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Various Clips on 1994 Crime Bill - '93 Spring to '94 Summer [Editorials/Op-Eds] [1]

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Can America do anything serious about crime?

Judging from the most heralded aspects of a new crime bill moving through Congress, based on what President Clinton and Attorney General Janet Reno are promoting, the answer, alas, is no. But beneath the blather — pushed by the politics of fear — something is stirring, in both parties, that could help. It is "incapacitation." Remember this: A criminal in prison cannot shoot your sister.

It's not that the high-profile remedies are bad, but minimalist. Consider:

- "Brady Bill" gun-control legislation mandates a five-day waiting period for new gun sales — and still leaves 200 million weapons in circulation.

- Habeas corpus deals with new procedures for a limited number of Death Row appeals — for convicts who will remain incarcerated even if they are not executed.

- The new list of crimes subject to the death penalty deal with quite unusual federal situations, like "fatal violence against maritime platforms."

- "Boot camps" deal typically with young men who have not committed serious violent offenses.

- If the 50,000 more cops in "community policing" work out, and the new patrolmen actually arrest more criminals, where will they be put? Most states have court-defined

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Crime and political anxieties ✓

"overcrowded" prisons.

But the idea of "regional prisons" could relieve the prison logjam, which is at the root of America's flawed criminal justice system. It would lead to greater incapacitation of hardened criminals. Putting very bad guys in prison stops them from committing very bad crimes outside. Such, at least, is the belief of Rep. Bill McCollum, Florida Republican, who has made the regional prison concept the centerpiece of a Republican "punishment strategy."

Interestingly, Mr. McCollum's proposal has a Democratic big-government flavor. It may even tend to "federalize" state prisons, where most violent prisoners are incarcerated.

It works this way: The federal government would give \$3 billion to states over three years, on a 50-50 matching formula, to expand the supply of prison space. Such additional space could come from new prison construction, rehabilitation of existing facilities, or even by conversion of military bases. To get federal money, states would have to reform current procedures in a variety of ways, including mandatory minimum sentences for second-time violent-crime convictions, and

a mandate to keep violent criminals in prison for at least 85 percent of their sentences. (The current rate is less than 50 percent.)

The need for more prison space is clear. About 75 percent of convicted criminals now under correctional control are not behind bars. Most are on probation, some on parole. Almost half get re-arrested within three years, after committing many new crimes.

Moreover, there is new evidence that incapacitation may work. The number of criminals in prison has climbed by almost 400 percent since 1960. And while violent crime has increased, it has done so at a diminished rate: up 126 percent in the 1960s — up 64 percent in the 1970s — up 23 percent in the 1980s — and about flat in the first years of the 1990s.

There is Democratic support for more incapacitation. On the Senate side, Delaware Sen. Joseph Biden's Democratic bill also calls for regional prisons, keyed to additional treatment for drug addicts. In the House, Mr. McCollum has at least general backing from liberal Charles Schumer, New York Democrat, chairman of the Crime and Criminal Justice Subcommittee.

The main opposition for more-prisons-more-incapacitation comes from the Clinton-backed Democratic bill in the House, heavily influenced by the softball theories of Janet Reno.

But the Clinton-Reno emphasis on "prevention" may not be enough this year. Polls show crime becoming the most important problem. It is the most salient issue of the 1993 elections. High-profile murders, like the

foreign tourists in Florida or Michael Jordan's father, keep the issue bubbling. Politicians are stirring the pot: Sen. Phil Gramm, Texas Republican, says Mr. Clinton "is right on crime and wrong on punishment." The 1994 election cycle beckons,

with Democrats fearing a loss of congressional seats.

Thus, there is hope for reform. Never underestimate the power of legislators fearing political incapacitation.

The Washington Times THURSDAY, OCTOBER 28, 1993

OPINION USA

Some Asian nations know the answer to crime, says a Washington, D.C., businesswoman: It's individual responsibility. When a criminal's family and community are embarrassed by his actions, the crime rate drops.

A crime cure: Shame the criminal

Any attempts to reduce violent crime won't work until we find unconventional means to w contempt for killers.

Bo Hua Cha — Anita, as her friends called her — and her husband, Chong Won Cha, came from South Korea more than 20 years ago in pursuit of the American dream. In the early years, the Chas held two jobs so they could save enough

to open a dry-cleaning business and educate their children. They opened their business 10 years ago and put all four daughters into college. One graduated; the others are on their way.

But Anita's dream won't happen. Anita is dead, murdered in midafternoon Sept. 27 by a thug who wanted the few dollars she had in the cash register of her Washington, D.C., shop.

Seven other Asian-American business owners in Washington alone have been murdered this year, killed by thugs for a few dollars. Their dreams and Anita's are now living nightmares for their survivors. And Asian-Americans are not the only ones with nightmares. Business owners of every color, race and ethnic origin, in the suburbs as well as center cities, wonder if they are next.

It gets worse. Children in playgrounds are killed randomly and don't even make it into adulthood. All this carnage is familiar to urban areas across the United States.

This is intolerable. We either find solutions or face a disastrous series of falling dominoes — more murders, more

deaths, more suffering families, an exodus of merchants from poor neighborhoods, a decent but immobile and desperate citizenry living in terror and helplessness without close and convenient shopping facilities, and a signal to all: if you go for the American dream in certain parts of the nation, you could end up dead.

What can be done that isn't being done now? This urgent question needs to be answered both conventionally and unconventionally. Beefed-up police patrols, neighborhood watch programs and other conventional efforts all help, but they haven't solved the problem. We also need unconventional means that demonstrate our utter contempt for killers.

In at least a few developed Asian nations, crime levels are generally low and murder for a few dollars is rare. There are a number of reasons:

Most Asian adults, like most American adults, believe they have responsibility for the children they bring into the world, for raising and educating them. They believe parents are responsible if the child goes wrong. If a child, a teen-ager or young adult commits a crime, the first question asked is, "What did we do wrong?"

Then they lock up the Asian thug. An Asian thug brings great shame to his family and community. No one wants shame. Asian nations are generally not permissive. They believe the individual is responsible for his acts and should bear the consequences.

In the United States, however, criminal activity doesn't always result in shame to the individual, family or community. Indeed, many criminals seek media coverage. Mention of their activities in the newspa-

per or on television brings them a distorted sense of glory and recognition. One thug even urinated over his victim to show off for the video camera, and he made the TV news. He became somebody.

In the United States, there are two competing philosophies — accountability and excusability. The latter is permissive — if a thug thugs, society is at fault, whites are at fault or poverty is at fault. Everybody is responsible except the individual who committed the crime. Thugs are turned magically into victims and thus protected from shame and shielded from effective retribution by an outraged community.

When a community is outraged and focused, the politician had better act accordingly to keep his job. Excusability — permissiveness and victim-thinking — allows blame to be dispersed among many causes, thus giving the politician many excuses for failure.

Citizen outrage is the vehicle upon which true community reform rides; it strengthens the will of politicians to correct unacceptable and outrageous conditions. As long as some-

thing or someone else can be blamed, the will for true reform will remain weak.

We do need to restore hope and growth to poverty-stricken areas. But that can't be done successfully until neighborhoods are safe. Then, business and jobs will return and so will hope and growth.

We are not hopeless. There are things we can do as a community. Look at Colorado's new law that radically changes the juvenile justice system. Young offenders will be locked up fast in a no-frills penal system, and the records of violent youths made public. With such programs, youngsters will think twice before embarking on a life of crime.

We ought to develop other measures that shame the criminal. In China, murderers are put on flatbed trucks and driven around town so citizens can express their outrage and contempt. In our country's past, we dumped thugs in tar, poured feathers over them and rode them out of town on a rail.

We need equivalent measures that allow the community to unite and show its revulsion for vicious and reprehensible acts. Perhaps we could have departure ceremonies when convicted murderers are hauled off to prison. That would send a clear message that criminals are not welcome and we want them out of our neighborhood. The young and impressionable watching the ceremony won't have problems confusing thugs with real hero models.

The war on our streets must be stopped. Use of the National Guard, properly trained, is not a bad idea; just having qualified soldiers on patrol in clear view of everyone should help give us some control over our streets. But we need long-term solutions. Eliminating permissiveness and restoring a philosophy that holds individuals accountable for their acts is that long-term solution.

When accountability becomes a practice, individuals will realize they have control over their own destiny and are not helpless and hopeless travelers on the journey of life. They will not be easy prey to the Pied Pipers of our time. Our streets can be safe again.

► Crime poll, 1A



By Susan Au Allen, president of the U.S. Pan Asian American Chamber of Commerce.



Phil Gramm

Crime and Punishment . . .

Last week Pamela Basu, a 34-year-old Maryland research chemist, was murdered by two arjackers who dragged her body for a mile and a half after stealing the car in which her daughter was a passenger.

Mrs. Basu's murder shocked the nation and Congress and several states to enact laws against carjacking. These laws are all to the good, but there is a broader lesson to be drawn from Mrs. Basu's awful murder: With a criminal history that included robbery, drug peddling and rioting in prison, Rodney Solomon, the adult member of the carjacking duo, should have been in prison instead of on the streets spreading violence and death. Had he been in prison where he belonged, Pamela Basu would be alive today.

The fact is that the vast majority of violent crime in the United States are committed by a relatively small group of predators. University of Pennsylvania criminologist Marvin Wolfgang studied the Philadelphia arrest records of males born there in 1945 and 1958. He found that 7 percent of each group committed one-third of all violent crime. There is no reason to suppose the same situation exists in every American city. Combating violent crime is largely a matter of targeting and incarcerating these violent, dangerous, antisocial criminals.

A promising start was made during the 1980s, when Congress enacted mandatory minimum sentences after discovering that defendants with serious criminal records often received very light sentences from judges, which were then further softened by parole boards.

By establishing a floor beneath which federal judges could not descend in imposing sentences for certain crimes, such as drug trafficking near schools, and by eliminating the possibility of parole from federal prisons, Congress made sure that hardened criminals could be rendered harmless for substantial periods of time.

If we are serious about reducing violent crime, we must continue to target chronic offenders. That's precisely what Senate Republican Senator William Roth wants to do through the Neighborhood Security Act of 1993. If it is enacted, criminals convicted of a violent crime while in prison for the firearm violation will face a life sentence if the gun is fired and either a life sentence or the death penalty if the gun is used to kill. Those convicted of a third violent crime or major drug felony would serve a mandatory life sentence.

Unfortunately, some members of Congress and the Clinton administration favor a different approach. Instead of enacting more mandatory minimum sentences, they want to rely on judges already on the books—especially those currently aimed at drug dealers.

But the picture painted by opponents of mandatory minimum sentences of federal prisons is simply false. According to the U.S. Sentencing Commission, only 662—or 7 percent—of the 9,221 individuals sentenced in 1992 to a mandatory minimum term of imprisonment for a drug offense were not first-time offenders and played no prior convictions and played no role in the criminal activity. Only 1 percent were found to have played other than a minor or minimal role in

the crime, 24 percent were armed, 28 percent were not U.S. citizens, 51 percent had at least one prior conviction, almost 28 percent had at least two prior convictions and 15 percent had three or more convictions.

Many of the voices urging repeal or modification of mandatory minimum sentences and the parallel federal sentencing guidelines belong to judges who are not pleased that such provisions for the most part do not allow them to impose less stringent sentences on convicted drug traffickers.

The problem was illustrated starkly in Washington earlier this year. U.S. District Judge Harold Greene refused to sentence an offender to the 30-year mandatory term of imprisonment called for under federal sentencing guidelines because, he said, the sentence violated the Eighth Amendment's prohibition against cruel and unusual punishment. Here is the criminal history of the drug dealer who drew Judge Greene's sympathy: In 1986, at age 19, he was sentenced to two years' probation for distributing heroin. That same year, he was again convicted of attempted distribution of heroin and sentenced to a maximum of three years. In 1991 he was convicted of attempted possession with intent to distribute heroin and sentenced to 18 months' probation. In 1993 he found himself in front of Judge Greene awaiting sentencing after a 1992 arrest and subsequent conviction for possession of crack cocaine and heroin with intent to distribute. He got 10 years from Judge Greene.

It should never be forgotten that those who traffic in drugs, whether for the first time—one law enforcement official noted that first-time offenders often means nothing more than "first-time caught offender"—or the hundredth time, are never "nonviolent criminals." The violence drug-traffickers inflict on society is massive. Those who sell drugs inflict direct physical harm, especially when their customers are children. Those who help create a market for drugs are engaged in an inherently violent action.

I share in the outrage felt by all Americans over the murder of foreign tourists in Florida. But the solution to this problem is not to camouflage rental cars, patronize taxis or take other countermeasures that are well intentioned but ignore the real problem. The solution is to stop treating crime as one of those unfortunate facts of life to which we must somehow adjust. Until those of us who aren't victims of crime are as outraged as those who are, crime in America will continue to grow.

The writer is a Republican senator from Texas.

Charles Krauthammer

... Or Crime and Therapy?

Ever since the jury in the Reginald Denny case returned its slap-on-the-wrist verdict, there has been much anguished speculation as to how the men who beat Denny and put a brick through his skull could have received such astonishing leniency.

Obviously there was fear, fear of touching off another LA riot, fear on the

part of the jurors for their own safety. The jurors have stoutly denied this. Some issued these denials on TV—their faces blacked out to conceal their identities. Jurors told reporters that the

possibility of civil disturbances did not enter into their deliberations. They also told reporters that from the jury room they could hear the angry shouts of protesters outside.

And then there was Denny himself. The saintly Denny, who has been preaching forgiveness ever since his near-death experience, ostentatiously embraced the mothers of the accused in the courtroom. The jurors could very easily have talked themselves into believing, as some commentators have, that what is good enough for Denny is good enough for them. (Of course, if victims determined punishment there would be no presumption of innocence and no prohibition against torture. We do not listen to victims when they demand blood; we should not listen to them when they pronounce absolution.)

But fear and forgiveness are not the whole story. These peculiarities of the Denny case are probably of less significance in determining the quasi-exoneration of Damian Williams and Henry Watson than the more general and disturbing trend in this therapeutic society of denying agency—denying that people act of their own free will. Something always made them do it. And today there are more somethings than ever.

In the postmortems, the defense crowed that it had succeeded in "humanizing" Williams and Watson by pointing out that they had been caught up in the frenzy and excitement of the crowd. Juror 307 seems to have bought this line quite fully. "They just got caught up in the riot," she told the New York Times. "I guess maybe they were in the wrong place at the wrong time." As if Williams and Watson were, like Denny—it was the hapless Denny who was in the wrong place at the wrong time—victims of fate.

So: Solitary savagery warrants pun-

ishment perhaps, but mob lynching—warrants sympathetic understanding for the lynchers "caught up in the riot." Writes Prof. Paul Robinson in the Wall Street Journal: "Riot to be an offense. Now it's a defense."

Everything is a defense. Consider the exotic extenuations being offered in another part of Los Angeles at the trial of the Menendez brothers, accused of cold-bloodedly murdering their parents—15 shotgun blasts while they were watching TV in the family room—to get at their inheritance.

At first, the brothers denied the deed, faked an alibi and were appropriately sorrowful at the memorial service. They then went on a \$700,000 spending spree. Finally, when confronted with the evidence, they confessed—and blamed the murder on their parents.

Sexual abuse made them do it, it seems. The defense has been titillating the jury for days with lurid allegations of paternal abuse that left the boys so traumatized and fearful that they saw no way out but murder.

Problem is: The boys are in their twenties. In the case of one brother, the alleged abuse stopped at age 13. Revenge, maybe. But fear? And if they feared their father, why not leave his house? And why blow away Mom?

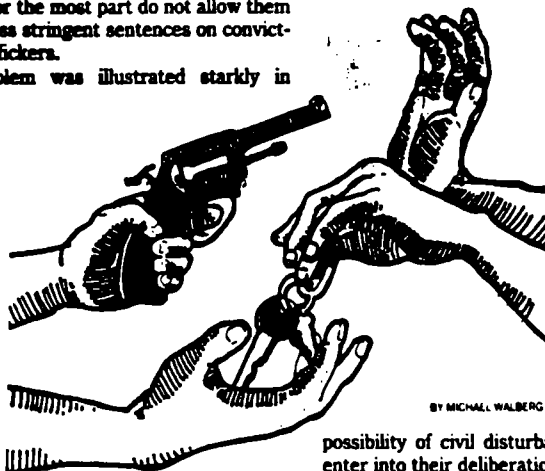
Enter the defense psychologists. Burgess, a professor of psychiatric health nursing at the University of Pennsylvania, testified that for one of the brothers the murder, "a crime born out of fear," was done "on autopilot," instinctive uncontrollable reactions of a brain "rewired" by fear. She brought a pointer and a diagram of the "rewired" brain.

It is hard to believe that the jury will fall for such nonsense. But the Menendez defense is no more than an exotic variant of the '90s "victim" defense. Abused children or spouses have a motive for murder but, under the laws of civilization, no license. They go and murder anyway, then had to do it. The Menendezes' lawyers are stretching, but they aren't stupid. Juries are buying this kind of defense.

Spouse abuse, child abuse, the excitement of the mob. These are the children of the "Twinkie defense" under which the man who shot San Francisco Mayor George Moscone and Supervisor Harvey Milk could not be found guilty of first-degree murder because, other mitigators, the refined sugar in his junk food diet had made him depressed. (He served all of five years for voluntary manslaughter.)

The American people are said to be very tough on crime. In the abstract. Get them in a jury box, however, and they can't wait to extenuate. Show them a troubled childhood, an abusive spouse, a raging mob, a box of Twinkies—show them anything, and the client has a chance. The Devil is in the details.

Lots of devils about these days.



Incumbents Walloped, Senate Calls Out Cops

Washington — Of all the many horrendous crimes that have caught the attention of your political leaders, none affected them as much as the mugging that incumbents, especially Democrats like Mayor David N. Dinkins, got on Election Day.

"I think we should have gotten some little message out of what happened on Tuesday," Sen. Bob Dole (R-Kan.) said. "You can turn a blind eye to election returns if you want. But any survey that anybody takes, No. 1 is crime."

In a frenzy — nay, a panic — of activity, the Senate responded. An omnibus crime bill that had been originally scheduled to cost \$5.9 billion suddenly doubled — and then, two days after the election, nearly doubled again.

"Something tells me there is something cooking here," Sen. John Kerry (D-Mass.) said as he pleaded for more spending on local police. He didn't know the half of it. When Kerry took the Senate floor, the Senate was prepared to spend \$12 billion over five years, including funds for 60,000 new police officers. When Kerry yielded the floor 40 minutes later, a deal had been struck to spend \$22 billion — including enough money to hire 100,000 local police.

The Senate bill also provides \$3 billion to build and operate regional prisons, \$3 billion for "boot camps" and new state prisons, \$1.8 billion to deter violence against women and a number of odds and ends. But the additional cops are the most important.

"The point is not to make more arrests," says Adam Walinsky in an interview. The New York lawyer's Police Corps — a kind of ROTC for cops — will be fully funded if the Senate bill becomes law. "The point of more cops on the street is to suppress crime before it happens."

It was a point missed by a number of senators who argued that there is no sense putting more cops on the street if there are not enough prison cells to hold the offenders whom the police arrest.

Washington, D.C., provides ample evidence that more arrests are not the answer: 43 percent of the city's young black males are already involved in the criminal justice system. "What are we going to do — lock up 60 percent of our young black men?" Walinsky asked. "These are our fellow countrymen, not aliens from some planet. Do we really want to give them criminal records and make them unemployable?" Walinsky's sad smile answered his own question.

"The biggest mistake we made was when we

decided that police are part of the criminal justice system," he continued. "That made them the intake valve for the courts and the jails, and the courts and jails are overwhelmed. But if you put cops on the street as part of the community, you suppress crime and you take a big first step toward making the community safer. A cop on the beat is quickly going to know who's packing (a gun), who's likely to make trouble. He can intervene before the crime takes place."

Walinsky's Police Corps, modeled on the Marine Corps Platoon Leader program, would give college scholarships to up to 60,000 young men and women per year in return for police training during their summer vacations. They would be required to pay off the scholarships with four years of work as street police after they graduate.

Some police departments don't like the idea, saying that college graduates lack street experience. Kerry, a Vietnam vet, has the answer for that: "The Navy trusted me, as a brand new college graduate, with a \$10 million boat and put me in charge of enlisted men in Vietnam. Are you saying I couldn't walk a beat?"

With bipartisan support, the newly enriched crime bill cleared the Senate by an overwhelming 94-to-4 vote. As senators stonewalled themselves with their own generosity, Sen. Joseph Biden (D-Del.) chairman of the Judiciary Committee, observed, "This exceeds their wildest expectations."

And now for reality: To become law, the House of Representatives must go along, and the House, with its own untiered bills, does just like the Senate's addition of 47 new federal death sentences.

In addition, the Senate was throwing money against crime last week faster than it could specify how the money would be spent. The White House Office of Management and Budget, watchdog of the public purse, has yet to be heard from.

Yet Walinsky, who has been pushing his morose cops proposals for nearly 20 years, was optimistic. "This Senate vote was a sea change," he said. "People have made it clear they won't stand for war in our streets."

Sen. Bill Bradley (D-N.J.) agreed: "I'm not sure the whole \$21 billion will survive, but the Police Corps will. Adam deserves a lot of credit. He persuaded us we can solve this in a humane way, not just by killing 'em all. As with any person who has a vision and is right, the world eventually came around to him."



Lars-Erik
Nelson

Controlling School Violence ✓

Last week a student at Springfield Gardens High School in Queens, who had reportedly been harassed repeatedly by other students, sprayed 18 people in a hallway with a corrosive acid. The week before that, a security officer at Louis D. Brandeis High School in Manhattan was beaten by a gang of students.

These are just two recent examples of the escalating violence that has already marred the school year. In an effort to regain control of the schools, Chancellor Ramon Cortines has proposed to appoint a new administrator to coordinate and supervise security and violence-prevention programs.

This welcome sign of high-level determination comes after a mayoral campaign in which mayor-elect Rudolph Giuliani put forward his own ideas for making the schools safer, including drug- and crime-free zones around school buildings. He later called for city police to patrol troubled schools.

The need for vigorous action is clear. Many students can't concentrate on learning because of well-justified concern for their personal safety. Last year there were 2,643 assaults, 403 robberies and 2,444 incidents of weapons possession reported in the city schools, an increase from the previous year in each category.

So far this year, nearly 40 guns have been confiscated in schools. But that barely reflects the problem. A recent survey by the Federal Centers for Disease Control and Prevention and the New York City Health Department estimated that 20 percent of the city's 275,000 high school students

carry guns at some point for protection. Hand-held metal detectors are used daily in 51 schools and randomly in 10 more schools.

The violence in the schools largely reflects the violence on the streets outside. So it was only common sense for Mr. Cortines to endorse the Rev. Jesse Jackson's campaign urging students to "stop the violence," by turning in drug dealers and people who carry guns.

Now, in an interview with editors at The Daily News, Mr. Cortines proposes to appoint an administrator for school security. That would mean consolidating the office that oversees peer mediation and conflict resolution programs with the division of school safety that trains and supervises 3,000 security officers. Mr. Cortines would also put more emphasis in the curriculum on the value of human life and alternatives to violence.

In April an advisory panel appointed by Joseph Fernandez, then Schools Chancellor, also called for better coordination of school safety programs. The panel sought to encourage school safety officers to work more closely with school officials, parents and others in the community to prevent violence before it happens.

Mr. Cortines is right to react to the growing concern about school safety. But he should not attack this problem alone. At a time when the new Chancellor and the Mayor-elect are so clearly thinking along similar lines, the next step is for them to meet and pool their ideas for a fresh, coordinated attack on the violence convulsing New York City schools.

Mr. Packwood Had It Right: Resign ✓

Senator Bob Packwood's friends say that he had finally decided to quit last week after a year of dodging and ducking over charges of sexual misconduct. Then, when he received a Justice Department subpoena for documents the Senate is also demanding, he decided to stay after all. Mr. Packwood had it right the first time. He should pack his bags and depart.

The Senator's change of mind is an unfortunate byproduct of the Justice Department's interest in the possibility that he misused his office. New questions of possible misconduct arose last month when the Senate Ethics Committee staff was scanning his office diaries. Those questions included whether he improperly solicited the help of a lobbyist to obtain a job for his wife, who was divorcing him.

