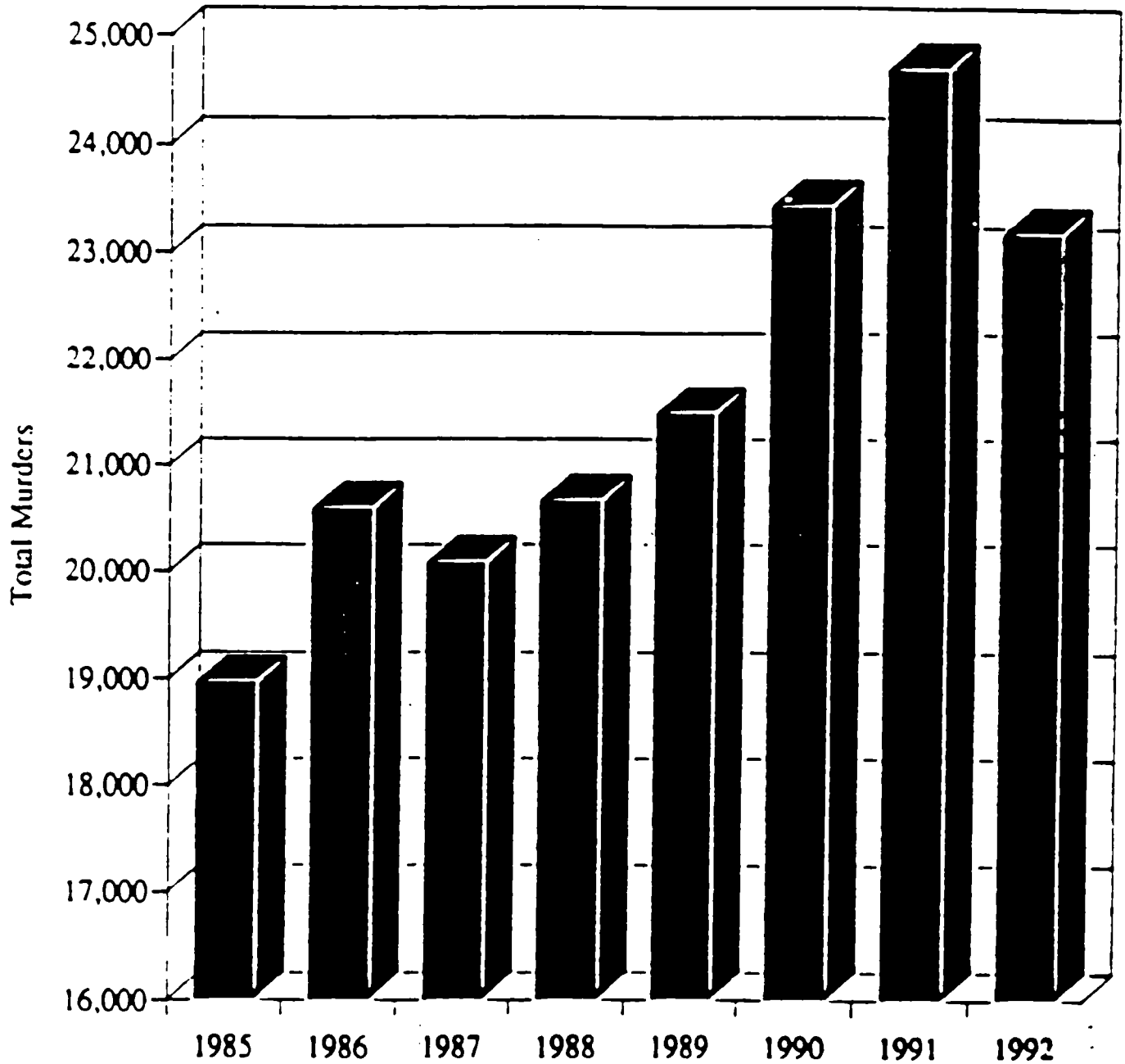


Record Levels of Violent Crime



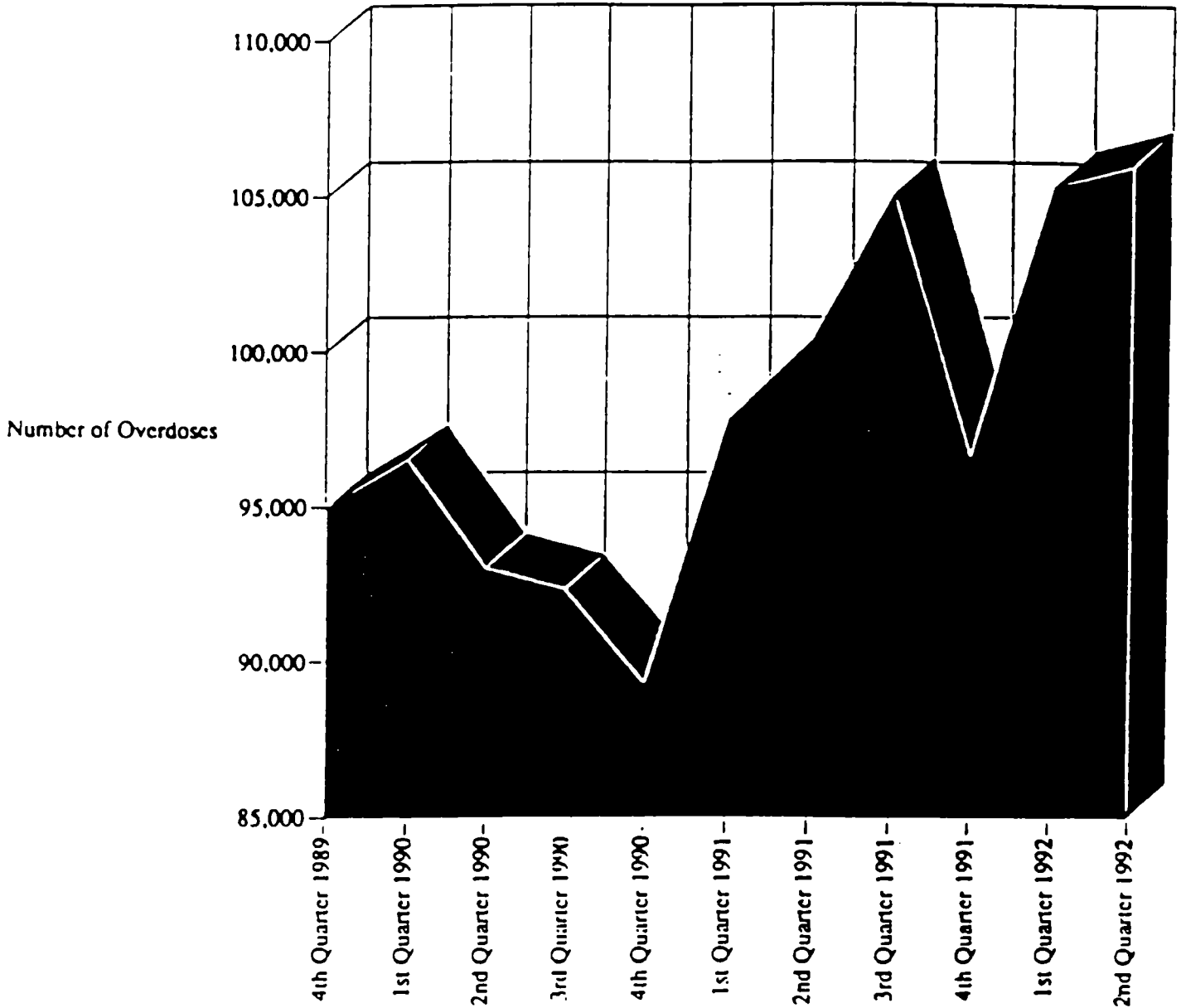
Source: Federal Bureau of Investigation, Uniform Crime Report

