

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001. letter	Marcy Berry to Alexis Herman re inmate population (partial) (1 page)	08/07/1993	P6/b(6)
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COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Deanne Benos (Subject File)
OA/Box Number: 21329

FOLDER TITLE:

Law Enforcement Information Binder #1, Steven Hilton [Binder] [2]

2012-0726-S

kc895

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

WALKING TOUR OF THE NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL

1.) Starting Point: E Street end of Reflecting Pool.

- Inscription on the Reflecting Pool tells who the Memorial is for:
"This Memorial is dedicated to all law enforcement officers in the United States of America. Inscribed on these walls are the names of those officers who died in the line of duty."
- The Reflecting Pool is 80 feet long, and mirrors the size of the Metro escalator at the north end of the site, adding to the wonderful symmetry of the overall Memorial design.

• History of the Memorial:

- Authorized by a law signed by President Reagan on October 19, 1984.
- The National Law Enforcement Officers Memorial Fund, Inc., a non-profit organization, spearheaded the effort to build the Memorial.
- The Memorial cost approximately \$11 million to build.
- All funds to build the Memorial came from private donations from more than one million citizens, police officers and corporations across America.
- Groundbreaking occurred on October 30, 1989, with President Bush doing the honors.
- The Memorial was dedicated by President and Mrs. Bush on October 15, 1991. There were more than 20,000 law enforcement officers, survivors of fallen officers and other Memorial supporters in attendance.

• About the Site:

- The Memorial is built on three acres of Federal park land called Judiciary Square.
- The site has served for nearly 200 years as the seat of our nation's criminal justice system.
- It was designed by City Planner Pierre L'Enfant in the late 1700's to be one of Washington, D.C.'s three major spaces to build the city around; the other two being the White House (Executive Branch), and the U.S. Capitol (Legislative Branch).
- The Memorial is flanked on the east and west by D.C. Superior Court buildings and to the north by the Old Pension Building (now the National Building Museum), which was designed by General Montgomery Meigs and built in the 1800's to serve Civil War pensioners.

• Design and Construction:

- The Memorial was designed by Washington, D.C. architect Davis Buckley.
- The Memorial was built by The George Hyman Construction Company of Bethesda, Maryland.
- The Memorial includes \$4.7 million worth of stone and stone masonry work. In May 1992, it received the Tucker Architectural Award for the best stone design in the country.

- The Memorial also includes nearly 60,000 plants, with 14,000 daffodils, 700 azaleas, and 128 tree (Honey Locust in the center and Little Leaf Lindens bordering the "Pathways of Remembrance").
- Major construction work on the Memorial commenced in October 1990 and was finished one year later in October 1991.

2.) **Walk to the first directory holder toward the West Wall:**

- The names on the Walls are displayed in random order.
- Four written directories at each pathway entrance help visitors locate a particular name on the wall.
- The first half of the directory lists the fallen officers in alphabetical order. The second half of the directory lists the fallen officers by departments with a given state, U.S. territory or Federal branch of government.

3.) **Walk to Panel 1 on the West Wall:**

- The original Memorial design called for a statuary grouping of law enforcement figures. However, reviewers raised concerns about the inability of any statuary grouping to adequately represent all races, gender, era and branches of law enforcement.
- Ultimately, it was decided to replace the figurative statues with the bronze lion statuary that you see here and at each of the four entrances to the Memorial.
- The symbolism is both obvious and subtle. The adult lions protecting their cubs symbolize the protective role of our law enforcement officers and convey the strength, courage and valor that are the hallmarks of those who serve the law enforcement profession. The lions also serve as guardian figures for the sacred place, the "pathway of remembrance," visitors are about to enter. The female lion portrays law enforcement in their more passive role as "peacemaker". The male lion depicts law enforcement in their other role as aggressive defenders of good over evil. The cubs across from the female lions are sleeping, symbolic of the innocent in our society, who are oblivious to the evil and dangers they are shielded from by our police officers. One of the cubs across from the male lion has awakened, sensing the evil and danger our officers protect us from.

• **Inscription**

- When designed, Panel 1W was viewed as the starting point on the wall. The inscription here was intended to greet visitors with an introduction about what the names represent. It is a quote from President Bush's Groundbreaking speech on October 30, 1989:

"Carved on these walls is the story of America, of a continuing quest to preserve both democracy and decency, and to protect a national treasure we call the American dream."

