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LOS ANGELES TIMES

12-2-95

Professors Group to Investigate UC

Education: Panel will examine whether regents' vote to end affirmative action was influenced by political pressures.

By AMY WALLACE
TIMES EDUCATION WRITER

In a move that shines a spotlight once again on affirmative action at the University of California, the nation's largest organization of college professors launched a formal investigation Friday into the UC Board of Regents' decision to end race-based preferences in hiring, contracting and admissions.

A seven-member panel appointed by the American Assn. of University Professors will examine whether the UC regents adequately shielded the university from political pressures and whether their July vote violated accepted principles of institutional governance.

The inquiry, which is unusually broad in scope, also is notable for its participants. Robert Atwell, the president of the American Council on Education, the nation's preeminent higher education advocacy group, is on the panel, as is A. Leon Higginbotham Jr., a Harvard University professor and former appellate judge from Philadelphia.

The impact of the panel's findings, which will be reported by next May, may be largely symbolic because the Washington, D.C.-based group has no authority over the regents' decision-making.

But a critical report could embarrass UC while also drawing renewed attention to an age-old idea: that universities should be governed cooperatively, with decisions shared by trustee boards, administrators and faculty.

"The future of higher education is at stake," said Joan Wallach Scott, a social science professor at the Institute for Advanced Study at Princeton who will head the panel.

"We in the academic community need to take a hard look at the way in which political pressures are intruding into traditional institutional governance practices and how such intrusions affect our ability to establish sound professional standards," Scott said.

The investigation begins as the faculties on seven of UC's nine campuses are calling upon the regents to rescind their decision, complaining that it violated principles of shared governance.

Many professors have mixed feelings about the probe, worrying

that it will sully the university's reputation, but hoping that it will put pressure on the regents to reconsider their vote.

"Whether you're administrators, regents or faculty, we're all concerned about damage to the prestige of the university," said Larry Wallack, a professor of public health at UC Berkeley. "When you have an outside organization putting a spotlight on your institution in a very negative way, you have to start thinking about what kind of damage is being done."

Psychology professor Arnold Leiman, a regent who heads UC's academic council, worries that the inquiry will further inflame passions among the regents. While the American Assn. of University Professors does not have the clout to force changes at UC, he said, its investigation "contributes to a climate where it gets harder to accomplish some of our academic goals. . . . Our growth is impaired by the sense that something is wrong."

Critics have contended that the regents' July vote was a blatantly political decision masterminded by Gov. Pete Wilson, who was in the midst of a short-lived presidential bid that had opposition to affirmative action as its centerpiece.

This charge raised hackles at UC more than it would have at other public universities because the state Constitution is intended to protect UC from political interference, making it independent of the Legislature. Still, the governor is the president of the regents and appoints regents to their 12-year terms.

But the sponsor of UC's affirmative action ban said the national inquiry is politically motivated as well.

"This panel is rigged," said Regent Ward Connerly, who worked with Wilson to push the measure through, then announced this week that he will take over as head of the flagging statewide campaign for a ballot initiative to ban affirmative action.

The most eminent members of the professors panel, Atwell and Higginbotham, are both well-known supporters of affirmative action, Connerly said. "My position is as solid as a rock. No rigged panel is going to deter me."

On Friday, one regent who voted against the rollback of affirmative action said he believed the professors panel would have no trouble finding proof of political intervention.

"The vote was influenced by politics. And political intrusion is inappropriate in the operation of

the University of California," said Regent Roy T. Brophy, who unsuccessfully lobbied the regents to delay their vote. "The president of the board (is) the governor. . . . And the governor obviously is more persuasive than a single member such as myself."

Regent Ralph Carmona said Connerly's new job as manager of the so-called "California civil rights initiative" campaign makes the university look bad. "His association with this new initiative effort clearly shows an unfortunate connection," Carmona said. "It shows that the university has been contaminated by the mainstream political process."

Connerly shot back, saying that he sees no conflict between his role as a regent and his new political position.

He recalled that Brophy said recently that if the "civil rights initiative" does not qualify for the ballot, he will ask the regents to reconsider their vote.

"I don't know. Maybe he gave me an incentive to make it qualify and shove it down his throat," Connerly said.

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Sac Bee

7 CAPITOL

Thursday, November 23, 1995 A3

Connerly asked to lead initiative campaign

By Ken Chavez
Sac Capitol Bureau

Backers of the financially troubled ballot-measure campaign to curtail affirmative action in California are trying to persuade Sacramento businessman Ward Connerly to become the new leader of its effort.

Connerly, the University of California regent who launched a successful drive to end race- and gender-based preferences in hiring and admissions at the system's nine campuses, said Wednesday he will make his decision over the Thanksgiving Day weekend.

"They have been asking me to do this for six months now, and up until now I have resisted," Connerly said. But, he added, "No matter how painful this process is,

right now it (confronting the affirmative action debate) is a thing the nation has to do."

Connerly is a longtime friend and political ally of Gov. Pete Wilson, who made his opposition to affirmative action a cornerstone of his aborted run for the GOP presidential nomination.

The renewed push to retain Connerly as head of the self-titled California Civil Rights Initiative - which would ban race and gender preferences in all government hiring, contracting and education programs - comes at a time when the ballot measure is experiencing fund-raising difficulties.

Last week, the campaign resumed its paid signature-gathering drive after a two-week hiatus caused by a cash shortage.

Over the weekend, the cam-



Ward
Connerly

The UC regent said he'll make his decision over Thanksgiving weekend.

paigu's manager, Joe Gelman, resigned - reportedly to save the campaign money. Others, who asked to remain anonymous, said Republican power brokers who have backed the measure were not happy with his management of the campaign.

Denying the rumors, Larry Arnn, one of the initiative's primary sponsors, said Gelman

"didn't leave because of problems with the stewardship of the campaign. We just didn't have money for that position. We have reorganized the campaign so that the only full-time campaign person is the person who is coordinating the volunteer effort."

Backers of the initiative have until Feb. 21 to collect the signatures of roughly 700,000 registered voters in order to qualify the measure for the November 1996 ballot.

Arnn, who is president of the Claremont Institute, a conservative think tank in Southern California, said he wants Connerly for the job of campaign chairman because he has a "proven record" on the issue. "He has fought and won such a battle," Arnn said. "He had a lot of guts and determination (in

the UC fight). Ward is experienced in statewide politics. He is a well-connected businessman. He really does have the credentials to do this thing."

Steve Smith, political director for the state Democratic Party, said he believes the initiative will make it onto next year's ballot.

"Our assumption is that CCRRI has a lot more to do with Republican politics and them trying to have a wedge issue than it does with any kind of good policy," he said. "Therefore, Republican politicians, including the governor, will make absolutely sure it qualifies."

Both Arnn and Connerly said Wilson is raising money for the initiative. "Yes," said Connerly. "He's trying to raise money - with some success, too."

DEMOCRATIC ★ NATIONAL ★ COMMITTEE

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HONORABLE KWEISI MFUME**PRESS CONFERENCE****MONDAY, JUNE 5, 1995
HOUSE RADIO & T.V. GALLERY**

Good Afternoon. A number of occurrences during the course of last week have prompted me to call this press conference today in an effort to address the seemingly endless stream of trial balloons and attacks on the concept of Affirmative Action and equal opportunity.

- 1) California Governor Pete Wilson escalated both the debate and the divisions on the issue of affirmative action by signing an executive order abolishing a wide range of such programs throughout the state of California,**
- 2) Charles T. Canady, a freshman Republican, has circulated a "Dear Colleague" letter indicating his intent to introduce legislation in the House to repeal affirmative action laws; hypocritically calling the pending legislation the "Civil Rights Act of 1995," and**
- 3) information was conveniently leaked to the press this past**

week regarding the Clinton Administration's task force review of Affirmative Action. It was suggested in a New York Times article that contracting programs designed to provide access and opportunity for minorities and women may be on the chopping block as sort of a sacrificial first step.

I am here today to challenge those who inflame this issue for the purposes of political advancement. I am also here to denounce any attempt by those who would seek to play on the emotions of Americans of all races by ending affirmative action initiatives and putting nothing in its place to ensure equal opportunity for women and racial minorities.

The leaked report from the Clinton task force, unfortunately, may play in the hands of critics who don't yet have the benefit of a full review. While I am inclined to wait for a complete and thorough report and the promised summary of the review before it is made public, I must indicate my concern with the manner in which information seems to be leaked on such a sensitive matter. Clearly, this is not the appropriate way to drive or develop policy and it is insulting to those of us of all races who are trying to work toward maintaining a society where equal access and

equal opportunity is available to all Americans.

Those who take the approach that the debate centering around Affirmative Action is singular and simplistic are failing to take into account the intricacies and nuances of bias, based on race and gender. They are doing a disservice, both to the discourse and the debate. A case in point would be the whole area of providing opportunity for economic development in African-American, Hispanic and Asian communities. There continues to be a failing on the part of this country's economic caretakers in not realizing that minority business development is correlated to other national economic priorities. Viewing minority business programs as tools for economic development is essential and necessary in fostering the understanding that these programs are investments in America's economic system; not social programs.

Those involved in this debate who say that Affirmative Action is "unfair and stigmatizes the achievements of those it was intended to help" are either intentionally misleading or condescending at best. They say the benefactors should resent a public perception that they were hired on the basis of preferential treatment, and that this alone is cause to be opposed to Affirmative Action.

Any stigmas and negative stereotypes associated with race existed in this country long before affirmative action was ever thought of. They don't exist because of it, they exist in spite of it. The move to create equal opportunity programs was a response to those sentiments. Getting rid of equal opportunity for some Americans by getting rid of Affirmative Action will not cleanse our country of these sentiments. It will not change the fact that some people still suffer from delusions that anyone who is not white is inherently inferior or less qualified.

Then there are those who say we need to look at merit--as if to suggest that merit has had nothing to do with equal opportunities being afforded to women and racial minorities. Merit and the idea of making sure that in America everybody has a fair chance is exactly why there is Affirmative Action today. Merit, not manna from heaven. Not quotas, which are illegal.

Set-asides and other mechanisms, provide "qualified" women and minorities an opportunity to perform and demonstrate their capabilities. It is an opportunity that has not heretofore been available based on existing merit. Jackie Robinson proved you had to be twice as good just to be considered equal.

Moreover, calling set-asides un-American is an oxymoron. Our nation was founded on the concept of 100% set-asides for privileged white males. They got it all. African-Americans were not considered human; were sold as property and experienced a quota of zero when seeking to vote, own land, go to school, or own a business. The enslavement of the black, the extermination of the Indian and the annexation of the Hispanic made and kept that 100% set-aside functional for almost 200 years. In fact, the majority of opportunities, in higher education, jobs, and contracts, continues to remain out of the reach of most blacks and latinos because the measurement of merit is still not color-blind.

Then there is the ever-present question about whether or not there is a moral obligation regarding past discrimination. The most common refrain in this on-going debate goes something like this, "I don't want to have to pay for what my great-grandfather did."

It's not only the hypocrisies of the past that should concern us, but the hypocrisies of the present. For example:

- 1) a 1990 Urban Institute study found unequal treatment of minority job seekers,

- 2) In 1991, Holiday Spa health club chain was found to systematically discriminate against African-Americans,
- 3) in 1993, Denny's restaurant settled claims of discrimination in refusing to serve black customers,
- 4) in 1994, Chevy Chase Bank agreed to an \$11 million settlement regarding redlining mortgages for minority neighborhoods, and
- 5) in 1995, the Glass Ceiling Commission concluded that women, Hispanics and African-Americans are still disproportionately represented among the working poor of our nation.

Thus, discrimination is not an article of the past.

The truth is that beyond any moral obligation, there are overwhelming and compelling policy reasons for aggressive action, as in goals and timetables, to undo the very real disparities in wealth and economic opportunity that have resulted from racial discrimination in this country.

Affirmative Action is an essential tool for integrating minorities into the economic mainstream.

Federal minority business programs:

- * improve problems of unemployment and underemployment among minority communities through business development,
- * direct the flow of commerce to underutilized segments of the population,
- * reduce dependency on government grants and subsidies through economic empowerment,
- * enhance overall competition in the marketplace, and
- * remedy ongoing effects of marketplace discrimination.

Three decades is not nearly long enough to dismantle entrenched racial stereotypes and attitudes.

I want to clearly and carefully warn the Administration that by not being clear and firm on the issue of equal opportunity, equal access and inclusion, the President runs the risk of permanently losing large segments of his base. The only thing worse than trying to be all things for all people is to create in the process large pools of unenthusiastic voters tired of choosing between the lesser of two evils.

I have a warning also for the Republican party. If you think that

racial minorities in this country and in particular, African-Americans, are going to silently let 30 years of progress be taken away without a fight, no matter what the issue, you are in for a rude awakening. We will set down with you, hear your side and make our case. We are prepared to negotiate and to give and take. But we will not have policy imposed upon us without input.

The America that we all love cries out in this time of confusion and on this very difficult question of equal opportunity for us to reach common ground. This issue of affirmative action is not black or white; open or shut. It requires reaching across the table, discussing our fears and embracing our similarities.

We cannot be led on this issue by fear. The White House cannot govern by news leaks or trial balloons. We need bold Presidential leadership.

FAKED
TO ANN 10/18
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THE WHITE HOUSE

WASHINGTON

October 19, 1995

The Honorable Edward M. Kennedy
United States Senate
Washington, D.C. 20510

Dear Ted:

I am writing in regard to the Employment Non-Discrimination Act, which you and Senator Jeffords have reintroduced in the current session of Congress.

As you know, discrimination in employment on the basis of sexual orientation is currently legal in 41 states. Men and women in those states may be fired from their jobs solely because of their sexual orientation, even when it has no bearing on their job performance. Those who face this kind of job discrimination have no legal recourse, in either our state or federal courts. This is wrong.

Individuals should not be denied a job on the basis of something that has no relationship to their ability to perform their work. Sadly, as the Labor and Human Resources Committee documented last year, this kind of job discrimination is not rare. Cases of job discrimination on the basis of sexual orientation are seen in every area of our country.

The Employment Non-Discrimination Act, however, is careful to apply some exemptions in certain areas. I understand that your bill provides an exemption for small businesses, the Armed Forces, and religious organizations, including schools and other educational institutions that are substantially controlled or supported by religious organizations. This provision, which I believe is essential, respects the deeply held religious beliefs of many Americans.

Moreover, your bill specifically prohibits preferential treatment on the basis of sexual orientation, including quotas. It also does not require employers to provide special benefits.

The bill, therefore, appears to answer all the legitimate objections previously raised against it, while ensuring that Americans, regardless of their sexual orientation, can find and keep their jobs based on their ability and the quality of their work. The Employment Non-Discrimination Act is designed to protect the rights of all Americans to participate in the job market without fear of unfair discrimination. I support it.

Sincerely,

Bill Clinton

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Sincerely,

Bill Clinton



Department of Justice

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a solid black horizontal line.

ADVANCE FOR RELEASE AT 5 P.M. EST
SUNDAY, NOVEMBER 12, 1995

BJS
202/307-0784

**23 PERCENT OF THOSE ARRESTED FOR WEAPONS OFFENSES
ARE YOUNGER THAN 18 YEARS OLD**

WASHINGTON, D.C. -- Almost a quarter of those arrested for weapons offenses are minors, the Department of Justice said today. In a study of people arrested for weapons offenses during 1993, 23 percent were under age 18. More than nine out of ten were males. More than half were white.

The arrest rate for weapons offenses for 18-year-old males--one arrest for every one hundred 18 year olds--was three times higher than for males 25 to 29 and five times higher than for males 30 to 34, according to the Bureau of Justice Statistics (BJS) study.

Weapons offenses include the illegal possession, use, trafficking, carrying, manufacturing, importing or exporting of deadly devices such as guns, ammunition, silencers, explosives and some types of knives.

Most felony weapons convictions are in state courts (96 percent). However, federal-level weapons investigations, prosecutions and convictions have increased substantially.

(MORE)

Between 1980 and 1992 the number of suspects investigated by U.S. Attorneys for weapons violations increased four-fold, and the number prosecuted increased five-fold. From 1985 through 1992 federal prison admissions for weapons violations grew from 4.9 percent to 10.2 percent of all federal prison admissions.

Arrest rates for weapons offenses during 1993 varied dramatically among the states and the District of Columbia. The five highest rates per 100,000 population were:

D.C.	301
Missouri	199
Wisconsin	165
Georgia	149
Louisiana	142

The five lowest rates per 100,000 population were:

Iowa	30
North Dakota	25
Maine	23
New Hampshire	16
Montana	12
Vermont	1

Urban areas accounted for the most arrests on weapons charges, with 81 percent. The suburbs contributed 14 percent of the arrests and rural areas 5 percent.

More than 200,000 adults were arrested for weapons violations during 1992. Most weapons offenses are tried as misdemeanors but about 26,000 people were convicted of felony weapons charges in state courts that year.

During 1992 about four in 10 convicted state felony weapons

(MORE)

offenders received a prison term, with sentences averaging about four years. Almost nine in 10 (86 percent) convicted federal weapons violators received a prison term, with sentences averaging more than six years (77 months). The average federal sentence for a weapons conviction in 1990 was almost four years (47 months).

Weapons violators accounted for about 2 percent of the state prison population and about 6 percent of the federal prison population. The average state and federal prison time served for a weapons offense was just under two years.

Many of those accused of weapons offenses were on probation, parole or bail or had a prior criminal history. According to the study:

- Of the felony-weapons defendants in the 75 largest counties in 1992, two-fifths were on probation, parole or pretrial release at the time of they were arrested. One-third had been convicted of a felony previously.

- Of weapons offenders in state prison, about 90 percent had been sentenced to probation or incarceration previously. Moreover, 60 percent of these offenders had been on probation or parole from earlier offenses at the time they were imprisoned for the weapons offense.

- Three out of four federal prisoners serving time for a

(MORE)

weapons offense had a prior felony conviction record.