The Rise of Murder



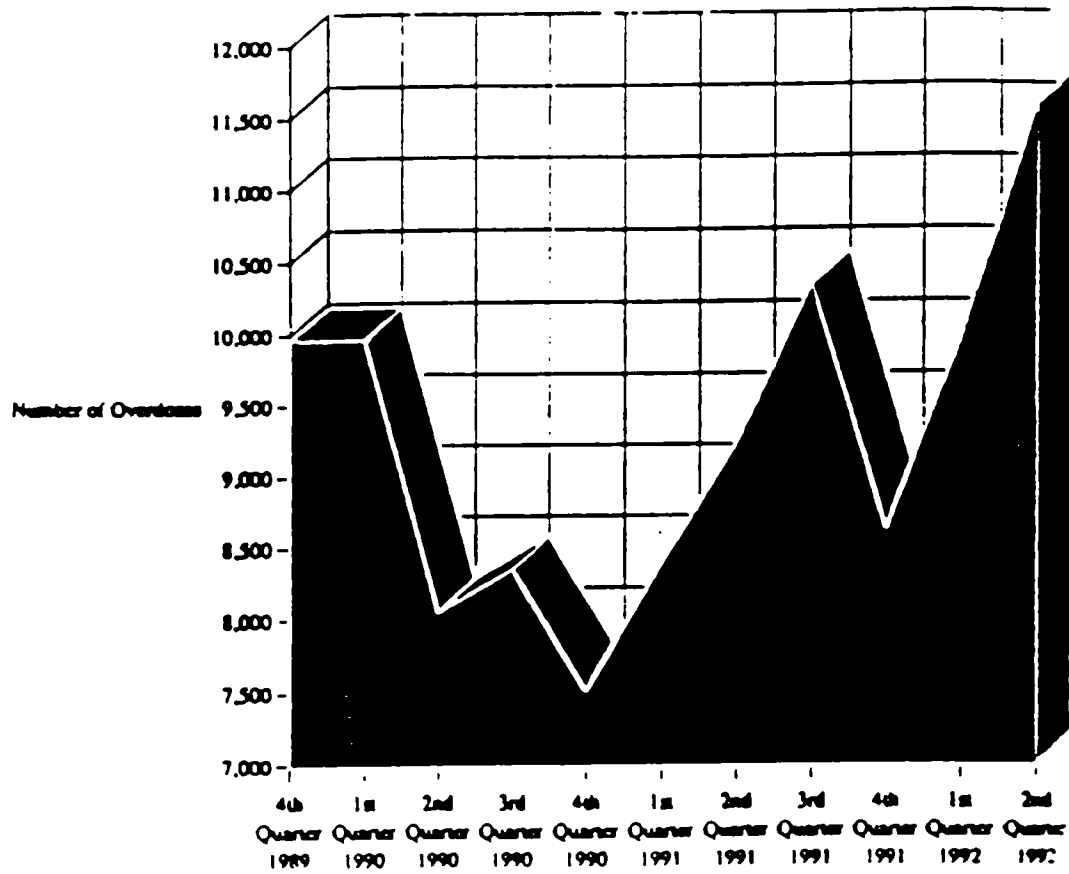
Source: Federal Bureau of Investigation, Uniform Crime Report

Drug Overdoses: More Than When the Strategy Began



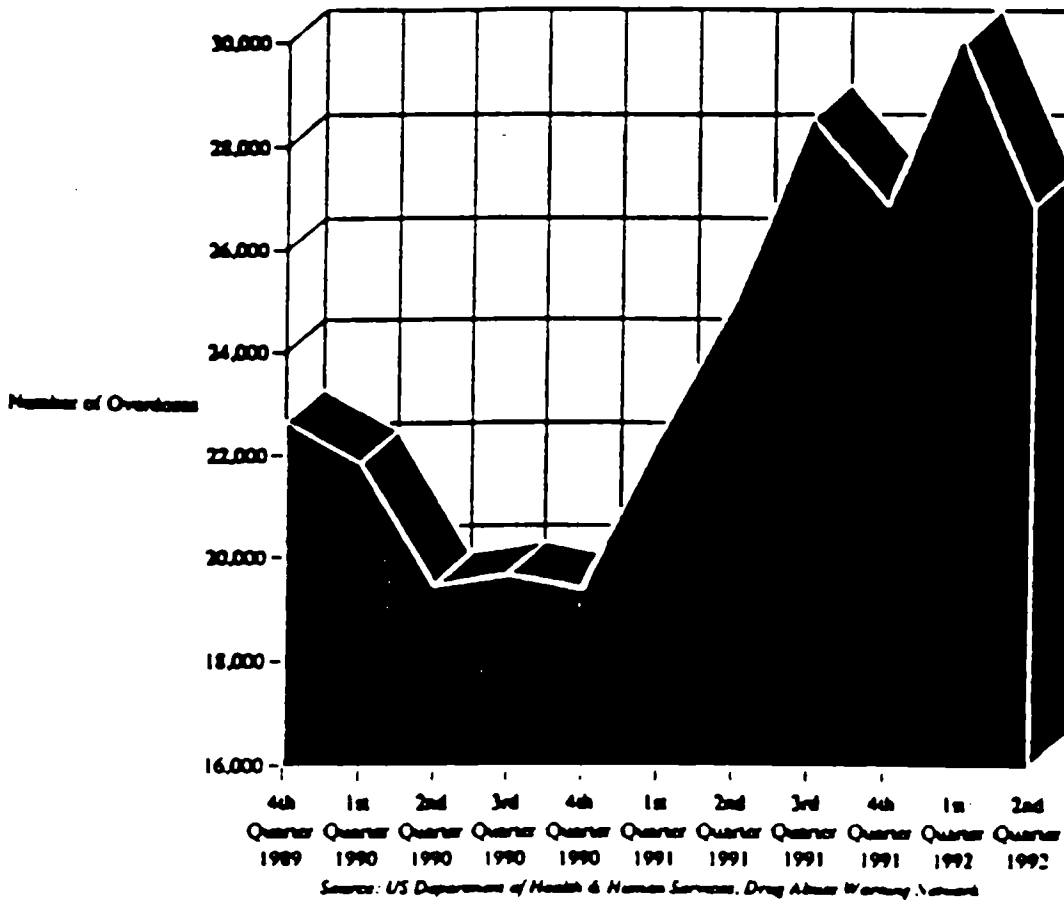
Source: US Department of Health & Human Services, Drug Abuse Warning Network