• **The Names:**

- The names are engraved on marble imported from Canada.
- There were 12,561 names engraved on the Memorial when it was dedicated on October 15, 1991, dating back to 1794.

- On May 13, 1992, 367 new names were officially added. 138 of those new names were officers killed in the line of duty in 1991. The other 229 names were of officers killed in prior years, but not discovered by the Memorial Fund until after Dedication. The total number of names now engraved on the Memorial is 12,928.
- New names will be added on an annual basis, to be dedicated each year during National Police Week in May.
- New names are added horizontally to the bottom line of each panel. All panels on the West wall and the first 28 panels on the East wall have 18 lines of names. Once panels 29E through 64E are filled with an 18th line, a new 19th line of names will begin on Panel 1W. It takes approximately 725 names to fill one complete line of the 128 panels on the two Walls.
- The panels are numbered, in the center at the bottom, 1-64W (West), and 1-64E (East).
- The Walls are not yet half filled. Facing the grim reality that more law enforcement officers will be killed, the Memorial organizers left space for more names to be added. There is space for 42 lines on each panel, or a total of 29,233 names.
- At the current rate of death—one police officer is killed in our country every 57 hours or 153 per year—the Walls would be filled by the year 2100. Hopefully, that day will never come.
- The names are displayed in random fashion. While designers looked at the idea of placing the names in alphabetical, chronological or geographical order, each posed design or practical problems since new names would have to be added. After debating the issue for months, there was unanimous agreement that the random display was the only solution.
- Originally, reviewers balked at the idea of including any names at all. They had seen some of the problems that existed at the Vietnam Memorial (e.g., misspelled names, some names mistakenly on the wall that did not belong, some names not on the wall that should have been, etc.), and they did not want those same problems repeated. However, Memorial organizers would not relent on the names issue, and ultimately they prevailed.
- While the inscriptions on the Memorial were hand carved, the names of fallen officers, because of their large number, were sandblasted onto the Memorial by a Denver company, Great Panes Glass Works, that pioneered the process.
- A stencil is made of the names as they will appear on the Memorial. That stencil is then placed on the stone, one panel at a time, and the sandblaster then carves the names out of the stone. A stain is then applied before removing the stencil to accentuate the names. The sandblasting and staining process takes less than one hour per panel. The original names on the Memorial were engraved off-site, in Upper Marlboro, Maryland. Any additional names are done on-site.

• Memorial Lighting

- The Memorial is especially magical at night. Notice on the stone benches across from the names wall that lights have been installed to light the wall at night. There are more than 300 lights on the site. The lighting was designed by George Sexton, an internationally renowned lighting expert who also designed the Washington Monument lighting systems, among others.

- 4.) **Panel 5W, Line 14:**
Deputy Sheriff Patrick Elton Roberts, Jr.
Brazoria County, Texas, S.D., DOD 08/17/1990
Deputy Roberts is the first and only known officer to have died in the line of duty from AIDS. He contracted the disease from contaminated blood at a crime scene. Deputy Roberts had six years of service and was 27 years old when he died.
- 5.) **Panel 13W, Line 3:**
William H. Bonney, also known as "Billy the Kid", built his legend on crime and violence. He was responsible for killing six law enforcement officers between 1878 and 1881. Five of those six names (the sixth, Lincoln County, New Mexico Deputy Sheriff Robert Beckwith, was not discovered by the Memorial Fund until after Dedication—his names appears on Panel 27E, Line 18) appear together on this panel:
Deputy Sheriff James W. Bell, Lincoln County, NM, Sheriff's Department
Sheriff William Brady, Lincoln County, NM, Sheriff's Department
Deputy Sheriff James Carlisle, Lincoln County, NM, Sheriff's Department
Deputy Sheriff George Hindman, Lincoln County, NM, Sheriff's Department
Deputy Marshal Robert Olinger, U.S. Marshals Service
This special grouping of names was one of the few exceptions to the rule of random order. Some special groupings of names, like this one, were done because of the increased human and historical interest they add to the Memorial experience.
- 6.) **Panel 16W, Line 1**
Patrolman Walter A. Schroeder
Detective John D. Schroeder
Boston, Massachusetts Police Department
Patrolman Walter Schroeder was shot and killed during a bank robbery on September 24, 1970. He was 42 and had served for 19 years. Three years later, on November 30, 1973, Walter's older brother, Detective John Schroeder, was shot and killed during another robbery attempt. John was 54, married with four children, and served for 22 years.
- 7.) **Panel 23I, Line 1:**
Agent Leslie William Coffelt
U.S. Secret Service
On November 1, 1950, Agent Coffelt was shot and killed by Puerto Rican nationalists during an aborted assassination attempt on President Truman. The attack occurred at Blair House, which was the temporary home of the President while the White House was being renovated. Agent Coffelt is one of 21 Secret Service agents to have died in the line of duty. To aid visitors in recalling Agent Coffelt's special place in history, his name has been placed next to two officers named Blair and House. Agent Coffelt was 40 years old, married with one child and served for nine years.
- 8.) **Panel 30W, Line 16:**
Agent Samuel P. Cowley
Federal Bureau of Investigation
On November 27, 1934, Agent Cowley and Agent Herman E. Hollis were mortally wounded in an effort to apprehend the notorious murderer Lester Gillis, aka Baby Face Nelson. A nationwide search was underway for Gillis at the time of this shooting. He had killed a third FBI Agent, W. Carter Baum, seven months earlier. When Gillis was spotted near Barrington, Illinois, the Agents closed in and a