Mr. Packwood's friends imply that his interest in retirement sprang from his calculation that the Ethics Committee would lose jurisdiction the moment he quit, allowing him to keep potentially harmful evidence. Robert Dole, the Republican leader, speculated, "I think he thought that there

might be a window there if the ethics case was dismissed and no other cases [were] pending, he'd be entitled to have his property back."

In plainer language, a resignation would end the Senate's ethics inquiry and the Oregon Republican could do what he wished with the diaries. That option has now been removed by the Justice Department's subpoena.

The only public gain from the Senator's clinging to his seat is the hope that the Ethics Committee will now press ahead with hearings on the sexual misconduct charges that have been under investigation since his re-election a year ago. The quarrel over the diaries, which the Senator himself began by offering to cite them in his defense, is an unfortunate diversion even though it may concern additional, serious charges of wrongdoing.

All these maneuverings only prolong the agony for a Senate increasingly disgusted and embarrassed by Mr. Packwood's behavior. He should leave. While he lingers, the Senate needs to press its demands for the diaries and get on with the cases of alleged sexual misconduct.

Senate Cr'n e-Busters Got It Wrong

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

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

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

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

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

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

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

Prisons and police aren't enough.

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

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

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

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

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

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

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

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

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

Lloyd Bentsen

The Bank Regulation Jumble

The United States has a bank regulatory system cobbled together over the past 130 years into a device even Rube Goldberg would marvel at. It is decades out of date. It is a drag on the economy, a headache for our financial services industry and a source of friction within our government. It must be replaced, and we have concluded that the best way to do that is to consolidate the scattered regulatory operations into a single agency.

This will make a significant contribution to our goal of creating a government that allows our economy to function more efficiently and one that makes us more productive and competitive.

I agree with leaders of the Senate and House Banking committees that no sane person would have deliberately set out to create a system where the lines of responsibility and jurisdiction look like a spider's web. It leads to conflict between agencies, forum-shopping by institutions, confusing and conflicting interpretations of regulations, inconsistent protection for consumers and duplication we cannot afford.

Look at what we have now. Four federal entities each supervise in some fashion our banks and thrifts. The Comptroller of the Currency (OCC) regulates national banks. The Federal Reserve Board, while its primary responsibility is monetary policy, also regulates bank holding companies, some state-chartered banks and foreign banks. The Federal Deposit Insurance Corporation (FDIC), which insures deposits, regu-

lates state-chartered banks that do not belong to the Federal Reserve system. And the Office of Thrift Supervision (OTS) regulates thrift holding companies and supervises both federal and state-chartered savings associations.

The existing system reflects a time when each type of institution—commercial banks, savings banks and thrifts—operated largely in its own narrow market segment. But that time is gone. The lines are blurring. It is a time now of computer banking from home, of plastic cards that let you withdraw cash from machines, pay bills and transfer funds, and of writing "checks" on accounts at investment houses.

The business has changed, but the government has not kept up. In fact, we've gotten in the way. Not long ago we heard

We need to consolidate the four existing agencies into one Federal Banking Commission.

reports of how regulators from different agencies were examining a small bank in California. The examiners outnumbered the bank's employees, and their cars filled the parking lot so customers could not park to do business. "Overkill" and "ludicrous" are the words that come to mind.

As part of reinventing government, we propose to restructure the country's financial oversight system around three basic tasks: supervision and regulation, insuring deposits and operating a central bank.

We propose consolidating the supervisory and regulatory functions of all four existing agencies into a single Federal Banking Commission. That will streamline the regulatory process and contribute to our goal of ensuring the safety and security of our banks and thrifts. Our proposal also preserves the right of states to act as the primary supervisors of banks they charter. Under our plan, the FDIC would con-

tinue its historical role of insuring deposits at all federally insured banks and thrifts. It would resolve failed or failing institutions.

And as our central bank, the Federal Reserve would continue to conduct monetary policy, operate the system that physically and electronically moves money throughout the nation, and lend banks the money needed to meet unexpected demands for cash. It also would continue to set standards for and examine activities related to the movement of money. Our proposal does not affect the Fed's independence in performing its basic functions.

Part of this administration's mandate is to make this nation's economy function more smoothly. So far as financial services are concerned, you do this by eliminating a confusing and duplicative regulatory structure to improve efficiency and decision-making.

By way of example, consider a banking company that includes a state-chartered bank, a national bank and a thrift. All four existing federal agencies supervise its operations. Imagine the problems and frustrations the directors can face in trying to make decisions when four different agencies offer conflicting reports and advice—and on differing time schedules. Imagine trying to get different regulators to approve a new activity in a timely fashion.

The administration plan, which resembles some excellent proposals offered on Capitol Hill, will create certainty about regulatory issues and will end duplicative supervision. The net result will be that our financial institutions will be better positioned to compete in the global marketplace.

Not only will these institutions benefit; consumers stand to gain as well, as the cost of regulation falls, easing the cost of doing business. Consumers will also see a uniform application of consumer protection laws. In addition, it will be clear who regulates their banks and where to complain if there is a problem.

The new organization will need the talents of the dedicated regulatory staffs at the OCC, Federal Reserve, FDIC and OTS. They have done a first-rate job in a system that has grown needlessly complex. I expect them to be able to do even better in the new Federal Banking Commission. With their help, I believe we can accomplish this transition within a year of the legislation's enactment.

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Wanted in the Brady Holdup

The big news from the dying session of Congress was that Senate Republicans can be shamed after all.

Hours after they had conspired to kill the "Brady bill," that modest measure that keeps handgun purchasers waiting five days for their weapons, Senate Republicans came to the realization that they might look to the country like pluperfect idiots if they let the decision stand.

How could they justify swallowing a \$22 billion anti-crime bill if they they strained on the gnat of Brady, which is simply a declaration that guns are a serious problem in American life. The bill is named for Jim Brady, press secretary to Ronald Reagan who was struck down and crippled by a bullet fired by a young flake whose troubled past would have disqualified him had there been a brake on gun-buying.

Brady and his valiant wife, Sarah, held a press conference with House gun-control advocate Rep. Charles Schumer (D-N.Y.), the morning after their bill was left for dead. During the seven years they have campaigned for the five-day wait, they have troubled and unnerved obdurate legislators whose first allegiance is to the National Rifle Association; last Saturday they didn't need to. Moderate Republican senators, eight or nine of them, were as "stunned and furious" as Sarah Brady pronounced herself to be. They begged their leader, Sen. Bob Dole (Kan.), to initiate a resurrection.

They pointed out that crime had become the number one issue in the country, and that if the Brady bill would not stop the killing, it would at least tell voters that Republican senators understand there is a connection between guns and death. The mayhem that is mowing down record numbers of citizens should in fact have driven them beyond consideration of a paltry delay in purchase to a discussion of the total elimination of handguns.

All day long on Saturday, Dole met with Senate Majority Leader George Mitchell (D-Maine) and Sen. Howard Metzenbaum (D-Ohio), floor manager of the bill, to "work something out." Dole's mantra—surprising for someone who had called two cloture votes that precluded Brady from passing—was "Let's get Brady behind us."

The role of Dole in the last-minute melodrama is the most mysterious aspect of it all. Two years ago, he

drafted a version of the Brady bill. He said on "Meet the Press" on Sunday that he voted against the bill on the floor because the Democrats were not taking seriously some weakening embellishments he had written into a compromise version to placate his right-wing colleagues—who include Larry Craig of Idaho, a member of the board of directors of the NRA.

What made the mugging of the bill so maddening was that, even before the compromising began, 57 members of the Senate were ready to vote "aye" if they got the chance. It has an 84 percent approval rating in the country.

"Dole miscalculated," says Metzenbaum. "He didn't understand the strength of feeling around the country for this bill."

Dole the senator has proved himself on occasion capable of rising above party and exhibiting magnanimity, as in the Voting Rights Renewal Act of 1982. But colleagues who don't want their names used give a four-word answer as to why he took aim at Brady: the New Hampshire primary. Despite his age—he will be 72 in 1996—Dole wants to run. The last time he tried, in 1988, he went down in the Granite State, where gun-control is anathema.

But what might look good in one state looks awful in the nation, and even friends of the NRA like Sen. Alan Simpson (R-Wyo.) pressed Dole to do a U-turn.

The day after the Senate reversed itself on Brady, the House vetoed statehood for the District of Columbia. Members berated the federal city for its inability to cope with the violence that has led to the shooting deaths of 424 people so far this year, 17 more than at the same time last year.

Washington Mayor Sharon Pratt Kelly was derided for suggesting that the National Guard be called out. "Bad for our image," said some fatheads, as if having the homicide title was not fatal.

Now Congress should take the next step. Having declared the District a dependency they should treat it like one. They should send out the National Guard, armed with lollipops, for children who think they might as well have died for all the attention they get from politicians. The prisons are crammed with people who may be beyond help. But we can still save the children if we get to them early enough, and if Congress shows as much solicitude for them as it has for the NRA and gun-lovers.

CRIME BILL

The Senate gets tough, but fails to address reality

Over the weekend, President Bill Clinton made an impassioned plea for a renewed national assault on the crime, violence, drug trafficking and gun proliferation that are destroying too many American communities, and particularly their young people.

The Rev. Jesse Jackson and other civil rights leaders have expressed similar themes, properly emphasizing personal responsibility but also

acknowledging the necessary role of public policy in addressing such destructive conditions.

Sadly, that message appears not to have penetrated the U.S. Senate, which is

about to vote on yet another "comprehensive" anticrime bill that is too heavy

on hysterical, get-tough rhetoric, political symbolism and emotional appeals to presumably enraged voters, and too light on substance.

Overall, U.S. crime rates are stable or even falling. But they are rising sharply in America's inner cities, and especially

among minors. As Mr. Clinton noted, some 160,000 children stay home from classes each day because they fear school violence. African Americans suffer most from such pathologies, but they are hardly alone.

The \$22.3-billion Senate crime bill would provide nearly \$8.9 billion to hire 100,000 state and local police officers over the next five years, and would provide incentives for college graduates to become officers. But that money would be wastefully dissipated unless it is targeted on the cities — and the neighborhoods — that need more police the most.

The bill would spend \$6 billion on giant, maximum-security regional prisons and such alternatives to incarceration as boot camps for nonviolent offenders. But Michigan alone spent \$1 billion on its prison construction program of the 1980s, without a commensurate payoff in reduced crime. And there is no money in the Senate bill for new federal judges or prosecutors.

The measure earmarks less than \$1 billion for drug treatment for prison inmates and gang members, although drug abuse routinely is at the root of their crimes. Where is the money for community-based treatment before addicts turn to

crime? And without similar attention to meaningful education and job training for inmates, the measure's billions are to buy little more than warehouse space.

Much of the Senate bill would have little practical effect other than to clog federal court dockets. It would federalize — often apply the death penalty to — of crimes that are more sensibly handled and punished by states and communities. It

would impose mandatory minimum sentences for a ety of offenses, although the effect of such penalties often has been to scarce cell space on relatively minor offenders, allowing more violent and chronic criminals to be released.

It would expand the death penalty to

cover 47 more federal offenses (including genocide), many of which have nothing to do with street crime. At the same time,

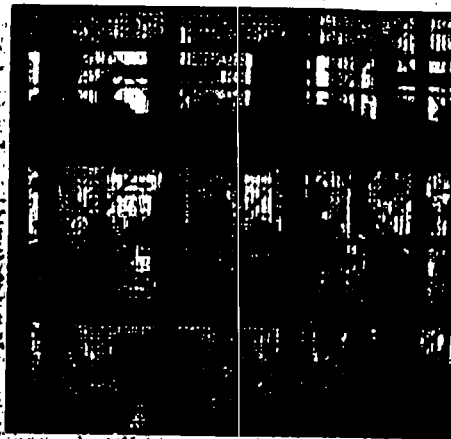
conservatives want to make it harder for death-row inmates to appeal their

tences. The Senate bill would make it easier to conduct secret hearings for aliens to introduce evidence of past allegations of misconduct in federal sex-crime prosecutions — efforts of dubious constitutionality.

Usefully, the bill would ban the manufacture, sale and new ownership of weapons, and ban handgun sales and possession among minors. Coupled with sage of the Brady bill, which would require a five-day waiting period to permit background checks for handgun purchases, it could help stem our nation's firearms carnage. But gun control, too, is only part of the answer to our crime problem, and not necessarily the largest part.

The bill has some decent language cracking down on urban gangs, violence against women, and crimes motivated by bigotry. But it is weaker than it needs to be in such crucial areas as crime prevention and programs for young people, such counseling and recreational activities.

Mr. Clinton acknowledges that lock-'em-up — or, for that matter, throw-the-switch — will not resolve the nation's crime dilemma. If senators are not prepared to concede that as well, the House will have to salvage what it can of the Senate's "omnibus" crime bill and jettison the rest.



E. J. Dionne Jr.

Clinton's Bully Pulpit

President Clinton's speech on Saturday to the convocation of the Church of God in Christ in Memphis was the most important of his 10-month-old presidency—more important than his well-reviewed budget speech of last February, more critical than his health care speech this fall.

Clinton's message was as straightforward as it was important: The United States has reached an entirely new turn in the struggle for racial equality, and it's time to be honest about both the gains we've made and the huge problems we face.

The truth we do not often admit is that in many respects, the civil rights struggle was an enormous success. As Clinton told the meeting of black ministers, the barriers of legal segregation have been torn down, individual African Americans have found their way to the top, the black middle class has grown.

But what would the Rev. Martin Luther King Jr. make of the new tragedies that haunt black America? Trying to imagine what Dr. King would say, Clinton offered this: "I did not live and die to see the American family destroyed. I did not live and die to see 13-year-old boys get automatic weapons and gun down 9-year-olds just for the kick of it. I did not live and die to see young people destroy their own lives with drugs and then build fortunes destroying the lives of others. That is not what I came here to do."

Clinton went on: "The freedom to die before you're a teenager is not what Martin Luther King lived and died for."

Ah, say those who can't stand Clinton, there he goes again: getting tough with black America, blaming the victim for political gain. That view is absolutely wrong, as Clinton's predominantly African American audience understood when it cheered him so loudly. The key is that Clinton is a close student of the work of

But unlike many conservatives who share his concerns about the family and civic life of the inner city, Wilson sees unemployment as a central factor behind the social decay. Lately, he's been exploring how young black men looking for work do not have access to the sorts of family-and-neighbor networks that have helped many other minority groups to rise from poverty.

Clinton, as a good Wilson student, was thus insistent in his speech that if you couldn't address the plight of the African American poor without talking about moral values and personal responsibility, then neither could you expect worthy values to flourish in the absence of jobs. "I do not believe we can repair the basic fabric of society until people who are willing to work have work. Work organizes life," Clinton said. "We cannot—I submit to you—repair the American community and restore the American family until we provide the structure, the values, the discipline and the reward that work gives."

I would submit that Clinton's Memphis speech embodied what has always been the promise of Clintonism and that the administration has suffered from the absence of more public talk and thinking along the lines the president laid down on Saturday.

What is distinctive about Clinton's approach is his insistence that while government has a large role to play in fostering social justice, government on its own is no substitute for nurturing families and strong communities. Bringing together the first idea (characteristic of liberals) with the second (characteristic of conservatives and communarians) may be a more challenging political project than balancing the budget or creating a new health system, important as both of those goals are. Social problems such as family breakdown do not submit easily to 10-point government programs, yet as Clinton aide William Galston argues, nothing is more important to a child's future than having "at least one caring and competent adult to show the way." The paradox is that while government can't provide such nurturing, government will be much less effective doing the things it actually can do if the nurturing isn't found somewhere.

Clinton, like the country, owes a large debt on these issues to another fine preacher, Jesse Jackson. Jackson's current crusade against inner city violence is making it easier for others to speak out. "I am rather convinced that the premier civil rights issue of this day is youth violence in general and black-on-black crime in particular," Jackson told the Boston Globe. "It's clear now that we must look inward in order to go onward." In what is now a staple of Jackson's rhetoric, he added: "More young black people kill each other annually than the sum total of lynchings in our history."

There is a large opening here. A new generation of African American thinkers—their ranks include Cornel West, Stephen Carter, Randall Kennedy, Henry Louis Gates and Jerry Watts, among many others—is trying to free the country's thinking about race, violence and opportunity from an ideological cage fashioned by left and right alike. In very different ways, all of them urge a vision of the common good that transcends race—and may therefore be our best ally against racism.

Perhaps it is sentimental to suggest that it is long past time to revive a slogan little heard since the days of the civil rights movement, "Black and white together." But it is a slogan that worked miracles in its day, and the president is uniquely well-placed to make it his own. On the issue of the violence tearing apart our country, there is no other way.

Good jobs and good values go together.

University of Chicago sociologist William J. Wilson, who joined Clinton for dinner last week. Wilson is a figure worthy of much honor because he has worked so hard to cut through the intellectual paralysis that has affected Americans of all races on the subject of race.

Wilson was earlier than most who share his broadly liberal views in linking the decline of the two-parent family and the decay of inner-city civic institutions to the social breakdown that has made life so miserable for so many young African Americans. Wilson was one of the first analysts to point to the wide class gulf opening up within black America—while many African Americans were rising from working-class to middle-class status, many others were falling from the working class into dire poverty. Wilson also risked unpopularity by vigorously defending Daniel P. Moynihan for calling attention to these problems before they became fashionable worries.

Our tattered moral fabric

By Dan Coats

The Senate has passed its version of the toughest and most comprehensive anti-crime package in American history. It is legislation designed to tackle virtually every major crime problem in the country — and with good reason.

In a single week, America experiences nearly 500 murders, over 2,000 rapes and more than 13,000 robberies. These statistics are as staggering as they are enraging.

When Congress hears soul-numbing figures like these, it drafts legislation, passes a bill and enacts a law. And so it should. The Senate's crime bill will enable us to build more prisons, toughen laws against criminal activity, increase our police forces and streamline the judicial system to expedite the legal process.

But we cannot fool ourselves that larger prisons and more police alone will stem the rise in crime. Higher arrest rates will not, in themselves, stop criminals. And barbed wire and wasted hours behind bars are no recipe for rehabilitation.

As a result, the Senate crime bill, although a sound piece of legislation, is inadequate because we legislators are not equipped to address the underlying cause of crime — the moral breakdown of society.

If we are fully to address the problem of crime in America, we must do more than arrest the perpetrator of the crime. We must be willing to confront the moral decay of society.

In their book "Crime and Human Nature," Professors James Q. Wilson and Richard Herrnstein concluded that the cause of crime was the lack of moral training among young people during their formative years. When basic values are no longer taught at home and in school, they said, self-interest reigns and crime is the result. "No culture can survive without a moral consensus, shared beliefs about right and wrong, a common standard of truth. This is

what defines the rules we live by. Without this consensus, the individual is abandoned to self-interest alone."

Crime, it was once believed, was rooted in rational acts.

Poverty prompted robbery, burglary, or car theft. Murder had a motive — it was premeditated — or resulted from the heated passion of the moment. And other crimes were traced to discernible causes.

But today, we are witnessing a new face of crime, a profoundly disturbing trend. Daily we read of crimes that defy any rational explanation and of perpetrators without a conscience. Three examples illustrate:

In February a young man named Michael Ensley was shot in his Reseda, California, high school because his assailant thought Michael gave him a "funny look."

In Atlanta, Newsweek reports that a gentleman named Charles Conrad, crippled by multiple sclerosis, using a walker and a wheelchair to get around, was ruthlessly attacked and tortured by three young people all under the age of 17.

And just last month, three schoolboys surrounded a ninth-grade classmate and stabbed him to death. Afterward they laughed and traded high-fives, like basketball players after a slam dunk.

The tragic list of those affected by the new face of crime goes on and on. Tragically, there are thousands of other examples.

Although government must play an important role in addressing the increase of senseless crime, responding to the heart of the crisis requires a level of work and commitment found outside the halls of Congress.

We must recognize the role of the family in the continuation of conscience and moral restraint in children, and the tragic consequences of the disintegration of the family that is characteristic of current society.

A growing number of America's children will never experience the nurture of a two-parent home. These are the millions of illegitimate chil-

dren who will never see their fathers.

Many single mothers do a wonderful job with their children and fight tenaciously against the corrosive influences of a corrupt society. Yet two-parent families are the proven model for healthy child development. When families fail, the effects ripple to every area and level of society.

There are crucially important things we can do on Capitol Hill to reinvigorate the family. We need to increase the personal tax exemption and raise the earned income tax credit for families with children. We need to make divorce laws tougher and deadbeat dads more accountable. But even if we could pass all of this into law, we still need to remember that a loving mother and a father are the best social welfare program any child ever had.

We can also look at the role education plays in moral formation. I recently saw a story about a teacher in Teaneck, New Jersey, who refused to tell his class whether one of his students had been right in returning \$1,000 she found in a lost purse. As he put it, "Of course I didn't say anything. . . . I can't impose my views."

This defiant moralism indicates a broken ethical compass. At the very least, our schools should do no harm. But is it too much to ask that they help equip young lives with the virtues of honesty, fidelity and honor?

Attitudes of the mind and changes of the heart; moral truths and spiritual solutions: These are ideas that make us somewhat uncomfortable. They do not translate easily into a quick legislative fix.

But the mantle and burden of leadership for this and future generations of Americans rests on our shoulders. Congress has an influence on our culture that runs more deeply than the bills we introduce or the laws we pass.

For the sake of our future, for the sake of the civilization we have inherited, let us responsibly demonstrate a similar courage to challenge our culture.

Dan Coats is a Republican senator from Indiana.

CLIFFORD MAY

Colorado Gov. Roy Romer has put in place a plan to curb violence in our streets. It isn't bad. But like similar plans in other American cities, it doesn't go far enough. The killing of children by children continues, and there's no reason to believe it's going to stop.

Is there a way to pull cities like Denver back from the brink? Is there a way to revive cities like Detroit, Washington and Los Angeles that fell over that brink years ago?

Maybe, but it will require much more radical policies than most of us are willing to consider so far. Let me give you just a few examples of the kind of tougher approach we should be debating on both the state and federal levels:

- Give judges the power to suspend the driving licenses of kids convicted of even minor crimes. Make driving without a valid license a felony.

At the very least, this would reduce the mobility of the gang-bangers and decrease "drive-by shootings."

- Make it relatively easy — but mandatory — to obtain a license to possess a gun (just as we do with drivers' licenses). Impose severe penalties for possessing a gun without a license. Impose even more severe penalties for the possession of

Big guns that might curb the violence

a weapon by anyone who has been convicted of a serious crime. (Note: This would not abridge the constitutional right of law-abiding citizens to bear arms.)

- In Colorado, teachers now have the power to expel chronically disruptive students. That's a good start but, as critics have pointed out, what becomes of those expelled? Here's an answer: Reinstitute the draft and call up anyone who has been thrown out of school or has dropped out of school. Place these kids in a special training corps that would be separate from the volunteer Army but that would be run by specially trained military personnel. Recruits would not learn military skills — instead, they'd get basic education and/or vocational training in a highly disciplined, highly structured environment. Include a community service component: planting gardens at hospices for example, or assisting in park cleanups.

- Place young criminals in a similar but even stricter "boot camp" type program. Make it an alternative to prison at judges' discretion. Keep them in it for a fairly long time — two years at a minimum — to ensure

that they absorb the lessons and internalize the discipline.

- Decriminalize and deglamorize drugs. Think about it: Instead of letting young gangsters make big money and lead exciting lives in the narcotics game, what if we were to sell marijuana, cocaine and heroin through government-licensed pharmacies and treatment centers? The savings realized (by eliminating police costs, court costs, prison costs and the failed "war on drugs") as well as the revenues raised by taxing drug sales could go toward treatment and to the military-style programs discussed above.

As a society, we would tolerate — not approve or encourage — adults who use drugs in the privacy of their homes. But driving a vehicle, causing a public nuisance or committing a crime while under the influence of drugs should carry serious sanctions.