Heroin Overdoses: More Than When the Strategy Began



Source: US Department of Health & Human Services, Drug Abuse Warning Network

Cocaine Overdoses: More Than When the Strategy Began



Illegitimacy Rates

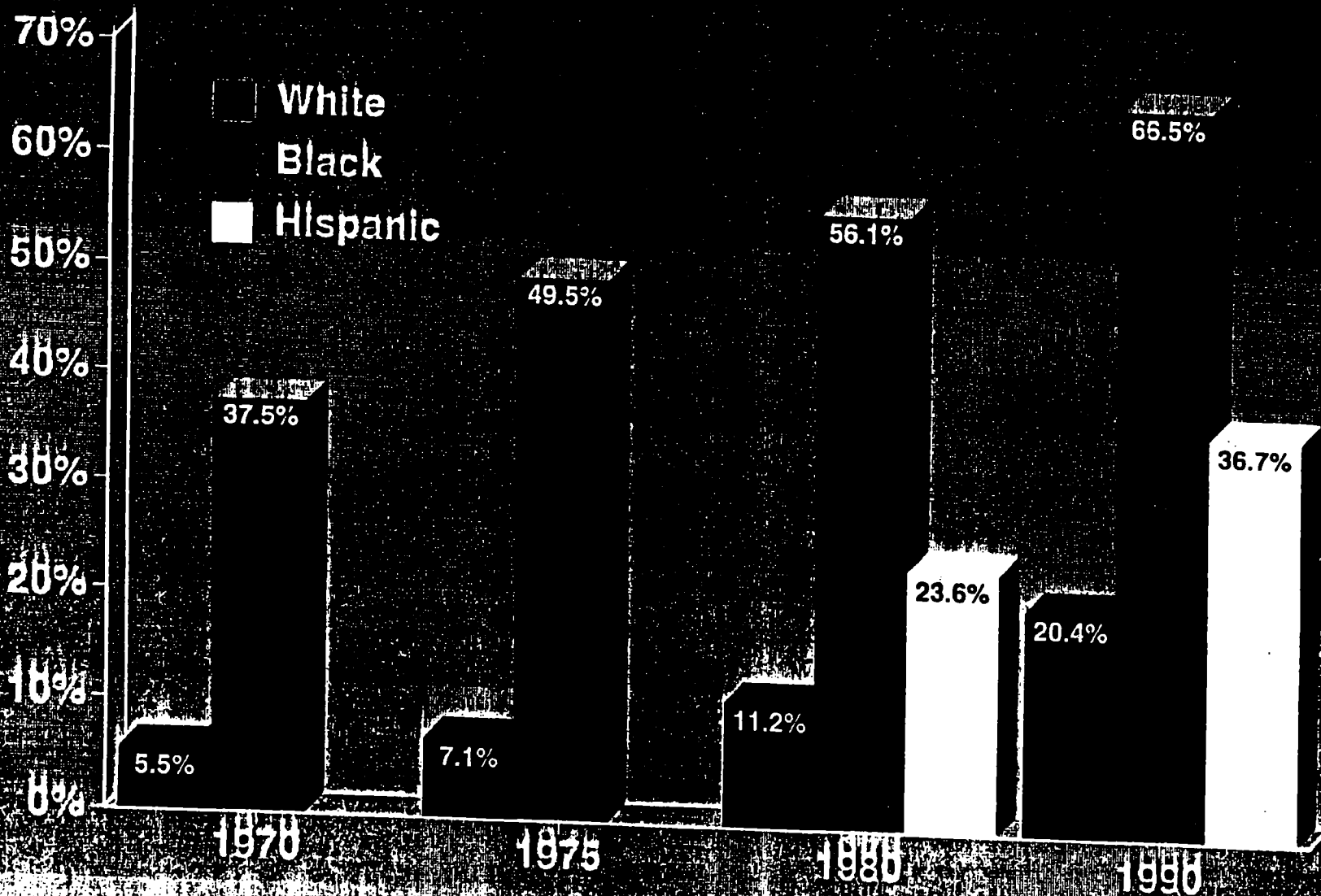


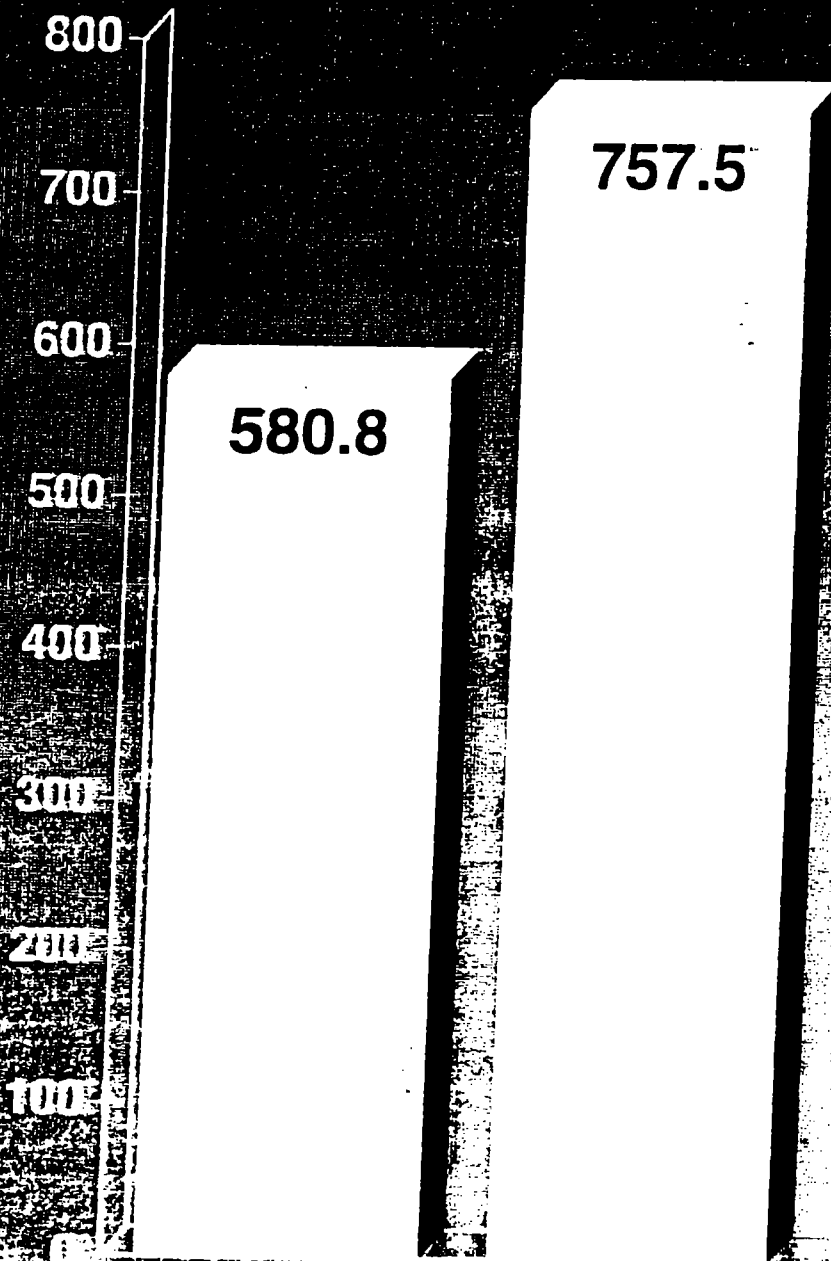
Table 2.5—Age, Sex, and Race of Murder Offenders, 1992

Age	Total	Sex			Race			
		Male	Female	Unknown	White	Black	Other	Unknown
Total	25,180	15,867	1,696	7,617	7,427	9,497	401	7,855
Percent distribution	100.0	63.0	6.7	30.3	29.5	37.7	1.6	31.2
Under 18 ¹	2,343	2,178	150	15	868	1,389	58	28
18 and over ¹	14,154	12,650	1,497	7	6,237	7,498	322	97
Infant (under 1)								
1 to 4								
5 to 9	4	3		1	1	1	1	1
10 to 14	263	228	33	2	117	133	9	4
15 to 19	4,249	4,029	208	12	1,493	2,622	100	34
20 to 24	3,929	3,611	316	2	1,494	2,339	83	13
25 to 29	2,614	2,335	278	1	1,125	1,391	66	32
30 to 34	1,805	1,530	274	1	887	873	37	8
35 to 39	1,262	1,070	191	1	631	589	33	9
40 to 44	848	718	130		458	357	24	9
45 to 49	568	494	73	1	339	211	13	5
50 to 54	319	256	63		186	122	8	3
55 to 59	219	191	28		118	97	2	2
60 to 64	148	129	19		91	52	3	2
65 to 69	115	96	19		64	50		1
70 to 74	67	58	9		41	25	1	
75 and over	87	80	6	1	60	25		2
Unknown	8,683	1,039	49	7,595	322	610	21	7,730