The Bureau of Justice Statistics (BJS) report, "Weapons Offenses and Offenders" (NCJ-155284), was written by statisticians Lawrence A. Greenfeld and Marianne W. Zawitz. Single copies may be obtained by facsimile transmission by dialing 301-216-1827 or by calling the BJS Clearinghouse, Box 179, Annapolis Junction, Maryland 20701-1079. The telephone number is 1-800/732-3277. Fax orders to 410/792-4358.

Data from tables and graphs used in many BJS reports can be obtained in spreadsheet files on 5¼ and 3½ inch diskettes by calling 202/616-3283.

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BJS96-2

After hours contact: Stu Smith at 301-983-9354



Bureau of Justice Statistics Selected Findings

November 1995, NCJ-155284

Firearms, crime, and criminal justice

Weapons offenses and offenders

By Lawrence A. Greenfeld
Marianne W. Zawitz
BJS Statisticians

What are weapons offenses?

Weapons offenses are violations of statutes or regulations that control deadly weapons. *Deadly weapons* include firearms and their ammunition, silencers, explosives, and certain knives. About 2% of arrests nationwide in 1993 were for weapons offenses.

All States, some localities, and the Federal Government have criminal laws concerning deadly weapons, including restrictions on their —

- possession
- carrying
- use
- sales or trafficking
- manufacturing
- importing and exporting.

Many of these laws are specific to *firearms*. For example, in 1994 all States and the District of Columbia had statutes concerning the carrying of firearms; some required permits to carry a concealed weapon, and some prohibited open carrying of firearms.

Federal law regulates the importation, manufacture, and distribution of firearms; bans certain firearms such as machine guns and semiautomatic assault weapons; and prohibits the sale

Highlights

- Weapons arrestees are predominantly male, age 18 or over, and white. However, weapons arrest rates per 100,000 population are highest for teens and for blacks. *page 2*
- Arrests of juveniles comprise an increasing proportion of weapons arrests. *page 3*
- The number of Federal weapons offenses investigated and prosecuted has increased at least 4-fold since 1980. *page 4*
- Average prison sentence lengths for Federal weapons offenders have increased while those for State offenders have decreased. *page 5*
- Of the defendants in felony weapons cases in the 75 largest counties in 1992, two-fifths were on probation, parole, or pretrial release at the time of the offense, and a third had

previously been convicted of a felony. *page 5*

- Weapons offenders are making up an increasing proportion of admissions to State and Federal prisons. *page 5*

• Although many more offenders are admitted to Federal prison for drug offenses than for weapons offenses, from 1985 to 1992 the rate of increase in admissions of weapons offenders was 4 times greater than the rate of increase of drug offenders. *page 6*

- Weapons charges as an addition to other charges are more common at the Federal level than the State level. *page 7*

This report is the second in a series on firearms, crime, and criminal justice. The first report in the series, *Guns Used in Crime* (NCJ-148201, July 1995), includes definitions of commonly used firearm terms.

of some firearms to restricted classes of people, including convicted felons and juveniles.

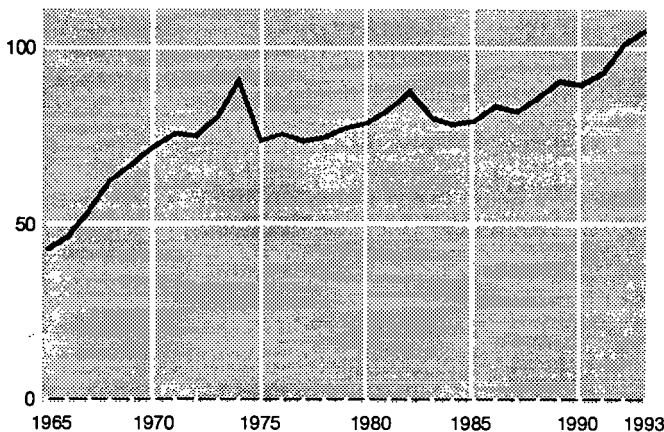
How many arrests for weapons offenses are made annually?

The FBI's *Crime in the United States, 1993* estimated that State and local law enforcement agencies made 262,300 arrests in which a weapons offense was the most serious charge.

From 1974 to 1993, the number of arrests for weapons offenses increased 54%, while the total number of arrests for all crimes increased 55%. The proportion of all arrests that were for weapons offenses remained fairly constant during the period. The number of violent offenses (murders, robberies, and aggravated assaults) committed with a firearm increased 78%.

After 1965 arrest rates for weapons offenses more than doubled

Weapons offense arrest rates
per 100,000 population



Source: FBI, Uniform Crime Reports, *Age-specific arrest rates and race-specific arrest rates for selected offenses, 1965-1992*, December 1993 and FBI, *Crime in the United States, 1993*, December 1994.

Who is arrested for weapons offenses?

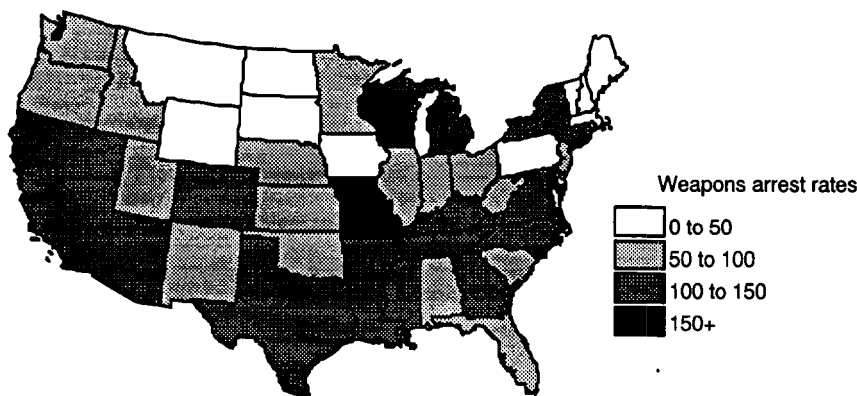
Of those persons arrested by State and local agencies for weapons offenses in 1993 —

- 92% were males
- 77% were age 18 or over
- 55% were white.

Race	Percent of persons arrested for weapons offenses		
	Total	Age 18 or over	Under age 18
Total	100.0%	76.6%	23.4%
White	55.4	41.0	14.4
Black	43.0	34.4	8.5
Asian or Pacific Islander	1.1	.8	.3
American Indian or Alaskan Native	.5	.4	.1

Source: FBI, *Crime in the United States, 1993*.

Weapons offense arrest rates vary by State



1993 weapons offense arrest rates per 100,000 population by State

State	Rate	State	Rate	State	Rate
District of Columbia	301	Michigan	107	Alabama	67
Missouri	199	Kentucky	106	Minnesota	61
Wisconsin	165	Maryland	104	Rhode Island	60
Georgia	149	New York	102	Hawaii	60
Louisiana	142	Ohio	97	Indiana	59
Nevada	141	New Jersey	94	Idaho	52
Colorado	140	Kansas*	94	Pennsylvania	49
Texas	139	Oklahoma	91	South Dakota	41
Mississippi	135	Utah	85	Massachusetts	35
California	135	Oregon	81	Wyoming	31
North Carolina	132	Nebraska	78	Delaware	30
Tennessee	131	West Virginia	77	Iowa	30
Virginia	129	South Carolina	77	North Dakota	25
Arkansas	126	Washington	75	Maine	23
Connecticut	116	Illinois*	75	New Hampshire	16
Arizona	114	New Mexico	71	Montana	12
Alaska	107	Florida	68	Vermont	1

*1993 arrest data were not available for these States. An average of their 1991 and 1992 rates was used.

Source: FBI, *Crime in the United States, 1993*, December 1994.

Weapons arrest rates are 5 times greater for blacks than for whites

Race	Weapons offense arrests per 100,000 population		
	Total	Age 18 or over	Under age 18
Total	105	109	94
White	70	69	73
Black	362	430	221
Other	40	41	37

Source: FBI, Uniform Crime Reports, 1993 preliminary arrest data adjusted to reporting populations.

Most arrests for weapons offenses were made in cities

Most arrests for all types of offenses are made in urban areas, however weapons offense arrests are more likely to occur in urban areas.

Place of occurrence	Percent of 1993 arrests	
	All arrests	Weapons offenses arrests
Urban	77%	81%
Suburban	16	14
Rural	8	5

Source: FBI, *Crime in the United States, 1993*, December 1994.

Of all arrests for weapons offenses, 20% were of juveniles in cities.

Arrests of juveniles comprise an increasing proportion of weapons offense arrests

Juveniles accounted for 16% of those arrested for weapons offenses in 1974 and 23% in 1993. Between 1985 and 1993, the number of juvenile arrests for weapons offenses increased by more than 100%, from just under 30,000 to more than 61,000; at the same time adult arrests grew by 33%.

Older teens have the highest weapons offense arrest rates

Among all age and gender groups, males at age 18 have the highest per capita arrest rates for weapons offenses.

Age group	Males	Females
12 or under	15.2	2.1
13-14	350.9	47.7
15	607.8	56.1
16	793.9	59.4
17	857.8	50.7
18	1007.0	48.6
19	826.5	42.0
20	683.7	36.2
21	630.4	39.2
22	601.2	38.7
23	546.5	43.3
24	447.7	36.7
25-29	317.0	30.0
30-34	210.5	24.6
35-39	153.9	18.6
40-44	108.4	11.7
45-49	82.2	8.3
50-54	60.2	5.5
55-59	40.7	3.0
60-64	26.6	1.4
65 or over	14.6	.9

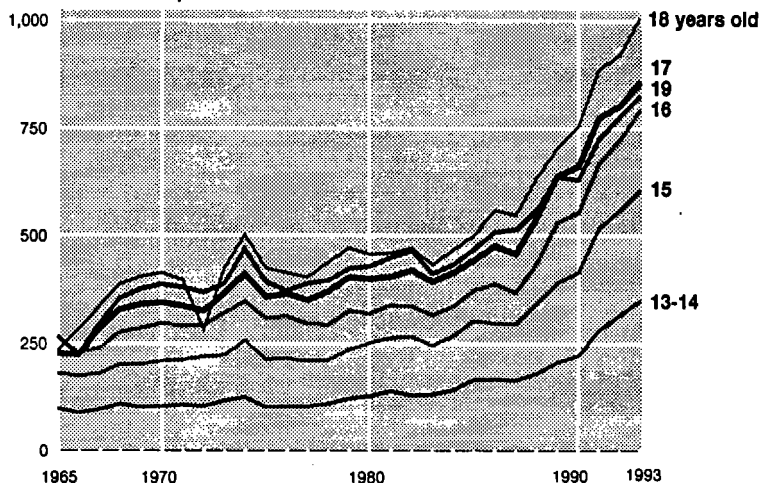
Source: FBI, Uniform Crime Reports, 1993 preliminary arrest data adjusted to reporting populations.

Juveniles are subject to additional weapons restrictions in many jurisdictions

Both the States and the Federal Government have jurisdiction over the possession of firearms by juveniles.

For teenage males arrest rates for weapons offenses rose dramatically since the mid-1980's

Arrest rates for weapons violations



Sources: FBI, *Age-Specific Arrest Rates and Race-Specific Arrest Rates for Selected Offenses, 1965-1992*, December 1993 and FBI, *Uniform Crime Reports, 1993 preliminary arrest data* and 1993 population estimates from the U.S. Bureau of the Census adjusted to reporting populations.

At the Federal level, the Youth Handgun Safety Act of 1994 prohibits the possession of handguns by anyone under age 18 and provides criminal sanctions of up to 10 years in prison for anyone convicted of providing a handgun to a person under age 18. There are a number of exceptions to the prohibition including possession for employment, for hunting, and for firearm safety training. Prior to enactment of this law, Federal firearms licensees were prohibited from selling handguns to anyone under age 21 and rifles and shotguns to anyone under age 18. However, the earlier Federal law did not prohibit the sale of firearms to juveniles by unlicensed persons and did not prohibit the possession of any type of firearm by juveniles.

According to a 1994 study of State laws by the National Criminal Justice Association, all 50 States and the District of Columbia have firearms laws that specifically apply to juveniles. In addition —

- half the States prohibit or restrict a juvenile's possession of firearms without some form of parental or adult supervision or permission
- 24 States explicitly prohibit or restrict a juvenile's possession of a handgun.

The ages covered by firearms restrictions on juveniles vary; in some States the laws apply to persons under age 16, and in others, to persons under age 21.

More than two-thirds of the States have enacted general prohibitions against the possession of a firearm in or near a school or similar facility such as a daycare center.

How many delinquency cases involving weapons offenses are handled by the juvenile courts?

Juveniles who commit criminal law violations are handled by the juvenile justice system in delinquency cases. Adults who commit the same acts are prosecuted in the criminal courts. In 1992 juvenile courts processed an estimated 41,000 delinquency cases (about 3% of those processed) where the most serious offense involved weapons. Between 1988 and 1992, the number of delinquency cases involving weapons grew 86%, more than any other offense type.

The National Center for Juvenile Justice reported that of the weapons offense cases involving juveniles that were disposed of in 15 States in 1992, 57% were handled formally (petitioned) by juvenile courts. Of those weapons cases petitioned, 63% were formally adjudicated by the court. Of the adjudicated weapons cases, about 31% resulted in an out-of-home placement, 56% resulted in probation, 6% received other sanctions, and 6% were dismissed.

Some juveniles may be prosecuted for weapons offenses in criminal court

In some States, some juveniles charged with selected offenses may be prosecuted in criminal court. Juveniles come under criminal court jurisdiction in one of three ways —

- *statutory exclusion* where the State law specifically excludes certain offenses from juvenile court jurisdiction.
- *prosecutorial discretion* where the prosecutor may file certain juvenile cases in either juvenile or criminal court
- *judicial waiver* where a juvenile court judge may waive jurisdiction and transfer the case to criminal court.

According to the Office of Juvenile Justice and Delinquency Prevention's *Juvenile Offenders and Victims: A National Report*, the provisions used vary by State:

- Cases involving juveniles accused of a weapons offense are excluded by statute from the juvenile court in four States; at age 15 in Illinois and at age 16 in Indiana, Maryland, and Oklahoma.
- Prosecutors may decide whether to prosecute juveniles of a minimum age for any criminal offense in three States and for weapons offenses in two States (Colorado and Florida).
- Judges have discretion to transfer any case that involves a juvenile of a minimum age to adult court for any criminal offense in 23 States and any felony charge in 25 States. Such authority is provided to judges specifically in weapons cases involving

juveniles in six States (Arkansas, California, District of Columbia, Montana, New Jersey, and New Mexico).

According to the BJS National Judicial Reporting Program, an estimated 640 persons under age 18 were convicted as adults of felony weapons offenses in State criminal courts in 1992.

Most defendants charged with weapons offenses are released pending trial

In 1992, 71% of the defendants charged with felony weapons offenses in the Nation's 75 largest counties were released prior to trial. The remainder included 4% held without bail and 25% held although bail had been set. Of all weapons defendants, 28%

were granted a nonfinancial release including 18% released on personal recognizance.

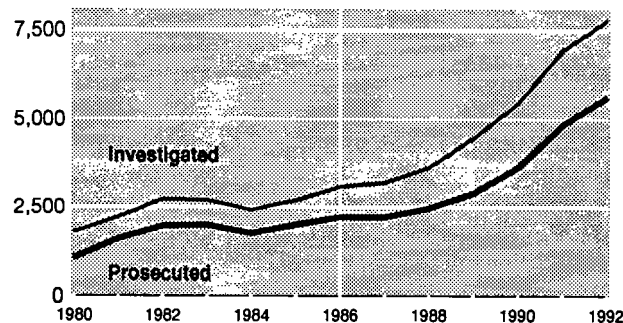
Federal courts in 1990 released 80% of the felony weapons offense defendants prior to trial. The remainder included 16% held without bail and 5% held although bail had been set. Of all weapons defendants, 60% were granted a nonfinancial release including 15% released on personal recognizance.

How many felony weapons defendants had a criminal justice status or prior criminal history at the time of the offense?

According to *Felony Defendants in Large Urban Counties, 1992*, 42% of the felony weapons defendants had a

The number of Federal weapons offenses investigated and prosecuted has increased since 1980

Number of weapons offense suspects in matters concluded by the U.S. attorneys



Sources: BJS, *Federal Criminal Case Processing, 1980-87*, NCJ-120069, May 1990; *Federal Criminal Case Processing, 1980-90*, NCJ-136945, September 1992; *Federal Criminal Case Processing, 1982-91*, NCJ-144526, November 1993; and *Compendium of Federal Justice Statistics, 1992*, NCJ-148949, forthcoming.

- In 1992 U.S. attorneys investigated 7,971 suspects and prosecuted 5,613 suspects who had a Federal weapons violation as their most serious offense. Between 1980 and 1992, the number investigated increased 4-fold, and the number prosecuted increased 5-fold.
- The proportion of all suspects investigated and prosecuted by U.S. attorneys and whose most serious charge was a weapons offense more than doubled from 1980 to 1992, growing from 3% to 7% of all investigations and from 3% to 8% of all prosecutions.
- Increases in the number of Federal investigations and prosecutions for weapons offenses may have been due to new Federal statutes enacted during the last decade. For example, the Omnibus Drug Initiative Act of 1988 added several provisions prohibiting the acquisition or transfer of firearms in furtherance of drug trafficking crimes, and the Crime Control Act of 1990 added several provisions, including a prohibition on assembling from imported parts any rifle or shotgun which may not legally be imported into the United States.

criminal justice status at the time of the offense including —

- 17% on probation
- 10% on parole
- 14% on pretrial release.

Of the felony weapons defendants, 34% had at least one prior felony conviction and 17% had at least one misdemeanor conviction. Of those felony weapons defendants with a history of felony convictions, more than half had two or more such convictions. Convicted felons and, in some States, some misdemeanants are prohibited from possessing guns or other deadly weapons.

How many cases with a weapons offense as the most serious charge result in a conviction?

Few weapons arrests (an estimated 11%) result in a felony conviction. Some people arrested for weapons offenses are charged with misdemeanors rather than felonies.