- Re-establish the idea that it is wrong — not just inconvenient or foolhardy, but wrong — for anyone to bring a baby into the world until and unless she is emotionally and financially prepared to care for it. En-

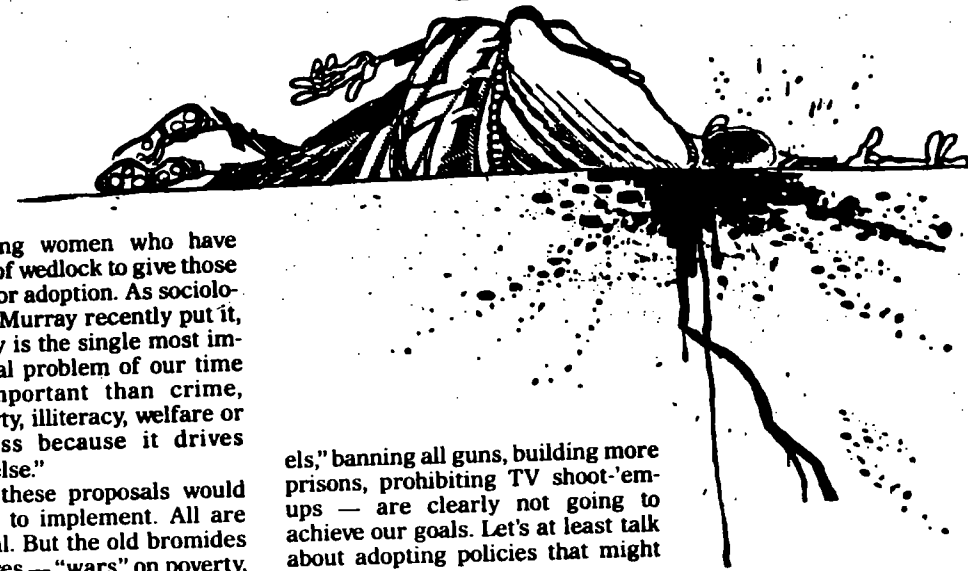
HEY, THAT KIND OF VIOLENCE ONLY HAPPENS TO KIDS IN
~~INNER-CITY NEIGHBORHOODS~~

~~BIG-CITY NEIGHBORHOODS~~

~~URBAN NEIGHBORHOODS~~

~~OTHER PEOPLE'S NEIGHBORHOODS~~

OUR OWN NEIGHBORHOODS



MIKE THOMPSON FOR THE WASHINGTON TIMES

courage young women who have children out of wedlock to give those children up for adoption. As sociologist Charles Murray recently put it, "Illegitimacy is the single most important social problem of our time — more important than crime, drugs, poverty, illiteracy, welfare or homelessness because it drives everything else."

Most of these proposals would not be easy to implement. All are controversial. But the old bromides and palliatives — "wars" on poverty, setting up nonparental "role mod-

els," banning all guns, building more prisons, prohibiting TV shoot-'em-ups — are clearly not going to achieve our goals. Let's at least talk about adopting policies that might have an impact.

Clifford D. May is a columnist and associate editor of the Rocky Mountain News in Denver, Colo.

Crime Bill: Quality, Not Speed

THE RUSH IS on to get a crime bill to the president's desk before Thanksgiving. The Senate is expected to finish consideration of a major bill today, and though there is a unanimous consent agreement that will cut down on the issues to be decided, a couple of dozen votes are possible. Meanwhile, the House, which has so far passed only a handful of separate bills covering only a fraction of the material in the Senate colossus, is rushing to get other bills to the floor with perfunctory hearings and greatly accelerated committee consideration. Violent crime is surely on the minds of the voters and is a legitimate subject for federal attention. But if this rush to stiffer penalties, enormous expenditures and remedies of dubious constitutionality continues, the president may have more than one turkey on his hands next Thursday.

There are good things in the Senate bill. Federal help for local law enforcement and corrections needs is welcome. But the process by which \$22 billion was "found" for this purpose, which we write about elsewhere in this space today, is flimflam. There are some provisions in the bill, most of them added on the floor, that ought to be reconsidered in the context of

federal vs. state responsibilities. Should the federal government, for example, be in the business of funding "family visitation centers" so that divorced parents can hand their children back and forth in a neutral and presumably safe place? Should street gang crime be a federal offense? Should all state crimes involving a firearm that has crossed state lines be made federal crimes? How will the federal law enforcement system, prosecutors and courts handle these new responsibilities?

Some sections of the bill that have not been the subject of hearings present constitutional problems. The admission into evidence during sex crime trials of allegations about a defendant's earlier conduct of a similar nature is a serious diminution of the rights of the accused. Secret procedures to deport aliens suspected of terrorist activity will surely be challenged in court. Other provisions such as 47 new death penalty provisions and new mandatory minimum sentences may not be unconstitutional, but they certainly represent bad policy. Rushing to conference and pushing for enactment before Thanksgiving will result in a poorly crafted law. It is no triumph to slap together a flawed statute just to meet a self-imposed deadline.

Crime's costly cycles

When it comes to crime, South Florida residents are taking action, not just talking about it, according to a poll of 1,014 Dade and Broward countians commissioned by The Herald. The numbers show that crime is changing how we live, and how we perceive our communities.

The impact of crime is more evident in Dade, where 18 percent of those polled say that they are planning to move because they don't feel safe where they are; 11 percent already have relocated to safer neighborhoods. Some plan only to move across town. Others, alas, want to leave Florida altogether.

The poll shows that Broward residents feel less threatened by crime — but only if they stay in their home territory. Forty percent of those in Broward who responded to the poll discourage others from visiting Dade.

"Miami" — used indiscriminately around the world to describe all of Dade County — has become a magnet for the media over the years, but too rarely for its positive events. Dade has experienced more social change in recent times than all but the nation's two largest cities, Los Angeles and New York. Such flux brings out the best and the worst in people, but the media tend to concentrate on the worst. That distorts not just outsiders' perceptions but also can wear down even the most committed locals.

As remarkable as it may seem to outsiders, Dade's two million residents mostly go about their daily routines without encountering anything more negative than traffic jams, irritating but rarely life-threatening. Life is pitched at a higher frequency in Dade, to be sure, and that is seen as a detriment by some. It also generates excitement, a quality that has lured people to Miami for more

IT'S CHANGING OUR LIVES

South Floridians are ready to raise taxes to build prisons, curb crime, and restore their sense of security.

than three decades.

Periodically through those decades, crime and violence — once attributed to the Mafia, then to Cocaine Cowboys — have risen to levels considered intolerable. That would bring action and reaction, as it is doing

again today.

Oddly enough, according to the poll, more families in Broward — 57 percent — have been crime victims than families in Dade, 49 percent. But more crimes have been committed recently against Dade families.

South Floridians intent on staying are investing in more security — alarm systems, guns, fences, guard dogs. A surprising number (65 percent in Dade; 72 percent in Broward) would support a 1-cent increase in sales taxes to build more prisons, probably the ultimate investment in security. That finding is consistent with the overwhelming majority in both counties who want criminals to serve 100 percent of their sentence. Just over 80 percent in both counties favor spending more money for counseling or training to cut crime, too.

Those answers show a welcome thoughtfulness about crime today, and how we think it should be combated. South Floridians understand that there are no simple answers, no shortcuts. They are willing to pay to keep convicted criminals behind bars, but they also believe that investing in deterrence will pay off. Legislators reluctant to raise taxes in an election year ought to heed these sentiments.

South Floridians are taking action on crime — be it packing a gun or adopting the meanest dog at the pound. They're doing more to take back neighborhoods, or else they're abandoning them altogether. And they're also asking elected leaders: Now, what are you going to do?

No representation? Then how about no taxation?

Supporters of D.C. statehood spent the past 48 hours trying to articulate a public relations victory for what was clearly a resounding defeat. The 277-153 vote in the House Sunday suggests there isn't enough sentiment in Congress to provoke another serious discussion on the measure anytime soon.

In fact, speculation is that some of the votes that brought the question to the floor for debate did not reflect support, but rather a cynical strategy by opponents to force a decisive and dismissive outcome once and for all. Everyone who was not delusional knew the measure had no chance of winning.

Still, Eleanor Holmes Norton, the District's non-voting representative, took the glass-is-half-full approach to the defeat, as well she might. She worked hard for three years. It is significant that the question made it to the House floor at all. And that is in no small part due to Mrs. Norton's doggedly focused lobbying.

But if there are statehood supporters beyond Mrs. Norton, Mayor Sharon Pratt Kelly and a coterie of elected officials and business persons in the District, it was not evidenced by the turnout in the House gallery, where only a few dozen spectators appeared. The sorry assemblage was no manifestation of the

overwhelming demand for constitutional equity with the 50 states that proponents claim exists.

While Mrs. Norton and others pressed their position on the age-old moral grounds of "no taxation without representation," they did not have much of a legal leg on which to stand. The District of Columbia was created not as a state but as the seat of the federal government. It is probably going to take a constitutional amendment to change that, and that is a prospect that is highly unlikely, to put it mildly.

With the statehood effort presumably gone as a distracting scapegoat, District officials will have to knuckle down and work with the resources that they have to find solutions to the tremendous problems affecting the city. There can be no substitute for the extremely hard choices that will have to be made on economics and crime.

But if statehood advocates are really looking for good news in defeat, they might consider this. There is no law that forces D.C. residents to stay here: Witness the exodus of the past decade. A far more engaging proposition than taking on the headaches of being a state would be to press for abolition of federal taxes for residents of the District. If that succeeded, the tide of people rushing the Virginia and Maryland borders would go into a head-spinning reverse.

What the Brady Bill won't solve

Well, we can all heave a huge sigh of relief: Thanks to the last-minute resurrection of the Brady Bill and a ban on assault weapons, common criminals will now have to get their assault weapons illegally, or wait five days to purchase handguns for the commission of their dastardly deeds. Some of us, that is, may heave that sigh; others, particularly the neighbors of Craig Price in Warwick, R.I., are taking no solace from the assault weapons ban or the Brady Bill.

In 1987, when he was 13 years old, Mr. Price killed a 27-year-old neighbor, Rebecca Spencer, two years later he killed Joan Heaton, 39, and her two daughters, Melissa, 8, and Jennifer, 10, also neighbors of his. Arrested in connection with the Heaton murders, he confessed to them as well as to the Spencer murder.

And, guess what? He didn't use a gun. He stabbed Mrs. Spencer 58 times with a kitchen knife. He used knives on the Heaton's as well — and with such force that the blades broke off the handles. He also smashed Melissa Heaton's skull and several of her mother's ribs.

Because Mr. Price was under 16 when he pleaded guilty — in Family Court — to the slayings, he could not be sentenced as an adult. So, he received the maximum penalty permissible for a juvenile: Confinement in the State Training School until his 21st birthday. That happy event will occur on October 11, 1994. At which time, Mr. Price, now a 5-foot 10-inch, 200-pound weight-lifter, will walk free. And his police record — under the state law maintaining confidentiality for juvenile criminal histories — will remain officially sealed forever.

The Price case prompted the Rhode Island state legislature to change the law in 1990 to permit juveniles charged with a capital offense to be tried as adults. The new law, obviously, cannot be applied retroactively to Mr. Price. But Gov. Bruce Sundlun has come up with an idea for new legislation that might keep Mr. Price behind bars; and he has hired Brendan Sullivan, Oliver North's high-powered and highly successful Iran-Contra defender, to draft it.

The legislation would require repeat violent offenders like rapists and murderers to undergo psychiatric testing before their release. If they were found to be mentally ill, they could be held indefinitely.

Mr. Price has refused to submit to such testing — on the advice of his lawyers, who fear the state would use the results to have him declared insane and confined in a mental institution. If Mr. Sundlun's legislation is passed before Oct. 11, 1994, Mr. Price will have no choice but to submit. (Though, of course, the American Civil Liberties Union is already rushing to his aide; the ACLU's Rhode Island director has voiced his concern over the "inappropriate" use of the state's mental health laws to "go after one person.")

There is, however, no guarantee that Mr. Price would be declared insane, even under the new legislation. Evil is not, after all, necessarily proof of insanity. And at least one person well-acquainted with his case (the director of the state's Department of Children, Youth and Families) sees him not as mentally ill but as "a bright sociopath who ... has enough sophistication to control his behavior because he knows exactly what the consequences would be."

Just exactly the sort of criminal, in other words, that we do not want roaming our streets, Brady Bill or no Brady Bill. Mr. Price simply grabbed the nearest weapon to hand when he felt the urge to kill. He didn't have to worry about a five-day waiting period to purchase a handgun. But if he'd wanted to use a gun, even an Uzi, we can be sure he would have gotten one by hook or by crook, as can anyone who really wants one. And if a gun is unattainable, there's always the handy kitchen knife, or the brick, or the lead pipe or even the fist.

Before indulging in any dancing in the streets over the new gun-control laws, we should all take a good hard look at the Craig Price story. The way to keep criminals like him from wreaking havoc on the rest of us is by locking them up and throwing away the key, or by putting them to death, not by making it a bit harder for them to lay their hands on a gun.

Nafta and the National Interest ✓

He started slowly. But over the past two months, President Clinton has pushed fellow Democrats to embrace the North American Free Trade Agreement. He's bucked organized labor and rejected the advice of some of his closest advisers — who cautioned that the price of victory would be too steep. Staking his reputation on the outcome of tonight's vote in the House, he's done what a President is supposed to do when issues are tough and the public is evenly divided: Lead.

The question now is whether a Democratic Congress will vote its conscience or its fears. A no vote wouldn't bury the Clinton Presidency. But it would cast doubt on his and his party's ability to govern. It would also undermine Mr. Clinton's credibility abroad, just as the all-important Uruguay Round of international trade talks is drawing to a close. Beyond that, it could send a devastating signal about America's appetite for global leadership after the cold war. That is what the Nafta vote is ultimately about: whether the country is willing to move forward or retreat into economic isolation.

As a trade pact, Nafta helps the economy modestly. It would promote exports of manufactured goods like automobiles and services like insurance. In exchange, it would lower already low U.S. tariffs on Mexican vegetables, garments and

other consumer goods. Job gains will roughly offset job losses — and consumer prices will fall.

But Nafta's most important job is buttressing the historic U.S. role in promoting freer trade, a policy that has done more to nurture worldwide growth since World War II than any other.

To avoid a major rift within his party, Mr. Clinton flirted with letting Congress do with Nafta as it pleased. Ultimately, however, he decided that as a matter of politics Nafta was too important to let die. So he steadily raised the ante for his fellow Democrats — even promising to defend Republican candidates next year against challengers who criticized pro-Nafta votes. Tonight will tell whether Mr. Clinton started too late, too slowly.

Privately, several Democrats who declared themselves against Nafta admit that the agreement would probably help the country, if not their constituents. But boisterous opposition — sometimes based on misguided fears — has made it difficult for many Democrats to vote their consciences. And several Republicans, some lifelong free-traders, are flirting with voting no just to rob Mr. Clinton of an important victory.

But this is a vote that challenges each member of Congress to set aside parochialism and vote for the higher national interest.

Mr. Clinton's Promising Speech ✓

Their citizens pinned down by gunfire in the streets, their coffers emptied by the burden of caring for the poor, their schools ineffectual or on the verge of collapse — America's cities are crying out for an urban policy from Washington.

Presidents Reagan and Bush responded to that cry with racial code words and scorn, often demonizing cities for political gain. But in his speech last weekend in Memphis, Bill Clinton confronted urban issues in a way that inspired people instead of dividing them. Mr. Clinton's speech offers hope that Washington may yet turn its attention to the cities, America's most pressing domestic problem.

Mr. Clinton spoke at the Temple Church of God in Christ in Memphis, from the pulpit where Martin Luther King Jr. delivered his last sermon. The President spoke in chilling detail about the violence and the drug trade that ravages the cities. Of the young who are so afraid of random killing that they plan their own funerals, he said, "I think, finally, we may be ready to do something about it."

Mr. Clinton was refreshingly candid when he spoke about breakdown of families and the rise of illegitimacy and abandonment by fathers. In previous times, the topic had mainly been used as a way of bludgeoning the poor and dividing Americans along ideological lines. But in Memphis the President explained to the nation that morality and personal responsibility are intimately connected

with the surroundings in which people live. "I do not believe we can repair the basic fabric of society until people who are willing to work have work," Mr. Clinton said. "Work organizes life."

"We cannot, I submit to you, repair the American community and restore the American family," he said, "until we provide the structure, the values, the discipline and the reward that work gives."

The President owes much to William Julius Wilson, The University of Chicago sociologist whose pioneering work, "The Truly Disadvantaged," showed how the departure of inner-city industry greatly accelerated the unraveling of the urban African-American family. Mr. Wilson offers solutions as well, none of them cheap.

As inspiring as it was, Mr. Clinton's sermon was only a prologue to an urban policy. Big-city mayors will surely want to hear more of how he intends to stimulate investment in cities. Enterprise zones won't do it. What will?

And what of gun control? The Brady bill, with its five-day waiting period, is a welcome advance over guns on demand. But a plan for demilitarizing the streets is still sorely needed.

And what of welfare reform? Housing and feeding America's poor is bankrupting the cities and states.

Memphis was the prologue; now we await the program.

Our Color but Not Our Kind

By STANLEY CROUCH

Because there is a history of judicial prejudice and excessive police violence against black Americans, a suspicion of "law and order" has evolved in the black community that makes it difficult for us to clearly address the violent crime that plagues our cities. No presidential sermonizing, no crime bill, no gun-control laws will work for black Americans unless law enforcement and black Americans come together for mutual support.

We are in the middle of a criminal occupation of our cities on a scale that has no precedent. This is partially because of the drug trade and partially because the underground sale of illegal firearms has made traditionally lower-class street gangs into drive-by organizations that murder in larger numbers than we have ever seen. The citizens of high-crime areas live under an anarchic martial law declared by these criminals who lord it over the night and, for youngsters, turn acts as simple as attending public school into daily experiences of terror.

An Inverted Defense

The fact that so many of these violent criminals are black makes it more difficult than it should be to recognize that they represent criminality first and foremost and race only incidentally. But if anyone points out that less than 1% of black youths commit murders and that the vast majority of the young, black people they terrorize want these tyrants either intimidated into good behavior or put away, the response is often an inverted defense of these monsters as victims. Or one is told that "crime in the suites" is just as bad as "crime in the streets," and that it is criminals such as the white BCCI crooks who belong at the top of the law-and-order menu. Any suggestion of harsh penalties is interpreted as hatred of black people—of black youths in particular—and labeled fascist.

If one responds by saying that all criminals—from the suites to the streets—

should be put away in places that are not simply homes away from home, that do not provide televisions and radios or allow conjugal visits and that demand hard labor, the listener will usually go deaf and return to the position that black criminals are, above all else, victims, and that any proposal of this kind would unleash racially selective and unrecalable military dictatorships of urban areas. If one observes that no white organization that rode through black communities racking up hundreds of murders with illegal weapons would be allowed to continue killing, even if it meant that the military had to be called into action to restore order, the point is missed.

In short, a double standard exists: The

nity's anger at the unfairness of the greater society, and that the police officer is a villain who represents the brutal ruthlessness of the prejudicial order.

It was a hustle that worked. Incarcerated black criminals began to see themselves as "political prisoners" and middle-class black naifs like Angela Davis were intimidated into embracing them as the most "authentic" black people. Responsibility and guilt were shifted over to white society and the black middle class, which was told that civilized behavior was an attempt to "act white." That was a remarkable moment because the traditional black American attitude toward criminals was—and is—the same as that of any sensible community: "They may be our color but

The terrorizing and murdering of black people by black criminals is deemed socially "understandable." We have come to expect less of blacks than even of white racists.

terrorizing and murdering of black people by black criminals is socially "understandable." However bad their conduct might be, we have come to expect less of blacks than we do even of white racists. We find it somehow unfair to black Americans in general that the criminals among them be removed or intimidated into submission.

Much of this problem is rooted in ideas that originated in the 1960s, a decade as filled with shoddy thinking as with glowing victories for the highest aspirations of our democracy. After the black power movement twisted the head of the civil rights movement, our American love of the bad boy and our traditional suspicion of authority were thrown into the pot with Marxist clichés and boiled into an irrationally radical brew. Such people as Huey Newton, Eldridge Cleaver and Angela Davis politicized the romance of criminality, projecting the ideas that the black criminal is a hero-victim, an unconscious revolutionary who represents the commu-

they're not our kind." Criminals weren't seen as beacons of harsh truths, and sophistication wasn't believed an exclusive province of white people.

This is still largely true, but the debate over criminality and ethnic authenticity has been muddled by purported representatives of black American interests who are stuck in platitudes from the late '60s. They have only recently begun to realize what the idea of the criminal-hero has done to popular entertainment, where video after video projects the image of black youth as either murderous or obsessed with sex to the point of an erotic minstrelsy rooted much more in Madonna than in the blues. Things need to be updated.

What we need is repudiation of criminal behavior, no matter what segment of society it comes from. Just as all Americans have to free themselves of stereotypes about black criminals, we also have to free ourselves of stereotypes about the

police. Anyone who commits brutal crimes shouldn't be allowed to squeeze sympathetic tears from the stone face of justice because a list of historical injustices is hoisted.

When the police step out of line, they should be prosecuted to the fullest extent of the law, but those rotten apples shouldn't be viewed as the essence of law enforcement anymore than black criminals should be seen as ethnic representatives. In cities of millions, homicides by police are always far below 50 a year, which shows the absurdity of the perception that the police are "a fascist, murderous, occupying force." How could any police chief or mayor maintain his job if the local force killed even a quarter of the numbers we now routinely accept from criminals?

We don't need to build more prisons. They're a waste of money. We should confront the large numbers of criminals we have occupying our cities and take the term "war on crime" seriously. We should build P.O.W.-style camps staffed by the military; this does not require new funding—they are already paid.

Spartan Conditions

In those camps, there should be hard labor and education, including a rule that prisoners who have not achieved a GED level of competence in reading, writing and arithmetic will not be eligible for parole. VISTA workers, interned education majors, and white-collar criminals could do the teaching. We must impose Spartan conditions, hard labor and close surveillance to eliminate homosexual rape, drug use and the formation of murderous gangs so as to remove all the glamour from doing time. Only then would the country begin to address the needs of our most beleaguered communities.

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Low prices, keep out

Just in time for the latest round in international trade talks comes a new study showing what protectionism costs U.S. consumers: a cool \$19 billion annually. Anyone else ripping off American consumers that way would be the subject of federal investigations, congressional hearings and decidedly unfriendly press clippings. But when the government itself does a little price gouging — through tariffs and other trade barriers — well, then it's OK.

So it wasn't exactly big news the other day when officials at the U.S. International Trade Commission released the \$19 billion figure. If anything, the figure is substantially higher. In 1988, the Institute for International Economics put the figure at closer to \$80 billion. (The fact that the ITC somehow decided U.S. restrictions on foreign cars, steel and cotton had no impact on consumer prices may help account for part of the disparity.) But because the ITC doesn't have a long history of being consumer-friendly, any acknowledgment of the anti-consumer nature of trade barriers, however grudging, is worth noting.

The agency found, among other things, that such barriers gouge consumers in 44 areas:

- They add \$15.85 billion to the price of apparel and textile goods a year. That figure amounts to almost 80 percent of the entire impact of trade restrictions on consumers, according to ITC findings. Eliminate those restrictions, the agency said, and the average price of clothing in this country would fall more than 11 percent. One hears a great deal about affordable housing and affordable health care these days. How about more affordable clothing? Just say no to protectionism.

- Restrictions on the ability of foreign ships to

carry domestic cargo between U.S. ports cost Americans more than \$3 billion a year in higher prices.

- Trade barriers related to agricultural goods — meat, sugar, peanuts and dairy products — cost U.S. consumers another \$2 billion. Apparently price supports and the like aren't enough for farmers.

Now the usual argument justifying this sort of corporate welfare at the expense of consumers is that protectionism saves jobs or at least high-paying industrial jobs. The argument assumes that there are no jobs to be gained from receiving and distributing imported goods or from increased consumer spending because of lower prices. Even the ITC is willing to concede that overall job gains in other sectors will offset those "lost" in protected industries.

But let's assume for the moment that the protectionists are right, that allowing consumers to make their purchases free of government coercion will cost jobs. Let's assume that the ITC is correct in estimating that 72 jobs in the costume jewelry business will disappear as a result of free trade. Right now U.S. consumers are spending \$42 million to protect those 72 jobs. That's more than \$583,000 per job saved. The feds could save more than \$500,000 per job simply by writing each of those workers a check for \$50,000. Textile protectionism costs more than \$220,000 per job saved, based on ITC estimates. Write those workers checks too.

Protectionism is welfare by another name, only these handouts are showered on a Washington bureaucracy hired on to manipulate trade barriers — rather than on workers themselves. In short, protectionism is about protecting big government, not jobs. And that's no reason to rip off consumers.