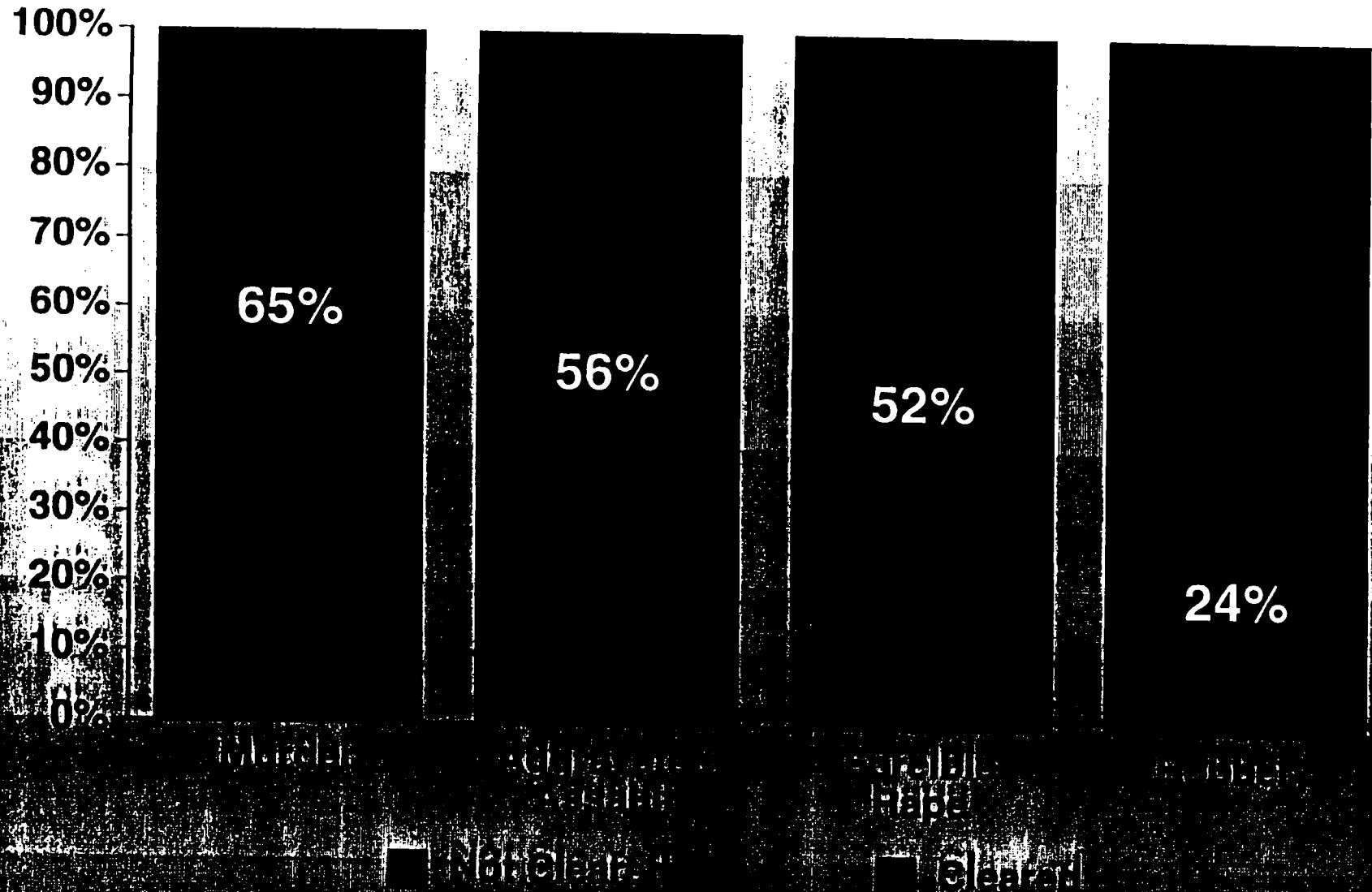
Violent Crime Rates

(per 100,000 persons)

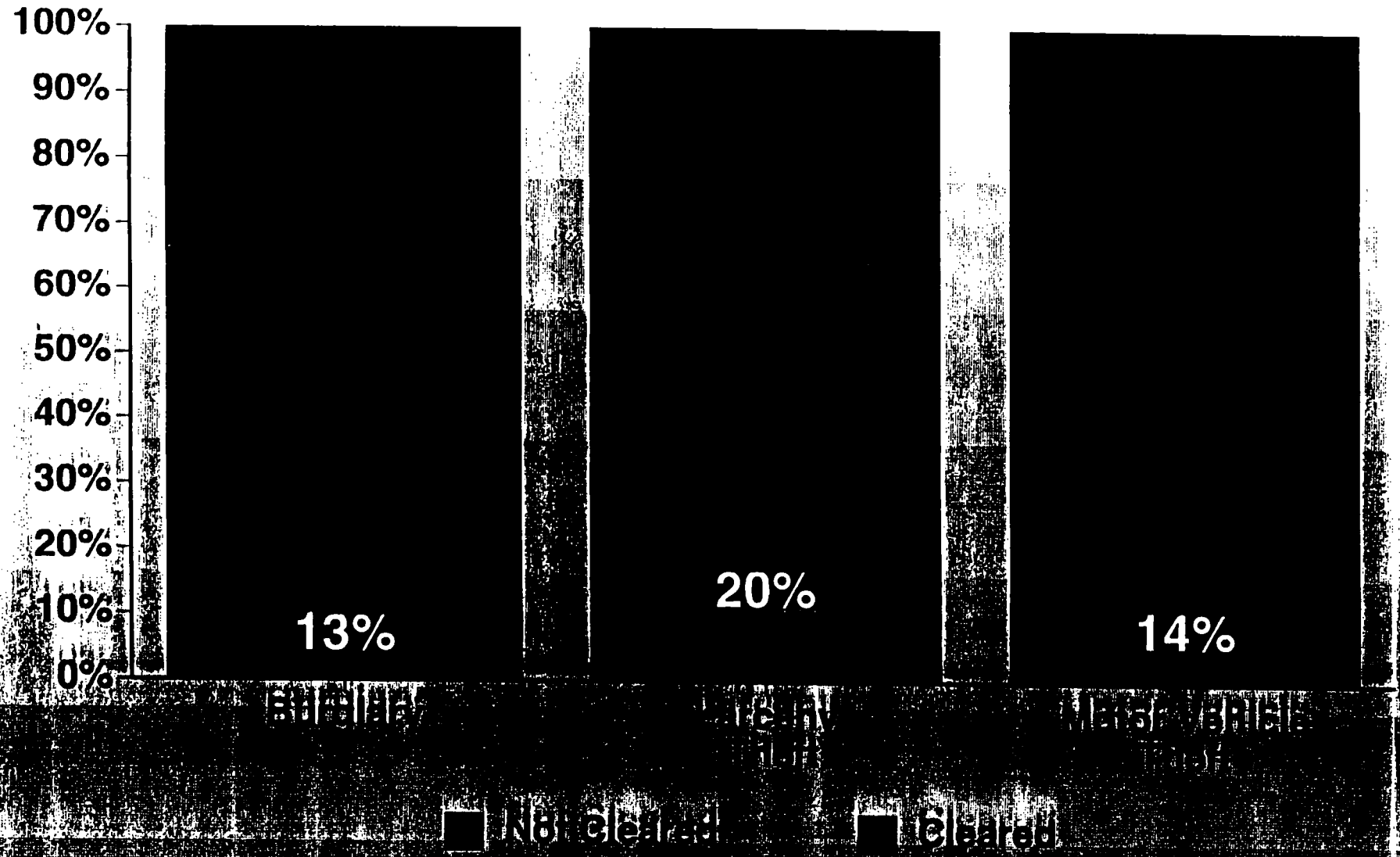
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Crimes of Violence Cleared by Arrest 1992