Felony Defendants in Large Urban Counties, 1992 reported that 68% of weapons defendants charged with a felony were convicted: 55% for a felony and 13% for a misdemeanor. Of those convicted of a weapons offense, 93% pleaded guilty.

At the Federal level in 1992, about 84% of weapons cases resulted in a conviction. Of the 3,177 convicted of a Federal weapons offense, 85% pleaded guilty.

In both 1990 and 1992, weapons offenses accounted for about 3% of felony convictions in State courts nationwide. In 1992, for 6% of all those convicted in Federal district court, their most serious conviction offense was a weapons offense.

Where do felony weapons offense convictions occur?

Most felony convictions occur in State courts. Of all felony convictions in 1990, State courts accounted for 96% and Federal courts for 4%. Most felony weapons convictions also occurred

in State courts (90%). While the Federal courts account for about 4% of all felony convictions nationwide, about 10% of felony convictions for weapons violations occur in Federal court.

Who is convicted of felony weapons offenses?

Of those convicted of State felony weapons offenses in 1992 —

- 96% were male
- 60% were black
- Half were age 27 or under.

What kinds of sentences are given to offenders convicted of weapons offenses?

In 1992 two-thirds of the estimated 26,000 offenders convicted in State courts of felony weapons offenses were sentenced to incarceration: 40% to prison and 26% to jail. About a third were sentenced to probation. The average sentence length given to weapons offenders was approximately —

- 4 years for those sentenced to prison
- 6 months for those sentenced to jail
- 3 years for those sentenced to probation.

Felony weapons offenders sentenced to prison were almost twice as likely as those receiving jail or probation terms to have had multiple conviction offenses.

Of all offenders convicted of felony weapons offenses, some had additional sanctions attached to their sentences including —

- 14% who were fined
- 7% who had to pay restitution
- 5% who were sentenced to community service
- 4% who were sentenced to treatment.

The additional penalty may have resulted from a secondary conviction offense in addition to the more serious weapons conviction.

Among convicted weapons offenders sentenced in Federal courts in 1992, 86% were imprisoned and 21% received probation. Less than 1% received a sentence of a fine only.

Average sentence length increased for weapons offenders admitted to Federal prison and decreased for those admitted to State prison

Year	Average sentence length for weapons offenders admitted to prison	
	State	Federal
1985	56 months	42 months
1986	53	45
1987	54	53
1988	53	52
1989	50	47
1990	47	47
1991	48	63
1992	45	77

Sources: BJS, *National Corrections Reporting Program*, 1985 through 1992; BJS, *Prisoners in 1993*, Bulletin, NCJ-147036, June 1994; and BJS, *Federal Criminal Case Processing, 1982-91, with Preliminary Data for 1992*, NCJ-144526, November 1993.

Between 1985 and 1992, State prison sentences for weapons offenders declined nearly a year to an average of less than 4 years. Over the same period, average sentences to prison for Federal weapons offenders increased by almost 3 years to almost 6½ years.

Weapons offenders comprise an increasing proportion of admissions to State and Federal prisons

Prison admissions for weapons offenses				
Year	State		Federal	
	Number	Percent of admissions	Number	Percent of admissions
1985	3,296	1.8%	1,003	4.9%
1986	3,253	1.6	1,174	5.1
1987	3,836	1.7	1,188	5.0
1988	4,661	1.9	1,262	5.4
1989	5,957	2.0	1,647	6.0
1990	6,138	1.9	1,894	6.6
1991	7,296	2.3	2,632	8.6
1992	8,023	2.4	3,426	10.2

Sources: BJS, *National Corrections Reporting Program*, 1985 through 1992; BJS, *Prisoners in 1993*, Bulletin, NCJ-147036, June 1994; and BJS, *Federal Criminal Case Processing, 1982-91, with Preliminary Data for 1992*, NCJ-144526, November 1993.

Many State and Federal laws concerning weapons offenses provide for mandatory prison terms and sentence length enhancements

According to the report, *National Assessment of Structured Sentencing*, prepared for the Bureau of Justice Assistance, 41 States have mandatory minimum sentences to prison for certain weapons offenses such as using a firearm in the commission of a felony. Also, some State statutes permit judges to enhance or lengthen an offender's sentence for a crime committed with a deadly weapon. Marvell and Moody reported that such statutes were in force in 20 States as of 1992.

Federal law concerning the use of firearms provides for both sentencing enhancements and mandatory minimums and includes —

- the Armed Career Criminal Act enacted in 1984, amended in 1986, that provides enhanced penalties for persons who are convicted of possessing firearms and have three previous State or Federal convictions for violent felonies or serious drug offenses.
- the 1986 amendments to the Firearms Owners Protection Act that imposes mandatory penalties for the use or carrying of firearms in the commission of drug trafficking crimes.

Are admissions to prison for weapons offenses growing as rapidly as those for drug offenses?

In recent years, drug offenders made up an increasing proportion of admissions to prison and accounted for a large share of the overall growth in the prison population. Weapons offenders make up a much smaller proportion of prison admissions than drug offenders but their proportion of all admissions has also grown.

At the State level, admissions for drug offenses grew faster than those for weapons offenses, but at the Federal level the opposite was true:

- Among those entering State prisons, the number of weapons offenders increased more than 140% between

What are the characteristics of weapons offenders in State and Federal prisons?

Characteristic	Prisoners convicted of a weapons offense		
	State	Federal	
Sex			
Male	99%	97%	➤ In both State and Federal prisons, weapons offenders were predominantly male.
Female	1	3	
Race/ethnicity			
White	24%	47%	➤ Weapons offenders in State prison were more likely than those in Federal prison to be black or Hispanic.
Black	56	35	
Hispanic	19	13	
Other	2	5	
Citizenship			
U.S.	97%	92%	➤ While few weapons offenders in prison were not U.S. citizens, State prisoners were more likely than Federal prisoners to be U.S. citizens.
Non-U.S.	3	8	
Criminal history			
No	10%	25%	➤ Most State and Federal weapons offenders in prison had a prior criminal history, but State offenders were more likely than Federal offenders to have a history of prior violence.
Yes	90%	75%	
Prior violence	44	28	
No prior violence	46	47	
Total	12,800	3,100	

Sources: Survey of Inmates of State Correctional Facilities, 1991 and Survey of Inmates of Federal Correctional Facilities, 1991.

1985 and 1992, compared to about a 300% increase in the number of drug offenders.

- Over the same years, the number of Federal offenders imprisoned for drug offenses increased just over 60%, while the number of Federal weapons offenders imprisoned increased 4 times as fast, growing about 240%.

State prisons hold more weapons offenders than Federal prisons, but weapons offenders are more prevalent in Federal prison

In 1991 two simultaneous surveys, the Survey of Inmates in State Correctional Facilities and Survey of Inmates in Federal Correctional Facilities, revealed that weapons offenders were about 3 times as prevalent in the Federal prison population — 5.7% of Federal prisoners and 1.8% of State prisoners were serving time after conviction for a weapons offense. However, State prisons held about 4 times as many convicted weapons offenders as Federal prisons; in 1991 an estimated 12,700 weapons offenders were in State prisons, and 3,100 were in Federal prisons.

Average time served in prison is similar for State and Federal weapons offenders

Federal weapons offenders released in 1992 had served an average of 4 months longer in confinement than those released in 1985. By contrast, released State weapons offenders in 1992 served about 1 month longer than those released in 1985.

Year	Average (mean) time releasees served in prison	
	State*	Federal
1985	21 months	19 months
1986	25	19
1987	25	20
1988	23	21
1989	24	21
1990	24	21
1991	23	21
1992	22	23

*Includes an average of 5 months of jail credit against the sentence.

Sources: BJS, *National Corrections Reporting Program*, 1985 through 1992, and BJS, *Federal Criminal Case Processing, 1982-91, with Preliminary Data for 1992*, NCJ-144526, November 1993.

In 1991, 60% of weapons offenders in State prison were on probation or parole at the time of admission

According to the 1991 Survey of Inmates in State Correctional Facilities, 46% of those in prison were probation or parole violators, including 35% who were convicted of a new offense and 10% who had technically violated the conditions of their release. In State prisons, about 2% of all probation violators and parole violators were admitted for a weapons offense.

Federal law and many State laws prohibit convicted felons from possessing guns. In some States, such prohibitions apply to some misdemeanants also. Although 14% of all violators (35,000) reported being armed when they committed their current offense, 1 out of 5 of them (7,000) were actually convicted of a weapons violation.

Probation and parole conditions of release often prohibit offenders from possessing firearms or deadly weapons. Technical violations of the conditions of release may result in revocation of probation or parole. Less than 1% of the violators in prison were there because their probation or parole was revoked for a technical violation involving weapons.

Weapons offense charges may accompany more serious charges

When a weapon is used or possessed during the commission of a crime, the defendant may be charged with a weapons offense in addition to the primary criminal charge. The Congress and many State legislatures have passed laws that target armed offenders with additional sanctions including mandatory minimum terms in prison or enhancements to the length of the prison sentence imposed.

Additional weapons charges in cases brought in State courts are uncommon

In general, most offenders are not charged with or convicted of more than one felony. Offenses in addition to

more serious charges were present for —

- 34% of the defendants charged with a felony
- 21% of convicted offenders
- 35% of State prison inmates.

Few defendants or offenders were charged or convicted of additional weapons offenses. Weapons offenses in addition to more serious offenses were present for —

- 2% of the felony defendants
- 1% of convicted offenders
- 5% of State prison inmates.

Weapons offenses accompanied all types of offenses including property crimes and drug offenses

Defendants and offenders whose most serious offense was a weapons offense were more likely than those charged or convicted of other offenses to have additional weapons charges or convictions.

Most serious offense	Percent of State offenders with a weapons offense in addition to another charge		
	Felony defendants in the 75 largest counties in 1992	Felony convictions in 1992	Inmates in State prisons in 1991
Total ¹	2%	1%	5%
Violent offenses	3%	3%	5%
Murder	3%	8%	5%
Rape	*	*	1%
Robbery	5%	3%	5%
Aggravated assault	3%	4%	8%
Other violent	1%	*	2%
Property offenses	1%	*	1%
Burglary	1%	1%	2%
Larceny and motor vehicle theft	1%	*	1%
Drug offenses	1%	1%	2%
Weapons	12%	7%	5%

*Less than 0.5%

¹Includes offenses not displayed in detail.

Sources: Unpublished data from the National Pretrial Reporting Program, the National Judicial Reporting Program, and the Survey of Inmates in State Correctional Facilities, 1991.

Defendants or offenders charged or convicted of the violent crimes of murder, robbery, and aggravated assault were the next most likely to have additional weapons offenses.

At the Federal level, additional weapons convictions are more common than at the State level

Federal Firearms-related Offenses, a BJS study of U.S. Sentencing Commission data, found that the 2,400 Federal offenders convicted of an additional firearms offense included —

- 21% of convicted violent offenders
- 8% of convicted drug offenders
- 1% of public order offenders
- 0.4% of property offenders.

Of those convicted of an additional firearms offense, 82% were convicted of the use or carrying of a firearm in the commission of another offense and 10% were convicted of illegally possessing the weapon as a prohibited person (such as convicted felons, mental defectives, or illegal aliens).

Ninety-nine percent of the Federal offenders convicted of an additional weapons offense were sentenced to prison. Violent offenders convicted of a firearms charge in addition to another offense were sentenced to an average of more than 12 years. Over a third of the sentence length imposed for these offenders was attributable to the firearms conviction.

Federal sentencing guidelines also consider the involvement of deadly weapons, particularly firearms

Sentences in Federal courts are determined through the application of sentencing guidelines. Two factors — the seriousness of the offense and the offender's criminal history — determine what sentence a convicted Federal offender will receive. The presence or use of a firearm during the commission of the offense is one measure of seriousness. Even when offenders are not convicted of separate firearms offenses, they may receive additional

sanctions because the use of a firearm during the crime increases the sentence recommended under the guidelines or raises the penalty to that for an "aggravated offense" class.

According to *Federal Firearms-related Offenses*, during the fiscal year ending on September 30, 1993, 1,786 Federal offenders received enhanced sentences under the guidelines because of firearms involvement. Over a quarter of the Federal offenders convicted of a violent crime were given a sentence enhancement because of firearms involvement. Their sentences increased by about 19% because of the firearms involvement.

Sources

ATF, "Legislation since 1984 enhancing ATF's law enforcement responsibilities," ATF General Counsel's Office, April 26, 1995.

BJS, *Compendium of Federal Justice Statistics*, 1992, NCJ-148949, forthcoming.

BJS, *Correctional Populations in the United States*, 1992, NCJ-146413, January 1995.

BJS, *Federal Criminal Case Processing, 1980-87*, NCJ-120069, May 1990.

BJS, *Federal Criminal Case Processing, 1980-90*, NCJ-136945, September 1992.

BJS, *Federal Criminal Case Processing, 1982-91*, NCJ-144526, November 1993.

BJS, *Federal Firearms-related Offenses*, Data Brief, NCJ-148950, June 1995.

BJS, *Felony Defendants in Large Urban Counties*, 1992, NCJ-148826, July 1995.

BJS, *Felony Sentences in State Courts, 1992*, NCJ-151167, January 1995.

BJS, *National Corrections Reporting Program*, 1985 through 1992.

BJS, National Judicial Reporting Program, unpublished data.

BJS, National Pretrial Reporting Program, 1992, unpublished data.

BJS, *Pretrial Release of Federal Felony Defendants*, Special Report, NCJ-145322, February 1994.

BJS, *Pretrial Release of Felony Defendants*, 1992, Bulletin, NCJ-148818, November 1994.

BJS, *Prisoners in 1993*, Bulletin, NCJ-147036, June 1994.

BJS, *Probation and Parole Violators in State Prison, 1991*, Special Report, NCJ-149076, August 1995.

BJS, Survey of Inmates of State Correctional Facilities, 1991, unpublished data.

BJS, Survey of Inmates of Federal Correctional Facilities, 1991, unpublished data.

Butts, Jeffrey A., et al., *Detailed Supplement to Juvenile Court Statistics 1992*, National Center for Juvenile Justice, July 1995.

FBI, *Age-Specific Arrest Rates and Race-Specific Arrest Rates for Selected Offenses, 1965-1992*, December 1993.

FBI, *Crime in the United States, 1993*, December 4, 1994.

Marvell, Thomas B. and Carlisle E. Moody, Jr., "The Impacts of Enhanced Prison Terms for Felonies Committed with Guns," *Criminology*, Vol. 33, No. 2, May 1995, pp. 247-278.

National Council on Crime and Delinquency, *National Assessment of Structured Sentencing*, prepared for the Bureau of Justice Assistance, January 1995.

National Criminal Justice Association, *Compilation of State Firearm Codes that Affect Juveniles*, November 1994, prepared for the Office of Juvenile Justice and Delinquency Prevention and the Bureau of Justice Assistance.

Office of Juvenile Justice and Delinquency Prevention, *Delinquency Cases in Juvenile Court, 1992*, Fact Sheet #18, July 1994.

Office of Juvenile Justice and Delinquency Prevention, *Juvenile Offenders and Victims: A National Report*, NCJ-153569, August 1995.

The Bureau of Justice Statistics is the statistical arm of the U.S. Department of Justice. Jan. M. Chaiken, Ph.D., is director.

BJS Selected Findings summarize statistics about a topic of current concern from both BJS and non-BJS datasets.

Substantial assistance in preparing this report was provided by Patrick A. Langan, Robyn L. Cohen, Brian A. Reaves, Pheny Z. Smith, Tom Hester, Bruce M. Taylor, and Steven K. Smith of the BJS staff; Joseph Moone of the Office of Juvenile Justice and Delinquency Prevention; Melissa Sickmund, Howard Snyder, and Dennis Sullivan of the National Center for Juvenile Justice; Victoria Major and Sharon Profiter of the FBI's Uniform Crime Reports program; and Steve Rubenstein and Teresa Ficarella of the Bureau of Alcohol, Tobacco and Firearms. Verification and publication review were provided by Ida Hines, Priscilla Middleton, Tom Hester, Marilyn Marbrook, and Yvonne Boston of the Bureau of Justice Statistics.

November 1995, NCJ-155284

This report is part of a series on firearms and crime that will result in the publication of a comprehensive document entitled *Firearms, Crime, and Criminal Justice*. Other topics to be covered in this series include guns used in crime, how criminals obtain guns, and intentional firearm injury. The full report will focus on the use of guns in crime, trends in gun crime, consequences of gun crimes, and characteristics of and sanctions for offenders who use guns. This report will not cover the involvement of firearms in accidents or suicides.



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

MEMORANDUM

DEPUTY ADMINISTRATOR

TO: Erskine B. Bowles
Deputy Chief of Staff to the President

FROM: Cassandra M. Pulley
Deputy Administrator

DATE: November 2, 1995

There is growing anxiety within the minority business community and the Administration concerning the direction of affirmative action in the area of government contracting. This is the result of several things, including:

- the amount of time that has passed since the review was released and the POTUS speech in July;
- the suspension of the "Rule of 2" without a phase-out period or an alternative proposal;
- leaks of various very preliminary brainstorming proposals that were for discussion purposes only (especially the SBA one for which I am responsible);
- the belief that the Department of Justice has the lead on program development;
- the absence of a point person in the White House to provide policy guidance and coordination among the various agencies with a stake in this discussion, including DoD, DoT and SBA; and,
- a concern that in the absence of a proposal by the Administration, Congress will take draconian steps (e.g., Senator Bond's proposal that was initially attached to SBA's legislation).

I was told that you are scheduled to meet with some minority business people tonight and that the POTUS may be at a luncheon on the 8th. I suspect that the above items will be on their agendas.

The announcement of a point person in the White House, responsible for this the way Chris Edley was responsible for the review – and some projected time frame for delivery of a proposal to the POTUS – would allay fears, bring this issue to closure, and maintain the strong leadership position on this issue which the President had attained after his speech.

Please let me know if I can be of assistance. I'm in Wyoming today and Montana tomorrow (I pick all the hot spots!), but the office can reach me.