shootout ensued. Even though they were dying of their own wounds, Agents Cowley and Hollis were able to return fire and wound Gillis, who died a short time later. Agent Hollis died that same day and Agent Cowley died one day later.

(Agent Hollis is listed on Panel 36W, Line 4. Agent Baum is listed on Panel 48W, Line 6.)

9.) **Panel 36W, Line 1:**

U.S. Marshal Robert Forsyth

U.S. Marshals Service

On January 11, 1794, U.S. Robert Forsyth became the first recorded line of duty death in the history of law enforcement in America. His shooting death occurred in Augusta, Georgia when he and two deputies went to a boarding house to serve the Allen brothers, Beverly and William, with court papers in a civil suit. It was a fairly routine matter, but when Marshal Forsyth asked to speak to the two brothers they ran upstairs and locked themselves in a room. When Marshal Forsyth and his deputies approached, Beverly Allen fired a pistol shot through the door striking Forsyth in the head and killing him instantly. Although the two deputies promptly arrested the Allen brothers, they later escaped from the local sheriff and were never brought to trial. Marshal Forsyth was 40 years old, married with twin daughters, and had five years of service. He was appointed to his post by President George Washington.

10.) **Panel 41W, Line 10:**

Officer Edward Spindler

Milwaukee, Wisconsin Police Department

On November 24, 1917, Officer Spindler and eight other officers were killed in a bomb blast at the Milwaukee Police Headquarters. The bomb was brought to Headquarters by an unsuspecting private citizen who wanted to turn in the suspicious package that had been left by a neighborhood building inspector. More officers (nine) were killed in this bomb blast than in any other single incident in the history of American law enforcement.

11.) **Panel 54W, Line 14:**

James Cook, Jr.

Westlake, Louisiana Police Department

On August 3, 1990, Reserve Officer Cook, was shot and killed when a fellow officer's gun discharged accidentally at police headquarters. Officer Cook had only served two weeks at the time of his death, and he was only 19 years old. Two other officers, Anibal Loprena-Soto from the Puerto Rico Police Department and Officer Donald W. Swearingen from Coppell, Texas, were also 19 years old at the time of their deaths, making these three officers the youngest to die in the history of American law enforcement.

(Officer Loprena-Soto is on Panel 29E, Line 7, and Officer Swearingen is on Panel 10E, Line 10.)

12.) **Panel 56W, Line 18:**

Leonard Roth Cummings, Jr.

Lemhi County, Idaho Sheriff's Department

On January 2, 1928 Special Deputy Cummings was shot and killed along with two other deputies while attempting an arrest. Deputy Cummings and one of the other special deputies killed, Billy Withington, Jr., were serving their first day on the job. Deputy Cummings was 49 years old, married and had two children. The third officer killed during this shooting was Deputy Sheriff Louis J. Bancroft, who had 28 years of experience.

(Deputy Withington is listed on Panel 40W, Line 18, and Deputy Bancroft is listed on Panel 41W, Line 18.)

13.) **Panel 61W, Line 17:**

Thomas M. Knevet

Hartford, Connecticut Police Department

Officer Knevet had a total of 44 years of police service--more than any other killed--when he was struck by a vehicle and died in the line of duty on November 28, 1919. Officer Knevet was 65 years old.