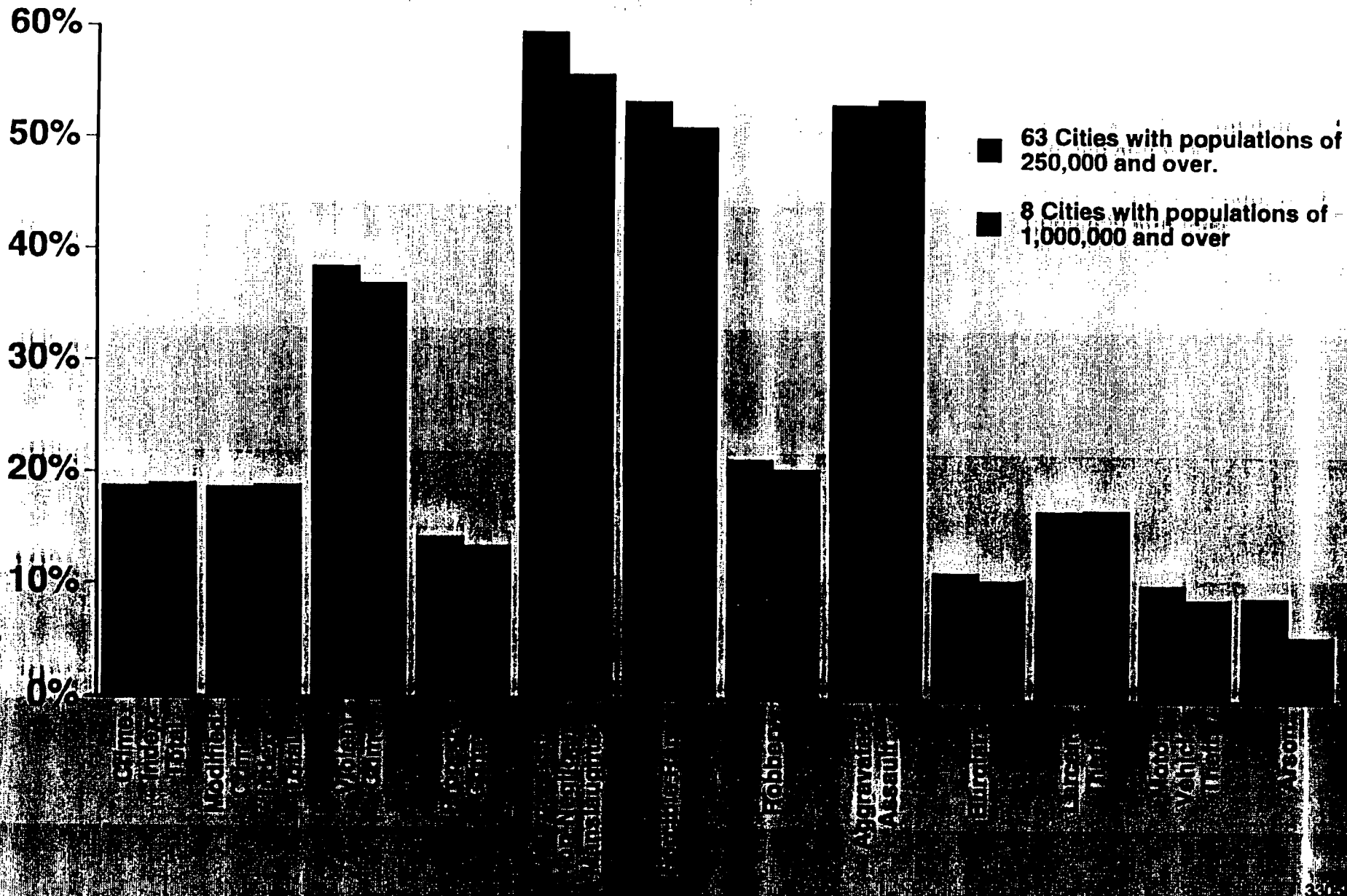


Crimes Against Property Cleared by Arrest 1992

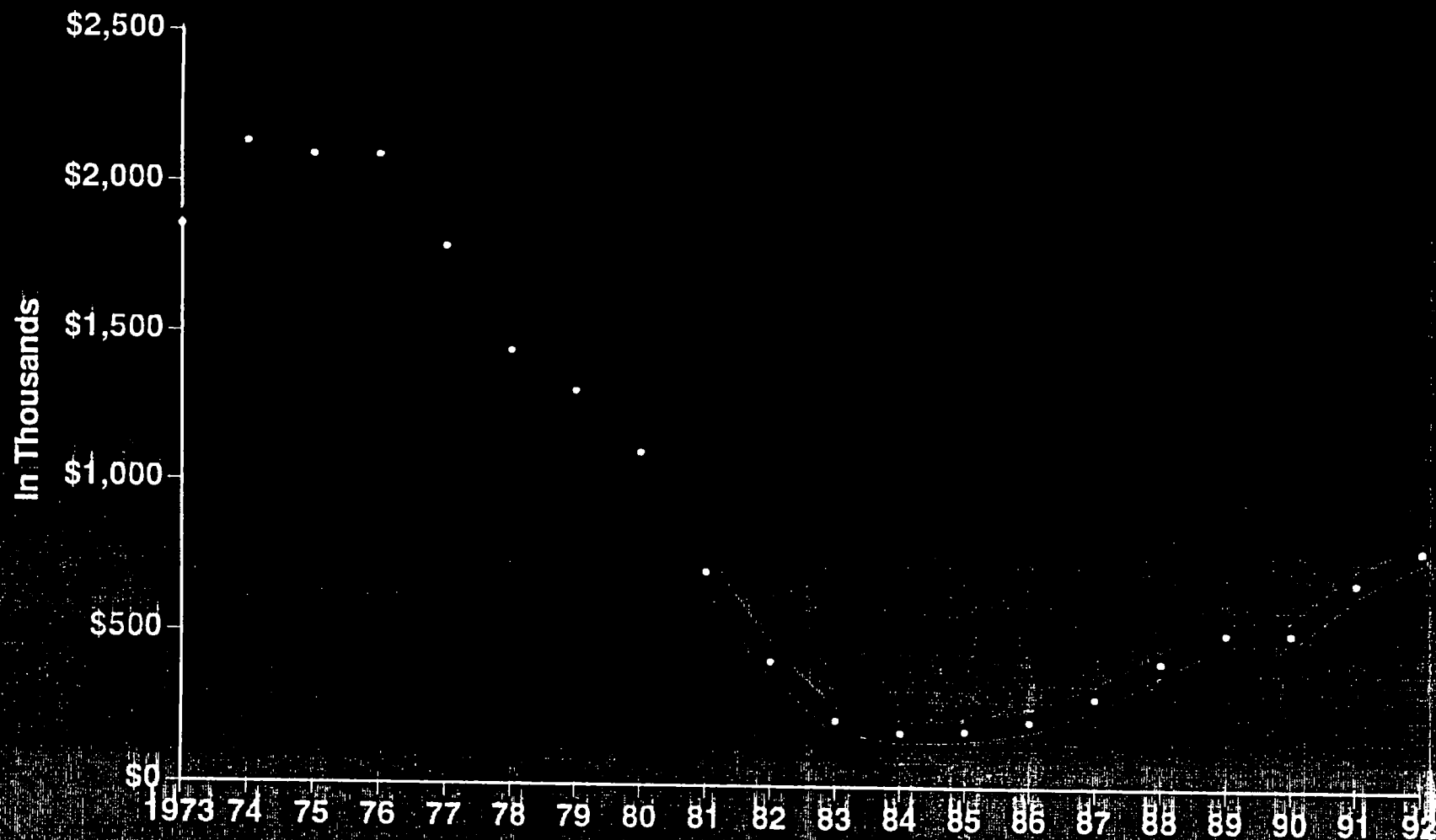


Percent of Known Offenses Cleared by Arrest

1992



Total Federal Government Expenditures on Law Enforcement at State & Local Levels (in constant 1992 dollars)



CRIME AND VIOLENCE MEETING
Roosevelt Room
November 15, 1993

ATTACHMENTS

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

ORGANIZING PRINCIPLES CRIME AND VIOLENCE

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

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

President Clinton
News Conference, November 10, 1993

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

November 15, 1993

MEMORANDUM TO THE CRIME SQUAD

**FROM: BRUCE REED
JOSE CERDA III**

SUBJECT: OPTIONS FOR CRIME AND VIOLENCE TOUR

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

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

I. Purpose of a Crime and Violence Tour

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

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

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

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

II. What a Crime Tour Might Look Like

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

A. Phase One: Setting the Stage

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

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

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

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

B. Phase Two: Crime Week

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

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

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

Other Nearby Events for Day One:

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

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

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

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

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

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

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

Other nearby sites for Day Two:

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

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

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

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

Other nearby events might include:

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

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

Crime Tour - Potential Site List

(as of 11/15/93)

COMMUNITY POLICING

Police Stations (in order of preference):

San Diego, CA

Portland, OR

Boston, MA

New York, NY

Chicago, IL

PUBLIC HOUSING

Police/Public Housing

Chicago, IL

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

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

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

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

Portland, OR

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

New York, NY

Ft. Myers, FL

Took women out of public housing and sent them through police academy training.