EXECUTIVE OFFICE OF THE PRESIDENT

01-Nov-1995 10:13am

TO: capps_l
FROM: Christopher Edley, Jr.
SUBJECT: Affirmative Action Issues

Laura -- please pass this along to Padre.

(L)
I need to
15 minutes discuss w/
should Alexis + Ers
Go clearly. Schedule meeting
for tomorrow or
Friday.

1. DOJ (Schmidt, his deputy Fran Allegra) believes, quite properly, that they must move quickly on the related problems of redesigning the 8(a) program and the "cleanup agenda" identified in our report to the POTUS. One of Deval's very capable deputies, Bill Yeomans, is leading the DOJ team in that effort. DOJ is concerned, however -- VERY CONCERNED -- that they are getting far too little policy/program/political guidance from SBA and other affected agencies. (The situation seems to have improved a bit at DOD because of the involvement of Wit Peters, the new DOD Deputy General Counsel -- who was a year ahead of me on the Harvard Law Review, and one of the smartest people I've ever known.) DOJ's position is that in the absence of good policy input from agencies, it is DOJ's responsibility to come up with policy proposals for the redesign. They acknowledge that this is less than ideal, but there's a vacuum and hence real concern that delay invites mischief on the Hill and in the courts. (Note: First price preference suit was filed a couple of days ago in Chicago; preliminary DOJ assessment is that perhaps this is one worth fighting on, because the facts and the judge look pretty good. Presumably you've already been briefed?)

2. On the other hand, Cassandra is very clear: Formulating policy/program options is not SBA's responsibility. It is up to the White House to provide policy guidance, and she doesn't have any. Her folks go to meetings with DOJ, and report back to Cassandra that the policy and program ideas being developed by Yeomans are goofy and unworkable. Cassandra thinks it is dangerous for DOJ to be playing this policy role -- that they are trying to design a litigation-proof program, don't appreciate the implementation issues, and don't have a policy framework to apply. But Cassandra doesn't want to fill the vacuum.

3. Deval, Cassandra, Kumiki and Larry Parks (Commerce) had dinner a couple of nights ago and all agreed that the problem is the absence of someone working on this effectively full time staffing you. (Everyone wants you in charge, but everyone also acknowledges that you have many other things to worry about.) Kumiki suggested doing it out of the WH Counsel's office under Quinn, but others recognize that moving it from DOJ to another legal shop has its own problems because the real issue is interagency policy and political coordination. I had a drink with Sheryll Cashin last night. She would love to be helpful, but feels pretty fully occupied working for the VP on his Community Empowerment Board and working on Urban Policy: Round IV.

Alexis is apparently promoting the idea of having Richard Hayes of her staff take charge. I've met him but can't recall an impression. Cassandra says he seems too low-powered to run an interagency process. Others express reservations about having the issue located in Alexis' shop. Cassandra is today writing a memo to Erskine with a pointed Chicken-Little plea that someone be designated to staff this thing intensively.

4. DECISION: I urge you to make a decision. Do you want a staffer to play the point at the WH on this issue, or don't you? If you just make a decision that you DON'T want such a person, then everyone in the agencies can just adjust to the arrangement and figure out a way to muddle through, rather than spinning wheels and waiting for a more active White House role that is never going to materialize. But if you DO agree that someone should play the point role, then everyone can focus on exactly who that should be. AS OF NOW, THE FOLKS I HAVE TALKED TO JUST DON'T UNDERSTAND WHAT DIRECTION YOU WANT TO TAKE ON THE ORGANIZATION OF THIS EFFORT. And that's a first, easy problem to solve.

5. RECOMMENDATION: Thus far, things have gone far better than we had any reason to expect. It would be tragic to screw it up now. But I feel morally certain that the present arrangement heads us in exactly that direction. John Schmidt and DOJ simply cannot be left with such enormous responsibility for judgments that are far outside their core responsibilities and competence. It is dangerous. (Deval, Susan Liss, Fran Allegra, Nancy McFadden would all agree with this.) I think you need some help BEFORE there's a substantive or political disaster.

6. WHO:

- Susan Liss would be willing to come over on any administrative arrangement -- assignment, detail, etc. I think she would do a great job, because she is not just a lawyer in her perspective, and has an excellent sense of process.

- Nancy McFadden. She seems to be drifting, by all accounts. If confirmation process is stalled, put her to work. Her situation at DOJ is awkward, according to my last reports.

- Sheryll Cashin could probably be persuaded to free up a third of her time, and that would be enough to provide the critical convening/monitoring role. Sheryll was on the NEC staf, and is now technically Andrew Cuomo's deputy, but on assignment working full time for the Vice President. Her office is in OEOB, not HUD. Close friend of Kumiki's. HLS graduate; Marshall clerk; Harvard Law Review.

- Kumiki Gibson: told me six weeks ago that she was willing to lay whatever role is required -- and specifically, if agencies felt jerked around by Schmidt, she would be happy to get involved to help resolve conflicts or raise things to you and (then) Mikva.

I don't think it matters which of these people you tap. Any would be fine. And Any of them would be vastly better than having nobody.

George, I'd like to be as helpful as possible here. I care about it -- on many levels. And feel guilty about leaving. So please let me know if there is something I can do beyond be a messenger.

I'm in town until Sunday morning, staying and working at

Dorothy's -- (202) 543-4071 -- except for occasional meetings.

Still on track to have the book done November 30. And now I have a new section to write on crack v. powder cocaine sentences!

Hope all is well with you. Laura claims it is, but she may just be reading me her talking points.

Ci vendiamo.

#125960

July 25, 1995



The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing to congratulate you on your courageous position on affirmative action. I regret that I was unable to accept the invitation to meet with you and several business leaders to discuss this important topic at the White House earlier month. It was impossible for me to travel to Washington, D.C. on such short notice.

I fully support your July 19 speech at the National Archives. Your comments underscored the importance of continuing efforts to increase opportunities for all citizens, in particular those who historically have not benefited from the fruits of American society. The diversity of our nation can be a greater source of strength, if we help all groups to achieve success. Our Company policy on diversity affirms this by stating:

"Levi Strauss & Co. has had a long-standing commitment to diversity. We believe that diversity is a source of strength because a wide range of experiences and perspectives leads to better business decisions. We also believe that diversity is key to the competitiveness of our global business and is an important part of the Company's history and heritage. Our belief in the value of diversity predates any governmental affirmative action mandates and will continue as a fundamental part of the way we do business."

We believe that this commitment has directly benefited our business -- by promoting qualified individuals of different backgrounds and experiences to leadership positions, addressing the needs of diverse consumers, and seeking the broadest possible representation among our suppliers, contractors and business partners. Since 1992, we have invested nearly \$2 million in diversity training seminars for more than 2,000 employees worldwide, and nearly \$3 million in **Project Change**, our anti-racism program in El Paso, Texas; Valdosta, Georgia; Knoxville, Tennessee; and Albuquerque, New Mexico.

The President
July 25, 1995
Page Two

I would like to invite you to witness Levi Strauss & Co.'s commitment to a diverse and competitive work force. We employ approximately 21,000 production workers throughout the country, and some of our most impressive facilities are in Texas, Tennessee, Georgia, and your home state of Arkansas. I would be happy to arrange for you to tour one of our plants to meet employees and see how the U.S. apparel industry has become the most productive in the world. I have enclosed information on our company and *Project Change*.

Again, I applaud your leadership on this issue. I welcome the opportunity to be of assistance to you in the future, and to show you the benefits of Levi Strauss & Co.'s diversity in action.

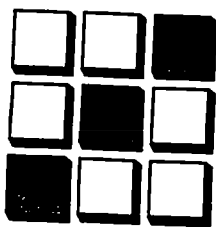
Sincerely,



Robert D. Haas
Chairman and
Chief Executive Officer

enclosures

cc: Alexis Herman
Leon Panetta



THE FELDMAN GROUP, INC.

Results

California Affirmative Action Survey

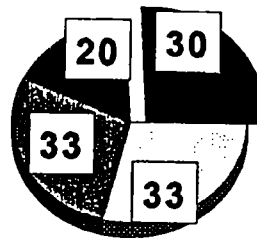
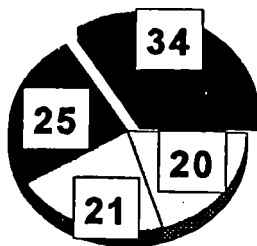
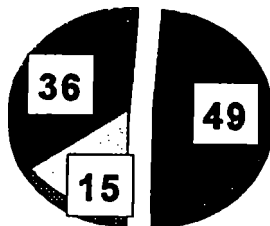
October 19, 1995

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Master Questionnaire

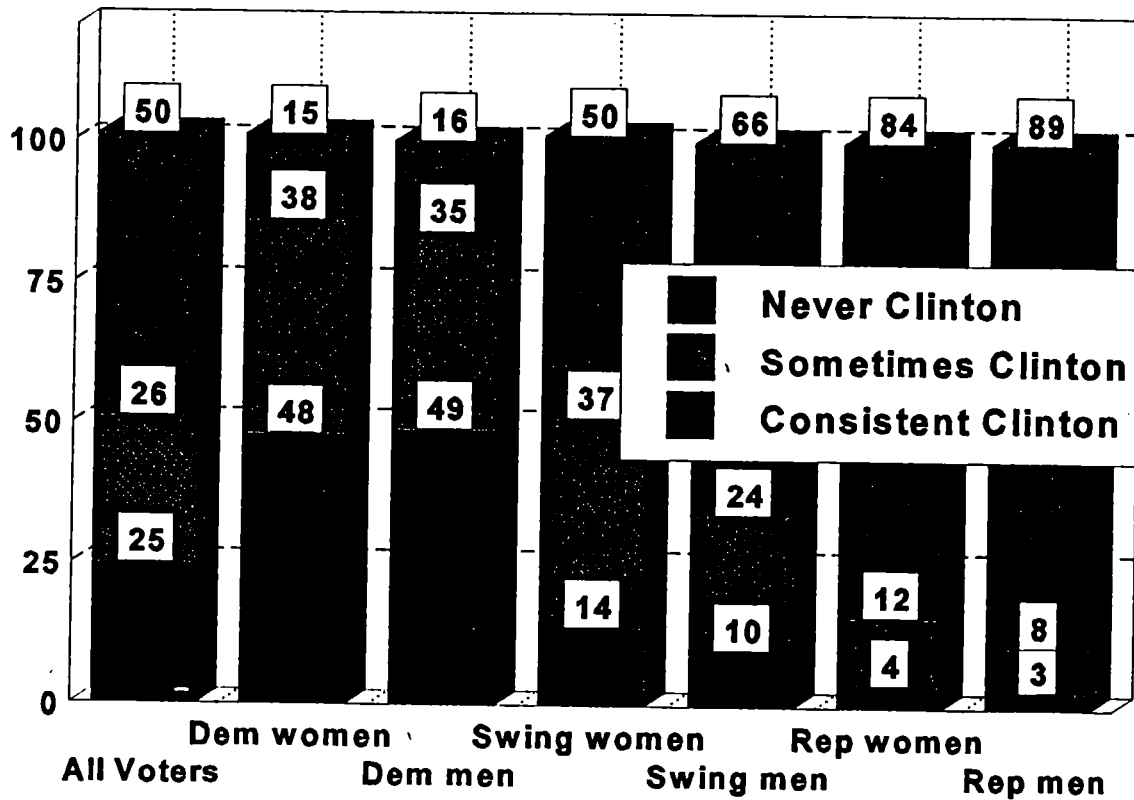
Presidential Vote



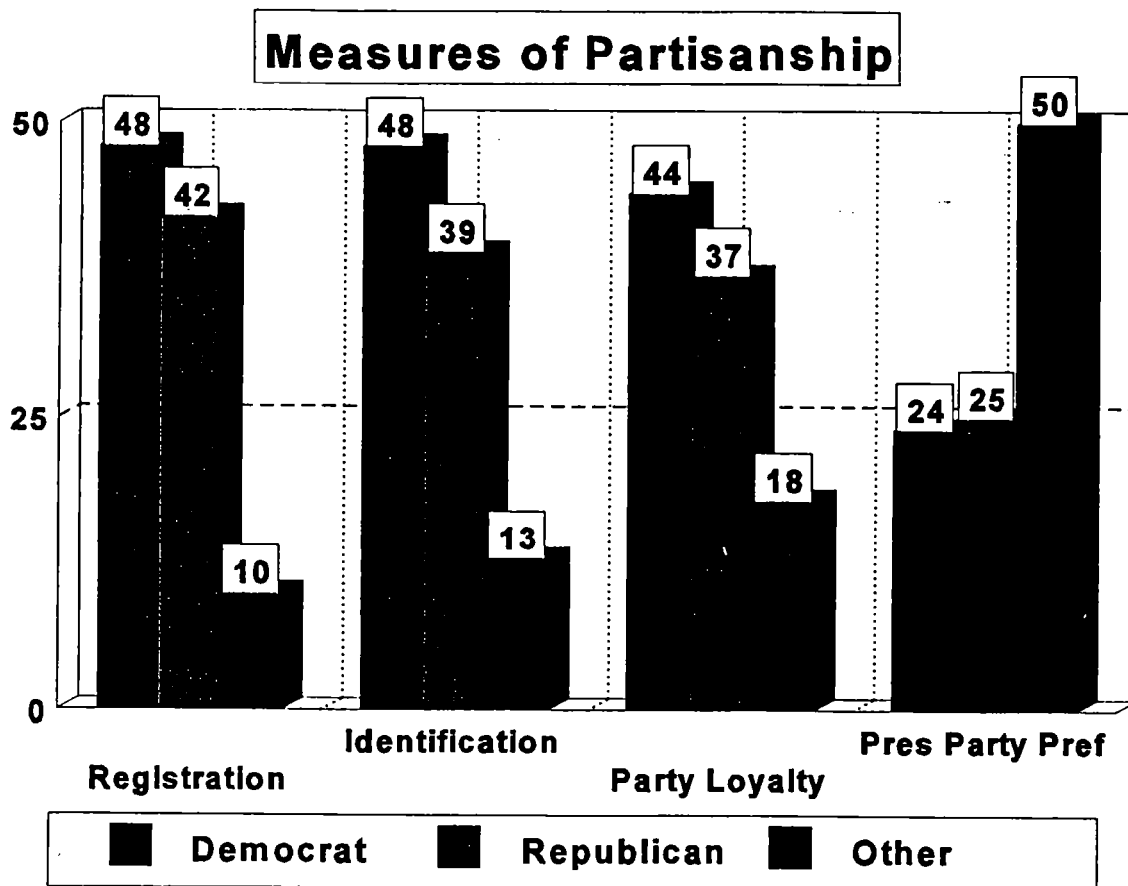
	Clinton		Dole
	Generic Independent		Powell
	Undecided		

Clinton leads Dole 49 to 36 percent and continues to lead Dole when we include a generic independent candidate but with a less commanding 34 percent. In a three-way race including Colin Powell, Clinton trails Powell with 30 percent to 33 percent for Powell and 20 percent for Dole.

Consistency of Clinton Support

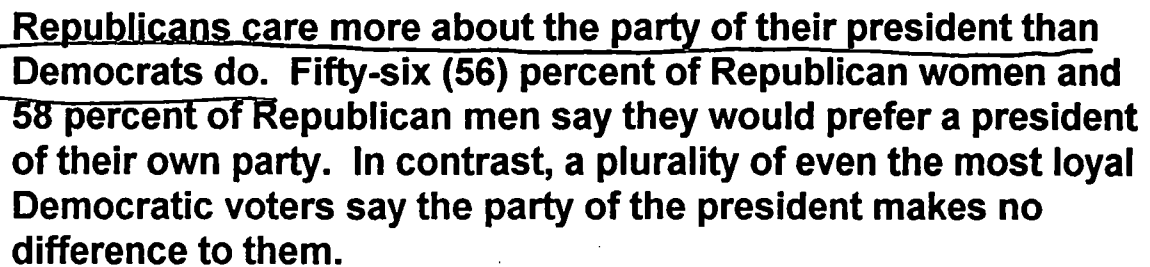


Although Clinton wins 49 percent against Dole, only 25 percent of voters are consistently for Clinton whether he is matched against Dole, Powell or a generic independent. The 26 percent of voters who are sometimes but inconsistently for Clinton include 38 percent of Democratic women and 37 percent of swing women. Forty-six (46) percent of Democratic women under age 45 are sometimes Clinton voters.



California remains marginally Democratic in several traditional measures of partisanship. However, the result is different when we ask, "Do you think you and your family would be better off if the President were a Republican or if the President were a Democrat, or doesn't it make any difference to you and your family which party has the presidency?" In that case, only 25 percent of voters say having a Democratic President matters. We find similar results on the state legislative level. These results mean less loyalty in our base than in the Republican base.