Beyond the Brady bill

If you thought last week's enactment of the Brady bill, establishing a national five-day waiting period to purchase a handgun, resolves the controversy over gun control, you need to think again. Indeed, supporters of the Brady bill need to do a little thinking themselves. Touted for years as a simple measure to keep guns out of the hands of criminals, a law requiring five days before purchase of a handgun will do virtually nothing to control real crime.

Opponents of the bill repeated that argument until they were blue in the face, but to no avail against the moralism of the bill's supporters. Now, within days of the bill's enactment into law, come those very same supporters to assure us that the Brady law just doesn't go far enough, that by itself it will do virtually nothing to control real crime.

This was exactly what two big city mayors, Los Angeles' Richard Riordan and New York's Mayor-elect Rudolph Giuliani, were saying this week on NBC's "Meet the Press." Mayor Riordan explicitly said of Brady, "It doesn't go far enough," while Mr. Giuliani spelled out in some detail the rigorous system of gun control he demands. Mr. Riordan endorsed a bill now in the California state legislature that requires a 15-day waiting period, a law that presumably will be three times as useless as the one Congress has spent some 10 years passing. The Los Angeles mayor also announced that murders and bank robberies in his city and the nation have "just gotten so out of hand that we've got to get tough on it."

"It," of course, is the right of private individuals to buy, own and keep firearms, and Mr. Riordan's logic is worth considering in detail. Crime, he argues, is so "out of hand" that people who don't commit crime with firearms shouldn't be allowed to have them. Some people can't or won't obey the law, so therefore those who do obey the law — and who often depend on guns to protect themselves — must suffer the diminution of their rights.

For his part, Mr. Giuliani advocated a "uniform licensing system with real teeth in it." The real teeth would include background checks, lessons, tests and required renewals every two years to "show you're stable, you're healthy, you're able to handle a gun." In Mr. Giuliani's mind, in other words, the presumption of the state is that the average citizen is not able to handle a gun with safety. Americans, he

implies, are so stupid, crazy, reckless and careless that "handguns should be in the hands of police officers," who presumably are more responsible than ordinary Americans.

The case against gun control is a simple one, resting on the simple and obvious fact that of the millions and millions of guns available in this country, only a few cause death or serious injury every year. The vast majority of guns are owned by law-abiding people who are at least as responsible with them as they are in the ballots they cast for representatives and the property they own and manage.

In the wake of the Brady bill fraud perpetrated by Congress and the gun control lobby last week, we can expect the crusade for more gun control and the further stripping of Americans of their gun rights in the near future. But the logic of gun control actually goes much further than the socially redeeming usefulness of privately owned guns or even the Second Amendment itself.

As Mr. Giuliani's remarks imply, the basic conflict in gun control is one of elitism and statism vs. popular self-government. Mr. Giuliani and many other advocates of "tough" gun control proceed from the assumption that most Americans are less responsible than they are, that most Americans are not sufficiently responsible to own guns without the permission of the state and that they have to prove to the state their responsibility. That assumption, of course, whatever the merits of guns, is profoundly opposed to the spirit of American civilization and American self-government, which assume that citizens are responsible for themselves, and it points in a much more radical direction than the mere issue of gun control.

If citizens are not sufficiently self-controlled to own and keep guns, what else are they not sufficiently competent to do that the Framers thought they were? To own and manage property all by themselves? To vote without the state telling them how to vote "responsibly"? These, of course, are not questions anyone puts to Mr. Giuliani or Mr. Riordan or others so eager to restrict the rights of Americans to own guns. But they are questions the Americans whose rights they want to diminish ought to be eager to ask them — and eager to have answers to before they sign off on gun control more restrictive than the limp bill Congress passed last week.

Finally Filling the Bill

A vignette from last week's dizzy round of presidential activity: Bill Clinton, receiving James and Sarah Brady in the Oval Office within an hour of the passage of the humble gun-control bill named after Brady, tells Sarah Brady, "I was in the church hall chopping celery when the news came over the radio that the bill had passed, and everyone cheered."

Nothing could express more clearly the difference between Bill Clinton and his predecessor. George Bush threatened to veto any crime bill that had the Brady bill, with its five-day waiting period, in it. The fact that Jim Brady had been Ronald Reagan's press secretary did not apparently matter. Bush never went to poor, battered Anacostia to chop celery, his wife by his side, for a Thanksgiving Day meal for the homeless. Barbara Bush did soup kitchens. Her spouse did not. He preached, but did not practice volunteerism.

But that was just part of it. Clinton on Monday stepped into the gridlock between American Airlines and its flight attendants and nudged both sides into a settlement. Said American's chairman, Robert Crandall, "I think when he's the elected leader of the country for any citizen, company or union to say no . . . would require an awfully good reason." Bush didn't mind intervening globally, sending half a million American troops to the Persian Gulf, but domestically, he liked to give free rein to market forces.

The day Clinton summoned the Bradys to the White House and went to Covenant Baptist Church and sang "Jesus Loves Me" with the children's choir, he also found time to receive Salman Rushdie, the writer marked for death by the Iranian government, and to give him a pat on the back. In 1992, Bush gave the author of "The Satanic Verses" the cold shoulder.

The only thing Clinton did that was like his predecessor was go to Camp David for Thanksgiving. Clinton is leery of the presidential retreat: too many trees where people ought to be.

Last week was probably the week he came into his own, when having practiced on the mighty White House Wurlitzer keyboard, he found how many notes it has. He can do anything he wants. He can go out into a wretched neighborhood and proclaim by his presence his understanding and concern. He can invite people to the

Oval Office and change their lives, or at least their perspective. Imagine the Hattoris, the heartbroken Japanese couple whose 17-year-old son, Yoshi, an exchange student, was shot dead by a Louisiana homeowner. The homeowner shouted "freeze" and when not immediately heeded by his uncomprehending visitor, who was seeking directions, pulled the trigger. He was acquitted in court.

The Coalition to Stop Gun Violence brought the Hattoris to this country bearing petitions with 1.6 million signatures from Japan. Clinton took time out on the day before the vote on NAFTA to talk to the Hattoris, who were wearing "Ban Handguns" buttons. His gesture caused a sensation in Japan.

Clinton learned something about presidential power during the brawls over the budget and NAFTA. But he is discovering every day more about influence, which is something that comes with the turf. His mere presence has changed the agenda. Over the weekend, the discussions on the talk shows were about subjects not presidentially emphasized over the last 12 years—gun control, teenage pregnancy, welfare reform, sex education. The fact that they are talked about comforts Clinton's fellow citizens.

Clinton had nothing to do with the happy outcome on the Brady bill. The Bradys did it all themselves. After seven years of lobbying, she elegant, eloquent, prodding, he the stoic in the wheelchair, saw it shot in the back in the Senate—by Republicans willing to filibuster for the NRA. Friday night, Nov. 19, the bill was left for dead. But the Bradys, seeing that Congress had not adjourned, returned to the scene of the crime and fired away at the little handful who killed the bill.

Every time Minority Leader Robert J. Dole (R-Kan.) snarled that he had been "shafted"—over some procedural, ego-denting point that only the theologians could comprehend—the cameras panned in on Jim Brady in his wheelchair. The public winced, no one could confuse the victims, and finally Dole caved.

Clinton learned during the bonanza of the Arab-Israeli accord, that you don't need to be the architect to join the jubilation. The Bradys, who plan to soldier on in the gun control effort, appreciated the background music coming from the president. "It made all the difference—absolutely," Sarah Brady said.

✓ *The Crime Bill: Worse Every Day*

AS THE SENATE rampages its way toward passage of a crime bill, one is tempted to ask: Where are the people who know better? Where are the men and women, elected to lead, to stand up and speak out when the crowd is shouting for blood? Where are the lawmakers ordinarily counted upon to be strong, wise and decent when the less responsible are swinging wildly and breaking up the furniture? Sen. Joseph Biden, who is not one of the more articulate members of the "greatest deliberative body" on Earth, is at least trying to manage this massacre. Even he, though, occasionally joins the mob in voting for reckless measures thought to be politically appealing. Are all the thoughtful lawyers, committed civil libertarians and long-range thinkers hiding under the chairs? Is everyone in the Justice Department and the White House looking for a crawl space, too?

Consider an amendment adopted on Monday, ostensibly aimed at dealing with alien terrorists in our midst. It would allow the attorney general to use secret proceedings and secret evidence to deport aliens she believes pose a danger to national security. She would have to get permission from a special court to invoke these procedures, and the alien would be entitled to a hearing and an appointed attorney if he couldn't afford one. But he would have no right to know who his accusers are, what the specific charge against him is or what evidence has been produced against him if the court found it necessary to withhold this information for reasons of nation-

al security. There have been no hearings on this amendment, but it was thought to be such a dandy response to public fear that it was accepted without a recorded vote.

Concerns about alien terrorists have been understandably fueled by the World Trade Center bombings and the inflammatory rhetoric of some aliens who have entered the country illegally. Rhetoric is no crime, but those who have violated the immigration laws can and should be deported through normal procedures for that offense. Those accused of crimes can be tried — as those charged in the New York bombing are being tried now — and can be imprisoned and deported under existing law. What is being considered is a police-state type of procedure, in which a person is severely penalized without being told what he has done.

Crime is a serious problem in this country, but the remedy is not to tear up the Constitution and ignore 200 years of experience in protecting the rights of the accused. Sen. Biden said on Tuesday that in this atmosphere, if an amendment were offered to make jaywalking a federal crime punishable by wrapping legs in barbed-wire, it would pass. This end-of-the-session excess has become all too familiar. At this point, the best thing that could happen to the crime bill is gridlock. But we repeat our question: Where are the people in the Senate and the Justice Department and the White House who know better? How do they justify their silence?

✓ *Laying It Off on Clifton Wharton*

THE RESIGNATION of Clifton Wharton Jr. as the State Department's No. 2 has too many disturbing aspects. Secretary Warren Christopher had every right to decide that Mr. Wharton, a distinguished private-sector executive to whom he gave organizational and budgetary but not policy assignments in his brief tenure, was not the right fit as his deputy. If Mr. Christopher prefers a more seasoned Washington policy operative at his side, so be it. But Mr. Wharton did not deserve to come under a rain of leaks and mutters suggesting, in one anonymous formulation, that he was "the weak member of the lineup." The manner of his departure does no credit to those who brought it about.

In fact, the problems in the Clinton administration's conduct of foreign policy have very little to do with Clifton Wharton. On the contrary, he seems to have discharged the tasks that were given him at least as effectively, if not more so, than others more exalted discharged theirs. Any frank assessment of who are "the weak members of the lineup" must take into account the Clinton team's failure so far to demonstrate that it is on

top of what is admittedly a frazzling set of foreign-policy problems.

As to the principal Clinton foreign-policy lieutenants, Secretary Christopher has yet to convey a convincing sense of what are his views on major subjects of the day; perhaps his next deputy will help him in this crucial process of discovery. Defense Secretary Les Aspin is not short on views but is laboring to harness them to policy. Anthony Lake is still working on what the role of national security adviser ought to be.

It is not simply that policy critics and political foes have been nipping at these gentlemen. The three were supposed to be the savvy and experienced counselors who could be counted on to form a benign conspiracy that would bring a new and inexperienced president up to speed in foreign affairs and allow him to conserve his energies for domestic renewal. But they have been unable to spare their chief severe embarrassment, especially in the hot spots. They are still struggling to contribute to the balance and poise that Mr. Clinton needs to show to make his presidency succeed. Getting rid of Mr. Wharton was hardly the solution to their problem.

CLAUDIA WINKLER

Bidding up the anti-crime bill

Last week's Republican sweep of high-profile elections in New Jersey, Virginia and New York City set Congress on an anti-crime binge. Within days members had bid up the administration's \$7 billion crime bill to \$22 billion. Now senators are competing to hang their favorite get-tough measures on this Christmas tree.

Inevitably, a \$22 billion grab bag contains some items worth having. But other features of this bill are positively harmful. And the whole package is paid for with promises — which should be replaced with tangible revenues before this legislation is cast in final form.

To start with the positive: The expanded bill will put 100,000 police

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officers on the street over five years. Worthy as is that end, however, federal provision of operating funds for basic local services is poor policy. At least police departments seeking shares of Washington's \$8.9 billion are required to raise matching funds.

Also welcome are college scholarships for students who commit themselves to four years as police officers as well as for officers already serving. Such career enhancements help maintain a high-quality police force.

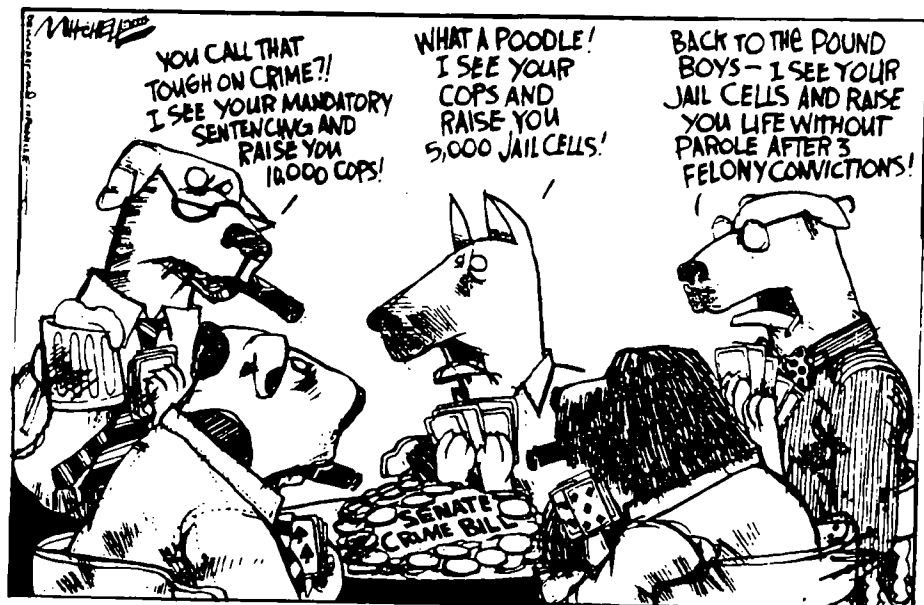
Some \$6 billion for construction of local and regional jails and boot camps is a sad necessity, with prison populations at an all-time high. A national criminal background check system for people seeking jobs in day care is also valuable. And requirements that criminals pay restitution to their victims are overdue.

Inevitably, a \$22 billion grab bag contains some items worth having.

The most pernicious section of the bill lengthens sentences for "hate crimes," whose victims are chosen for their race, color, religion, national origin, ethnicity, sex or sexual orientation. Thus the penalty for aggravated assault can leap from 24 years to 41 years if the victim was selected for being Catholic, say, rather than for being a Nazi. This politically charged measure makes some victims more fiercely avenged than others (black-on-black crime seems destined to remain forever slighted) and codifies the groupthink already dangerously enflaming divisions in society.

Similarly, the omnibus crime bill incorporates the Violence Against Women Act, which, among other mischief, will use federal dollars to pay for "campus rape education" and creates a federal civil rights cause of action for victims of violence motivated by gender bias.

The \$22 billion to pay for all this comes out of projected savings from "re-inventing government." But these savings may never materialize. Congress should so design the funding mechanism that dollars are spent only as they become available, in deference to a public weary, not only of crime but also of spendthrift governments.



BILL MITCHELL, Rochester Democrat and Chronicle

Take It From the Voters: Get Tough, or Get Beaten

■ **Crime:** Too many in Congress are too willing to back down on stiff laws and punishment for dangerous criminals.

By ROBERT L. VERNON

Last week's elections sent a clear message to Congress: The voters are concerned about crime and want decisive, tough action to combat it. Congress undoubtedly heard the message, but it appears some of its members think they can continue to get away with fooling their constituents.

Both houses of Congress quickly focused their attention on anti-crime legislation. The Senate almost immediately passed a measure that calls for the construction of a \$3-billion nationwide chain of regional prisons to house violent criminals and for spending \$1 billion on correctional boot

camp and other facilities for lesser offenders. Congress' action may also provide funding for the recruitment of tens of thousands of new police officers.

Congress is, no doubt, mindful of the obvious pattern in the election results. Voters in New York City rated concern about crime as one of their primary reasons for ousting Mayor David Dinkins. Voter exit interviews in New Jersey revealed crime as one of the reasons for Republican Christine Todd Whitman defeating incumbent Democrat Jim Florio. Polls show crime is a top priority with most people. But, unfortunately, debate in both houses of Congress indicates that many politicians will talk "big time" but give us more of the "same old, same old." Their attitude is elitist and shows disdain for the opinions of the people they represent.

Sen. Joseph R. Biden Jr. (D-Del.) earlier announced that he was considering dropping "contentious aspects," such as stiffer

penalties for use of guns in crimes and limits on Death Row appeals, from his bill to get it moving.

What is contentious about stiffer penalties for use of guns in crimes? Politicians may think that it is contentious, but my sense is that is exactly the type of action the voters want. They want tough laws to stop violence. Rather, it appears that Congress will set aside large chunks of money for additional social programs rather than direct action against dangerous criminals. The House overwhelmingly approved measures to require drug-abuse treatment at federal prisons, but feels that stiff penalties against criminals using guns is "contentious."

We do need to treat drug abusers but we must not put that effort above eliminating vicious predators from our midst.

Murder and other violent crimes are increasing at an alarming rate. Yet convicted murderers spend five to 15 years on Death Row going through multiple appeals. Ancient and recent history demonstrate that capital punishment is a deterrent only when it is imposed swiftly. However, many politicians seem to think that limiting Death Row appeals is also contentious.

They just don't get it!

I predict that the bill that finally becomes law will not actually be what the voters want. It will have some voter appeal—additional police and bigger jails.

What I don't like about additional police being funded is the source of the bucks—the big-government politicians in Washington. They take our local money, rip off a big hunk of it for administrative costs and give it back to us, with strings attached. The elitists will then be able to tell local officials how the officers are selected, trained and should perform. No thanks. We really do need community-based policing, not federally based policing.

But significant changes in our defunct criminal justice non-system will not be there. Those changes are too "contentious" for most of those on the Hill.

Robert L. Vernon, former assistant chief with the Los Angeles Police Department, is now an international consultant and author. His latest book is: "L.A. Justice—Lessons from the Firestorm" (Focus on the Family Publishing, 1993).

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The New York Times

August 14, 1993, Saturday, Late Edition - Final

SECTION: Section 1; Page 18; Column 1; Editorial Desk

LENGTH: 624 words

HEADLINE: Not So Fast on Habeas Corpus

BODY: What's habeas corpus?

An ancient writ that courts issue telling jailkeepers: "We have reason to believe you have the body of a prisoner, so produce it and we'll see whether the detention is lawful."

Senator Joseph Biden, speaking at a White House lawn party for a crime bill that does not yet exist, offered a new description: "Something the American public does not have that much interest in but has divided us. And we settled it."

definitive
Habeas corpus is the principal way Federal courts review the constitutionality of state criminal convictions. It has indeed divided Congress and the legal community. The issue was a main reason Congress could not pass a crime bill in the closing days of the Bush Administration. Now Senator Biden is so certain that the issue is "settled" that when he introduces his new crime bill after Labor Day he wants to take it right to the Senate floor, bypassing his own Judiciary Committee.

Not so fast. For six months Mr. Biden and Attorney General Janet Reno have negotiated often with district attorneys while giving defense lawyers only selective peeks at proposed legislative language. Their habeas corpus proposals, part of a huge crime bill that is still being drafted, have now been unveiled. They are wordy, complicated, novel and still controversial.

The core problem is that the Supreme Court has chiseled away prisoners' and accused felons' constitutional rights under habeas corpus. Mr. Biden said he would mend this problem, but in fact parts of this legislation would institutionalize a diminution of basic rights. Rather than being rushed to the floor, this problematic legislation must be aired the old-fashioned way: in hearings.

Several Supreme Court decisions have mangled the law that allows Federal courts to issue habeas corpus writs for state prisoners whose direct appeals to the high court have failed. Justices appointed by Presidents Reagan and Bush, supposedly because they would "interpret law, not make it," have grossly misinterpreted this law, inventing new rules depriving inmates of its benefits.

Perhaps the worst invention came in decisions forbidding lower courts to hear prisoner petitions if their rulings would result in a "new rule" of constitutional law. That loophole is broad enough to let the Federal courts shirk significant petitions.

Another decision sent a condemned man to the electric chair because his lawyer filed one motion a day late. Yet another made it all but impossible for courts to hear a belated offer of evidence suggesting a prisoner was innocent of a capital crime.

The Biden-Reno bill provides some relief from these rulings, but not enough to displease the National Association of District Attorneys and other law enforcement groups. In playing to prosecutors, Senator Biden and Ms. Reno have not gone far enough to curb the damage of the court rulings.

For example, instead of forthrightly repudiating the Supreme Court's "new rule" contrivance, the bill would deny a hearing to a death row inmate if a decision in his favor would create a "new standard" of constitutional law. That sounds like a new name for an old loophole.

The bill is ripe for a lively debate and detailed Judiciary Committee inquiry that would hear from civil liberties groups as well as prosecutors. Habeas corpus is often the ordinary citizen's only insurance against unconstitutional imprisonment. It is too important a principle to be left to private deals between legislators and prosecutors.

Other features of the bill — still unseen — also need committee hearings; gun control, more cops on the street and a proposed increase of four dozen crimes punishable by death are just a few. President Clinton staged his lawn party much too soon.

TYPE: Editorial

SUBJECT: Terms not available

"I would like to confine my thoughts and whatever I do just to review the Department of Justice," she said she told Gore. "I don't seek to take on any other responsibilities beyond the Department of Justice except what Congress and the president think is appropriate."

She is conducting a "thoughtful, fair" study about whether any restructuring is necessary within the Justice Department to avoid turf wars and duplication of effort, she said.

Within the department, Reno said, there's "clearly a problem" among the FBI, DEA, the marshals and INS over duplication of effort and jurisdictional rivalry.

"I do have a very definite goal of doing everything I can to avoid duplication, fragmentation, and to seeing that people can work together," she said.

Gore's plan recommends the appointment of a presidential commission to study several options, including merging the DEA into the FBI. The FBI favors such a merger, but the DEA opposes the idea.

"What we're trying to do is consider everybody's views," Reno said of her ongoing study, which she said would be completed soon and made public.

On other issues, she said:

She agrees with President Clinton that the "Brady bill" gun control measure should be broken away from a crime package if that's what's necessary to pass the bill in Congress. The bill calls for a five-day waiting period before any person can purchase a handgun.

She has ordered a long-range study within the Justice Department to consider what steps might be taken to ban other weapons besides assault rifles that aren't suitable for hunting purposes.

LANGUAGE: ENGLISH

LOAD-DATE-MDC: August 14, 1993

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THE PHOENIX GAZETTE

August 13, 1993 Friday, Final

SECTION: EDITORIAL/OPINION; Pg. A22

LENGTH: 561 words

HEADLINE: BILL CLINTON'S CRIME BILL: THE COMMON DENOMINATOR

KEYWORD: EDITORIAL

BODY: In announcing his anti-crime initiatives, President Bill Clinton said, "The first duty of any government is to try to keep its citizens safe."

For too many Americans, however, government continues to fail in that fundamental duty.

The president's suggested remedies - including \$3.4 billion in federal grants to place more police officers on the streets, and the establishment of national "boot camps" at converted military bases for young first-time non-violent offenders - are appropriate steps to address some issues of public safety.

Mr. Clinton wisely recognized that while it's time we put aside the divisions of party and philosophy, it is also time to respond to the one common denominator that insinuates itself into escalating crime statistics: Firearms.

By executive order the president tightened a major loophole in the current law that allows virtually anyone to obtain a federal firearms license, thereby gaining access to an unlimited supply of weapons simply by filling out an application and paying a modest annual fee. The Bureau of Alcohol, Tobacco and Firearms will now be able to fingerprint applicants and conduct extensive background checks to screen more thoroughly all license applicants.

Mr. Clinton's order also bans the importation of semiautomatic assault pistols, expanding a 1989 ban on foreign-made assault rifles - though, certainly, to have any significant impact the executive order must be accompanied by legislation prohibiting the domestic manufacture of such weapons.