Richmond, Norfolk, Newport News, VA

Residents/Public Safety

Cleveland, OH

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

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

Austin, TX

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

SCHOOLS

Systems with high success rates in combating drugs and violence:

Miami, FL

San Diego, CA

Philadelphia, PA

New York, NY

Recent Violence/Guns

Atlanta, GA

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

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

Dallas, TX

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

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

Junction City, KS

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

Chicago, IL

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

Project Smart

(School Management and Resource Teams - DOE and DOJ)

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

Safety

Portland, OR

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

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

New York City, NY

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

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

nationwide.

Miami, FL

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

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

Apopka, FL

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

Roxbury, MA

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

BOOT CAMPS

Jessup, MD

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

Rikers Island, NY

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

Summit, NY

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

Riley, KS

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

Orleans Parish, LA

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

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

Wrightsville, AR

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

Sumter County, FL

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

NATIONAL SERVICE PROGRAMS

Baton Rouge, LA

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

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

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

Chicago, IL

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

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

Jonesboro, AR

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

DRUG COURTS

Oakland, CA

Miami, FL

Washington, D.C.

MIDNIGHT BASKETBALL

San Francisco, CA

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

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

Glen Arden, MD

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

Chicago, IL

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

GUN STORES

Chicago, IL

Gun store across from elementary school.

"SOCIAL CONTRACT" AREAS

Charleston, SC

EMERGENCY ROOMS/HOSPITALS

Washington, DC

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

CRIME TOUR -- POTENTIAL OUTCOMES

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

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

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

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

Here are our preliminary suggestions:

I. Tangible Actions

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

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

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

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

violence, drug treatment and crime.

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

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

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

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

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

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

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

II. Greater Challenge

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

November 15, 1993

MEDIA OPPORTUNITIES

Network

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

NBC

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

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

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

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

Conferences

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

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

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

Corporate

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

Newspapers

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

845
Gearan
Violence

CONFIDENTIAL: Please review prior to the 3 p.m. meeting today.

TO: Distribution List
FROM: Carol H. Rasco
SUBJ: Violence
DATE: December 2, 1993

Attached are two memos given to me by Bruce Reed last evening. The first one by Bruce and Jose Cerda brings you up to date on the potential crime bill conference issues. As you can tell from this memo, we are not ready to have a discussion with the Attorney General today on the administration position for conferencing the crime bill; further research is needed as the information becomes available to us for review. Bruce and Jose are working with OMB and the Justice Department in this ongoing review.

The second memo is about the violence/media issues in relation to the President's trip to California this weekend which is the topic I understand we now want to cover with the Attorney General this afternoon. The attachment to this memo as noted by Bruce is from the report the interagency group will be submitting toward the end of the month.

As far as the relationship of today's meeting to the broader crime/violence/personal safety/family values/etc. issues and potential initiative(s): At the meeting recently called and held by Roy Neel in the Roosevelt Room, DPC staff presented a set of talking points/principles for this multi-faceted agenda as well as an outline for a series of events. As the DPC staff and I understood the conclusion of that meeting, a smaller group called by Roy would begin the process of scheduling those events which would finalize the decision as to a "summit" or variation on the summit idea. None of us have been called to further meetings on the matter so we are somewhat in limbo as to what is next expected. If we need to present a new scenario, then we need to know. This broader initiative is NOT an appropriate topic for the 3 p.m. meeting today, however. We need to get the matter resolved in-house to the White House first as to direction, etc. I would recommend we discuss it fully at the 8:45 a.m. meeting on Friday morning if possible.

In regard to the very brief agenda I have attached for this afternoon's 3 p.m. meeting I should add that I have had a call from Peter Edelman who was also backed by a "I prefer to remain anonymous Justice Official" with the message that both HHS (due to Shalala's and Elders' comments to date on TV violence) and Justice support the White House leading a group to oversee the negotiations with the networks/other media on the violence issues. Justice official does not want AG to know that sentiment was expressed.

Distribution list:

McLarty
Gergen
Stephanopoulos
Gearan
Reed
Cook

Media/violence issues
3 p.m. McLarty's office

Attending:

McLarty	Attorney General Reno
Gergen	Heymann, Justice Dept.
Stephanopoulos	Acheson, Justice Dept.
Gearan	
Rasco	
Reed	
Cook	

Purposes of meeting:

1. Review any negotiations to date between White House and any media as well as between Justice and media on violence issues.
2. Formalize a structure with a White House head through which all these discussions will pass.

AGENDA

30 minutes maximum for the meeting

Opening: McLarty

The purpose of the meeting is to pull together our collective knowledge on administration contacts and/or actual negotiations with various media on the issue of violence and violence reduction as well as fixing a coordinating structure for future negotiations. Call on Gergen for update from White House and Attorney General for update from Justice; Bruce Reed is following this issue and may have points to add.

Gergen, others from White House?
Attorney General

Coordinating body: McLarty

Depending on what is learned from the preceding conversation, a group with

(a) White House representation (Gergen? Reed? others?),

(b) Justice representation,

(c) as well as perhaps representation from HHS and/or Education (since those Departments have the other two co-chairs of the Interagency Violence Working Group currently finalizing their recommendations for presentation; the working group does have a media subgroup)

should be formulated to coordinate on the Administration's work/negotiations with the media on violence issues.

With the formation of this working group, the meeting is adjourned.

THE WHITE HOUSE

WASHINGTON

December 1, 1993

MEMORANDUM FOR CAROL RASCO

FROM: BRUCE REED
JOSE CERDA III

SUBJECT: CRIME BILL CONFERENCE

While the details of the final crime bill that passed the Senate have not yet been fully analyzed by DPC, OMB or Justice, we would like to make preliminary recommendations on how we should approach the crime bill conference and the FY 95 budget process.

1. **We should push for immediate action as soon as Congress returns.** Not everyone will want immediate action on the crime bill. But for our purposes, delay means that our important new crime programs will not be authorized -- and not appropriated in the FY 95 budget process. The President should make clear that he wants the bill on his desk by March 1st.
2. **We should insist on the Senate's comprehensive approach to crime legislation.** Some members of the House (i.e., Don Edwards, Craig Washington, John Conyers) will continue to push for the House's approach of passing a series of crime prevention grant programs. This is unacceptable from the Administration's perspective. Since the campaign, the President has supported a comprehensive and balanced crime bill. We may not support every detail in the crime bill, but it does include a mix of programs and penalties that the President has previously endorsed -- more cops, boot camps and drug courts; reasonable gun controls; and, where appropriate, increased penalties, including the death penalty. Decoupling these items sends the signal that the President is backing away from his support for a tough crime bill -- and it will give the Senate, House Republicans and moderate House Democrats ammunition to embarrass the Administration on crime.
3. **We should support the creation of the Violent Crime Reduction Trust Fund.** One way or another, Congress is sure to codify the President's federal employee reduction and spend the money. By supporting the fund, we can at least guarantee that this money is spent on our priority crime programs that have been otherwise underfunded.

Additionally, the authorization levels in the crime bill do not comport with the spending levels in the Violent Crime Reduction Trust Fund. That is to say, the Fund is smallest in the first year and grows to more than \$8 billion by the fifth year. On the other hand, crime bill authorizations are greatest in the first year and shrink by the fifth year.

Thus, the Fund itself actually gives the Administration some flexibility in deciding what authorizations are funded as well as when they are funded.