Party Loyalty

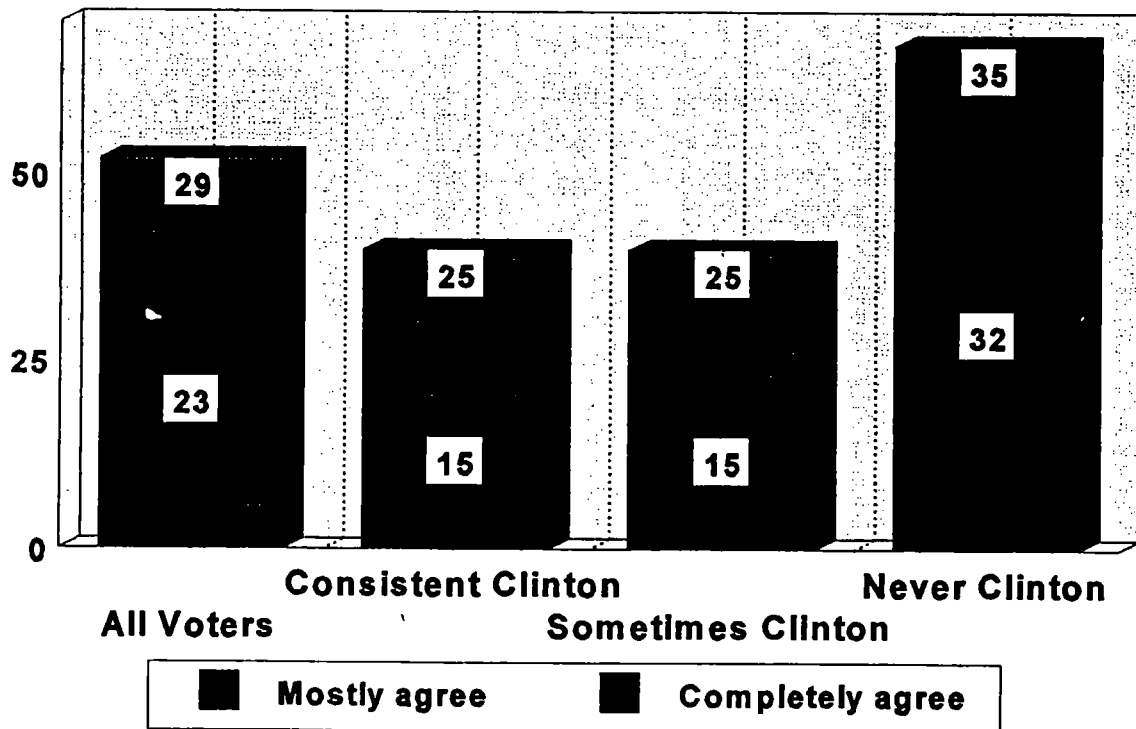


NAME	DESCRIPTION	DEMOGRAPHICS
"The Embittered" 22 percent in May 26 percent in September	Too many people look for handouts, government does too much for minorities, diversity is not desirable, we will not have a color-blind society	Los Angeles suburbs, Republican men, white voters without college 19 percent sometimes Clinton
"Quiet Plurality" 23 percent in May 21 percent in September	People who work hard will get ahead, <u>diversity is positive</u> and we can have a color-blind society, minorities are not denied opportunities now, government does more than it should for minorities	Strong Republicans, White voters w/o college, voters outside metro areas 15 percent sometimes Clinton
"Strivers" 20 percent in May 15 percent in September	People who work hard will get ahead, women should be in the workforce, diversity is positive, women but less so minorities are denied opportunities now	College educated swing voters, Los Angeles swing voters, White Catholics 25 percent sometimes <u>Clinton</u>
"Pro-Diversity" 18 percent in May 19 percent in September	Women and minorities are denied opportunity now, we do not have a color-blind society and government should do more	College educated Democratic women, black women, college educated Latinos, younger Latino men 38 percent sometimes Clinton
"Minority Empowerment" 16 percent in May 20 percent in September	Minorities are denied opportunities, we do not have a color-blind society and government should do more	Black men, Latino women over age 45, black women over age 45, college-educated whites 33 percent sometimes Clinton

Not a swing group

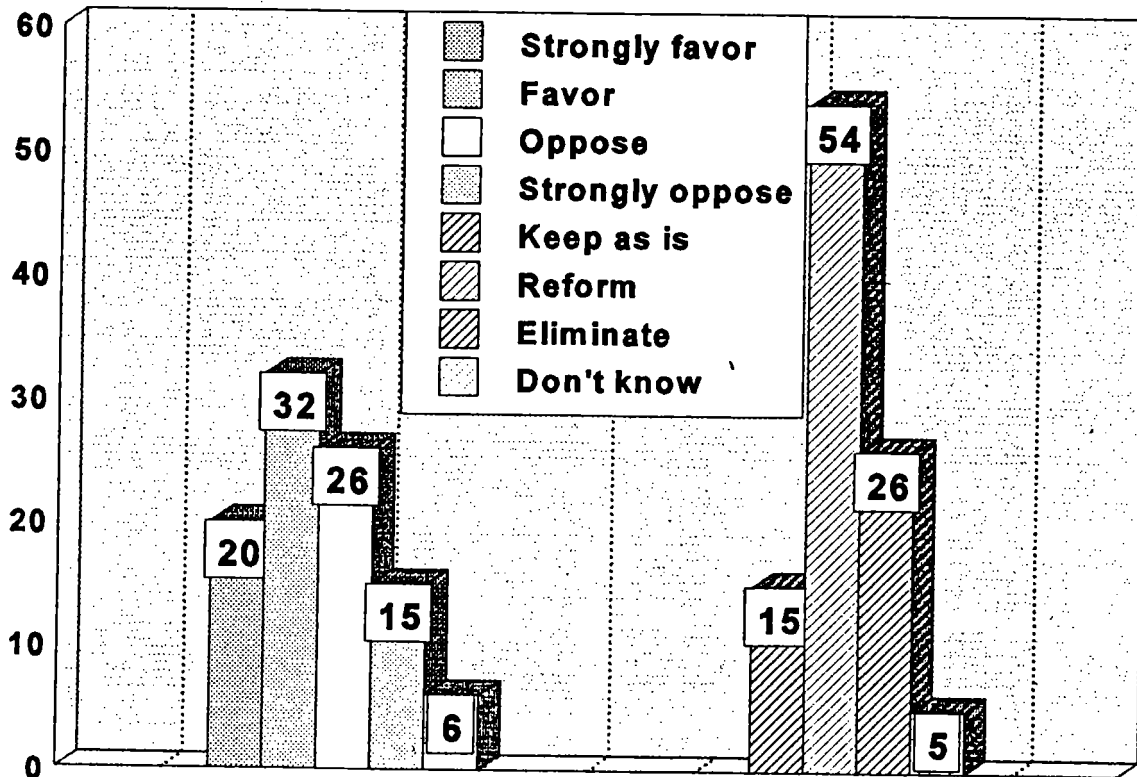
non-urban

Government Gives Too Much Help to Minorities at Expense of Other People



The electorate is polarized around issues of affirmative action and government 'help for minorities'. Democrats can argue for the value of equal opportunity, but arguments that sound like they are about more government programs will increase polarization in the electorate.

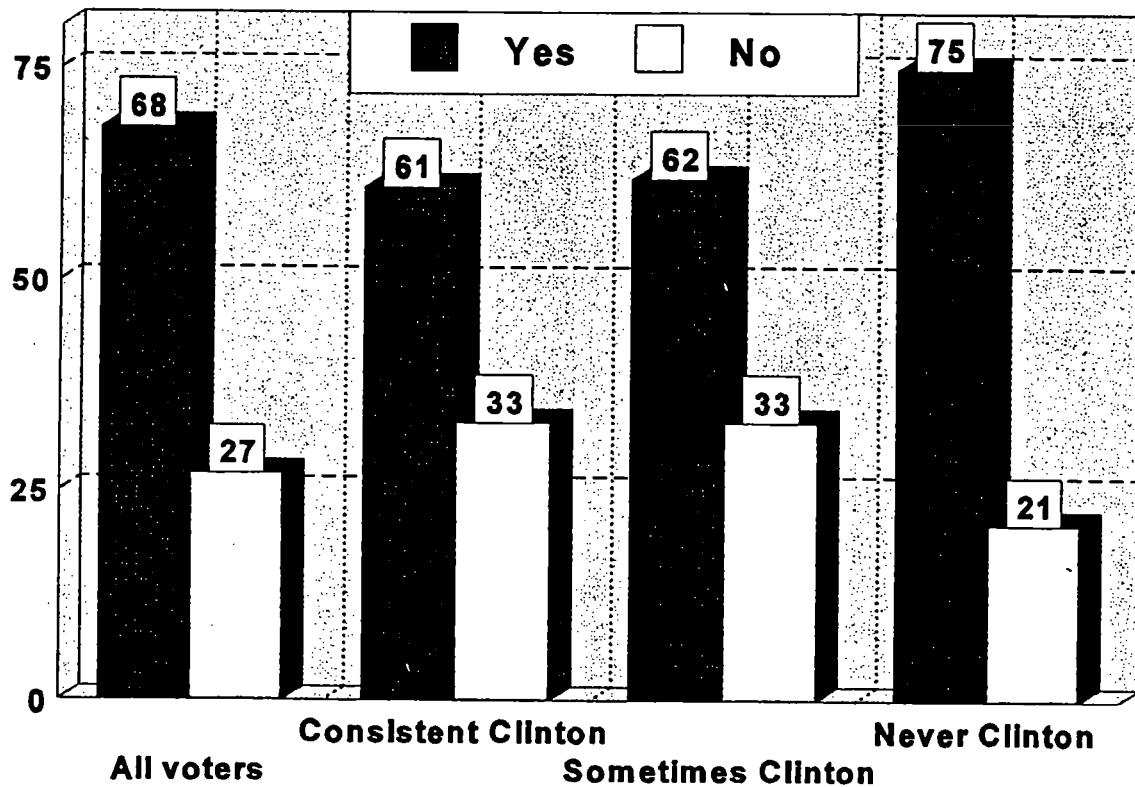
Affirmative Action



Fifty-two (52) percent of voters still say they favor affirmative action programs to help women and minorities achieve equal opportunity. A 54 percent majority of voters, however, favor reforming affirmative action while only 15 percent want to keep affirmative action the way it is. Arguing against CCRI is tantamount to arguing for the status quo, a position that has little support.

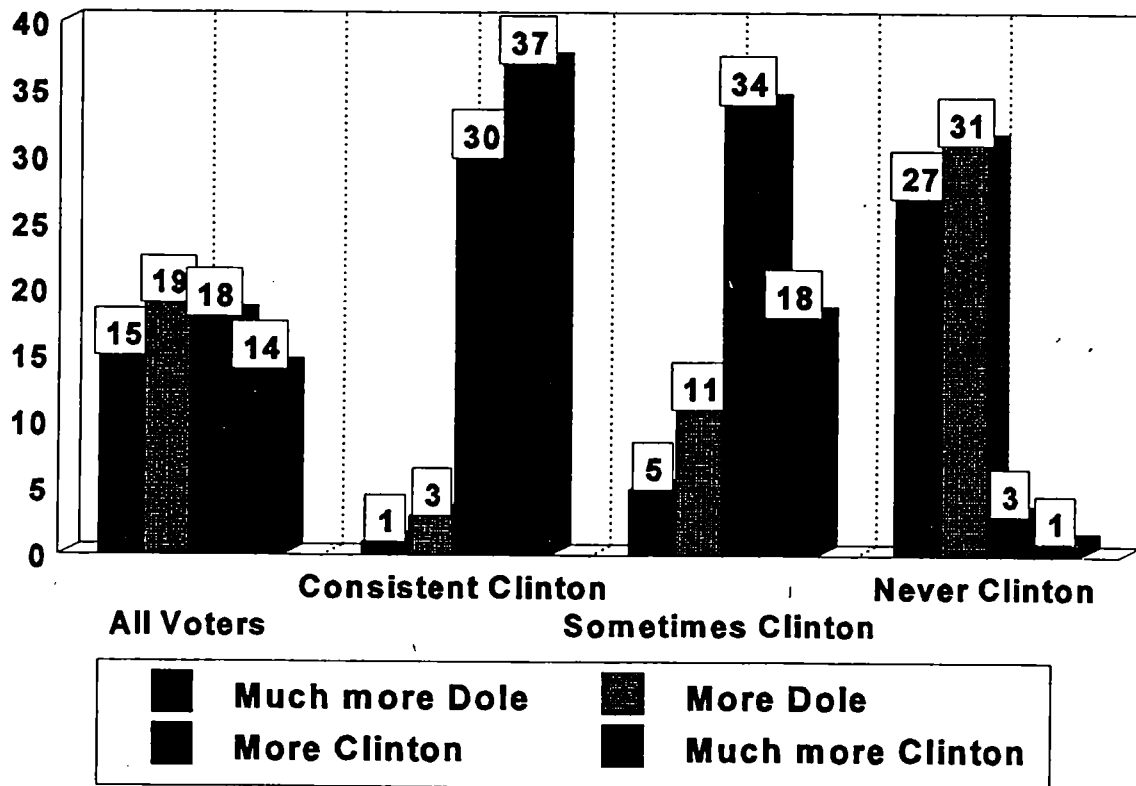
- consistent w/ Gen'u

Clinton Support and CCRI Vote



Consistent Clinton and sometimes Clinton voters support CCRI by almost two-to-one. As the electorate becomes more polarized on this issue, Clinton is likely to lose some of his soft support.

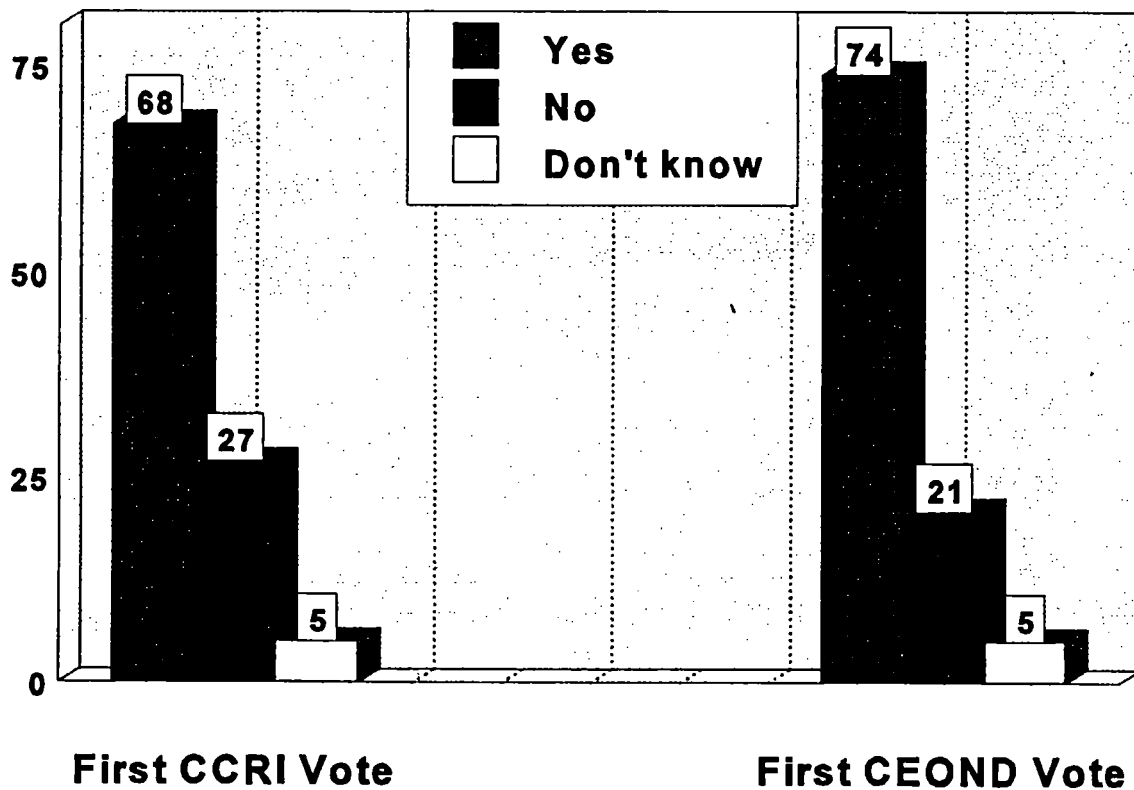
Effect of CCRI on Presidential Vote



Dole's support for CCRI helps him. It is a small net positive overall and helps him consolidate the half of the electorate that does not now choose Clinton in any contest.

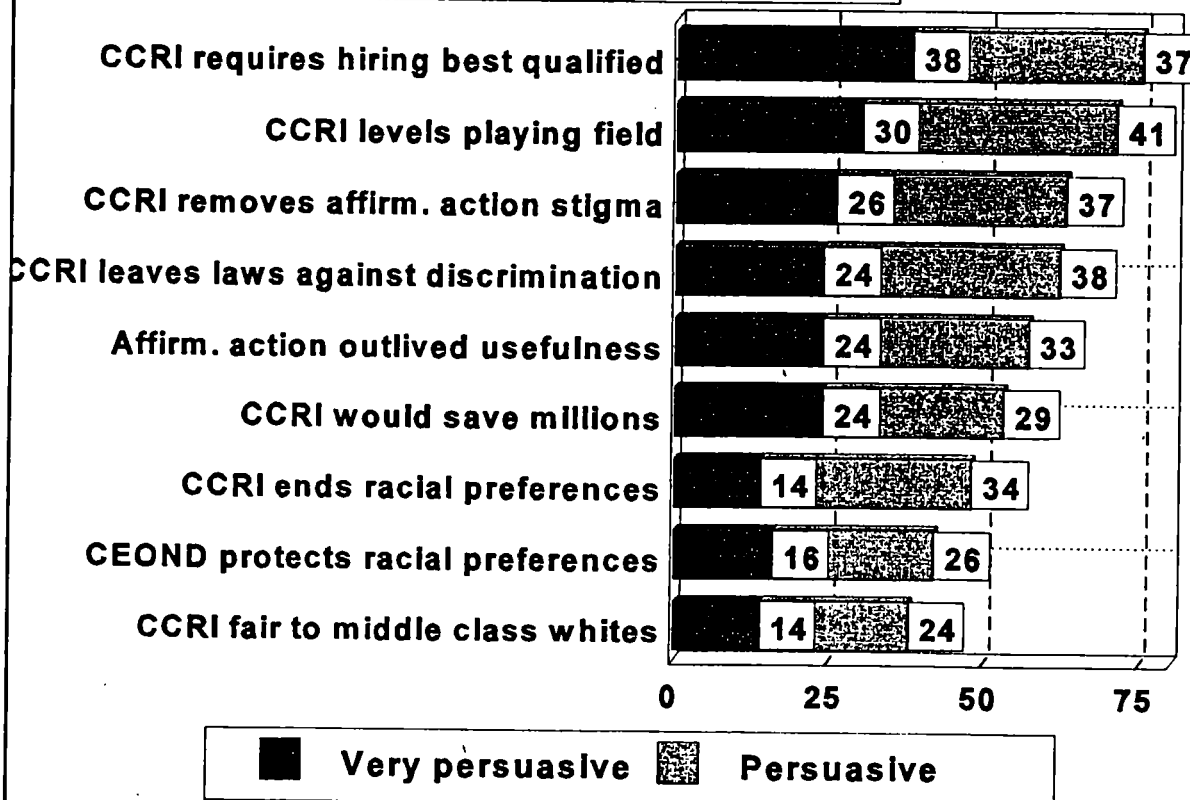
- make marginal candidate stronger

Current Support for Each Initiative



The alternative initiative, the California Equal Opportunity and Non-Discrimination Initiative, draws more support right at the start because it does an even better job expressing voters' values. The vote among sometime Clinton voters is similar to that for all voters. Sixty-two (62) percent of sometime Clinton voters initially support CCRI; 75 percent initially support CEOND.