The administration has left the actual drafting of legislation to the Senate Judiciary Committee, chaired by Joseph Biden, Democrat of Delaware, and the House Judiciary Committee, chaired by Jack Brooks, Democrat of Texas. They are themselves divided over whether to consider gun legislation separately or as part of an overall crime bill package.

Whatever legislative shape these anti-crime initiatives take, however, the Brady Bill ought to be a centerpiece. Named for former White House Press Secretary Jim Brady, grievously wounded during the assassination attempt on President Ronald Reagan, the legislation would establish a national five-business-day waiting period requiring local law enforcement to conduct background checks on handgun purchasers.

The law would be superseded once there is a national system for instant point-of-sale checks, and law enforcement officials may waive the waiting period if they determine an individual merits immediate access to a firearm because of a threat to his life or the life of a member of his household.

As we have noted before, had the Brady bill been in effect, Donald Prunty would not have been able to walk into a Smitty's store in Tempe last April carrying his just-purchased, .45-caliber semiautomatic handgun, the one he used to slay Barbara Barringer and her unborn daughter.

California, which has a 15-day waiting period for the purchase of any gun, including rifles and shotguns (and covering private sales), last year halted sales involving 3,000 buyers with assault records and 34 with homicide records.

Of course, these measures by themselves will not be enough to halt entirely the flow of blood in America's streets. But they should provide a tourniquet that has for too long been denied terrorized, victimized, law-abiding citizens.

TYPE: Editorial

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The Washington Post

August 13, 1993, Friday, Final Edition

SECTION: OPINION EDITORIAL; PAGE A24

LENGTH: 405 words

HEADLINE: How to Fight Crime

SERIES: Occasional

BODY: PRESIDENT CLINTON'S crime bill is larded with provisions providing the death penalty for nearly 50 new offenses. That is the truly bad side of a bill that is largely constructive in other respects. Crime is one of the most difficult issues in American national life. Federal government officials are held accountable for the street crime that most frightens citizens, but most of the action against it is at the local level. This makes much of the national talk about crime empty.

Mr. Clinton's proposal is built on last year's crime bill and addresses practical things the feds can do to assist law enforcement. This includes the badly needed Brady bill requiring a five-day waiting period before purchase of a handgun; this measure should be separated from the rest of the bill and passed swiftly. The president took a helpful step in signing an executive order expanding the ban on the import of assault-style weapons. Even better would be a push to ban the domestic manufacture of these weapons.

Drawing on a signature proposal from his campaign, Mr. Clinton calls for \$ 3.4 billion in federal spending over five years to put 50,000 new police officers on the streets. If national politicians want to do something real to help local governments fight crime, this surely qualifies. Mr. Clinton would also increase federal support for community policing initiatives, which put police in closer contact with the neighborhoods they serve. The bill would expand community boot camps for youthful offenders, establish a Police Corps to draw college graduates into law enforcement and give more federal help to schools disrupted by violence.

Unfortunately, too many politicians believe that unless a federal crime bill contains a lot of death-penalty provisions, it won't look "tough" and therefore won't be worth passing. This bill not only provides a slew of new death penalties but would also limit habeas corpus appeals in death-penalty cases. A better way to clear the courts of death-penalty cases is to abolish the death penalty. Yes,

"They make police officers tell who they're [moonlighting] for and how much they make," Mr. Warren said, "but by God they won't tell about themselves. It's a slap in the face."

Mr. Simama said his police legislation would help accused officers protect themselves from investigations that he said are "arbitrary and capricious and based on whether management likes a particular officer."

Mr. Warren said Atlanta's police Office of Professional Standards, the internal affairs division, routinely purges from its files evidence that would help an officer clear himself or herself before turning the files over to the accused officer. Decisions to fire, punish or clear officers charged with crimes ranging from theft to brutality are based on the contents of the files.

"It's a game they play to not let the officers have the best opportunities to defend themselves," Mr. Warren said about the alleged purging. "The material they remove always is material that would lead people to believe the officer was not guilty."

Atlanta police Chief Eldrin Bell had not seen the bill and declined comment, a spokesperson said.

Mr. Simama's legislation is patterned after a measure now pending before Congress as part of President Clinton's crime package, Mr. Warren said. That bill, if it were to pass, would supersede any action taken by the City Council.

GRAPHIC: Photo: Jabari Simama says he will not introduce his ethics bill in City Council until after Labor Day.

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Chicago Tribune

August 15, 1993, Sunday, FINAL EDITION

SECTION: EDITORIAL; Pg. 2; ZONE: C

LENGTH: 708 words

HEADLINE: In the killing fields of America

BODY: These were among the news stories reported in just one day's Tribune last week:

An 18-year-old graduate of the Illinois Math and Science Academy was shot to death in a church stairwell while on lunch break from her job in a Joliet bank.

A second victim - a Kenosha beauty shop operator who'd been named "parent of the year" by her son's school - died as a result of a shooting rampage in a McDonald's restaurant.

A 14-year-old Chicago boy was killed in his front yard during a dispute between rival gang members over a gun; two 16-year-olds, a 15-year-old and a 14-year-old were charged with the murder. Elsewhere in Chicago, a 16-year-old sitting on a front porch was shot to death and two younger teens with him were wounded.

Police found the gun, a .38-caliber revolver, they believe was used to kill plastic surgeon Martin Sullivan in his Wilmette office.

One day earlier, there were news reports of the investigation into the shooting death of a young Schaumburg woman, the funeral of a Chicago police officer gunned down at the end of his shift, and the case of a 15-year-old boy who pulled a gun and killed his mother as they sat in a Kansas City, Mo., movie theater.

Had the Tribune suddenly gone trigger-happy on crime coverage? Actually, as is usual, it was reporting just a portion of the killings and violence - the most unusual and the most heart-breaking stories - that occur on any given day in the Chicago area and across the nation.

In a typical August week, about 25 people in greater Chicago, and about 600 nationwide, are murdered - two-thirds of them with guns. Several hundred area residents, and several thousand more across the U.S., are assaulted with firearms. A smaller number die from accidental or suicidal gunshots.

Murder and gunfire are at record levels across the nation. It's not just the numbers, though, but the circumstances that are becoming so scary: more random, more inane, more petty, more unmitigatedly vicious.

When suburban churches and fast-food restaurants become homicide scenes, when everyday situations such as mother-son spats and teen-age rivalries are being fought with guns instead of words or fists, no one in America can feel safe. - - - Americans are making enormous sacrifices for their national romance with guns. Whether or not you have been a gunshot victim, or have known one, you are a victim, too.

The false freedom of virtually unlimited gun ownership is trampling on all our other freedoms, especially the most cherished rights of life, liberty and the pursuit of happiness.

Our homes are locked and barred, our movements are circumscribed, our children are confined physically and psychologically.

We also pay a huge tangible price - billions of dollars a year - to care for those who are maimed by gunfire. Billions more are spent each year on prisons, with seemingly no effect on crime rates.

Meanwhile, we are raising a new generation of children whose minds are poisoned by violence. We are ensuring an escalated cycle of killing unless we find the courage to act against it. - - -

Last week's news also included President Clinton's crime -fighting proposals. These include passage of the Brady Bill, requiring a waiting period and background checks for handgun buyers. He also endorsed legislation to bar the sale of assault weapons and ordered a review of federal gun-dealer permits.

A number of other gun-control measures have been introduced in Congress, but the only two expected to get real consideration this year are the Brady and assault-weapon bills.

These two measures must be passed. But they represent just the first baby steps that have to be taken on the path back to national safety and sanity. If Congress finally musters the mettle to pass these bills, it can't be allowed to hide under a claim that it has addressed the real problem.

Anyone who cares about the safety of family or self should be pressing Congress to move ahead on strict, nationwide regulation of concealable guns and rapid-fire assault weaponry.

All who are at risk of violence - and that has to include all Americans - have to put their elected representatives at political risk until Congress acts to arrest the gunfire epidemic.

TERMS: CONGRESS; WEAPON; LEGISLATION; SUPPORT

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August 15, 1993, Sunday, BC cycle

LENGTH: 352 words

HEADLINE: POLL FINDS SUPPORT FOR GUN CONTROL

DATELINE: NEW YORK

BODY: In a reversal of public sentiment of 10 years ago, more people now support gun control than oppose it, according to a new poll which also found a large segment of the American public supports the gun control provisions of President Clinton's "anti-crime" bill.

Ninety-two percent of respondents in a poll conducted by Time Magazine and CNN broadcasting said they favored a five-day waiting period to check on a gun buyer's background, as called for by Clinton's package and the Brady Bill, while 8 percent opposed it.

According to the poll's findings, 57 percent favor gun control laws in general, up from 44 percent when a similar poll was taken 10 years ago.

The number of persons opposing gun control now stands at 36 percent, compared with 50 percent in 1983. The remainder of those polled were not sure on the issue.

Taking on the Gun Lobby

THE TIMES are changing on the gun issue. Candidates favoring gun control have often been so afraid of the issue that they haven't even tried to rally the majority favoring limits on firearms trafficking. Now, they are fighting back. This year, two Democratic gubernatorial candidates, Mary Sue Terry in Virginia and Gov. Jim Florio of New Jersey, have made a big issue of guns. More than that, they have attacked their opponents for being in the debt of the NRA. Candidates favored by the gun lobby are being made to pay a price. It is an encouraging sign.

The gun lobby has made the task of gun control advocates easier by opposing even the most mild and reasonable restrictions. In Virginia, it opposed the law that would limit gun purchases to one handgun per person per month. In New Jersey, Mr. Florio beat the NRA by pushing through a ban on semi-automatic assault rifles. Nationally, the NRA opposes a five-day waiting period for the purchase of handguns. Ms. Terry both supported the one-handgun-a-month bill and favors the waiting period. She is using the issue against Republican George Allen. Mr. Florio has run a series of tough ads inviting the electorate to use a vote for him to cast a ballot against the NRA.

There are no guarantees in politics, and the gun lobby is doing everything it can to beat Ms. Terry and Mr. Florio. But that would have happened anyway. At least now, supporters of gun control are being reminded that they can reward the politicians whom the NRA would punish. Mr. Florio's support for gun control seems to be playing well. A New York Times-WCBS-TV poll released this week showed Mr. Florio pulling well ahead of his Republican opponent, Christine Todd Whitman. The poll found voters favoring the ban on assault rifles by better than 5 to 1, and they said that Mr. Florio's support for stricter gun control was one of the best things he had done as governor. Ms. Terry's gutsy stand on handguns has not yet produced such dividends, but there is time for the issue to penetrate.

Proving that it's good politics to confront the gun lobby is an essential step toward more rational gun laws. Jim Andrews, who is running Mr. Florio's campaign, told Gerald Seib of the Wall Street Journal: "I'm stunned that more people don't just take these guys on." Let us hope it's the gun lobby's turn to be stunned.

Who Paid for Those Ideas?

HALEY BARBOUR, the chairman of the Republican National Committee, had good news and bad news this week. The good news was that the Republican Party is launching a search for new ideas. It surely needs some, and Mr. Barbour was candid in saying that "the reason we lost the 1992 presidential election is that people didn't know what we were asking them to vote for."

The bad news is that the Republicans plan to raise \$4 million for this effort without disclosing from whom the money is coming. Asked why he was not disclosing his contributors' list, Mr. Barbour replied directly: "Because we're not required to do so by law."

There are a few problems here, not the least of which is that nondisclosure is a distinctly old idea. Another is that it's not clear Mr. Barbour is right about the law. Mr. Barbour's new ideas factory, known as the National Policy Forum, is being organized under a section of the tax code known as 501(c)(4). That means that group's primary purpose is to promote "social welfare," *not* to elect candidates to office. It is our impression—and, we suspect, the view of the Republican National Committee members who elected him—that Mr. Barbour's purpose is very much to elect Republican candidates to office. The Policy Forum plans to publish a report called "Listening to America" this summer, before the 1994 congressional elections. "I do think this will be a useful document to candidates," said Anne Gavin, the RNC's press secretary.

Ms. Gavin argues that the Policy Forum is following the lead of the Democratic Leadership Council, the group of moderate-to-conservative Democrats that President Clinton once headed. It, too, is a

501(c)(4), and thus not required by law to disclose its contributors.

This raises more difficulties. In the first place, the DLC is not an arm of the Democratic National Committee—indeed, in its early years, the DLC was seen by the national committee as enemy territory, an organization whose express purpose was to criticize the direction the Democratic Party had taken. And the DLC is not a party. "The DLC doesn't run people for office," said Fred Wertheimer, president of Common Cause, a group that battles for reform of the campaign finance laws and fuller political disclosure. "The unique thing about political parties is that they run candidates for office." Mr. Wertheimer said Common Cause lawyers are looking into Mr. Barbour's new creation to see "whether this is a violation of the campaign laws and whether it should be challenged."

Even if Mr. Barbour could win a legal case, the fact is that the Democratic Leadership Council, the cited model for these efforts, already discloses the names of its contributors. It does not say specifically how much each of them gives, which it should, but it does group them by size. If Mr. Barbour wants to go to court to keep the names of the Policy Forum's contributors secret, that's his business. But we suspect that most citizens would feel a whole lot better about the group's ideas if Mr. Barbour just admitted that it was part of the RNC and let it be subject to the usual laws on contributions and disclosures. Then attention could focus where it belongs: on the Republican's creativity in forging new policies, not on their skill in finding new election law loopholes.

NATIONAL COUNCIL ON CRIME AND DELINQUENCY

St. Louis Post-Dispatch, September 11, 1993

Try New Ways to Reduce Violence

At the White House, a spokesman used the Florida shooting to call attention to President Bill Clinton's crime bill, as if it would have made a difference.

None of (the President's) flawed proposals shows up in the National Council on Crime and Delinquency's new report on addressing crime. It emphasizes prevention and rehabilitation.

A society outraged by daily reports of violence in cities may be less willing to see social spending as the answer. But there is no way to prove the council wrong; no president has been bold enough to suggest even a pilot project to test alternatives like those the council proposes.

On the other hand, there is plenty of evidence to show that throwing more money into the criminal justice system has not made Americans feel safer. The council's suggestions deserve serious consideration as Congress decides the fate of President Clinton's get-tougher crime bill.

POLICE CORPS

The Houston Chronicle, September 7, 1993

Police Corps Would Be Wasteful and Redundant

Congress will soon consider the Clinton administration's Crime Control Act, including an initial \$ 3.4 billion Police Corps proposal. The idea is ill-conceived, unnecessary and wasteful.

The proposal calls for 100,000 "new officers," a 20 percent increase.

To date, there has been no research to determine a need, and no information as to how they might be utilized.

We do not need a Police Corps; we need a firm resolve. We need social and behavioral theorists to stand aside and quit insisting that career criminals be treated like society's unfortunates. We need full-scale prisons, adequate in size to house these criminal parasites until they decide (as they will) to live in lawful accord in our society.

POLICE CORPS

Houston Chronicle, August 28, 1993

Bright Ideas Are Needed to Deter Crime

William F. Buckley, Jr.

The mechanics of crime prevention is what we need to address.

At that level, there is no proposal more challenging or more satisfying than Adam Walinsky's straightforward Police Corps.

It remains the brightest idea for beefing up police deterrence quickly, intelligently and economically.

One element of the Clinton bill calls for sending young criminals off not to penitentiaries, where they learn primarily how to refine their art, but to junior versions of Camp Lejeune, where tough corporals and sergeants impose military-style discipline.

The trouble, of course, is that before the young criminals reach such establishments, they have committed their crimes and been found guilty of doing so. The search is for a lesser penalty, pre-emptive in nature.

BOOT CAMPS/POLICE CORPS

Philadelphia Inquirer, August 26, 1993

Editorial would back President Clinton's anti-crime plan if it includes greater attention and resources to two components of the plan: high-discipline 'boot camps' for first offenders and so-called 'Police Corps,' which would let students who qualify pay for their college educations by serving as police officers

DNA TESTING

Washington Post, September 3, 1993

Standards for DNA Testing

Public interest has focused on the uses of DNA testing in bringing criminals to justice. But as this and other cases demonstrate, it is an equally valuable tool in establishing innocence.

Sen. Paul Simon and Rep. Don Edwards are the leading congressional actors in a regulatory effort on DNA. They have offered identical bills to create an advisory board to recommend standards for testing methods and for labs and analysts.

The Simon-Edwards proposal has been passed by one house or another in earlier Congresses and was part of last year's crime bill, which survived a conference but was not enacted. In March, the House passed the bill again, and Sen. Simon is working toward its inclusion in President Clinton's expected crime package. But omnibus bills, especially those that contain highly controversial measures such as habeas corpus reform, the death penalty and gun control, tend to get bogged down.

ATTORNEY GENERAL

The Buffalo News, August 29, 1993

A Role Model Named Reno: Rochester Appearance Reinforces Her Image

At a time when many politicians think the way to solve crime is to lock up criminals and throw away the key, Reno recognizes that America can't afford the fiscal or social implications of such a policy. She wants to steer non-violent offenders into such programs as drug treatment and education. "If that's soft on crime, so be it," she said.

If she can muster the political support for such controversial policies, Reno could revolutionize law enforcement in this country. In the meantime, though, she's doing her part -- admirably -- to restore people's faith in government.

GENERAL

Dallas Morning News, August 18, 1993

Crime Package; Clinton is Taking the Right Approach

Buffalo News, August 14, 1993

Clinton's Crime-Fight Plan Has Some of What's Needed: More Cops, Fewer Guns Mark a Good Start

Chicago Sun-Times, August 15, 1993

Anti-Crime Bill has Several Good Points

President Clinton's anti-crime program builds on past presidential proposals in several constructive ways -- by taking firmer anti-gun action, by offering \$100 million in college scholarships for police training, and by providing for the creation of security zones or "safe havens" around schools.

Lamentably, his crime bill provides for the death penalty for nearly 50 new crimes.

GENERAL

The Buffalo News, August 14, 1993

Clinton's Crime - Fight Plan Has Some Of What's Needed More Cops, Fewer Guns Mark A Good Start

The one-two punch of increased gun control and more cops on the street will help President Clinton keep two vital campaign promises while also helping the nation combat rising crime.

Unfortunately, Congress last week did not do as much it could to eradicate the causes of crime. Many of the urban initiatives that would have provided jobs and hope were scaled back in the deficit-reduction package Clinton signed only a day before unveiling his anti-crime proposals.

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habeas corpus reform, the death penalty and gun

making neighborhoods safer.

Clinton's proposal for \$ 3.4 billion over five years to put an extra 50,000 police on the streets, many doing so-called "community policing," cannot help but head off crime as well as aid in solving those that do occur.

A smaller, \$ 100 million "police corps" initiative to train college students in police work, and a \$ 700 million, five-year effort to get more police into public housing projects, are far less substantial. But every little bit helps.

The package is a grab bag that also includes several other measures, ranging from expanded use of the death penalty to more use of boot camps to straighten out youthful offenders.

Some will require more detail and, perhaps, public debate. But the main elements of the plan -- more police and stricter gun control -- are something most Americans should easily support and be willing to pay for.

WAITING PERIOD

The Orlando Sentinel, September 2, 1993

Gun Legislation And Public Safety

Regarding the Clinton anti-crime bill, that portion of the package pertaining to the five-day waiting period is useless unless Florida's concealed-weapons law is rigidly enforced. The five-day waiting period does nothing about the many illegal firearms currently possessed by criminals and other undesirables.

HABEAS

Washington Post, August 31, 1993

First Step Toward a Crime Bill

This new proposal (on habeas corpus) may win some conservative votes, but the liberals' position has been severely eroded, and they are not likely to go along.

Habeas supporters have already conceded a great deal to the opposition... But in exchange, they insist on two guarantees: broadly available access to federal court, which the Supreme Court has begun to close off, and competent, well-funded and independently appointed defense counsel in capital cases. On both counts, the Biden bill falls short.

It is unfortunate that any restrictions on the Great Writ are looming. But if concessions are to be made on the frequency and the timing of petitions -- both of which we oppose -- the bargain should at least include the full roster of amendments already won last year.

HABEAS

Washington Post, August 28, 1993

Death Row Drama; The press falls down when it fails to report about innocent people who have almost been executed.

Nat Hentoff

(H)abeas corpus is becoming an endangered constitutional species. How many readers know or care about the increasing inability of state prisoners to get federal judicial review of their convictions or sentences?

The press has done very little to expose some of the most telling propaganda by those advocates of the death penalty who keep stressing the need for "finality".

Less often reported are such comments as those of Judge William Norris of the 9th Circuit: "A human life is at stake. I fail to understand the rush to judgment."

It might be of some use if the ABA were to hold informal sessions -- not seminars -- with reporters and editors in various cities and towns. The idea would be to discuss ways in which we can help make due process a phrase that might make readers pause once in a while.

HABEAS

New York Times, August 14, 1993

Not So Fast on Habeas Corpus

(Biden and Reno's) habeas corpus proposals have now been unveiled. They are wordy, complicated, novel, and still controversial.

MANDATORY MINIMUMS, BRADY BILL

Washington Post, September 27, 1993

The New Crime Bill

We applaud Rep. Don Edwards who believes all mandatory minimum sentences should be repealed. In the absence of that reform, it is at least a small victory that the new bill does not add new ones.

We hope the strategic decision (to leave Brady out of the bill) is the right one, for all the death penalties, extra police, new study commissions and tinkering with habeas that are in the bill are of marginal importance in the war on crime, compared with curbing the availability of weapons.

BRADY

Star Tribune, August 15, 1993

This Year, Pass the Brady Bill

Last week the President unashamedly named the Brady bill as the centerpiece of his new anticrime package. His words heed the wishes of millions.

Congress should now join in the journey and pass the bill

BRADY

USA Today, August 17, 1993

Let's Get Moving on Federal Gun Control

The separation (of Brady from the bill) makes sense, and not just for reasons of political tactics. The measure -- and the debate behind it -- reaches well behind crime.

The bigger context is gun violence.

HABEAS

Newsday, August 16, 1993

It's Criminal

Clinton has thrown his support to a vast expansion of the federal death penalty, and to limits on appeals by death row inmates, in an effort to break a conservative stranglehold that has prevented enactment of more constructive anti-crime measures.

That's lamentable...because there are other anti-crime ideas...that merit passage. Better he fight for the good stuff (Brady, community policing, safe schools, drug treatment programs) than buy off the opposition by supporting the bad.

100,000 COPS

Rocky Mountain News, August 20, 1993

Taking on the Bad Guys

No doubt the presence of more officers can deter crime, depending on their deployment. But this element of the Clinton package is still the most problematic, for it is being offered at a time of huge federal deficits.

Indeed, it is hard to understand why the hiring of more police should be a federal responsibility at all.

St. Louis Post-Dispatch, September 11, 1993

EDITORIAL

TRY NEW WAYS TO REDUCE VIOLENCE

The fatal shooting of a German tourist near Miami on Wednesday has triggered responses of outrage all the way to the White House. Nevertheless, this incident must be placed in its proper context. The victim was just one of thousands of people whose lives are snuffed out every year in this country in gun-related assaults.

Get-tougher-on-criminals is the predictable reaction to such incidents. **At the White House, a spokesman used the Florida shooting to call attention to President Bill Clinton's crime bill, as if it would have made a difference.** The bill calls for more money for prisons, military-style boot camps, an expanded death penalty and 50,000 more police officers nationwide.

None of these flawed proposals shows up in the National Council on Crime and Delinquency's new report on addressing crime. It emphasizes prevention and rehabilitation. Those who would dismiss its recommendations should consider: **Between 1970 and 1990, president after president preached law and order as the answer to crime, and anti-crime spending jumped 232 percent. Yet pockets of some cities and suburbs may be more violent today than they were two decades ago. The council wants to eliminate \$ 9.6 billion in government spending for criminal justice and the drug war and use \$ 4.4 billion of the savings to set up prevention programs.**

On the law enforcement side, the council calls for freezing spending for corrections, reserving prisons for hardened felons, finding alternative punishment for non-violent offenders, repealing mandatory sentencing for drug offenders, expanding drug-prevention programs and strengthening gun-control laws.

The savings, the council says, should fund mother-child health and nutrition programs, pre-school programs and youth programs to tackle unemployment and school-dropout issues. The point is that money spent to stabilize families and communities would indirectly address some of the violence.