4. Only the President's priorities should be fully funded: more cops, more boot camps, more drug courts, Safe Schools, and some money for the Police Corps and a criminal aliens initiative. We should pursue full funding for the President's stated priorities. They are:

Community Policing: The Senate bill authorizes a total of \$8.995 billion over the next five years to hire 100,000 new police officers and expand community policing. A separate House bill authorizes the \$3.45 billion originally proposed by the Administration. The President has stated repeatedly that he wants to keep his pledge of 100,000 cops. We should insist on the Senate provision, and fully fund it.

Boot Camps: The House passed a \$200 million boot camps bill, while the Senate increased funding for boot camps to \$3 billion and allowed the money to be used for state prisons for violent offenders. We should support the Senate version of this bill, which gives us more flexibility, and expect conferees to reach agreement in the \$2-3 billion range. This is another signature Clinton idea, and one of the most popular provisions in the crime bill. Having some money to give to the states for prisons in this account will help us fend off charges in the future for not increasing federal prison construction.

Drug Courts: The Senate bill authorizes a combined total of \$1.2 billion for "Drug Court" programs consisting of three components, over which the Attorney General has coordinating authority: grants for drug testing of state prisoners (\$300 million); grants for drug treatment in state prisons (\$300 million); and grants for "Certainty of Punishment" programs -- including boot camps -- that allow us to intervene earlier with alternative forms of punishment for young offenders (ages 18-22). The House passed these provisions separately at the same funding levels. Again, we should fund these provisions to the maximum extent possible, spreading the funding out if necessary. These funds will provide important increases that support the drug strategy to be released with the budget in February.

Safe Schools: We should work to make sure that the Administration's \$300 million Safe Schools proposal is the one adopted in conference. This would allow us to keep the money at the Department of Education, which we prefer, but still spend the money out of the Fund.

Police Corps: The Senate passed the Police Corps at an authorization of \$450 million. The House did not pass it. We would support including the Police Corps and funding it with at least \$25 million a year -- the same amount incorporated in last year's budget. The President has already signed off on preserving the Police Corps, but at lower funding levels than the hundreds of millions authorized in the Senate bill.

Criminal Aliens: Language allowing the AG to spend money on criminal alien initiatives was included in the crime bill, and we should use whatever money is left for this purpose. We would defer to you and Donsia on what resources are required here.

5. We should seek to reduce or delay spending on programs that are not high Presidential priorities, but we do not think it realistic to expect the conferees to go along. Here are our recommendations on how to handle these items.

Regional Prisons -- The Senate crime bill includes \$3 billion for 10 regional prisons, a proposal that passed as part of last Congress' crime bill. We have several problems with this program. First, most states aren't likely to send their prisoners to these Federally-run facilities. To be eligible, states would have to ensure that offenders were on average serving 85% of their sentence -- but the current average for states is 37%. Second, the Justice Department would be stuck with the future operating costs for these prisons. Justice is already having a problem finding the money to staff and operate the 26 federal prisons scheduled to come on line in the next 2 years.

There is little chance of striking this provision from the bill, especially if we intend to get any Republican support. House Democrats may try, but this is the most important provision in the bill to Republicans.

In the short term, we can put off funding regional prisons by pointing to the monies we will allocate to boot camps and state prisons for violent offenders. In the federal system, we can point to the 26 prisons due to come on line. And over the long term, we may not have to build all 10 regional prisons if the states balk as expected.

Violence Against Women Act -- The Senate crime bill includes approximately \$1.8 billion in authorizations for the Violence Against Women Act, which the President supports and vowed to sign during the campaign. The House has passed this legislation as a separate bill. We suggest perhaps reducing some of the funding or putting it off until the Fund grows a year or two down the line.

Other Authorizations -- Other large spending increases that we cannot commit to, at least not in the first year, include: \$500 million for facilities to detain violent youth; \$100 million for anti-gang programs; and \$250 million for rural law enforcement efforts; and the many other smaller amounts authorized. A list of all the authorizations is attached.

6. We should push hard to keep the assault weapons ban in the bill. Chairman Brooks may insist on dropping the assault weapons ban to get a crime bill, but the President should continue to speak out to keep it in. Sooner or later we'll get an assault weapons ban, and in the meantime we should hold Republicans feet to the fire.

7. Aside from the death penalty, where the President is already on record, avoid making the more controversial elements of the crime bill a point of public focus. Justice, OMB and DPC need to go through the details of the crime bill and recommend positions on some of the more controversial elements of the crime bill that have gotten considerable play in the press. But we shouldn't waste any political capital or shine any public light on these provisions -- no matter what our position is.

There are several reasons for this. First and foremost, whether they are enacted or dropped, most of these provisions will have little impact. Adding or not adding 12 new minimums to the federal books is not likely to have much impact. (Especially since the AG recently changed Justice's prosecution guidelines to give its attorneys the discretion they need to avoid unnecessary mandatory sentences.) Second, the House -- and Senator Biden -- are likely to push for the most egregious provisions in the crime bill to be dropped in conference anyway (e.g., the three-time loser amendment, federalizing most gun crimes, etc.). And third, the American public is tired of seeing liberals and conservatives die on their swords for provisions that won't make their communities any safer. The President has succeed in communicating a popular anti-crime message that rejects the false choice between punishment and prevention. There is no reason for us to engage the Administration in Washington's left-right crime debate. It is a dead end.

December 1, 1993

MEMORANDUM FOR CAROL RASCO

FROM: BRUCE REED

SUBJECT: PRESIDENT'S TRIP TO HOLLYWOOD; TV VIOLENCE

I have been working with Carolyn Curiel on the substance of the President's speech to the entertainment industry. She expects to have a draft ready tomorrow afternoon. It won't break much policy ground, but it will include a direct challenge to Hollywood to take responsibility and work with us to be part of the solution to crime and violence. It will not include the threat of censorship if they don't.

So far as I can determine, Justice is not preparing to move forward on any legislation about TV violence (although you never know). The Attorney General testified in favor of legislation to limit violence during certain programming hours. But the White House Counsel's office told me there are unresolved constitutional questions about these approaches, including a recent circuit court decision striking down an FCC rule against adult programming during daytime hours.

In any event, the industry has volunteered and is eager to work with the Administration to play a positive role in speaking out against violence. We'll get more and better things done more quickly by pushing them to take responsibility than by fighting this in the courts.

The industry is thinking big. According to Jay Kriegel of CBS, the four major networks have reached tentative agreement to air a dramatic anti-violence program in a prime time "roadblock" (all four networks at once) early next year. They have not yet been able to agree on the content of the program, or the date it will air (could be February, could be June). They are also planning a far-reaching national campaign to accompany the program, including a national teach-in the day after it airs (with 2 million companion workbooks distributed to schoolkids) and a coordinated effort by churches nationwide to make violence the subject of services the following Sunday. They also envision launching national efforts with major sports figures, the legal profession, doctors, etc. This doesn't even count what individual networks will do to piggyback on the roadblock program -- it will be a kind of violence sweeps week. If nothing else, Americans may decide to give up crime and violent behavior because they'll be so sick of hearing about it on TV.

Kriegel will fax us a memo on Thursday which details the networks' plans. I'll get you a copy. He recommends that we challenge the industry to work with us, and then bring industry leaders to the White House for an event as soon as they've agreed on something.

I've attached the draft recommendations on violence and the media from the interagency group, but there's nothing the President can use. The bully pulpit will have to do.

November 12, 1993

adopted limits on the amount of commercials aired in connection with children's programming on either broadcast stations or cable television systems, and has directed the FCC to review television station license renewal applications to determine whether the licensee has aired programs addressing the informational and educational needs of children.

While the FCC regulates some aspects of the cable industry, cable systems, unlike broadcast stations, are not licensed by the FCC. Instead, cable systems are franchised by state and local authorities, and these authorities and the FCC share regulatory authority. The courts are only beginning to address the extent of the government's authority to regulate cable programming. Some courts have indicated, however, that cable can be considered less "pervasive" than broadcast television, in that receiving cable requires the affirmative act of subscribing to cable, and because "lock boxes" provide a greater degree of parental control over what cable programming is available in the home.