14.) **Male Lion and Cub Groupings at the end of the West Wall:**

Here you see the male lion figure mentioned earlier. Notice the awakened cub with head and ears perked up, seemingly sensing the evil and danger our officers protect us from. The sculptor of the lion statuary is Raymond Kaskey of Washington, D.C. He was assisted by George Carr.

15.) **Inscription at the end of the West Wall:**

The Memorial honors all law enforcement officers--past, present and future--. All too often the daily heroic deeds of our officers are overlooked or unappreciated...unless an officer dies during that heroic act. The Memorial offers a different perspective of what makes a hero, as explained by this inscription:

"It is not how these officers died that made them heroes, it is how they lived."

The author of this quote is Vivian Eney, whose husband, Sgt. Christopher S. Eney of the U.S. Capitol Police Department, was killed in the line of duty on August 24, 1984. Vivian delivered that line at the Memorial Groundbreaking Ceremony in 1989.

16.) **Inscription Panel Next to Panel 1E:**

The appropriateness of the lion symbolism is made clear through this biblical verse, which talks about the lion as a righteous figure and focuses on the good versus evil struggle that is being waged on our behalf by law enforcement officers across America.

"The wicked flee when no man pursueth; but the righteous are as bold as a lion."
--Proverbs 28:1

17.) **Panel 7E, Line 11:**

Mary T. Davis

Wilmington, Delaware Police Department

On May 11, 1924, Matron Davis became the first female officer to ever be killed in the line of duty. Matron Davis was beaten to death by a female prisoner. She was 74 years old at the time of her death and she had served for 14 years. There are a total of 74 female officers listed on the Memorial.

18.) **Panel 9E, Line 1:**

Barry G. Griffin

Frank Griffin

Ray County, Missouri Sheriff's Department

On May 23, 1867 Deputies Barry Griffin and Frank Griffin were shot and killed by a gunman involved in a bank robbery and attempted jailbreak. Barry Griffin was 73 years old, and the father of Frank Griffin who was a veteran of the Civil War.

- 19.) **Panel 14E, Line 6:**
Billy Paul Speed
Austin, Texas Police Department
On August 1, 1966 Officer Speed was shot and killed by a sniper on the University of Texas tower. Officer Speed was one of 17 people killed that day by the sniper, representing one of the worst mass murders in United States history. Officer Speed was married with one child.
- 20.) **Panel 16E, Line 17:**
Detective Ollie Crosswhite
Sheriff Marcell Hendrix
Patrol Officer Charles Houser
Deputy Sheriff Wiley Mashburn
Greene County, Missouri Sheriff's Department

Detective Sidney Meadows
Detective Tony Oliver
Springfield, Missouri Police Department
On January 2, 1932, six Missouri law enforcement officers were shot and killed while searching a house for two suspected criminals, Harry and Jennings Young (brothers). The Young brothers were wanted for stealing cars in Oklahoma with Charles "Pretty Boy" Floyd. Harry Young was also wanted for the murder of Marshal Mark Noe three years earlier. After the shootout the Young brothers escaped to Texas. Several days later they were spotted and their hideout in Houston was surrounded by law enforcement officers. But, before they could be captured, Harry and Jennings simultaneously committed suicide. This incident, also known as the "Young Brothers Massacre", represents one of the worst mass murders in American law enforcement history.
- 21.) **Panel 16E, Line 14:**
George Campbell
San Francisco, California Police Department
On April 9, 1925, Officer Campbell was shot and killed when responding to a bank robbery in progress. However, after he was shot, but before he died, Officer Campbell was able to subdue his assailant and handcuff him to his own wrist. The suspect, Felix Sloper, was arrested when backup units arrived and was ultimately sentenced to death for the murder of Officer Campbell.
- 22.) **Panel 20E, Line 5:**
John D'Archangelo, Edward D. Cunningham, Richard J. Lewis
William E. Quinn, Carl W. Valone, Ronald Werner, Harrison Whalen
New York State Department of Corrections
On September 9, 1971, inmates began rioting at the Attica State Prison in New York. Thirty-nine hostages were taken and after four days of stalled negotiations, New York Governor Nelson Rockefeller ordered New York State Troopers to move in and put down the riot. In the ensuing bloodshed, 32 inmates and 11 hostages died, including the seven correctional officers listed above. This was the bloodiest prison riot in the nation's history. There are 211 correctional officers listed on the Memorial.
- 23.) **Panel 23E, Line 18:**
Constable Darrell Edward Lunsford, Sr.
Nacogdoches County, Texas Constable's Office
On January 23, 1992 Constable Lunsford was shot and killed with his own gun by three persons he

had been questioning as part of a traffic stop. The shooting occurred at 1:30 a.m., and the entire incident was captured on a home video camera that the Constable attached to his patrol car. The resulting footage has been shown to officers nationwide as part of training programs and is credited with saving other police officer's lives. Constable Lunsford was 47 years old, married with two children, and had served for eight years.