A society outraged by daily reports of violence in cities may be less willing to see social spending as the answer. But there is no way to prove the council wrong; **no president has been bold enough to suggest even a pilot project to test alternatives like those the council proposes.**

On the other hand, there is plenty of evidence to show that throwing more money into the criminal justice system has not made Americans feel safer. **The council's suggestions deserve serious consideration as Congress decides the fate of President Clinton's get-tougher crime bill.**

The Houston Chronicle, September 7, 1993

Police Corps would be wasteful and redundant

Congress will soon consider the Clinton administration's Crime Control Act, including an initial \$ 3.4 billion Police Corps proposal. The idea is ill-conceived, unnecessary and wasteful. We would fare better if we ""invested" our tax ""contributions" to deal with crime locally rather than send Washington a dollar, hopeful of a quarter's worth of return benefit.

The proposal calls for 100,000 ""new officers," a 20 percent increase.

To date, there has been no research to determine a need, and no information as to how they might be utilized.

We would like to have more officers, more realistic pay and advanced equipment. But we can't accomplish this without raising local taxes. So why would we wish to contribute more local tax dollars to Washington so it can invest in waste? Washington's ""investment" record is not that good.

We do not need a Police Corps; we need a firm resolve. We need social and behavioral theorists to stand aside and quit insisting that career criminals be treated like society's unfortunates. We need full-scale prisons, adequate in size to house these criminal parasites until they decide (as they will) to live in lawful accord in our society.

Most important of all, we must resolve to establish and maintain a moral and ethical standard for our children at every opportunity: home, school, television, etc. We must set the example and not waver if we hope to influence (lead) our children away from their present drive toward violence and self-righteous misconduct.

We must have the wisdom to know what's wrong and the courage to do what's right. We must lead them into responsibility and social decency.

Washington Post, September 3, 1993

EDITORIAL

Standards for DNA Testing

Public interest has focused on the uses of DNA testing in bringing criminals to justice. But as this and other cases demonstrate, it is an equally valuable tool in establishing innocence.

Sen. Paul Simon and Rep. Don Edwards are the leading congressional actors in a regulatory effort on DNA. They have offered identical bills to create an advisory board to recommend standards for testing methods and for labs and analysts.

The Simon-Edwards proposal has been passed by one house or another in earlier Congresses and was part of last year's crime bill, which survived a conference but was not enacted. In March, the House passed the bill again, and Sen. Simon is working toward its inclusion in President Clinton's expected crime package. But omnibus bills, especially those that contain highly controversial measures such as habeas corpus reform, the death penalty and gun control, tend to get bogged down.

The Buffalo News, August 29, 1993

EDITORIAL

A ROLE MODEL NAMED RENO; ROCHESTER APPEARANCE REINFORCES HER IMAGE

IN THIS post-Vietnam, post-Watergate, post-Iran-contra era, Americans have fallen out of the habit of looking to their public servants for inspiration.

But there's at least one leader in Washington who's inspiring some looking up to: That is U.S. Attorney General Janet Reno.

And at a time when many politicians think the way to solve crime is to lock up criminals and throw away the key, Reno recognizes that America can't afford the fiscal or social implications of such a policy. She wants to steer non-violent offenders into such programs as drug treatment and education. "If that's soft on crime, so be it," she said.

If she can muster the political support for such controversial policies, Reno could revolutionize law enforcement in this country. In the meantime, though, she's doing her part -- admirably -- to restore people's faith in government.

Houston Chronicle, August 28, 1993

Bright Ideas Are Needed to Deter Crime

William F. Buckley, Jr.

The mechanics of crime prevention is what we need to address.

At that level, there is no proposal more challenging or more satisfying than Adam Walinsky's straightforward Police Corps.

It remains the brightest idea for beefing up police deterrence quickly, intelligently and economically.

What is still missing is a bright idea having to do with effective deterrence at that age at which it is impossible to convey to a teen-ager that he might actually, one day in the future, be executed.

One element of the Clinton bill calls for sending young criminals off not to penitentiaries, where they learn primarily how to refine their art, but to junior versions of Camp Lejeune, where tough corporals and sergeants impose

military-style discipline.

The trouble, of course, is that before the young criminals reach such establishments, they have committed their crimes and been found guilty of doing so. The search is for a lesser penalty, pre-emptive in nature.

Is it time to experiment with other forms of punishment, of a kind that humiliate the young offenders, that bring them down in the estimation of their peers?

Thought should be given to coming up with a few ideas on this line, and probably the best people to quiz on the subject are the young criminals themselves.

What most do they fear, at age 16?

Philadelphia Inquirer, August 26, 1993

Editorial would back President Clinton's anti- crime plan if it includes greater attention and resources to two components of the plan: high-discipline 'boot camps' for first offenders and so-called 'Police Corps,' which would let students who qualify pay for their college educations by serving as police officers

The Buffalo News, August 14, 1993

Clinton's Crime - Fight Plan Has Some Of What's Needed More Cops, Fewer Guns Mark A Good Start

The one-two punch of increased gun control and more cops on the street will help President Clinton keep two vital campaign promises while also helping the nation combat rising crime.

Unfortunately, Congress last week did not do as much it could to eradicate the causes of crime. Many of the urban initiatives that would have provided jobs and hope were scaled back in the deficit-reduction package Clinton signed only a day before unveiling his anti-crime proposals.

Still, for what it does – make crimes harder to commit and get away with – the new \$ 5 billion, five-year package unveiled Wednesday is a good start toward making neighborhoods safer.

The executive order banning the importation of assault-style handguns like the Uzi pistol is simply a logical extension of the one former President Bush signed years ago limiting importation of assault-style rifles.

The order will not have real meaning until it is accompanied by legislation curbing domestic assault weapons, which supply the bulk of the market. But at least it's a step in the right direction.

The Clinton plan also includes provisions that mirror those embodied in the Brady Bill to impose waiting periods and background checks on those buying handguns. That effort has long been stymied by the gun lobby.

Clinton is doing more than simply trying to curb the flow of guns that makes crime so easy. His proposal for \$ 3.4 billion over five years to put an extra 50,000 police on the streets, many doing so-called "community policing," cannot help but head off crime as well as aid in solving those that do occur.

A smaller, \$ 100 million "police corps" initiative to train college students in police work, and a \$ 700 million, five-year effort to get more police into public housing projects, are far less substantial. But every little bit helps.

The package is a grab bag that also includes several other measures, ranging from expanded use of the death penalty to more use of boot camps to straighten out youthful offenders.

Some will require more detail and, perhaps, public debate. But **the main elements of the plan – more police and stricter gun control – are something most Americans should easily support and be willing to pay for.**

Miami Herald, August 14, 1993

Editorial partially lauds President Clinton's proposed anti- crime package that includes more police officers, federalization of more crimes and re-institution of capital punishment for nearly 50 Federal crimes; contends better Federal weapons to combat crime already exist, including programs to promote safety in schools and public housing.

The Orlando Sentinel, September 2, 1993
Gun Legislation And Public Safety

REGARDING THE Clinton anti- crime bill, that portion of the package pertaining to the five-day waiting period is useless unless Florida's concealed-weapons law is rigidly enforced. The five-day waiting period does nothing about the many illegal firearms currently possessed by criminals and other undesirables.

Chapter 790, Florida Statutes, "Weapons and Firearms," requires that an individual who desires to carry a concealed weapon or firearm in Florida obtain a permit from Florida's State Department. Application includes a background investigation, certificate of training and a fingerprint check. Anyone who carries a concealed weapon or firearm in Florida without a permit is not a law-abiding citizen.

In view of Florida's recent problems with carjacking, home invaders and our tourists being shot, every effort should be made to preclude these activities. If President Clinton's anti-crime bill does not solve Florida's problem, I suggest Gov. Lawton Chiles issue a directive to ensure that Florida's concealed weapons law is strictly enforced.

Harold M. Waterhouse
ORLANDO

TYPE: LETTERS TO THE EDITOR

COLUMN: LETTERS TO THE EDITOR

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HEADLINE: First Step Toward a Crime Bill

SERIES: Occasional

BODY:

PRESIDENT Clinton reportedly has high hopes that when Congress returns next month an omnibus crime bill, on which all factions in both houses agree, will be ready for introduction and quick passage. Sen. Joseph Biden, chairman of the Senate Judiciary Committee, has voiced the same optimism, but he should know better. The senator has been through these wars before, and he knows that there are tough issues in this area and views are strongly held. Late on the last evening before this recess began, he conceded that universal approval of an omnibus bill had not been achieved. But he did introduce a bill dealing with only one of the controversial issues -- habeas corpus reform -- describing it as a compromise and predicting passage.

During the last Congress, habeas corpus reform was one of the hotly contested issues that prevented passage of a larger bill. In general terms, one side wanted to severely limit the rights of death-row inmates to challenge their state court convictions in federal court, while the other opposed the effort and wanted to strengthen defense resources in these cases. A conference committee came up with language that was a compromise the liberals could accept. But the strong opposition of state and local prosecutors created gridlock, and no bill was passed. Now Sen. Biden and his staff have sat down with the prosecutors over a five-month period and drafted a bill on which they can agree. This new proposal may win some conservative votes, but the liberals' position has been severely eroded, and they are not likely to go along.

Habeas supporters have already conceded a great deal to the opposition. They will accept a provision limiting prisoners to a single petition. And they will agree to a six-month deadline for filing. But in exchange, they insist on two guarantees: broadly available access to federal court, which the Supreme Court has begun to close off, and competent, well-funded and independently appointed defense counsel in capital cases. On both counts, the Biden bill falls short. In the landmark case of *Teague v. Lane*, the Supreme Court ruled that federal courts may not consider habeas corpus claims based on "new rules of law" not in effect at the time of conviction. Defense attorneys, of course, object to the limitation but would be

satisfied if the term "new rules of law" was narrowly defined, as it was in last year's conference report. The Biden bill is a step back in this area, and it should be amended. Last year's conference report also called for the creation of independent boards in the states, which would set standards for the appointment of attorneys in capital cases and actually assign those attorneys to individual defendants. The Biden bill gives the assignment power to judges who, the opponents of the provision contend, have often been part of the problem in the past. This too should be changed.

It is unfortunate that any restrictions on the Great Writ are looming. But if concessions are to be made on the frequency and the timing of petitions -- both of which we oppose -- the bargain should at least include the full roster of amendments already won last year.

TYPE: EDITORIAL

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HEADLINE: Death Row Drama;
The press falls down when it fails to report about innocent people who have almost been executed.

SERIES: Occasional

BYLINE: Nat Hentoff

BODY:

The American Bar Association's annual meeting, held recently in New York, was dedicated to the late Justice Thurgood Marshall -- the first time the meeting has so honored an individual lawyer.

As the New York Law Journal noted, none of the more than 2,600 programs during the meeting officially noted that the ABA, by policy, used to exclude black lawyers. Justice Marshall tried to join in the early 1940s but was turned away for reason of color. Accordingly, the Law Journal reported, for a long time Marshall, even though the policy had been changed, rejected the ABA. In 1990, having been made an ABA honorary fellow, he came to some functions.

One of the programs this year might have interested Marshall. The title: "Politics and the Death Penalty: Can Rational Discourse and Due Process Survive the Perceived Political Pressure?" (A few days before, Sen. Joseph Biden [D-Del.] had heralded his anti-crime bill, which proudly announces the "largest ever expansion of the federal death penalty to cover 47 offenses." That section of the bill is presumably not dedicated to Justice Marshall.)

This non-lawyer was asked to be part of the ABA panel, and I tried to make a case for the press as an accomplice in the large-scale public hostility to the notion of due process in criminal cases.

Thomas Jefferson was convinced that constitutional democracy could work only if the citizens were sufficiently informed to govern themselves. Some newspapers meet Jefferson's challenge on constitutional matters, but you would have to go through extensive files of papers in most cities -- forget television news operations -- to find a clear definition of due process and its necessity. Or an account of why the Constitution says that the writ of habeas corpus "shall not be

suspended unless when in cases of rebellion or invasion, the public safety may require it."

Yet without rebellion or invasion, habeas corpus is becoming an endangered constitutional species. How many readers know or care about the increasing inability of state prisoners to get federal judicial review of their convictions or sentences?

In July, Rep. Don Edwards (D-Calif.) chaired a hearing by his subcommittee on civil and constitutional rights concerning procedural protections for criminal defendants. Four of the witnesses had come exceedingly close to being executed for crimes they did not commit. Pretty dramatic stuff, but press coverage was minimal.

In April there had been a Senate Judiciary Committee hearing conducted by Howard Metzenbaum (D-Ohio). It was about "Innocence and the Death Penalty." Among those testifying were, again, defendants on death row who had been saved in the nick of time. I asked the senator's press secretary what press clips she had collected. Almost nothing, she said.

The press has done very little to expose some of the most telling propaganda by those advocates of the death penalty who keep stressing the need for "finality" -- a hortatory term often used by Chief Justice William Rehnquist and also adopted, during her confirmation hearings, by Justice Ruth Bader Ginsburg. Less often reported are such comments as those of Judge William Norris of the 9th Circuit: "A human life is at stake. I fail to understand the rush to judgment."

There is the corollary grim warning -- particularly during campaigns involving those few brave politicians who oppose the death penalty -- that when death sentences are reduced to life imprisonment, the criminal will get out in a few years.

However, as the Death Penalty Information Center points out: "The perception that a murderer convicted of a capital crime will be back on the streets in seven years if not given the death penalty is totally inaccurate." The Wall Street Journal, in citing that report, said that "33 states, plus the District of Columbia and the federal government, impose life sentences without parole. All other states require those who are sentenced to life to serve at least 20 years."

Some readers of the Wall Street Journal know that, but large numbers of voters around the country know -- or think they know -- more about Willie Horton.

It might be of some use if the ABA were to hold informal sessions -- not seminars -- with reporters and editors in various cities and towns. The idea would be to discuss ways in which we can help make due process a phrase that might make readers pause once in a while. That would also be a fitting tribute to Thurgood Marshall.

Kemp, Kemp: Is He Their Man?

THE WASHINGTON POST MONDAY, SEPTEMBER 27, 1993

Two weeks ago, a small group of friends and advisers of Jack Kemp gathered at a Washington hotel. At the meeting, Sen. Trent Lott (R-Miss.) told Kemp, "It's yours to win or lose." Lott, of course, was referring to the 1996 GOP presidential nomination.

Lott then asked Kemp point blank whether he was planning to actively seek the 1996 Republican nod. Kemp replied in the affirmative, according to one of those present, and then went on to explain the logic that would animate his candidacy: He believes that President Clinton is leading America in the wrong direction as part of a concerted effort to undo the Reagan revolution.

In an interview in his office last week, Kemp (who shortly after that hotel meeting set up a Washington-based political action committee as a first step toward formalizing his candidacy) elaborated on the theme. "I think Clinton's administration has the most anti-capitalist mentality of any in this century," he said.

"Clinton ran 'right' but turned 'left' when it came to governing, Kemp said. "The Clinton administration is raising taxes, talking up the yen and talking down the dollar." Meanwhile, he said, the administration is "adding mandates to business for health care." All in all, Kemp

argues, the net result will be to slow down the economy.

In Kemp's view, one unhappy result of Clinton's failing economic policies is a discernible popular turn against NAFTA (the North American Free Trade Agreement). "People think our economy is threatened by NAFTA, but it isn't," he said. "That's what happens when economies contract: People become anti-trade and anti-immigrant. The Jews were blamed for the depression in Europe, remember?"

Kemp believes administration policy on health care will further depress the job market. Employers are hiring temporary workers, he believes, as a direct consequence of the new federal mandates, which are driving up the cost of labor.

"President Clinton's not doing anything to lower the cost of capital and lower the cost of labor," Kemp says. "He should index and cut capital gains, not impose a higher payroll tax to pay for his health care plan—which I think they are going to."

"The enemy of the American working man or woman is neither Mexico nor Japan nor immigrants. The enemy is those stupid regulations and taxes that Congress keeps passing."

Kemp, looking relaxed and energetic, had plenty more to say, on subjects ranging from Boris Yeltsin's battle for

political primacy in Russia to Pat Buchanan and Ross Perot.

On Russia, he praised Clinton for expressing public support for Yeltsin, but said the key to the Russian president's ultimate success consists in providing him with sound economic advice and granting his country access to Western markets. And this, Kemp charges, the Clintonites have failed to do.

He accused the administration of pressing misguided economic policies on Russia and on the newly freed countries of Central and Eastern Europe. Washington, Kemp notes, has urged these states to devalue their currencies and in taxes. Kemp argues they should be encouraged to stabilize their currencies, while cutting taxes and regulations.

The ex-HUD secretary and future candidate worries that democracy is acquiring a bad name in Eastern Europe and the former Soviet Union. As Kemp sees it, high unemployment, rising crime, higher prices and rampant financial speculation are all associated with the advent of democracy: "What a tragedy... that people are beginning to associate democracy with poverty and unemployment," he said.

The resurgence of the Communists and the left in the Polish elections a week ago was largely caused by the IMF's fixation on austerity, Kemp maintains. The former congressman says the IMF compelled Polish Prime Minister Hanna Suchocka to impose huge tax increases instead of concentrating on growth.

Kemp sees parallel developments—and dangers—throughout the Soviet bloc. He argues that the formerly Communist countries would do well to look to Mexico and Argentina for economic success stories. Kemp especially admires Mexican President Carlos Salinas de Gortari and Argentine President Carlos Menem for having gambled on free market principles by stabilizing their currencies and slashing taxes. "Capital is now flowing back into Mexico and Argentina," Kemp notes.

Discussing NAFTA and its foes, Kemp observed that he was being attacked personally by Pat Buchanan for his advocacy of the trade agreement, even though it was originally an idea advanced by Ronald Reagan. As for Ross Perot, Kemp said that he and his colleagues—by suggesting that NAFTA will undermine the entire U.S. economy—are showing reckless irresponsibility.

Kemp says he's not afraid of Perot or of the possible advent of a third party. He maintains that Perot will present a problem only if the GOP fails to define its own ideological identity, especially on fiscal issues.

Asked for his own vision of the Republican Party, he doesn't hesitate before replying that it should be a party that is "inclusive, not exclusive, internationalist not protectionist or isolationist, progressive not reactionary or regressive—one that works for change and progress and the future."

Kemp doesn't agree that the Republican Party is hopelessly divided between economic and cultural conservatives: "The culture and the economy are one," he said. "We have to renew our culture, but you can't have a strong family unless you have a strong economy."

He plans to campaign for Republican congressmen and senators in 1994. As for 1996, for those people who'd like an alternative voice to Clinton's, Kemp assures them that "they'll have one."

The New Crime Bill

IN THE closing days of the last congressional session a comprehensive crime bill, which had been passed by both houses and reported from a conference committee, faltered and died, primarily because of a dispute over changes in habeas corpus law. Last week, an updated version of the bill was introduced in both houses. The current proposal still contains some of the horrors of earlier bills, primarily an expansion of the federal death penalty to 47 new offenses and restrictions on habeas corpus rights. But there are also some omissions that merit attention. Two improve the bill and a third represents a change of strategy that may accelerate the passage of the single most important item on the criminal justice agenda: gun control.

One of the clinkers in last year's bill that has been withdrawn was a provision authorizing a federal death penalty for major drug dealers, even when their crimes did not result in a killing. We oppose the death penalty under all circumstances but believe it is particularly egregious when imposed for a crime that is not murder. The Supreme Court in 1977 struck down a Georgia statute that provided a death penalty for rape. Though the justices did not then go so far as to say that the penalty was unconstitutional for any crime other than murder, subsequent opinions reinforce a broader interpretation of that ruling. It would be reasonable, therefore, to assume that a challenge to the drug crimes provision would be successful. The bill is better without it.

Also missing from the new version of the bill is

a set of provisions that would have imposed new mandatory minimum sentences. These rigid penalties are a simplistic reaction to crime, and they are strongly opposed by the nation's judges. It's fine to have sentence guidelines that allow some flexibility and give judges an opportunity to weigh factors like an offender's prior record. But mandatory minimums are a sledge hammer in the arsenal of criminal justice. They are uniformly harsh, often unfair, and they automate the sentencing process, which ought to involve human intelligence and personal judgment. We applaud Rep. Don Edwards (D-Calif.), who believes *all* mandatory minimum sentences should be repealed. In the absence of that reform, it is at least a small victory that the new bill does not add new ones.

In addition to removing these objectionable sections, the sponsors of the current crime bill have also left out gun control. In this case, it is the proponents of the Brady bill, which calls for a five-day waiting period before the purchase of a handgun, who asked to be left out. So did those supporting controls on the purchase of assault weapons. They believe their bills have a better chance of passage if they are considered independently. We hope this strategic decision is the right one, for all the death penalties, extra police, new study commissions and tinkering with habeas corpus that are in the bill are of marginal importance in the war on crime, compared with curbing the availability of weapons. Passage of gun control legislation is imperative.

9/27/93

It's Criminal

Newsday 8/16

To win useful anti-crime programs, Clinton is pushing the death penalty. Bad deal.

One of the unfortunate by-products of the national concern about crime is that headline-seeking lawmakers, playing on political hysteria, offer crime "solutions" they know to be ineffective. Such is the trap into which President Bill Clinton has fallen, by putting the White House's stamp of approval on anti-crime legislation that has languished in Congress for the past several years.

Clinton has thrown his support to a vast

expansion of the federal death penalty, and to limits on appeals by death-row inmates, in an effort to break a conservative stranglehold that has prevented enactment of more constructive anti-crime measures.

That's lamentable, not only because political pandering does nothing to stop crime, but because there are other anti-crime ideas percolating through Congress, which Clinton is also backing, that merit passage in their own

right. Better he fight for the good stuff than buy off the opposition by supporting the bad.

The good stuff includes the long-overdue Brady Bill, imposing a 5-day wait on handgun purchases; plans for community policing programs, providing federal grants to involve cops more in the neighborhoods they patrol; and a "safe schools" program to get money to crime-besieged school districts. In addition, there would be mandatory drug treatment for federal prisoners and funds to help states treat their inmates, too. These prevention techniques — more and better trained cops, tough gun control and drug treatment — might make a dent in street crime.

Retribution surely will not. Yet that is the motive behind broadening the federal death penalty to 55 crimes. Since only federal crimes are involved, this mean-spirited provision may put more people to death, but won't do anything about, say, a mugger who murders or a gunman who strikes innocent bystanders. Their crimes are covered by state laws.

Likewise, curtailment of prisoners' rights to appeal their death sentences has been a crusade of right-wing Republicans in recent years, one that Clinton unfortunately accepts as the price of getting other crime legislation through. Luckily, Senate Judiciary Committee chairman Joseph Biden (D-Del.) has crafted a provision designed to assure competent legal counsel to death-row inmates. Still, the best way to be sure no innocent person is executed is to end the death penalty.

As matters stand now, these crime bills will move forward, mixing the good, the bad and the silly. But at least Clinton can work to ensure that the Brady Bill isn't gutted through amendments, and put the force of his office behind securing full funding for useful new programs. Only then will he have earned the right to be called tough on crime.

Crime and the Poor

FOLLOWING through on a campaign pledge, President Clinton has presented an anticrime program. Viewers will recognize in it familiar approaches, and a few new ones, to curbing violence in the US.

Mr. Clinton aims to put as many as 100,000 new police officers on America's inner-city beats and highways — 50,000 initially at a cost of \$3.4 billion — and to establish a 5,000-member, four-year youth Police Corps (cost: \$100,000) whose members would get college scholarships.

The president also wants to push through passage of the 12-year-old "Brady bill" requiring a five-day waiting period for background checks on handgun buyers.

Unfortunately, the Clinton plan also would make the federal death penalty applicable to some 50 offenses more than at present and limit most death-row prisoners to just one habeas corpus appeal.

Also, some closed military bases would be converted to rehabilitation camps for young offenders.

Basically, the president has adopted the anticrime proposal of congressional Democrats, with the Brady bill in the forefront.

Sens. Joseph Biden (D) of Delaware, chairman of the Senate Judiciary Committee, and Orrin Hatch of

Utah, the ranking Republican, want the Brady and habeas corpus bills considered separately from other anti-crime legislation so as not to ensnarl less-controversial items in the gun-control debate.

There appears to be some diminution in the negative influence wielded by the National Rifle Association and other gun-control opponents as public awareness of the harm perpetrated by criminals or just irresponsible gun owners grows.