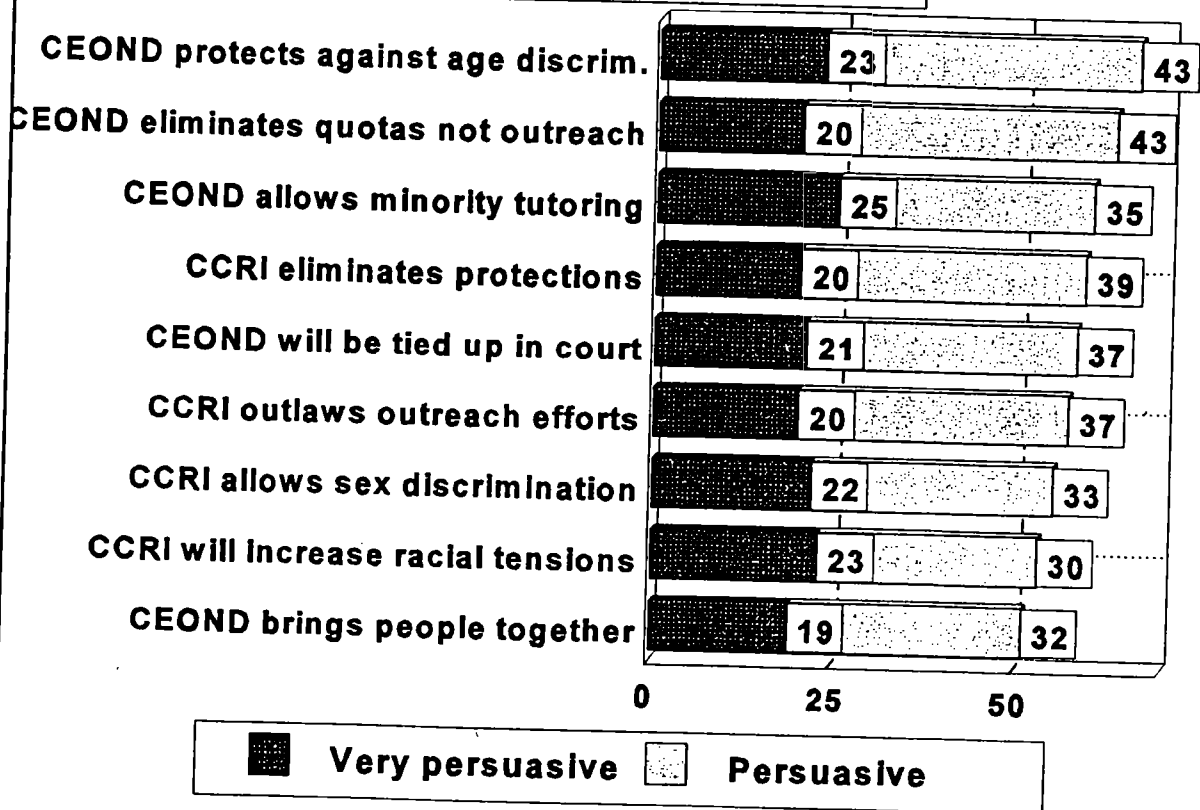
Arguments for CCRI



The strongest arguments for CCRI remain those that are rooted in voters' values of fairness and opportunity. Voters respond especially strongly to CCRI's requirement that the best qualified applicant get the job. In the end, however, a majority of voters are willing to sustain some racial preferences as long as people are qualified.

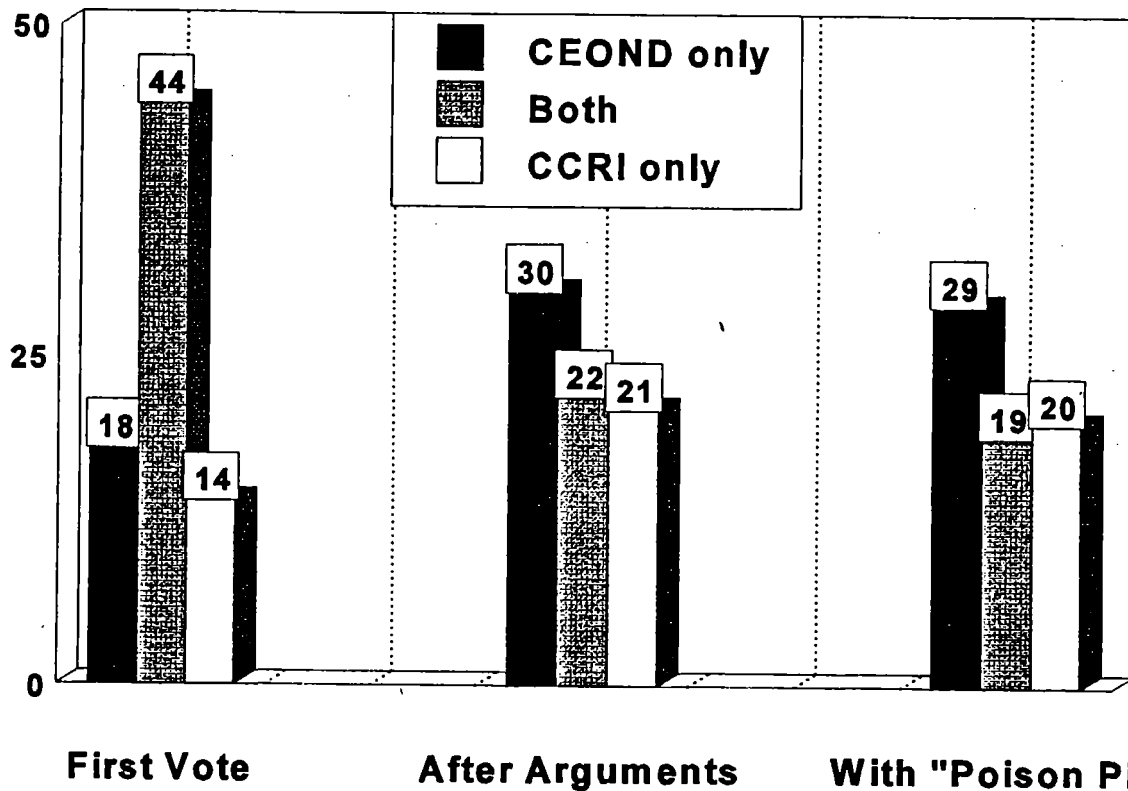
- statement of values argument

Arguments for CEOND



Voters respond to several arguments why the CEOND is better than the CCRI. CEOND better expresses their values and concerns about discrimination. CCRI goes too far in rolling back equal opportunity. *ie, values*

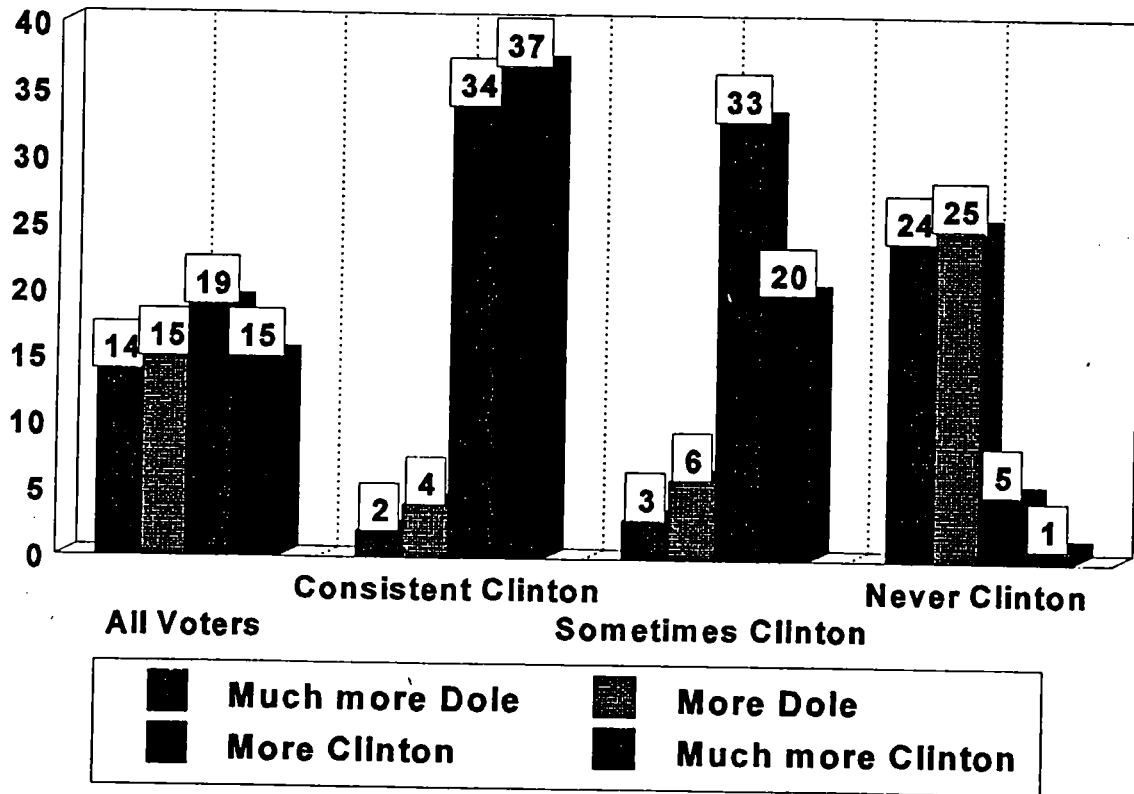
Movement on the Initiatives



After the arguments, 52 percent of voters support CEOND and 43 percent support CCRI. When voters are also told about CEOND's "poison pill" provision, 48 percent support CEOND and 39 percent support CCRI. These results mean CCRI could actually lose if there is an alternative initiative.

*Whatever
gets most
votes*

Combined Effect of Initiatives



* If Dole supports CCRI and Clinton supports CEOND, the net effect helps Clinton. Clinton is strongly advantaged both in his base and among swing voters. Dole derives less benefit in his base than when CCRI stands alone.

MASTER QUESTIONNAIRE
California Affirmative Action Survey
October 14, 1995

[INTRODUCTION:] Hello. Is _____ there (ASK FOR NAME ON LIST)? This is (caller name) and I'm calling for California Opinion Surveys. I would like to ask you a few questions concerning the problems facing our state and nation.

SAMPLE SIZE: 1200 respondents
weighted to 925

Men: 47
Women: 53

1. First, generally speaking, do you think things in California are going in the right direction, or do you feel things are pretty seriously off on the wrong track?

right direction	20
wrong track	68
don't know/ refused	12

2. Here are some issues other people have mentioned. Please tell me which one of these is most important to you. [READ AND ROTATE - CIRCLE ONE RESPONSE ONLY]

the need for good jobs at good wages	20
the quality of the public schools	26
rising crime and violence	20
concerns about health and Medicare	8
changing affirmative action laws	3
government spending and taxes	9
the number of illegal immigrants	11
[DON'T READ] don't know/ refused	3

3. Do you think you and your family would be better off if the President were a Republican or if the President were a Democrat, or doesn't it make any difference to you and your family which party has the presidency?

Better if Republicans	26
Better if Democrats	24
Makes no difference	47
Don't know	3

I am going to read a series of statements to help understand how you feel about a number of things. For each statement, please tell me whether you completely agree with it, mostly agree with it, mostly disagree with it or completely disagree with it. The first one is... **[READ AND ROTATE - PROBE AFTER EACH: Do you completely agree, mostly agree, mostly disagree or completely disagree]**

	Completely agree	Mostly agree	Mostly disagree	Completely disagree	Don't know
[ROTATE QS 4 TO 12]					
4. People who are willing to work hard eventually will get ahead.	35	48	12	4	1
5. Women still have fewer opportunities to succeed than men.	25	41	24	9	2
6. Too many people these days just look for handouts and do not really try to get ahead on their own.	31	35	26	6	3
7. Minorities still have less opportunity to get ahead than other people.	21	35	26	15	3
8. In our lifetime, America can become a color-blind society in which race no longer matters.	13	24	32	27	4
9. It would be better if more women stayed home and took care of their families.	21	32	25	19	4
10. Society is increasingly diverse and that is good for everyone.	31	41	14	6	7
11. Government has given minorities too much help at the expense of other people.	23	29	26	17	4
12. Everyone should have an equal opportunity to get ahead regardless of their race or gender.	80	17	2	1	*

13. Now let me ask you about the economy in your area -- would you say the economy in your area is better, worse, or about the same as three years ago?

better	19
worse	39
about the same	39
don't know	3

14. And what about your own family's financial situation -- would you say your family's financial situation is better, worse, or about the same as three years ago?

better	24
worse	26
about the same	49
don't know	1

15. On another subject, in general, do you strongly favor, favor, oppose, or strongly oppose affirmative action programs to ensure equal opportunities for women and minorities?

strongly favor	20
favor	32
oppose	26
strongly oppose	15
don't know	7

16. Do you believe that you have benefitted, or have been held back by affirmative action programs, or have they had no effect on you?

benefitted	9
been held back	15
no affected/no difference	73
don't know	3

17. In your view, who is discriminated against most often these days -- [ROTATE] women, black people, Latinos, Asians, white men, or someone else?

women	13
black people	33
Latinos	9
Asians	3
white men	16
Other	11
don't know	14

18. Given the choice, would you support eliminating affirmative action, reforming affirmative action, or keeping affirmative action the way it is?

eliminating	26
reforming	54
keeping the way it is	15
don't know	5

Now I would like to ask you some questions about elected officials.

19. First, how would you rate the job Bill Clinton is doing as President -- excellent, good, only fair, or poor?

excellent	7
good	31
only fair	39
poor	23
don't know	1

20. Do you believe Bill Clinton deserves reelection as president, or is it time to give someone else a chance?

deserves reelection	36
someone else	52
don't know	12

As you know, there will be an election next year in California.

21. If the election for President was held today and the candidates were [ROTATE] Democrat Bill Clinton and Republican Bob Dole, for whom would you vote -- Clinton or Dole?

Bill Clinton	49
Bob Dole	36
Don't know	15

22. If the election for President was held today and the candidates were [ROTATE] Democrat Bill Clinton, Republican Bob Dole, and an independent candidate, would you most likely vote for [ROTATE] Clinton, Dole or the independent candidate?

Bill Clinton	34
Bob Dole	25
Independent	21
Don't know	20

23. And if the election for President was held today and the candidates were [ROTATE] Democrat Bill Clinton, Republican Bob Dole, and independent candidate Colin Powell, would you most likely vote for [ROTATE] Clinton, Dole or Powell?

Bill Clinton	30
Bob Dole	20
Colin Powell	33
Don't know	17

24. One of the likely measures on the ballot next year is a constitutional amendment called the California Civil

Rights Initiative. It prohibits the state, local governments and public schools and universities from discriminating against or giving preferential treatment to individuals or groups on the basis of race, sex, color, ethnicity or national origin in the operation of the state's system of public employment, public education or public contracting. If the election were held today, would you vote yes or no on this measure?

[GO TO Q26] yes 65

[GO TO Q26] no 26

don't know/ refused 9

[ASK ONLY IF UNDECIDED IN Q24]

25. Well if the election were held today and you had to decide right now, would you lean toward voting yes or no on this measure?

[WITH LEANERS]

yes 68

no 27

don't know/ refused 5

26. Another possible initiative is a constitutional amendment called the California Equal Opportunity and Non-Discrimination Initiative. It prohibits the state, local governments and public schools and universities from hiring or selecting unqualified persons or from using quotas based on race, sex, age, color, ethnicity, or national origin. It also requires the state to ensure equal opportunity and to prevent discrimination. If the election were held today, would you vote yes or no on this measure?

[GO TO Q28] yes 73

[GO TO Q28] no 19

don't know/ refused 8

[ASK ONLY IF UNDECIDED IN Q26]

27. Well if the election were held today and you had to decide right now, would you lean toward voting yes or no on this measure?

[WITH LEANERS]

yes 74

no 21

don't know/ refused 5

28. Suppose the election were held today and both of these initiatives were on the ballot:

the California Civil Rights Initiative, prohibiting discrimination and preferential treatment
and

the California Equal Opportunity and Non-Discrimination initiative, prohibiting hiring unqualified persons or using quotas while ensuring equal opportunity and preventing discrimination

Would you vote for both these initiatives, just for the first one, just for the second one, or would you vote against both of them?

For Both 44

CCRI 14

Equal Opportunity 18

Against Both 14

Don't know 10

29. Suppose you learned that Pete Wilson and Bob Dole supported the California Civil Rights Initiative but that Bill Clinton opposed it. In a presidential race between Clinton and Dole, would you be *much more* likely to vote for Dole, *more* likely to vote for Dole, *more* likely to vote for Clinton, *much more* likely

to vote for Clinton, or wouldn't it make any difference to you?