Pending Regulatory Proposals

On March 25, 1993, the Foundation to Improve Television petitioned the Commission to develop rules to curb excessive amounts of dramatized TV violence in order to alleviate its harmful effects on children. The proposal included restrictions on such programming between the hours of 6 a.m. and 10 p.m. The FCC has not yet acted on the petition.



LEGISLATION

Past

Congress has been holding hearings and expressing concern about the effects of television violence since the early 1950s, but has been hesitant to seriously consider further action until recently. The 1990 Television Violence Act gave the networks an anti-trust exemption permitting them to formulate a joint policy on television violence.

Pending Legislative Proposals

In the most recent Congress, several bills addressing television violence have been introduced:

- *S.1383, the "Children's Protection for Violent Programming Act" (Hollings and Inouye)*, would limit violent video programming to hours when children "are reasonably likely to comprise a substantial part of the audience." Premium and pay-per-view cable broadcasts would be exempt, as would news, documentaries, educational shows and sporting events. The FCC would define "violent video programming" and select the hours when it would be prohibited.

- S.943, the "Children's Television Violence Protection Act" (Durenberger), would require broadcasters to air warnings to accompany program showing violence or "unsafe gun practices." Warnings would not be required between 11:00 p.m. and 6:00 a.m., and the FCC could exempt news broadcasts, sporting events, educational programming and documentaries. The bill defines violence as "any action that has as an element the use or threatened use of physical force against the person of another, or against one's self, with intent to cause bodily harm to such person or one's self."
- S.973 and H.R. 2519, the "Television Violence Report Card Act" (Senate - Dorgan and Conrad, House - Durbin), directs the FCC to evaluate and rate TV programs "with respect to the amount of violence contained in these programs" and publish these ratings.
- S.1556 (Levin) would require stations to keep copies of commercials for 30 days and provide them to the public upon request. If a complaint were received, the commercial would be kept for a year. A log of complaints would have to be kept and made available to the public on request.
- H.R. 2837, the "Television and Radio Program Violence Reduction Act" (Bryant), would require the FCC to prescribe standards requiring broadcasters to "reduce the broadcasting of all video and audio programming which contains violence." The FCC could exempt news broadcasts, sporting events, educational programming and documentaries. "Violence" would be defined as per S. 943.
- H.R. 2888, the "Television Violence Reduction Through Parental Empowerment Act" (Markey, Dingell, Fields, Margolies-Mezvinsky, Oxley, Slattery, Hastert, Cooper, Gillmor, Synar, Shepherd, Glickman, Schenk, Towns), would require that domestic and imported television sets be equipped with devices - nicknamed "V Chips" -- which would permit viewers to block (1) any selected channel, program, time slot or (2) "all programs with a common rating."
- H.R. 2756, the "Parents Television Empowerment Act of 1993" (Kennedy), would require the FCC to establish a toll-free number for collecting public comments, suggestions and complaints concerning programs violent programming. The FCC would publish a quarterly summary of these complaints. In its annual report to Congress, the FCC would have to evaluate whether the broadcasting industry had effectively responded to the complaints.
- H.R. 2609, "The Presidential Commission on TV Violence and Children Act" (Schumer and Roukema), would establish a Presidential Commission on TV Violence and Children chaired by the Surgeon General

and the Attorney General. The Commission's final report would be due one year after its formation.

Note: Attorney General Reno has testified that S.1383, S.943 and S.973 are all constitutionally sound.

RECOMMENDATIONS

The government together with the major media has played an important role in successfully combating many social problems. A few decades ago, the stars of movies, television, and music were frequently seen with a cigarette in one hand and a martini in the other. The media, spurred on by federal legislation, played an important role in public education campaigns to address tobacco and alcohol over-consumption problems. Cigarette advertisements were banned in 196X, and alcohol advertisements face several restrictions, but much of the shift in norms was voluntary on the part of the movie and television industries. Government's role was to sound the alarm to the health risks and make speeches requesting greater media responsibility.

Today, a similar effort offers enormous potential for government and the media to play a cooperative role in changing social norms and behaviors to lessen the harm of violence in America. In the past decade the media have worked effectively with government agencies to address drug abuse, drunk driving, teen pregnancy, and to spread the word about the danger presented by HIV/AIDS. These themes have been presented in public service announcements, woven into story-lines for drama and comedy programs, featured in movies, and presented in news features and news specials.

In recent months, representatives of media corporations tell us, partly in response to the attention Congress and this administration have placed on the subject, violence will be the next major topic for their social issue messages. One of this administration's the objectives should be to find ways to turn these promises into commitments.

However, a full scale anti-violence campaign by the major media will have little effect if it is overwhelmed by continued repetition of messages that present violence as a solution to life's problems, or a means to financial or sexual reward. This administration's pronouncements and policies must seek progress in reaching both goals; reducing the level of harm caused by violent images in the media, and working with the media to address the problem constructively.

Four Strategies

Several committees in the Senate and House have looked into these issues. Several bills have been drafted, and a great many more proposals have been discussed on

the hill, in the press, in academia, or in the executive branch. In the recommendations section we present all of these options and discuss the relative merits of each. To give some structure to this discussion we have delineated the following four strategies:

- 1) Limit the supply of violent images that reach young people including actions by government, the media, parents or others to change media content or children's access to it.
- 2) Limit the demand for violent images by young people by providing better alternatives including social, athletic, and cultural activities as well as efforts to support good non-violent programming.
- 3) Limit the harm of media violence by fortifying young people's ability to view television in context including media literacy curricula in the schools and encouragement for parents to take an active role in providing context in the home.
- 4) Encouraging and supporting the media's efforts to take positive action possibly including help in identifying target populations who are most at risk and the messages that will have the greatest impact.

A Bias for Private Responsibility

Within each of these strategies, the administration can choose the level of activism in defining the government's role. This can range from the most active, proposing legislation or regulation, to the least active, making speeches encouraging the media to take responsibility for the problem.

The Attorney General has stated a preference for a less active role for the government if the industry will take effective measures. The more than implied threat was that the government would take on an active role if the media failed to present their plan.

Four Strategies

- 1) **Limit the supply of violent images that reach young people. This could include:**
 - a) **Government restrictions on the types of programming that could be broadcast at certain times. DOJ has stated "safe haven" guidelines may not violate the 1st Amendment. The industry disagrees.**
 - b) **Efforts to give greater information to viewers and parents to help them make better choices. These include ratings of the violence in the media by the industry, by panels of viewers, by experts, or by the government. This relies on parental action that cannot be assumed in all families.**
 - c) **Technological aids such as a V-chip that would give parents the ability to screen out either specific programs or all programs designated as violent by a government or an industry rater. The industry has great 1st Amendment concerns here as well.**

- 2) **Limit the demand for violent images by young people. This could include:**
 - a) **Better alternatives to the electronic "baby-sitter" including better childcare and afterschool programs.**
 - b) **Greater support for cultural diversity. Giving greater support to popular culture that expands beyond the corporate monopolies.**

- 3) **Limit the harm of media violence by fortifying young people's ability to view television in context. This could include:**
 - a) **Media literacy curriculum in the schools, preferably as part of a larger non-violence curriculum.**
 - b) **Media literacy assistance in the home, giving parents greater encouragement to get involved in their children's viewing, potentially involving the media in teaching critical viewing skills.**

- 4) **Encouraging and supporting the media's efforts to take positive action. This could include:**
 - a) **Greater recognition and support for efforts taken to date or in process.**
 - b) **Help in identifying target populations who are most at risk and the messages that will have the greatest impact. This could include PSAs, storyline treatments, and programs teaching alternative dispute resolution skills, firearm non-use, and good parenting skills.**

THIS SECTION IS NOT YET WRITTEN