But the slogan often used by gun-control opponents, "Guns don't kill people, people kill people," also should be heeded. Norman Early, president of the National Black Prosecutors Association, has put the situation in sharp perspective. Noting what we all have realized — that crime "has reached epidemic proportions," Mr. Early lauded the Clinton package, but added that it "does not get at the root causes of crime. It does not instill respect in young people. It does not deal with issues like prenatal care, teen-age pregnancies, health care, education problems."

He is right. If those deprived of America's promise can be shown a reason to hope, many more than at present will heed admonitions to obey laws that they now perceive to be perpetuating their deprivation.

Star Tribune 8/15

This year, pass the Brady bill

These are bright days for Americans fretful about gun violence. At last, they are joined by a president who sees the sense in regulating gun sales. Last week President Clinton unashamedly named the Brady bill as a centerpiece of his new anticrime package. His words heed the wishes of millions.

Backed by nine of 10 Americans, the Brady bill is a modest proposal for keeping some guns out of dangerous hands. It would impose a five-day waiting period before completion of handgun purchases. The delay would enable background checks — and thus help keep handguns away from would-be buyers with a history of criminality or mental illness. Similar state waiting periods have prevented thousands of illegitimate gun purchases.

Of course, the Brady bill is just one way to curb the spread of street weaponry. Clinton reinforced the effort last week with two new executive orders: One would impose stricter rules on federal licensing of gun dealers, thereby weeding out unqualified applicants. The other would add foreign-made military-style pistols to the existing federal import ban on assault rifles.

President Clinton has miles to go, and other promises to keep, in the quest to curb gun violence. He has yet to fulfill his pledge for a total ban on assault weapons, for instance. But he couldn't have chosen a better first step on the gun-control path than the Brady bill. Congress should now join in the journey, and pass the bill.

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A GANNETT NEWSPAPER

PUBLISHED DAILY, SATURDAY AND SUNDAY MORNINGS

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FIRST AMENDMENT TO THE
U.S. CONSTITUTION

How Good a Crime Bill?

For three solid years, President Bush pleaded with Congress to pass a crime bill to protect the American people and, for three years, Democratic leaders in Congress resolutely refused in a true case of partisan gridlock. With George Bush now safely off to Kennebunkport, however, and President Clinton under heavy fire for the biggest tax increase in history, the Democrats are scurrying to "get tough on crime."

The plan, as outlined by President Clinton in a full-dress news conference Tuesday complete with a wall of blue uniforms flanking the podium, is on the surface a mixture of liberal and conservative ideas. The president promised to spend \$3.4 billion to hire 50,000 more police officers, a "down payment" on the 100,000 he promised during the campaign. He backed a seven-day waiting period for hand-gun purchases (the "Brady Bill") and signed an executive order banning the importation of assault rifles.

He also proposed imposing the death penalty for as many as 50 federal crimes, such as killing a federal law enforcement officer, and proposed to limit the appeals of death row inmates while at the same time assuring that they would have "adequate" legal representation. The president also offered some support for "boot camps" for young offenders and creating "safe" zones around schools.

None of this is particularly objectionable, of course, and it's nice to see Democrats at least talking about the crime issue. But a number of questions can and should be raised before this bill is passed into law.

One question: How are the new police officers to be paid for? The president just got through selling the country on a "deficit-reduction" bill. Are other programs to be cut? Or is the money just to be added to the deficit? The president didn't say.

A larger issue is why the federal government should be paying for police officers at all. Some

mayors have for years placed law enforcement on the bottom of their budgetary priority lists. Why should residents of Troy and Charlevoix be taxed to put more cops on the street in Detroit, which still seems to have money for a Consumer Affairs

Department?

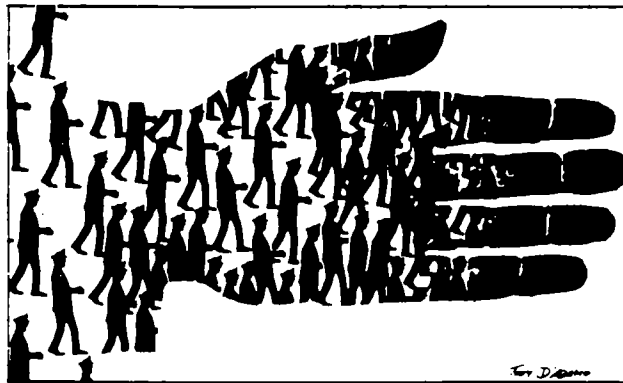
If Washington would cut taxes, local communities could spend more money on police themselves. The way Washington works, the 50,000 new police officers will have to be spread among every political jurisdiction in the country.

And whatever one's opinion of gun control, the impact of the Brady Bill on America's inner cities is likely to be marginal. There are an estimated 200 million firearms in the United States, so any evildoer who really wants a gun is unlikely to experience much trouble getting one. Federal laws against narcotics dealing don't seem to have appreciably affected the supply of drugs.

Streamlining the appeals process for death penalties through the federal courts is one way the federal government can assist the primary enforcers of law and order: the states and localities. It remains to be seen, however, just how serious the Clinton Justice Department is about pursuing this idea.

Atty. Gen. Janet Reno, after all, has proposed to release allegedly "nonviolent" prisoners from federal prison. Former Detroit Police Chief William Hart is a "nonviolent" offender, but it is doubtful many people would like to see him turned loose after violating his public trust so blatantly.

We have heard liberals talk about cracking down on crime before. All too often in the past, such claims have turned out to be a lot of lip service and little action. Under Jimmy Carter, the federal prison population actually *dropped*, while under Ronald Reagan and George Bush, it increased substantially. It'll take more than press conferences with police officers to convince America that the Democratic Party is serious about crime.



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The Orlando Sentinel

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Denial would be a crime

□ The Clinton anti-crime bill offers needed, well-considered proposals. Let's not have partisanship hold up the means to a safer society.

President Clinton's proposals to help Americans fight crime are needed and welcome.

And for the first time in a long while, they have a good chance of passing Congress. It helps that both the president and the majority of Congress are from the same political party.

But beyond the politics, the most important thing that the Clinton administration could do — and did — was to work out controversial details of the anti-crime measure in advance with the people in the trenches in the war against crime — prosecutors and attorneys general.

Last year, a similar anti-crime bill proposed by President Bush stalled in Congress because of a proposal that aimed to limit the federal appeals that a death row inmate can file. Attorneys general from around the country complained that Democrats in Congress had rewritten the legislation in a way that actually could lengthen the appeals process. The bill ended up dying amid partisan finger-pointing.

Mr. Clinton's proposal now aims to limit the federal *habeas corpus* petition — the last step in the appeals process — to within 60 days of an inmate's last appeal. Only if new evidence is found can a new appeal be filed, which certainly is warranted and fair in a case in which a person has been sentenced to die.

The president also wants Congress to make federal dollars available for 50,000 more police officers to be put in communi-

ties that have been wracked by crime. That, too, is needed.

There's one element of the package that's sure to stir up controversy once again, however: a five-day waiting period for gun purchases.

The powerful National Rifle Association is crying foul about a five-day waiting period, but polls consistently show that a large majority of Americans see waiting periods as a fair way to ensure responsibility in gun ownership.

Besides, the federal waiting period would apply only to pistols. People could still buy a rifle or shotgun on the spot.

The aim of a waiting period is to stop hoodlums from walking into a shop and buying a pistol, which is frequently the choice of criminals because it can be concealed. It also might help "cool off" hot-heads who now can run to a gun shop in some states and simply buy a gun to settle a dispute.

Several states, including Florida, already have waiting periods for pistol sales. Florida has a three-day wait, and it has not been an unfair burden on its citizens.

Unfortunately, some Senate Republicans have vowed to filibuster the anti-crime legislation because of the waiting period.

After the partisan wrangling over the budget, it would be a welcome change indeed if both parties could work together to pass an anti-crime bill that aims to bring peace of mind to law-abiding Americans.

Body M+NEWS 49A 8-20-93

Taking on the bad guys

THE ISSUE:
President Clinton's crime bill

OUR VIEW:
The problem is the price

Quick-buck artists have always dreamed of the riches they would enjoy if only they could accurately predict stock market winners. An even greater treasure awaits anyone who can figure out how to solve America's crime problem, or at least substantially reduce the number of violent crimes.

The Clinton administration has offered its two-cents worth by introducing a fairly comprehensive crime bill, calling for an expenditure of \$3.4 billion. Some of the bill's provisions are quite desirable: a 5-day waiting period for handgun purchasers, for instance, although there is currently no national system that would allow for a thorough background check. Yet a wait would also provide a cooling-off period, which is reason enough to support the idea.

As it happens, there is a strong possibility that Congress will remove the gun control provisions (as well as procedural reform on death-penalty cases) from the crime bill and vote on them separately. This is fortunate, because the heart of the Clinton package is a call for 55,000 new police officers, part of the president's campaign promise of putting 100,000 new officers on the street.

No doubt the presence of more officers can deter crime, depending on their deployment. But this element of the Clinton pack-

age is still the most problematic, for it is being offered at a time of huge federal deficits. Indeed, it is hard to understand why the hiring of more police should be a federal responsibility at all. Congress simply must reject even worthwhile new programs.

Unaddressed in the crime bill, predictably, is the question of to what extent public policies themselves are responsible for some of the mayhem.

Drug-related crime, for instance, comprises a significant percentage of burglaries and even murders, yet few in Washington seem to have any second thoughts about the failed tactics employed in this nation's "war against drugs." Is less incarceration and alternative sentencing in order?

A good case can also be made that social welfare policies have contributed to the virtual elimination of intact families in some neighborhoods, which helps spawn the sort of amoral youth so prevalent in urban gangs. In this regard, "re-inventing" the welfare system might be more important than any potential crime bill.

In any case, it's clear that most Americans are growing impatient with crime and would like to see action — probably in the nature of beefed-up law enforcement, targeted gun control, and longer sentences for violent offenders. In Colorado, these are issues that the legislature can address in its special session next month far more effectively than Congress.

A Chairman for Changing Times

For a Polish-born son of a Soviet Georgian military officer to succeed a Bronx-born child of Jamaican immigrants as Chairman of the Joint Chiefs of Staff is a tribute to their abilities and to the military as a path for advancement in America.

The tougher question is whether the nomination of Gen. John Shalikashvili to replace Gen. Colin Powell is a tribute to President Clinton's judgment. That will depend on whether he can ease the military's adjustment to a turbulent but less threatening world and its acceptance of social mores that challenge tradition.

The choice of Chairman is critical to Mr. Clinton, who, like most Presidents and members of Congress, never served in combat but who, more than most, has been criticized for avoiding the draft.

The Chairman's job in its present form dates only to the Goldwater-Nichols Reorganization Act of 1986, which set out to create a unified structure less prone to inter-service rivalries.

Previously, the Joint Chiefs as a whole advised the President on military matters. Goldwater-Nichols gave that role to the Chairman alone, and provided him with additional resources to carry it out. To reinforce civilian control, the Chairman was explicitly denied direct command authority over the armed forces. In practice, the Chairman now serves as a broker among the service chiefs and between them and the President.

For most of the life span of this new arrangement, the incumbent has been General Powell, a man of enormous personal authority whose political instincts were sharpened by his term as President Reagan's national security adviser.

General Shalikashvili has followed a more tra-

ditional path to military leadership, having served as a staff officer in Vietnam, obtained a master's degree in international affairs and progressed through a series of sensitive commands, including the 1991 relief operation for Iraqi Kurds and his current job as military commander of NATO.

One obvious priority for the new Chairman will be to introduce more flexibility into the reigning strategic doctrine of overwhelming force. He appears less of a true believer than General Powell, who reacted to Vietnam by becoming a fervent advocate of massive superiority in warfare. On the surface that sounds like a sensible way to insure against the risks of defeat. In practice it has often meant overestimating the enemy's military prowess.

In its present form, the overwhelming-force doctrine has become the rationale for larger-than-necessary military budgets and a skewed set of intervention choices that seem driven more by favorable force ratios, as in Somalia, than by national interest.

A more delicate but equally important task will be to snuff out the hints of public disrespect toward the Commander in Chief that have surfaced from time to time in the early months of Mr. Clinton's term, especially on social issues. After his disruptive open opposition to the President's plan to end discrimination against homosexuals, General Powell has worked to snap refractory commanders into line and provide an example of acceptance of civilian authority over the military. But the job is not yet finished.

General Shalikashvili must see that the President gets, in private, the best independent professional advice the military can offer, while making sure he receives the full public respect and unconditional obedience the Constitution commands.

EDITORIALS

Anti-Crime Bill Has Several Good Points

President Clinton's anti-crime program builds on past presidential proposals in several constructive ways—by taking firmer anti-gun action, by offering \$100 million in college scholarships for police training, and by providing for the creation of security zones, or "safe havens," around schools.

The cornerstone of his legislative package—and the proposal drawing the most attention—calls for direct grants to help cities put 50,000 more police on the streets. Clinton seeks \$3.4 billion over five years to do this, calling it a "down payment" on his campaign vow to add 100,000 more street cops.

While we welcome the end result—more cops on the front lines in the war against crime—we regret yet another instance of having to rely on Uncle Sam for picking up the tab to expand locally administered functions that remain municipal responsibilities.

Mr. Clinton moved in the right direction by signing executive orders to suspend imports of foreign-made assault-style handguns, and to seek to tighten regulations about who can sell guns. His proposed legislation includes a key measure from last year's package—enactment of the Brady bill requiring a five-day waiting period before purchase of a handgun.

Lamentably, his crime bill provides for the death penalty for nearly 50 new crimes, continuing last year's disgusting spectacle that saw the Senate's two political parties competing to come up with a longer list of capital offenses. Apart from the moral aspect, adding so many offenses dilutes the impact of targeting the most heinous crimes as deserving of this ultimate penalty.

Another of Mr. Clinton's proposals deserves widespread support: his call for spending more than \$700 million over five years to put as many as 5,000 sworn and non-sworn officers to work in public housing.

Legislators should speedily craft the mechanics of implementing this program, as well details of his \$475 million plan for greater security around schools.

Today's debate is on **GUN CONTROL**,
waiting periods and background checks.

Let's get moving on federal gun control

OUR VIEW A national waiting
period on gun sales
would be powerful ammunition
against firearm violence.

What harm is done by imposing a five-day national waiting period on gun purchases? Despite the alarming representations of opponents — who argue that gun controls somehow *increase* the crime rate — there's no harm at all.

Just the opposite. Waiting periods make it harder for violence-minded buyers to purchase weapons. Bad guys will still get guns, but one obvious source — the blank-faced dealer ready to sell any gun to any liar — will be substantially closed off. In California in 1992, a waiting period prevented the sale of nearly 6,000 guns to felons.

No doubt that's part of the reason why President Clinton, announcing his anti-crime package last week, endorsed a five-day national waiting period. Senators from both parties have since asked that the idea be considered separately, fearing its defeat if attached to an otherwise imperfect initiative.

The separation makes sense, and not just for reasons of political tactics. The

measure — and the debate behind it — reaches well beyond crime.

The bigger context is gun violence and, in that arena, federal efforts to curb the spread of guns send an important signal about intolerance for policies that annually contribute to tens of thousands of accidents, suicides and other gun-related killings.

To that end, Clinton last week also expanded the import ban on certain types of semiautomatic weapons and ordered sharper enforcement of the rules governing federal firearms licenses. Other regulatory controls — on accessories, for instance, and Saturday Night Specials — can be tightened as well.

This all can have an impact on crime. The cost of street weapons will rise; some crimes of passion will be deterred. But more important, these steps are essential parts of what should become an all-out campaign against the gun violence that skews everything from this nation's ideas about individual safety to its health-care crisis.

A waiting period is a responsible start. Can gun owners live with it? Let's just say that, like everybody else, their odds are improved.

26 A

The Dallas Morning News

Wednesday, August 18, 1993

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CRIME PACKAGE

Clinton is taking the right approach

President Clinton has reopened this nation's war on crime on several important fronts. He has reaffirmed his support for the Brady Bill, which would require a five-day waiting period for the purchase of handguns in the United States. The president fulfilled his campaign promise to law enforcement agencies by proposing that federal funds be made available for an additional 50,000 police officers to be hired nationwide. And he addressed public frustrations with the judicial system by recommending that appeals be limited for death row inmates.

Since Mr. Clinton released his package a week ago, Senate Judiciary Committee Chairman Joseph Biden said he would like to consider the Brady Bill as separate legislation. The senator's reasoning is legitimate: The omnibus crime bill may take time to pass, so place the handgun portion on a separate, faster track where passage could occur this fall.

That move would be important because the benefits of the Brady Bill — named for White House press secretary James Brady, who was shot during an 1981 assassination attempt on then-President Ronald Reagan — far outweigh any concerns raised by organizations opposed to gun control.

Of course, much of Bill Clinton's crime package tracks the 1992 crime bill. That leg-

islative package was rejected by some Republican members considered it not tough enough. The Clinton proposals appear aimed at addressing those concerns without abandoning basic philosophical positions on gun control and other issues.

The president staked out his ground when he announced last week that he had issued two executive orders to suspend the importation of assault pistols and strengthen licensing requirements for gun dealers. By doing so, Mr. Clinton has let Congress know that he intends for the long-debated waiting period for handgun purchases to become a national law.

Mr. Clinton's proposal to increase federal support for police hiring also merits solid backing. Police departments in major cities like Dallas are now fighting a losing battle on the streets. Increased federal funding will let police chiefs develop new and more effective anti-crime programs. For example, the community policing methods strongly endorsed by Dallas Police Chief Ben Click could gain a tremendous boost from federal funding support.

The Clinton package is by no means a solution to rampant crime. But the president has crafted a plan that can pass in Congress. That may be the most important element if we are to find answers to this nation's disturbing record of violence.

package tracks the
isolation stalled in the House of turbing record of violence.

Extended Page

1. 1

As they stopped their golf carts to pose for pictures, Clinton was asked about the significance of a Democratic president playing with a Republican. "It's the way I'm going to try to run the rest of my administration. I don't ever want the kind of polarization we had the last six months," Clinton said.

Not a single Republican voted for Clinton's \$ 496 billion package of tax increases and spending cuts which squeaked through Congress, and the GOP also blocked Clinton's economic stimulus program. The president will need Republican support to get his health care program through Congress next year.

He said he also was counting on the GOP to back his anti-crime proposals.

Ford, who recently celebrated his 80th birthday, said, "We've got a few things where we have similar views, particularly NAFTA (the free-trade agreement among the United States, Canada and Mexico) which I think is a very critical issue for the country."

"I'll be as helpful as I possibly can," he said. But when asked his views about Clinton's budget, Ford said with a laugh, "I look down the road to the future. I don't talk about the past."

Asked about reports that Serbs are withdrawing from the mountains outside Sarajevo, Clinton said, "It's encouraging. I've not gotten my morning security briefing but as of yesterday afternoon we thought it was a legitimate report. I'm very hopeful." After a hectic two days of appearances in Colorado and California, Clinton arrived in Vail late Friday for a weekend of golf and rest with his wife, Hillary, and their daughter, Chelsea. They are staying in a private home two doors down from Ford in Beaver Creek.

Clinton will move his vacation headquarters to Fayetteville in northwestern Arkansas on Sunday or Monday, remaining there until Wednesday, with a side trip to Tulsa, Oklahoma, on Monday for a speech to the National Governors Association.

After a night back in Washington, he'll fly to Massachusetts for an 11-day stay on Martha's Vineyard.

To minimize the demands on his vacation time, Clinton taped his weekly radio address Thursday rather than deliver it live Saturday.

In it, the president promoted his anti-crime package and urged Americans to try to influence fellow citizens who think they're above the law.

He said that more police, tougher criminal sentences, gun control and his handpicked trio of federal crime fighters - Attorney General Janet Reno, FBI Director-designate Louis Freeh and drug czar Lee Brown - can only do so much.

"Too many of our fellow citizens simply reject values like decency, order and the respect for the rule of law. Often we can yank people like that back to what is right and what is true," he said.

In his comments on the golf course, Clinton said he had gotten a good response from Republicans as well as Democrats to his anti-crime proposals, which call for putting up to 50,000 new police on the streets and opening federal "boot camps" for youthful offenders. The measure also would require a five-day waiting period before the purchase of a handgun.

"I think the American people will want to be heard on this," the president said. "There are cities in this country now where the average age of people committing murder has now dropped below 16. And I think there will be broad bipartisan support for this crime package."



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The Buffalo News

August 14, 1993, Saturday, Final Edition

SECTION: EDITORIAL PAGE; Pg. 2

LENGTH: 574 words

HEADLINE: CLINTON'S CRIME-FIGHT PLAN HAS SOME OF WHAT'S NEEDED MORE COPS, FEWER GUNS MARK A GOOD START

BODY: THE ONE-TWO punch of increased gun control and more cops on the street will help President Clinton keep two vital campaign promises while also helping the nation combat rising crime.

Unfortunately, Congress last week did not do as much it could to eradicate the causes of crime. Many of the urban initiatives that would have provided jobs and hope were scaled back in the deficit-reduction package Clinton signed only a day before unveiling his anti-crime proposals.

Still, for what it does -- make crimes harder to commit and get away with -- the new \$ 5 billion, five-year package unveiled Wednesday is a good start toward making neighborhoods safer.

The executive order banning the importation of assault-style handguns like the Uzi pistol -- which any honest gun dealer will concede are too inaccurate for competitive sport shooting -- is simply a logical extension of the one former President Bush signed years ago limiting importation of assault-style rifles.

The order will not have real meaning until it is accompanied by legislation curbing domestic assault weapons, which supply the bulk of the market. But at least it's a step in the right direction.

So is the executive order calling for a review of the ease with which people are granted federal licenses to act as firearms dealers. Many such "dealers" have no real gun store and simply use the licenses to import guns from states with loose laws and then sell them illegally on city streets.

The Clinton plan also includes provisions that mirror those embodied in the Brady Bill to impose waiting periods and background checks on those buying handguns. That effort has long been stymied by the gun lobby.

With a president now eager to sign it, there is no reason to hold up passage of that sensible step while debating the rest of Clinton's package.

But Clinton is doing more than simply trying to curb the flow of guns that makes crime so easy. His proposal for \$ 3.4 billion over five years to put an extra 50,000 police on the streets, many doing so-called "community policing," cannot help but head off crime as well as aid in solving those that do occur.

A smaller, \$ 100 million "police corps" initiative to train college students in police work, and a \$ 700 million, five-year effort to get more police into public housing projects, are far less substantial. But every little bit helps.

The package is a grab bag that also includes several other measures, ranging from expanded use of the death penalty to more use of boot camps to straighten out youthful offenders.

Some will require more detail and, perhaps, public debate. But the main elements of the plan -- more police and stricter gun control -- are something most Americans should easily support and be willing to pay for.

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CNN

Capital Gang

August 14, 1993

Transcript # 86 - 1

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SECTION: News

NOVAK: Let me just say a word about the crime bill that came out. I think it's very interesting that the President coming out with a crime bill with- woefully inadequately financed for additional police, which is the only way you fight crime, comes out with the Brady bill as the centerpiece of fighting crime, and that's just the triumph of ideology over common sense.

HUNT: Oh, a 100,000 extra cops is not chicken feed. It's more than-

NOVAK: It isn't 100,000.

HUNT: That's more than George Bush ever proposed-

NOVAK: And he doesn't have the money for 100,000.

HUNT: And let me just tell you something about health care. Politically there's only one thing worse than a new tax-laden health bill, and that's Dr. Novak's prescription, which is 'Let them eat cake.' Bob Rubin and the gang will be back with an uncertain economy and a changing Pentagon.

[Commercial break]

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Los Angeles Times

August 14, 1993, Saturday, Home Edition

SECTION: Metro; Part B; Page 7; Column 1; Metro Desk

LENGTH: 541 words

HEADLINE: NO EASY ANSWERS IN THE OL' WAR ON CRIME; CLINTON TAKES BIPARTISAN TACK IN ANTI-CRIME MESSAGE

BODY: Americans increasingly do not feel safe anywhere, whether in cities, suburbs or rural areas. Although President Clinton's recently announced anti-crime package, an amalgam of bills already introduced in Congress, is not perfect, it does form a base from which Democrats and Republicans should be able to reach agreement in attempting to deal with this grave concern.

Clinton proposes to relieve this pervasive and justified fear by putting more cops on the streets and keeping more guns out of criminal hands. The proposals would fund 50,000 new officers over five years. The formula used to allocate the \$3.4 billion in grants to states and cities has not been determined, but Los Angeles, the biggest city with a low ratio of police to residents, could use thousands of additional members on its police force.