Much more likely Dole	15
More likely Dole	19
More likely Clinton	18
Much more likely Clinton	14
No difference	28
Don't know	6

[ROTATE Qs 30 and 31]

30. Overall, would you say that the Democratic party cares about everyone equally, [ROTATE] cares more about minorities, or cares more about white people?

everyone equally	45
minorities	27
white people	7
don't know	22

31. Overall, would you say that the Republican party cares about everyone equally, [ROTATE] cares more about minorities, or cares more about white people?

everyone equally	31
minorities	3
white people	45
don't know	21

[ROTATE Qs 32 and 33]

32. Overall, would you say that the Democratic party cares about everyone equally, [ROTATE] cares more about women, or cares more about men?

everyone equally	54
women	15
men	13
don't know	18

33. Overall, would you say that the Republican party cares about everyone equally, [ROTATE] cares more about women, or cares more about men?

everyone equally	33
women	2
men	47
don't know	18

34. [NOTE: IN ONE HALF THE CASES, READ THE QUESTIONS ON BEGINNING ON PAGE 7 FIRST; IN ONE HALF, READ THE CASES BEGINNING ON PAGE 9 FIRST. CODE THE ORDER USED FOR THIS SURVEY BELOW] [GENERAL INTRODUCTION: The two initiatives we discussed earlier, the California Civil Rights initiative and the California Equal Opportunity and Non-Discrimination Initiative have some things in common and some differences. Here are some arguments made by the supporters of each initiative

Page 7 -- arguments for Civil Rights Initiative first	50
Page 9-- arguments for Equal Opportunity Initiative first	50

[IF READ SECOND, SAY: Now, let's go to the other initiative.] [IF READ FIRST, START HERE:] Here are a series of arguments why the California Civil Rights Initiative, which prohibits discrimination and preferential treatment, takes a better approach than the other initiative we have been discussing. Please tell me whether you find each argument a very convincing, somewhat convincing, not very convincing or not at all convincing reason to support the California Civil Rights Initiative.

[PROBE: Is that a very convincing, somewhat convincing, not very convincing or not at all convincing reason to support the Civil Rights initiative?]

Very Smewhat Not very Not at all Don't
cnvncng cnvncng cnvncng cnvncng know

[READ FIRST]

35. The Civil Rights initiative is about people getting government jobs, education and contracts based on their qualifications. It levels the playing field and so it provides equal opportunity for everyone.

30 41 16 9 4

[ROTATE Q36 TO Q43]

36. There may have been a role for affirmative action programs years ago but they have outlived their usefulness and have become a cause of discrimination not a solution to it. The Civil Rights initiative ends all unfair preferences.

24 33 23 15 5

37. The Civil Rights Initiative wipes out all preferences but it leaves in place laws against discrimination on the basis of race, gender, or ethnic origins. People who are discriminated against can still go to court and sue anyone who breaks the law.

24 37 21 12 5

38. Only the Civil Rights Initiative ends all racial preferences. The other measure only goes half way and would still allow reverse discrimination.

14 34 27 15 10

39. The Civil Rights initiative is a grassroots effort to eliminate preferential treatment. The other initiative is supported by Democratic party liberals, civil rights groups and radical feminists who want to protect racial preferences and preserve affirmative action.

16 26 27 21 10

40. The Civil Rights Initiative is fair to everyone and gives middle class white people an equal chance at government jobs, contracts and education. The other initiative would give the children of minority doctors and lawyers preference over the children of the white middle class.

14 24 28 23 11

[PROBE: Is that a very convincing, somewhat convincing, not very convincing or not at all convincing reason to support the Civil Rights initiative?]

	Very cnvncng	Smewhat cnvncng	Not very cnvncng	Not at all cnvncng	Don't know
41. Some people assume minorities and women only got their job because of affirmative action. That is insulting. The Civil Rights initiative would remove the stigma of affirmative action attached to women and minorities who are well-qualified for their positions.	26	36	18	13	6
42. The other initiative says it prohibits government hiring and selection of unqualified people. The Civil Rights initiative requires hiring the <i>best</i> qualified applicant regardless of race, sex, color, ethnicity or national origin.	38	37	12	8	6
43. The Civil Rights Initiative would save tens of millions of dollars in public employment and contracting, and 50 million dollars savings in state education programs. The other initiative will have no savings and could even cost the taxpayers money.	24	29	20	17	10

[IF READ SECOND, SAY: Now, let's go to the other initiative.] [IF READ FIRST, START HERE:] Here are a series of arguments why the Equal Opportunity and Non-Discrimination Initiative, which prohibits hiring unqualified persons or using quotas, while ensuring equal opportunity and preventing discrimination, takes a better approach than the other initiative we have been discussing. Please tell me whether you find each argument a very convincing, somewhat convincing, not very convincing or not at all convincing reason to support the Equal Opportunity and Non-Discrimination Initiative.

[PROBE: Is that a very convincing, somewhat convincing, not very convincing or not at all convincing reason to support the Equal Opportunity initiative?]

		Very cnvncng	Smwhat cnvncng	Not very cnvncng	Not at all cnvncng	Don't know
[READ FIRST]						
44.	The Equal Opportunity initiative specifically states that government cannot operate affirmative action programs that use quotas or hire or select unqualified people. But it continues to allow outreach, training and educational programs to help ensure that women and minorities have an equal opportunity to compete for government jobs and contracts. The other initiative goes too far by making all these efforts to ensure equal opportunity illegal.	20	43	21	10	6
[ROTATE Qs 45 to 52]						
45.	The Equal Opportunity initiative is an effort to bring people together by reforming affirmative action laws to make them fair for everyone. The other initiative divides people by taking back opportunities for women and minorities and has the support of politicians like Pete Wilson who want to use racial divisions for their own political gain.	18	32	24	20	6
46.	The Equal Opportunity Initiative protects people from age discrimination which is a big cause of job loss among older workers. The other initiative does nothing to prohibit age discrimination.	23	43	17	9	8
47.	The Equal Opportunity initiative requires that government hire and select persons based on their qualifications. The other initiative contains a loophole that puts a provision into our state Constitution allowing government to specify that only members of one sex are qualified for certain jobs.	22	33	22	16	7
48.	The other initiative goes too far by eliminating protections against discrimination. It will take us back to a time when women and minorities were denied opportunity. The Equal Opportunity Initiative prohibits quotas and hiring unqualified people but it still requires government to ensure equal opportunity and to prevent discrimination.	20	39	20	13	8

[PROBE: Is that a very convincing, somewhat convincing, not very convincing or not at all convincing reason to support the Equal Opportunity initiative?]

Very Smwht Not very Not at all Don't
cnvncng cnvncng cnvncng cnvncng know

49.	The Equal Opportunity Initiative prohibits quotas and hiring unqualified people but it continues government outreach and recruitment of qualified women and minorities. Under the other initiative, outreach efforts to find qualified women and minorities would be illegal.	20	37	23	13	7
50.	The Equal Opportunity initiative allows tutoring programs that help minority students prepare for high school or college. The other initiative denies these children opportunities by ending the help they need.	25	35	18	15	7
51.	The other initiative uses vague terms that are not defined by law. It could be tied up in court for years. The Equal Opportunity Initiative addresses quotas and qualifications, terms which people understand and which are clearly defined in the law.	21	37	20	12	10
52.	The Equal Opportunity initiative reforms affirmative action law. The other initiative is too extreme. Instead of reforming affirmative action to make it fair to everyone, it wipes out all efforts to ensure equal opportunity. In a diverse state like California, the result will be to increase racial tensions and conflict.	23	30	23	15	9

53. Now that we have talked about both these initiatives, suppose the election were held today and both of these initiatives were on the ballot:

the California *Civil Rights* Initiative, prohibiting discrimination and preferential treatment
and

the California *Equal Opportunity* and Non-Discrimination initiative, prohibiting hiring
unqualified persons or using quotas while ensuring equal opportunity and preventing
discrimination

Would you vote for both these initiatives, just for the California Civil Rights Initiative, just for the California Equal Opportunity and Non-Discrimination Initiative, or would you vote against both of them?

For Both	22
CCRI	21
Equal Opportunity	30
Against Both	15
Don't know	12

54. And why is that -- why do you take that position?

Ensure equality	16
Jobs not given to unqualified people	13
It's more fair	7
Both are good laws	7
Don't agree with quotas	4

55. Suppose you learned that Bob Dole supported the California Civil Rights Initiative and Bill Clinton opposed it but supported the California Equal Opportunity and Non-Discrimination Initiative. In a presidential race between Clinton and Dole, would you be *much more* likely to vote for Dole, *more* likely to vote for Dole, *more* likely to vote for Clinton, *much more* likely to vote for Clinton, or wouldn't it make any difference to you?

Much more likely Dole	14
More likely Dole	15
More likely Clinton	19
Much more likely Clinton	15
No difference	31
Don't know	6

56. The California Equal Opportunity and Non-Discrimination Initiative includes a provision which says that to avoid tying up these initiatives in court, only the initiative that receives the most votes wins. Under these circumstances, would you vote for both these initiatives, just for the California Civil Rights Initiative, just for the California Equal Opportunity and Non-Discrimination Initiative, or would you vote against both of them?

For Both	19
CCRI	20
Equal Opportunity	29
Against Both	16
Don't know	16

57. Some people are critical of both of these initiatives. They say it does no good to have all these laws against discrimination unless people who violate the law know they will be punished. They say both initiatives need to increase punishment for violating laws against discrimination. Do you strongly agree, agree, disagree or strongly disagree with that?

strongly agree	29
agree	39
disagree	16
strongly disagree	8
don't know	8

Here are some measures that could be included as part of either of these initiatives. For each one, please tell me whether you strongly approve, approve, disapprove or strongly disapprove of including that provision.

PROBE: Do you strongly approve, approve, disapprove, or strongly disapprove of including that provision?

Strongly approve	Approve	Disapprove	Strongly disapprove	Don't know
---------------------	---------	------------	------------------------	---------------

[ROTATE Qs 58 to 61]

- | | | | | | |
|--|----|----|----|---|---|
| 58. Increasing the fines paid by 50 percent when someone is found guilty of discrimination on the basis of race, sex, age, color, ethnicity or national origin. | 29 | 39 | 16 | 7 | 8 |
| 59. Making any person or business found guilty of discrimination on the basis of race, sex, age, color, ethnicity, or national origin ineligible to bid on government contracts for up to 5 years. | 28 | 38 | 21 | 7 | 6 |
| 60. Requiring that state employees who discriminate are subject to discipline. | 38 | 47 | 8 | 2 | 4 |
| 61. Prohibiting any person who fraudulently attempts to benefit from affirmative action programs from applying for state programs for 5 years. | 36 | 45 | 9 | 4 | 6 |
| 62. Here are some other possible changes in affirmative action laws. Please tell me which one of these you support the most. [READ AND ROTATE] | | | | | |

Prohibiting quotas	20
Prohibiting hiring unqualified persons	38
Prohibiting all racial or gender preferences	11
Prohibiting any consideration of race or gender	19
[DO NOT READ] None -- no reform needed	3
[DO NOT READ] Don't know	8

63. Here are some other possible changes in affirmative action laws. Please tell me which one of these really goes too far and bothers you the most. **[READ AND ROTATE]**

Eliminating tutoring programs for minority children to prepare them for high school or college	20
Allowing government to specify that some jobs should be held only by people of one sex	25
Making it illegal to specifically recruit minorities or women for job openings	14
Eliminating training programs to give women and minorities the skills to compete	10
Making it more difficult for people to sue for discrimination	8
Prohibiting any consideration of race or gender	12
[DO NOT READ] None	3
[DO NOT READ] Don't know	9

64. If you had to choose, would you prefer state government have no affirmative action programs at all, or have affirmative action programs with definite quotas for hiring women and minorities?

no affirmative action at all	55
definite quotas	31
don't know	14

65. If you had to choose, would you prefer state government have no affirmative action programs at all, or have affirmative action programs that sometimes give preference to qualified women and minorities but without definite quotas?

no affirmative action at all	34
some preferences	57
don't know	9

Finally, I would like to ask you a few more questions for statistical purposes.

66. Do you think of yourself as closer to the Democratic or to the Republican Party?

[DEMOCRAT] Would you call yourself a strong Democrat or a not very strong Democrat member

Strong Dem	23
Not strong Dem	24

[REPUBLICAN] Would you call yourself a strong Republican member or a not very strong Republican?

Strong Rep	21
Not strong Rep	18

[IF NOT DEMOCRAT OR REPUBLICAN:] Do you think of yourself as a little closer to the Democratic or to the Republican party?

Closer to Dem	4
Closer to Rep	3
Other	3
Don't know/refused	3

67. Do you think of yourself as very liberal, somewhat liberal, moderate, somewhat conservative, or very conservative?
- | | |
|-----------------------|----|
| very liberal | 9 |
| somewhat liberal | 22 |
| moderate | 28 |
| somewhat conservative | 28 |
| very conservative | 11 |
| don't know/ refused | 2 |
68. In the last election for President, did you vote for George Bush, Bill Clinton, or Ross Perot?
- | | |
|---------------------|----|
| George Bush | 31 |
| Bill Clinton | 45 |
| Ross Perot | 17 |
| [VOL] Other | 1 |
| Did not vote | 3 |
| Don't know/ refused | 3 |
69. In the 1994 election for Governor, did you vote for [ROTATE] Pete Wilson or Kathleen Brown or did you not vote in that race?
- | | |
|---------------------|----|
| Pete Wilson | 47 |
| Kathleen Brown | 38 |
| Other [volunteered] | 2 |
| Did not vote | 9 |
| Don't know/ refused | 3 |
70. In the 1994 election for United States Senate, did you vote for [ROTATE] Diane Feinstein or Michael Huffington or did you not vote in that race?
- | | |
|---------------------|----|
| Diane Feinstein | 48 |
| Michael Huffington | 33 |
| Other [volunteered] | 2 |
| Did not vote | 12 |
| Don't know/ refused | 4 |
71. And did you vote yes or no on Proposition 187, to restrict most benefits for illegal aliens or did you not vote on that issue?
- | | |
|---------------------|----|
| Favored | 51 |
| Opposed | 31 |
| Did not vote | 13 |
| Don't know/ refused | 5 |

72. Do you have a full-time paid job, a part-time paid job, are you unemployed but looking for a job, self-employed, a homemaker, a student, or retired?
- | | |
|----------------------|----|
| employed - full time | 35 |
| employed - part time | 10 |
| unemployed | 4 |
| self-employed | 10 |
| homemaker | 8 |
| student | 4 |
| retired | 28 |
| don't know/refused | * |
73. Are you married, single, separated, widowed or divorced?
- | | |
|----------------------------|----|
| married | 62 |
| single | 18 |
| separated/widowed/divorced | 20 |
| refused | * |
74. [IF MARRIED] Does your [HUSBAND/WIFE] have a full-time paid job at this time?
- | | |
|--------------------|----|
| yes | 59 |
| no | 39 |
| don't know/refused | 1 |
75. Are you or is anyone in your household a member of a labor union?
- | | |
|---------------------------|----|
| yes - respondent | 15 |
| yes - member of household | 8 |
| no | 76 |
| refused | 1 |
76. And, what is your age?
- | | |
|---------------------|----|
| (READ) | |
| 25 or younger | 8 |
| 26-30 | 6 |
| 31-35 | 7 |
| 36-40 | 12 |
| 41-45 | 10 |
| 46-50 | 12 |
| 51-55 | 9 |
| 56-60 | 6 |
| 61-65 | 7 |
| 66-70 | 8 |
| over 70 | 14 |
| Refuse (DON'T READ) | 1 |

77. What is the last year of schooling
that you have completed?
[DO NOT READ CHOICES]

1st-11th grade	6
high school graduate	21
technical/vocational school	3
some college	33
college graduate	22
post-graduate/professional school	15
don't know	*

78. Would you please tell me in to which of the following categories the total yearly income of your household
falls -- including every one in the household?

(READ)

Under \$15,000	9
\$15,000 to \$20,000	8
\$20,000 to \$25,000	7
\$25,000 to \$30,000	8
\$30,000 to \$35,000	7
\$35,000 to \$50,000	18
\$50,000 to \$75,000	19
\$75,000 to \$100,000	9
over \$100,000	6
refused/don't know (DON'T READ)	9

79. And what is you religion -- are you Catholic, Jewish, mainstream Protestant, fundamentalist or evangelical
Protestant?

Catholic	28
Jewish	3
mainstream Protestant	36
fundamentalist	2
evangelical	3
Other	12
None [VOL]	13
Don't know	3

80. Do you consider yourself Hispanic, Latino, or of Mexican or South American origin?

Yes	12
No	86
Don't know/refused	2

81. And what is your race?

[DO NOT READ]

White/Caucasian	77
Black/African-American	6
Hispanic/Latino	7
Asian/Filipino	4
Other	5
Refused	1

[READ] Thank you very much for your time. **(TERMINATE AND COMPLETE CODES)**

4600-D Boston Way, Lanham, MD 20706
Tel (301) 577-1200 • Fax (301) 577 5551

WASHINGTON CABLE SUPPLY, INC.

FAX COVER SHEET

Date: October 5, 1995

To: Mr. George Stephanopoulos

No. of Pages (Including Cover Sheet) 7

From: Washington Cable Supply, Inc.

Reference:

H.R. 2076 Senate Commerce, State and Judiciary Appropriations Bill

If you should have any questions or problems with this fax, please contact Washington Cable Supply, Inc. at (301) 577-1200.



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577 1200 FAX #(301) 577-5551
1-800-888-0738

October 4, 1995

Mr. George Stephanopoulos
The White House
1600 Pennsylvania Avenue
Washington, D.C.
Tel (202) 456-1414
Fax (202) 456-2461

Re: H.R. 2076 Senate Commerce, State and Judiciary Appropriations Bill

Dear Mr. Stephanopoulos:

I urge President Clinton to continue to support Affirmative Action. I support the amendment sponsored by Senators Cohen and Murray to strike sections 509 and 614 from the Senate Appropriations Bill for Senate Commerce and the Judiciary H.R. 2076. I feel that these portions of the bill would be extremely harmful to our small business members.

Sincerely,

A handwritten signature in cursive script that reads 'William H. Parker Jr.' The signature is written in dark ink and is positioned above the printed name and title.