Mayor Richard Riordan would certainly do back flips on the steps of City Hall for federal help to make good on his campaign pledge to add 3,000 officers to the Police Department. The LAPD currently employs 7,600 officers, far too few to patrol a city of this size.

Also, Chief Willie L. Williams wants more cops in order to bolster the department's admirable commitment to community policing. But the chief cautions that the current capacity of the Police Academy allows the department to train only 600 to 650 new officers a year. Perhaps with the help of the feds the LAPD could increase the capacity of the academy or accelerate the training -- without shortchanging the rookie officers and the citizens who will depend on those new cops.

To get more guns off the streets, Clinton already has ordered the federal Bureau of Alcohol, Tobacco and Firearms to tighten the federal licensing rules for gun dealers. The current regulations allow licenses to be granted when an applicant merely pays a \$30 registration fee, with no criminal background check.

Clinton also ordered the ATF to ban the importing of foreign assault weapons, such as the Israeli-made Uzi. That ban is largely symbolic, because most assault weapons are made in the United States. The President seeks to ban domestic assault weapons, too, but that legislation is sure to trigger political heat from the National Rifle Assn.

To his credit, Clinton is the first President to back the Brady bill, which would mandate a five-day waiting period for gun purchases. That worthwhile legislation carries the name of James S. Brady, the former White House press secretary who was severely and permanently injured during an assassination attempt on President Ronald Reagan. Brady took a bullet for his boss, but that sacrifice has failed to persuade many in Congress to bite the bullet and support sensible control of arms. Let this session be the one in which Congress breaks free of the chains of the gun lobby.

Many Republicans will find plenty to support in Clinton's package. The President, in contrast to many of his Democratic colleagues, supports the death penalty. He proposes to limit the federal appeals that an inmate is allowed to file while on Death Row. This restriction would speed execution dates — perhaps at the expense of the deaths of innocent people who had been wrongly convicted. That would neither reduce crime nor increase justice.

GRAPHIC: Photo, A stepped-up war on crime may call for a bigger LAPD Academy.

TYPE: Editorial

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Sacramento Bee

August 13, 1993, METRO FINAL

SECTION: EDITORIALS; Pg. B6

LENGTH: 614 words

HEADLINE: TOWARD REASONED CRIME CONTROL

KEYWORD: BEE EDITORIAL CRIME CONGRESS LEGISLATION CLINTON WEAPON

BODY: Most of the package of crime bills endorsed by President Clinton this week resembles bills over which Congress battled to a stalemate last year. Yet there are enough major additions — principally Clinton's proposal for federal grants to put 50,000 more police officers on the streets — to give this proposal the heft that its predecessors lacked. There will always be politics and posturing in this field, but this plan has substance as well.

In unveiling the package — not surprisingly in the presence of a group of police chiefs gathered for a Rose Garden photo-op — the president also announced that he's directed the Bureau of Alcohol, Tobacco and Firearms to tighten the incredibly loose regulations that now allow almost anyone to become a gun dealer under a weakly enforced federal law. He also ordered a halt to the importation of assault pistols.

The first of those orders could have a significant effect in making it harder for thousands of people who are not serious gun dealers to get around state gun laws. The second is largely a gesture, since most assault pistols used in this country are made domestically. But to do more than that, the president will need legislation, which he has already called for but which will face vigorous opposition in Congress from the gun lobby. There also will be a major battle over the Brady bill, the proposed five-day waiting period to give time for background checks of gun purchasers, that is part of the Clinton package and that also faces vehement gun lobby opposition. Although congressional Republicans have endorsed much of the Clinton package, there remains a threat of a filibuster in the Senate if Brady is included. In addition, there are important questions about the limitations on appeals of death penalty convictions that the Clinton package contains. Those limitations, while not as Draconian as those proposed in prior bills, may still leave too much chance, as even the administration concedes, that some innocent convicts will be executed.

And yet this is a persuasive package, most particularly because it would give states and local governments \$ 3.4 billion over the next five years to put 50,000 more cops on the street. Because the budget caps discretionary spending, that money will have to come from other discretionary programs.

Yet if Congress is serious about federal efforts to reduce crime, additional funding for cops is essential — and likely to make a great deal more difference than adding still more penalties to sentencing guidelines that are already among the most severe in the modern world. Combined with Attorney General Janet Reno's worthy effort to shift some emphasis in drug control from punishment to treatment of drug abusers, the nation's crime policy may at last be inching from posturing back toward effectiveness and reason.

capital punishment is popular, and Mr. Clinton's support for it was seen as a political asset in last year's campaign. What is sad is not that some citizens are so outraged by crime that they support capital punishment -- this is at least an honest emotion -- but that politicians pretend that putting more people to death will actually make a large dent in the crime problem.

TYPE: EDITORIAL

SUBJECT: CRIMES; CRIME AWARENESS CAMPAIGNS; POLICE; HIRING; DEATH PENALTY; POLITICAL ISSUES AND PHILOSOPHY

NAMED-PERSONS: BILL CLINTON

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The Boston Globe

August 12, 1993, Thursday, City Edition

SECTION: METRO/REGION; Pg. 14

LENGTH: 418 words

HEADLINE: Plan for more police hits home in Brockton; Contributing reporter Cheong Chow helped prepare this report.

BYLINE: By Judy Rakowsky, Globe Staff

KEYWORD: BROCKTON POLICE INCREASE REACTION BILL CLINTON

BODY: The thousands of additional police officers that President Clinton's crime bill proposes nationwide is more than just a number to the Plymouth district attorney, William C. O'Malley.

O'Malley's office has handled three murders in Brockton alone in the past few days.

"There are too few police officers," said O'Malley, who as the new president of the National District Attorneys Association attended Clinton's Rose Garden ceremony. "In the city of Brockton the rate of violent crime has rocketed, with fewer police officers today than back in the 1970s," he said.

"Everyone understands the need, particularly in Brockton and Boston, where the numbers are greatly reduced because of Proposition 2 1/2 limits on municipal finance," O'Malley said.

O'Malley also hailed the provision for criminal appeals, aimed at reducing the number of meritless claims that clog up court systems.

Acting Boston Mayor Thomas Menino said the bill "will be a great boost" for Police Commissioner William Bratton, "who is trying to implement community policing with limited resources."

Menino expressed hope that Congress would pass the bill, as it "takes guns off our streets and puts police officers back on them."

The state public safety secretary, Thomas Rapone, did not object to any provisions in Clinton's package, but said, "We cannot rely on federal laws to make the streets of the Commonwealth secure."

He said the Legislature still needs to pass the plan Weld submitted two years ago.

One element of the Clinton package, the Brady Bill, named after James Brady, President Reagan's press secretary who was shot in the head in the assassination attempt on Reagan in 1981, is a moot point for Massachusetts, a Rapone spokesman said.

Massachusetts has a 40-day waiting period for handgun purchases, compared with the Brady Bill's five, said Charles McDonald, Rapone's spokesman.

Rapone said the Weld administration obviously supports the idea of boot camps for young offenders, which Clinton wants to build on closed military bases. A similar program, launched by Weld in August, has graduated 150 offenders from a boot camp in Bridgewater, McDonald said.

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*Liz Bernstein —
wanted to make sure
you saw this.*
The Dallas Morning News

Wednesday, August 18, 1993

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CRIME PACKAGE

Clinton is taking the right approach

President Clinton has reopened this nation's war on crime on several important fronts. He has reaffirmed his support for the Brady Bill, which would require a five-day waiting period for the purchase of handguns in the United States. The president fulfilled his campaign promise to law enforcement agencies by proposing that federal funds be made available for an additional 50,000 police officers to be hired nationwide. And he addressed public frustrations with the judicial system by recommending that appeals be limited for death row inmates.

Since Mr. Clinton released his package a week ago, Senate Judiciary Committee Chairman Joseph Biden said he would like to consider the Brady Bill as separate legislation. The senator's reasoning is legitimate: The omnibus crime bill may take time to pass, so place the handgun portion on a separate, faster track where passage could occur this fall.

That move would be important because the benefits of the Brady Bill — named for White House press secretary James Brady, who was shot during an 1981 assassination attempt on then-President Ronald Reagan — far outweigh any concerns raised by organizations opposed to gun control.

Of course, much of Bill Clinton's crime

Representatives because some Republican members considered it not tough enough. The Clinton proposals appear aimed at addressing those concerns without abandoning basic philosophical positions on gun control and other issues.

The president staked out his ground when he announced last week that he had issued two executive orders to suspend the importation of assault pistols and strengthen licensing requirements for gun dealers. By doing so, Mr. Clinton has let Congress know that he intends for the long-debated waiting period for handgun purchases to become a national law.

Mr. Clinton's proposal to increase federal support for police hiring also merits solid backing. Police departments in major cities like Dallas are now fighting a losing battle on the streets. Increased federal funding will let police chiefs develop new and more effective anti-crime programs. For example, the community policing methods strongly endorsed by Dallas Police Chief Ben Click could in a tremendous boost from federal funding support.

The Clinton package is by no means a solution to rampant crime. But the president has crafted a plan that can pass in Congress. That may be the most important element if we are to find answers to this nation's dis-

Of course, much of Bill Clinton's crime package tracks the 1992 crime bill. That legislation stalled in the House of Representatives. That may be why we are to find answers to this nation's disturbing record of violence.

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The San Francisco Chronicle

AUGUST 14, 1993, SATURDAY, FINAL EDITION

SECTION: EDITORIAL; Pg. A14; LETTERS TO THE EDITOR

LENGTH: 1366 words

HEADLINE: LETTERS TO THE EDITOR

BODY: 'WHO ARE WE

PUNISHING?'

Editor – Who are we really punishing with capital punishment? People have tried the plea that it is "cruel and unusual." I think most people, no matter which side they are on, have missed the point somewhat.

It may not be "cruel and unusual" to the killer. The killer may want to die. Many take their own lives before they are captured. A psychiatrist once told me that there can be a connection between someone who is suicidal and someone who is homicidal, or vice versa. Plus, there is no conclusive evidence that capital punishment deters other atrocious crimes.

The ultimate victims of a killer's actions become the families and friends. I can understand their blind rage. I can understand them wanting revenge against the killer. Certainly, waiting to die through a capital punishment decision is no picnic for those on death row. I am not especially concerned about the anguish of the killers. What I am concerned about is the way we are punishing and creating new victims, the killers' families.

Let's stop taking revenge on innocent family members. This is supposed to be a punitive system to punish wrongdoers, not their families. The heartbreak of having your child or sibling incarcerated, and knowing of the atrocious behavior, is enough for any family to withstand. To further expose them to their family member's unnatural death is the same atrocious behavior as the one being punished.

I do not know why any of us would want to make ourselves guilty of the same crime which is being punished. Who are we really punishing with capital punishment?

SHARI L. SCHREIBER

Moraga

LEGALIZED PLUNDER

Editor – How would you like it if you came home from the movies one night to find your home had been broken into and many of your valuables had been taken? Would you call the cops? After all, a man's home is his castle, right?

What if the cops were the ones that did it? What if you could never get your stuff back? This is what just happened to a couple of friends of mine. The cops broke in with a battering ram, searching for a suspect that accidentally had the same first name as one of my friends. Is it a crime to have the same first name as a suspect?

The worst part is that their right to recover is no longer recognized. Yours isn't, either, as long as the thieves are cops. If they rob you, you have to pay for the right to get down on your knees and beg for them to be merciful enough to give back what belongs to you. They don't have to grant your request if they don't feel like it, no matter how much you degrade yourself before them.

If anyone takes your property without your consent, that's robbery. If cops commit robbery, hold their feet to the fire of the Bill of Rights, which requires them to provide just compensation for any property they take through this legalized plunder, this so-called "civil asset forfeiture." What's so civil about theft?

Everyone who cares about their basic right to own property should support forfeiture reform – like the legislation by Assemblyman John Burton and that being prepared by representatives like Henry Hyde – until our rights are secure.

As Patrick Henry said: "Guard with jealous attention the public liberty. Suspect all who approach that jewel."

TIM STARR

Libertarian Party

San Francisco

'THE BOSNIA DESK'

Editor – Your August 7 editorial, "The Bosnia Desk," reveals both your lack of historical knowledge and your anti-Serbian bias. You quote former State Department desk officer for Bosnia, Marshall Harris, as stating that he cannot serve "in a department . . . that accepts the dismemberment of a European state . . ." I wonder if he so agonized over the dismemberment of another European state, Yugoslavia?

It would serve both you and Mr. Harris well to consider the following: Bosnia was simply an administrative region within former Yugoslavia. It had not been an independent state since the early 15th century. The Bosnians have never been an ethnic group per se. Prior to World War II, the Serbs constituted the largest single nationality in Bosnia-Herzegovina. However, hundreds of thousands of Serbs were either slaughtered or forced to flee by Croat and Muslim extremists when the province was annexed by the pro-Nazi Independent State of Croatia (NDH).

The Bosnian Serbs have always occupied a disproportionate amount of land because they are predominately rural in contrast to the more urban Muslims. If Yugoslavia's seven-decades-old boundaries were to be ignored, why should Bosnia's be inviolable?

Why should not the Bosnian Serbs enjoy the same right of political self-determination as other ethnic groups? If Yugoslavia was a failure, why should we now encourage its rebirth in a Bosnian microcosm?

ANDREI SIMIC

Oakland

REDISTRIBUTE WEALTH

Editor – Thanks to the extensive coverage of the debates over the Clinton budget package, several things have become clear.

The Republicans stand fast on their credo of the recent 12 years: "Enrich the rich, trim the middle class, triage the poor." They even seem to feel that a chronic underclass is useful and desirable. More than that, their chief goal is to distract attention from the pillage and plunder which created the massive deficit. (Democrats were often helpful in this!)

In support of this, the term "entitlement" is to be confined very narrowly to those programs which help the disadvantaged. But does anyone doubt that the contributors to the political action committees, which are giving about an average of about a quarter million to each congressman and more to each senator, feels "entitled" to the vote of that public servant?

Also usefully obscured by the obsessive use of the term "massive tax increase" (with very great help from the press) is the fact that in 1981 the top tax was cut from 72 percent to 28 percent. To bump it up to 35 percent is not a massive increase, but rather a modest rollback of the largest pork barrel in our history.

But I suppose we must remember that tax changes which help the poor are to be called "redistribution of wealth" whereas those which reward the very rich are "incentives to investment." But, no, all taxes cause redistribution of wealth. The question is, fairly or unfairly?

WARD McCABE

San Jose

WILSON'S TAX PLAN

Editor – I have watched with interest and amazement as Republican politicians and pundits attacked the recently adopted Clinton budget package for its so-called "retroactive" tax increase.

Where were these Republican politicians and pundits when we needed them earlier this year, when Governor Wilson proposed that action be taken in February to repeal the renter's credit on 1992 tax returns?

In fact, at the February 4th meeting of the Franchise Tax Board, the governor's representative argued passionately against sending legally required refunds to tens of thousands of Californians who had already properly filed their 1992 tax returns, and claimed the renter's credit. I am proud that the two Democrats on the board, Controller Gray Davis and myself, voted to dispatch tax refunds to those claiming the renter's credit on their 1992 returns.

The Clinton so-called retroactive tax increase was adopted five months before the end of the applicable year, and only affects couples with incomes in excess of \$ 140,000.

The Wilson plan was put forward in the February after the applicable tax year had already eclipsed and would have taken \$ 120 from eligible married renters (\$ 60 single). The Wilson plan would have hurt only married couples with incomes below approximately \$ 41,000 and singles with incomes below \$ 21,000.

For Pete Wilson and the Republican pundits, \$ 120 may not seem like much. For a few people, \$ 120 is a tip at Spago's, but for many families, \$ 120 is groceries for a week.

Apparently, at least for Republicans, retroactivity means tax increases applicable to those who earn over \$ 140,000 while tax increases for families earning under \$ 41,000 simply escape their attention.

BRAD J. SHERMAN, chairman

state Board of Equalization

Sacramento

SUBJECT: LETTER

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The Gazette (Montreal)

August 16, 1993, Monday, FINAL EDITION

SECTION: EDITORIAL/OP-ED; OTHER VIEWS; EDITORIALS FROM OUTSIDE CANADA; Pg. B2

LENGTH: 470 words

HEADLINE: OTHER VIEWS; EDITORIALS FROM OUTSIDE CANADA

BYLINE: WASHINGTON POST; LOS ANGELES TIMES

KEYWORD: CRIME USA MISSING PERSONS POLITICAL PRISONERS CHILE MURDER

BODY: Washington Post, Aug. 13

President Clinton's crime bill is larded with provisions providing the death penalty for nearly 50 new offences. That is the truly bad side of a bill that is largely constructive in other respects. Crime is one of the most difficult issues in American national life. Federal government officials are held accountable for the street crime that most frightens citizens, but most of the action against it is at the local level. This makes much of the national talk about crime empty. . . .

The president took a helpful step in signing an executive order expanding the ban on the import of assault-style weapons. Even better would be a push to ban the domestic manufacture of these weapons. . . .

Unfortunately, too many politicians believe that unless a federal crime bill contains a lot of death-penalty provisions, it won't look "tough" and therefore won't be worth passing. This bill not only provides a slew of new death penalties but would also limit habeas-corpus appeals in death-penalty cases.

A better way to clear the courts of death-penalty cases is to abolish the death penalty. Yes, capital punishment is popular, and Mr. Clinton's support for it was seen as a political asset in last year's campaign.

What is sad is not that some citizens are so outraged by crime that they support capital punishment - this is at least an honest emotion - but that politicians pretend that putting more people to death will actually make a large dent in the crime problem.

- Los Angeles Times, Aug. 11

In the 17 years of Gen. Augusto Pinochet's dictatorship, many Chileans were killed or disappeared after being detained by the military government's security forces. There never has been an open inquiry into those disturbing events; until Chile's people know the truth there is no assurance such atrocities won't happen again. . . .

However, in fairness it should be noted that President Patricio Aylwin - whose democratically elected civilian government came into power in 1990 - must walk a political tightrope in confronting this issue. A Christian Democrat who opposed the Pinochet regime, Aylwin may be personally inclined to answer the hard questions asked by the relatives, human-rights groups and left-wing parties. But at the same time he must appease the military and Pinochet, who remains influential in military circles, and their right-wing supporters. And Aylwin must assure public opinion that justice can be done without reopening old wounds and deepening political divisions as December's elections approach. . . .

The Chilean armed forces must be on notice that they now answer to the civilian authorities elected by the people. Chileans will not be able to move forward with their revived democracy without facing their history honestly and directly.

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The New York Times

August 16, 1993, Monday, Late Edition - Final

SECTION: Section A; Page 17; Column 2; Editorial Desk

LENGTH: 745 words

HEADLINE: The Cop Fallacy

BYLINE: By David H. Bayley; David H. Bayley is professor in the School of Criminal Justice at the State University of New York at Albany.

DATELINE: ALBANY

BODY: President Clinton, seeking to carry out his campaign pledge to fight crime, has taken the first step toward fulfilling his promise to add 100,000 police officers across the country. He has announced his backing for a Democratic measure that, to start the ball rolling, would budget \$3.4 billion over five years. This, the President says, would pay for 50,000 new officers.

The Republicans have introduced a tough crime bill calling for substantially more police officers but not specifying any numbers.

The public, too, believes that more cops on the street is the answer to crime. But the sad truth is that hiring more officers will have no effect on the amount of crime in our society. Criminologists find no relationship between the number of police officers and crime rates. They know that the best predictors of differences in crime rates, from year to year and between different places, are social and economic factors such as unemployment, education, income, gender, age and ethnic background.

This does not mean the police should be laid off or sent on vacation. Studies of strikes and natural disasters indicate that crime does increase when the police are totally unavailable. By the same token, saturating areas with police officers deters criminal activity. As the police will admit, however, saturation is too costly to maintain for more than short periods, even in small areas. Within practical limits, therefore, varying the number of police officers is unlikely to have any noticeable effect on crime.

Our society can't afford to hire enough cops to make a deterrent difference. The possibility of increasing police visibility by hiring more officers is governed by a 10-for-1 rule: To get one officer on the street at all times throughout the year, at least 10 have to be hired.

Only about 65 percent of the nation's police officers are assigned to uniformed patrol. The New York Police Department calculates its "street enforcement strength" — front-line patrol officers, detectives and narcotics investigators — at just under 10,000, about 36 percent of all officers. But not all 65 percent are available all the time. They work different shifts, go on vacation, take sick leave and are sent for periodic training.

Generally, police departments estimate that it takes 5.5 officers to provide one officer around the clock throughout the year. The New York department's figure is 5.73. This means that of the 65 percent of police officers assigned to uniformed duties, only one of every 5.5 will be available at any moment. This amounts to 11.8 percent of total strength.

Add to this the fact that many uniformed patrol officers work away from the street, primarily in administrative duties, and that officers assigned to patrol are not always on the street, and it quickly becomes obvious that 10-for-1 is a conservative estimate of how many bodies are needed to create a single visible police officer. In New York City, for example, the average street enforcement strength at any time is 1,754, or 6.3 percent of total police personnel.

The 10-for-1 rule means that if President Clinton and Congress provide money to hire 50,000 new police officers nationwide, the increase in their visible street presence will be only 5,000. If these officers were assigned in proportion to population, New York State would have 350 more at any given moment, and New York City 125 to 150. This would increase the city Police Department's average street strength to about 1,900, which is 6.8 percent of total police officers.

If Mr. Clinton's additions were doled out across the country, as politicians would probably insist, each town or city would get at most one or two more. Even this almost invisible increment is prohibitively expensive. A patrol officer costs about \$50,000 per year, salary and benefits together. Following the 10-for-1 rule the cost of one more street officer is really \$500,000.

The policy of deterring crime through increasing the visible presence of the police is bankrupt — a political nostrum that sounds good but is ineffective and costly. To prevent crime, the police must become inventive, not simply more numerous. They should, for example, make better use of community policing, reduce the senior ranks and give precinct commanders greater autonomy.

Until the police show that they know how to use personnel in new ways that make a difference in preventing crime, increased hiring should be put on hold.

TYPE: Op-Ed

SUBJECT: CRIME AND CRIMINALS; REFORM AND REORGANIZATION; POLICE

NAME: CLINTON, BILL (PRES); BAYLEY, DAVID H (PROF)

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The Ottawa Citizen

August 16, 1993, Monday, FINAL EDITION

SECTION: NEWS; WORLD BRIEFLY; Pg. A7

LENGTH: 674 words

HEADLINE: WORLD BRIEFLY

BYLINE: CITIZEN NEWS SERVICES

BODY: Police arrested an Egyptian who hijacked a Dutch airliner Sunday and forced it to land in Germany. A spokesman at Duesseldorf's airport said the last two hostages escaped unhurt and the hijacking ended without bloodshed at 8 p.m. EDT Sunday. The hijacker had demanded freedom for Muslim cleric Sheik Omar Abdel-Rahman, whose followers are accused in the World Trade Centre bombing in New York. Police said the hijacker also demanded that UN sanctions against Serbia be more strictly enforced.

ISRAEL

Palestinian exiles agree to plan for return

JERUSALEM — The 395 Palestinians deported by Israel to southern Lebanon last December accepted an Israeli plan Sunday that would return nearly half of them to the occupied West Bank and Gaza Strip next month. The deportees, accused Islamic militants sent into exile after five Israeli soldiers were killed, had insisted defiantly for months that none of them would go home until all could.

PARAGUAY

First freely-elected president sworn in

ASUNCION — The first freely elected civilian president in Paraguay's 182-year history was inaugurated Sunday in a spectacular open-air ceremony. Carlos Wasmosy, 54, is a construction tycoon who champions market economics. He takes over from Gen. Andres Rodriguez, who steered the country toward democracy after leading the bloody coup in 1989 that ended more than three decades of strong-arm rule by Gen. Alfredo Stroessner.

UNITED STATES

Family is under attack, Pope tells youths

DENVER — Pope John Paul told youths Sunday that "vast sectors of society are confused about what is right and what is wrong. The family especially is under attack. And the sacred character of human life is denied. Naturally, the weakest members of society are at the most risk: the unborn, children, the sick, the handicapped, the old, the poor and unemployed, the immigrant and refugee. The Pope spoke to a crowd estimated at 350,000 on the last day of his four-day visit to the U.S.

Most Americans favor gun control, poll finds