William H. Parker, Jr.
President



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-888-0738

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Sincerely,

Beverly A. Parker
Vice President



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

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1-800-888-0738

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Sincerely,

April Prillaman
Purchasing Manager



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

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1-800-888-0738

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Sincerely,

A handwritten signature in black ink, appearing to read 'R. B. Belgrave, Jr.', with a large, stylized flourish at the end.

Reginald B. Belgrave, Jr.
Administrative Assistant



WASHINGTON CABLE SUPPLY, INC.

4800-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-888-0738

October 4, 1995

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Sincerely,

A handwritten signature in black ink, appearing to read 'Donna Doby', is written over the typed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Donna Doby
Contract Administrator



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-888-0738

October 4, 1995

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Sincerely,



Kevin Snowden
Operations Manager

4600-D Boston Way, Lanham, MD 20706
Tel (301) 577-1200 • Fax (301) 577-5551

WASHINGTON CABLE SUPPLY, INC.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Delino House', written over a horizontal line.

Delino House
Customer Service Representative



WASHINGTON CABLE SUPPLY, INC.

4800-D Boston Way • Lanham, Maryland 20706

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1-800-888-0738

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Sincerely,

A handwritten signature in black ink, appearing to read 'John V. Cuesta', is written over a horizontal line. The signature is fluid and cursive.

John V. Cuesta

Regional Sales Manager



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-888-0738

October 4, 1995

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Sincerely,

A handwritten signature in cursive script, reading 'Tonia D. Butler'.

Tonia D. Butler
Customer Service Representative



WASHINGTON CABLE SUPPLY, INC.

4800-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-888-0738

October 4, 1995

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Sincerely,

A handwritten signature in cursive script that reads 'Bethlehem Aberra'.

Bethlehem Aberra
Billing Representative



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-888-0738

October 4, 1995

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Sincerely,

A handwritten signature in black ink, appearing to read 'Robbyn Kemp'. The signature is fluid and cursive, with a large, sweeping 'R' and 'K'.

Robbyn Kemp
Senior Contract Administrator



WASHINGTON CABLE SUPPLY, INC.

4600-D Boston Way • Lanham, Maryland 20706

Phone: (301) 577-1200 FAX #(301) 577-5551
1-800-868-0738

October 4, 1995

Mr. George Stephanopoulos
The White House
1600 Pennsylvania Avenue
Washington, D.C.
Tel (202) 456-1414
Fax (202) 456-2461

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Sincerely,

A handwritten signature in black ink, appearing to read 'Carol Logan'. The signature is fluid and cursive, with the first name 'Carol' and last name 'Logan' clearly distinguishable.

Carol Logan
Customer Service Supervisor



U. S. Department of Justice

Office of the Associate Attorney General

The Associate Attorney General

Washington, D.C. 20530

April 10, 1995

MEMORANDUM

FOR: George Stephanopoulos
Chris Edley

FROM: John Schmidt *(JRS)*

SUBJECT: MBE/WBE Set-Asides

*File
All Act.*

The attached is how I would articulate a shift from MBE/WBE set-asides and preferences to a program to aid disadvantaged communities. I thought it might be helpful to you to have these thoughts.

Attachment

October 12, 1995

To: Don Baer
Bill Curry
Ann Lewis
Dick Morris
George Stephanopoulos

From: David Shipley

The whole country is waiting for the President to talk about the racial divide. If he does not step up to the plate, it will be seen as an abdication of leadership.

If he does step up to the plate, but does nothing more than fall back on the dated elixir of "opportunity and responsibility," then the effort will fall flat and we will have missed a terrific opportunity to show leadership. It will be seen as a failure.

The President must address the rift head-on. He must tell us what we can do. And he must tell us what he will do. He will clean our national house, and he will start with the criminal justice system. He will 1) Go after racism with a vengeance and 2) see to it that domestic violence is treated as seriously as any other crime. These actions will right the imbalance exposed by the trial.

This is a defining moment. The country is waiting for the President to talk. He is one of the few American leaders with the credibility to address both blacks and whites -- more than the G.O.P.; almost as much as Powell. In fact, if he demonstrates that he can bring people together now, he could preempt the vision of Powell as the only leader who can erase division and bring us together.

**U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE FOR CIVIL RIGHTS****OFFICE OF THE DIRECTOR****FAX TRANSMISSION COVER SHEET****TO****FROM**Name: George StephanopoulosName: Dennis Hayashi

Address:

Office for Civil Rights
Office of the Director
Room 5400, Cohen Building
330 Independence Avenue, SW
Washington, DC 20201

Phone: (202) 619-0403

FAX: (202) 619-3437

Phone: _____

of Pages w/Cover 6FAX #: 456-2883**MESSAGE:**Original in mail



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Director
Office for Civil Rights
Washington, D.C. 20201

September 27, 1995

TO: George Stephanopoulos
Senior Advisor to the President
The White House

FROM: Dennis Hayashi 
Director
Office for Civil Rights

SUBJECT: Affirmative Action

In August and the beginning of September, I was invited to meet with two groups concerned about affirmative action. One group was convened by Occidental Petroleum, and consisted of vice presidents of several major corporations (list attached). The other group was organized by the Los Angeles County Human Rights Commission and consisted of community and county representatives.

In brief, the corporate group, on the whole, was supportive of affirmative action and the President's position, and stated that they were working with the California Business Roundtable to pass a resolution of support. (They subsequently did pass such a resolution, also attached.) The corporate group, however, expressed great concern about monitoring and oversight, particularly the inconsistencies between EEOC and OFCCP. The group felt that they were being required, even now, to provide duplicate information, and were being asked to conform to inconsistent standards.

Although welcoming the President's message, they felt that these meetings should be convened regularly to work out these problems, while providing support for continuing, but reforming, affirmative action.

The county/community group was very supportive of the President's position. They were concerned primarily with two issues: (1) What the review of Federal programs in light of Adarand would produce; and (2) providing input into the design of the program for preferences to business operations in distressed areas, which is under the Vice-President's purview. I told them that the Adarand review would be going on for a few months, and that I would pass on their desire to provide input into the discussion of business preferences.

Both meetings were very productive. Followup is critical. I would appreciate any suggestions/directions you might offer about this.

Attachments

cc: Chris Edley

**MEETING TO DISCUSS AFFIRMATIVE ACTION
GUEST SPEAKER: MR. DENNIS HAYASHI
ASSISTANT SECRETARY FOR CIVIL RIGHTS**

**Hosted by
Occidental Petroleum Corporation
15th Floor Conference Room
Thursday, August 17, 1995
3:00 PM - 5:00 PM**

GUEST'S NAME	TITLE	COMPANY
Mr. Dennis Hayashi	Assistant Secretary for Civil Rights	
Ms. Jackie Hempstead	Vice President/Manager, EEO & Diversity Programs	Bank of America
Mr. George R. Home	Vice President, Human Resources	Dole Food Company
Mr. Dave Barclay	Vice President, Workforce Diversity	Hughes Aircraft
Mr. Sylvester Mendoza	Corporate Manager, EEO	Huges Aircraft
Mr. Ron Hasson	Director of Affirmative Action, Military Air Division	Northrop Grumman Corporation
Ms. Bette Bardeen	Vice President, Business Practices	Rockwell International Corporation
Mr. James Simpson	Vice President, Human Resources	Times Mirror Company
Mr. Richard Hallock	Executive Vice President, Human Resources	Occidental Petroleum Corporation
Ms. Phyllis Harris	Manager, Employment Compliance & EEO	Occidental Petroleum Corporation
Mr. Patrick Dailey	Director, Human Resources & Services, Corporate Staff	Occidental Petroleum Corporation
Mr. Gene Boone	Manager, Human Resources, Corporate Staff	Occidental Petroleum Corporation

L.A. COUNTY COMMISSION ON HUMAN RELATIONS MEETING

Valerie Fields
American Jewish Committee
6505 Wilshire Blvd. #315
Los Angeles, California 90048-4992
(213) 655-7071

Joe Hicks
Multicultural Collaborative
1010 S. Flower St. #211
Los Angeles, California 90015
(213) 748-2105

John Hill
Affirmative Action Officer
Los Angeles County
500 W. Temple
Los Angeles, California 90012
(213) 974-1080

Carol Lu
Robin Toma
Ron Wakabayashi
Los Angeles County
Commission on Human Relations
320 West Temple St #1184
Los Angeles, California 90012
(213) 974-7611

Joanne Kumamoto
The Ethnic Coalition of Southern California
4130 Sear View Lane
Los Angeles, California 90065
(213) 223-6473

Christopher McCauley
L.A. City Human Relations
City Hall
Los Angeles, California 90012
(213) 485-4495

Yvonne Vargas
Corporate Advisory Committee - LACCHR
Manager, Employee Relations
Rocketdyne Div.
Rockwell International
P.O. Box 7922
Canoga Park, California 91309-7922

P.O. Box 7137

San Francisco

California

94120-7137

Tel: 415/772-0991

Fax: 415/772-0994

Mr. C. Michael Armstrong
Chairman & CEO
Hughes Aircraft Company
7200 Hughes Terrace
Los Angeles, CA 90045

Chairman:

Sam Ginn

Vice Chairman:

John Bryson

Executive Director:

Mary M. Anderson

Ted



CALIFORNIA BUSINESS ROUNDTABLE

RECEIVED

AUG 16 1995

RECEIVED

AUG 17 1995

G. MICHAEL ARMSTRONG

August 16, 1995

MEMO TO: All Members
FROM: Mary Anderson *Ma*
RE: Affirmative Action

The June 8 mail ballot sent to all members on a proposed Roundtable affirmative action statement has been approved. A copy of the statement is attached for your information and use.

Please feel free to make it available to those who seek our position on this issue. The Roundtable members believe that it reflects the business community's long standing efforts concerning equal opportunity in the work force.

Thank you for your input.

CC: All deputies

RECEIVED

AUG 17 1995

DR. FARGLAY

AFFIRMATIVE ACTION

The California Business Roundtable's position on affirmative action is grounded in two fundamental beliefs:

(a) We believe that everyone can aspire to, and attain, positions of responsibility and leadership in our society. The concept of upward mobility needs to be regularly reinforced in our society and is vital to our nation's future; and

(b) As commerce becomes more global and competitive, it is imperative that businesses engage the full potential of our labor force which is comprised of qualified people from many diverse backgrounds and cultures. This is one of our nation's greatest assets and must be used to our competitive advantage.

The Roundtable supports equal opportunity in the workplace. Our member companies are committed to opportunities for all that provide access, training and promotion based on performance and potential for growth.

It is our belief that affirmative action, properly implemented, is neither a system of mandatory quotas or set-asides. It is not about employing unqualified people; it is about opening up the system to all and providing a climate where everyone has a chance to succeed according to their efforts and abilities. And, opening the system to all, may require recruitment and training efforts, especially for those historically denied opportunity.

We acknowledge the complexity of the issue of affirmative action and we believe that a full discussion of the subject is in order. In the process, we should not back away from providing access to all. The door of opportunity needs to be opened wider.

8/15/95

THE WHITE HOUSE

WASHINGTON

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COMMENTS:

DATE: 03.08.95

NUMBER OF PAGES: 6

CHARLES R. STITH

Chris
Edley
FYI
GS

TO: The Honorable William J. Clinton
President of the United States

FR: CRS



RE: Affirmative Action

Mr. President:

There are several things you need to consider as you move to provide some leadership on the issue of affirmative action. Before detailing the specific actions you might take let me start by offering a context for framing your position in the present debate about affirmative action.

First of all, while the debate about affirmative action qua set -asides has always been in the background; what has thrust this issue to the foreground is the present economic climate. This issue has taken on the present sense of urgency because of the downsizing taking place in the private sector and the downsizing taking place in the public sector, and the downsizing of people's paychecks. Because of these phenomena people are rightly concerned, anxious, and fearful about their economic prospects. There are a couple of relevant points that flow from this premise. One is that just as affirmative action did not cause the downsizing problem; ending affirmative action won't end the problem of

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downsizing. The second point proceeding from this premise is that the present debate is fueled as much by who gets to keep their job and contract as by who gets the job or contract. If we focus for a minute on the issue of who gets to keep their job or contract, it enables us to zero in on a number of issues critical to coming to a position on the affirmative action question.

If we acknowledge that as a matter of custom and because of the entire complex of "Jim Crow" laws blacks were prevented from entering the mainstream of American economic life before affirmative action; it then requires acknowledging that whites start with the advantage of access. If whites were then the first hired and that becomes the basis for determining who is the last fired; blacks as the last hired are going to be distinctly disadvantaged. Unless some provisions are made to insure that blacks and other minorities do not disproportionately bear the burdens of layoffs we will find ourselves on a slippery slope leading us back to the pre-Civil Rights era when blacks were absent from the workplace and marketplace. Obviously this is not something we want to do. Too many blacks and whites sacrificed that our country would change.

The reason that I started on this point is that it points us to an obvious problem of most of the politicians that have been quick to jump on the "bash affirmative action" bandwagon; and that is, we are where we are on this issue because of the lack of economic growth resulting in fewer economic opportunities. This reflects the failure of leadership on the part of many now knocking affirmative action. If they had offered the kind of leadership that would have resulted in a growing economy we might not be embroiled in the present controversy surrounding affirmative action; or at least, the climate for discussion would be a lot more reasonable.

Having made this point, it is important to address the most obvious point in this discussion around affirmative action and that is, affirmative action is necessary because discrimination is still a reality in America. Because of this reality and the advantage of access that it translates into for whites; unless affirmative action is taken, blacks and other minorities won't have a chance in maintaining our present economic standing much less improving on it. It is also important to appreciate that it is the reality of discrimination and the advantage of access that whites have because of it that make the claim of reverse discrimination untrue. The facts bear it out. (see attachments)

Against this backdrop, I'd recommend several courses of action:

- The first thing you should do is begin trying to impact on the present climate in which this debate is taking place. There is a profound moral and political issue at stake, "a house divided against itself cannot stand." You should schedule an address at a white church and black church in California where you would give the same sermon on the same day. The moral and historical issues relevant to this discussion must get as much attention as the economic issue at stake. Taking such a tract also enables you to talk about and affirm the efforts on the part of whites to make America more just and fair; as well as talk about the progress we've made and the need to not give up in the struggle to finish what we started. (Eventhough you fashion yourself as a "Closet-preacher" - smile, you could probably use a Reverend's touch on such a piece; I'd be willing to help. In addition, I'd be willing to help identify some appropriate churches for such a sermon; and I'd be willing to travel with you.)

These sermons should be scheduled before the release of any specific recommendations on affirmative action laws or regulations.

I would also add that the moral and political principle at stake here is one that you should make reference to in every speech you give on domestic policy. We are venturing very close to a return to the Plessy v. Ferguson "separate but equal" era. We are at what well could be a defining moment in American History. To leave a nation so divided is not the legacy you want to leave; particularly in light of the fact that there is no single politician today that could lay a greater claim than you to being able to occupy the highground of calling this nation together across color and class lines.

- Secondly, as you have your staff doing the inventory of affirmative action programs you should also have them look at how laws, programs, and regulations originally intended to provide greater opportunities for blacks has resulted in greater opportunities for others including working class whites. This is a way of punctuating a fundamental premise of the Civil Rights Movement - the lack of opportunity for anybody means a threat to opportunity for everybody.

- Thirdly, you must be careful that you do not let this debate on affirmative action get defined as simply a matter of economic need. The reality of racial and sexual discrimination, which limits economic options for blacks (other minorities and women), is staggering. The statistical evidence should not (and cannot) be ignored.

The lack of economic opportunity for working class whites and poor blacks is a problem reflecting the lack of economic opportunity because of the lack of economic growth. Having made this point, this leads me to the fourth thing that needs to be on your agenda.

- You need to really take it to the Republicans who have bounced on this issue for political gain. They need to be taken to task; instead of offering real help to those

concerned about their economic future they are offering a false hope by pitting whites against blacks. The key to a more secure economic future is a growing economy. In a global economy where the rules are defined by GATT and NAFTA our diversity is our strength. It is that which potentially positions us to play and win on this new playing-field. (John Sasso mentioned to me that he has also encouraged you to take the position of the economic populist on this issue. He is right!)

I will be in Washington D.C. on Thursday and Friday, maybe we can get together for a few minutes to talk in more detail on this subject.

Geo —
Have you seen
flies?
Windy

Irvine Hunger Strikers Plan to Ignore Deadline

By MARTIN MILLER
TIMES STAFF WRITER

LAT 10-26

IRVINE—Angel Cervantes did not mark his 23rd birthday with cake. Instead, he celebrated the occasion Tuesday with "birthday water."

"It's a birthday I won't ever forget," said Cervantes, one of five college students in their 10th day of a hunger strike at UC Irvine in which they consume only liquids.

The five students, who vow not to break their fast until affirmative action programs in the University of California system are restored and expanded, plan to ignore a deadline imposed by university officials to leave their tent encampment at the UC Irvine administration building by midnight Friday.

The hunger strike at the suburban campus is beginning to exact a physical toll on its five Latino participants. Two underwent tests and X-rays this week at a hospital for severe back pain—aggravated, they say, by the fast and sleeping on mattresses on

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STRIKE

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cold concrete. Another striker with a heart murmur, who is complaining of chest pain, is scheduled to have an electrocardiogram today.

And all five say they exhibit the symptoms associated with self-starvation—headaches, stomach pains, declining blood pressure and heart rate and extreme fatigue. The body's major organs begin to fail after 30 to 50 days without food, according to medical experts.

"My mother doesn't like this. It scares her," said UC Irvine student and hunger striker Cesar Cruz, who uses a wheelchair to go to the restroom because of what he says is weakness from fasting. "But she believes in our cause."

Before beginning the fast, the students signed an agreement with UC Irvine officials to end the strike after 10 days. But with no official response from the UC governing board about their demands—which go beyond affirmative action to include a substantial reduction in student fee hikes—the strikers say they won't stop now.

"The only way to get us out of here is to have us arrested," said Cervantes, a graduate student at Claremont College who joined the protest as a gesture of solidarity. "A hunger strike has no limits."

UC Irvine officials have remained tight-lipped about whether they intend to enforce the deadline.