24.) Panel 43E, Line 18:

David Morehouse

Paso Robles, California Police Department

Constable Morehouse was shot and killed when responding to a burglary in progress. The year was 1919. Constable Morehouse had served for 27 years and was to retire the very next day. He was 57 years old.

25.) Panel 52E, Line 2:

Dotson "Pop" Sutton

Pulaski County, Missouri Sheriff's Department

On June 1, 1952, Night Marshal Sutton was struck by a vehicle while on duty. He died later that same month, on June 25th, from injuries sustained during the accident. Dotson "Pop" Sutton was 81 years old at the time of his death, making him the oldest law enforcement officer to have been killed in the line of duty.

26.) Panel 55E, Lines 10 and 11:

Marshal H.D. Humphrey, - Alma, Arkansas Police Department

Constable William C. Campbell - Commerce, Oklahoma Police Department

Patrolman H.D. Murphy - Texas Department of Public Safety

Patrolman Edward B. Wheeler - Texas Department of Public Safety

Detective Harry L. McGinnis - Joplin, Missouri Police Department

Detective William J. Grooms - Kansas City, Missouri Police Department

Detective Frank E. Hermanson - Kansas City, Missouri Police Department

Constable J.W. Harryman - Newton County, Missouri Sheriff's Department

Between August 5, 1932 and April 6, 1934, the notorious outlaw gang of Bonnie and Clyde Barrow killed a total of 10 law enforcement officers. Eight of those officers are listed together on the Memorial. The two other officers, Atoka County Sheriff's Department Deputy Eugene C. Moore and Tarrant County, Texas Sheriff's Department Deputy Malcolm Davis were not discovered until after the Memorial was dedicated and their names appear elsewhere. While Bonnie and Clyde have become virtually household words, the names of the officers they brutally murdered have largely been forgotten. The Memorial hopes to change that.

27.) Panel 63E, Line 3:

Charles Ray Shinholser, Jr.

Jacksonville, Florida Sheriff's Department

On December 14, 1988, Officer Shinholser was killed when his police motorcycle collided with a pickup truck while on patrol. Only one day earlier, Officer Shinholser had recorded a song titled, "Momma, When's Daddy Coming Home?" to help raise money for the Memorial Fund. More than \$10,000 was raised to build the Memorial from the sales of Officer Shinholser's song. He was 30 years old when he died. He left behind a wife and two children.

28.) **Panel 63E, Line 9:**

J.D. Tippit

Dallas, Texas Police Department

At around 1:00 p.m. on Friday, November 22, 1963, Officer Tippit pulled his car over in the 400 block of E. 10th Street to question a man who matched the description of a man wanted for a murder that had occurred just moments earlier. The murder victim was President John F. Kennedy and the suspect Officer Tippit was about to question turned out to be Lee Harvey Oswald. But, before Tippit could question the man, Oswald pulled a .38 revolver and shot Tippit four times. Officer Tippit died before the ambulance reached the hospital. Meanwhile, Oswald sought escape inside the Texas Theatre. It was there that Oswald was later apprehended while watching the movie, "War is Hell". He was initially booked only for the murder of Officer Tippit. It was not until later that the line between Oswald and the murder of the President could be proven. Officer Tippit was 39 years old at the time of his death and had served for 11 years. To help recall Officer Tippit's special place in history, he has been listed next to the name John Kennedy, a New York City police officer who was killed September 3, 1932.

29.) **Inscription Panel at the end of the East Wall:**

This is not a monument to death. It is a monument to courage, valor...and hope. As long as there are men and women who are willing to put their lives on the line for the safety and protection of others there is hope for a brighter future. This quote from the ancient historian Tacitus sums it up best:

"In valor there is hope."

Draft

DAIS FOR 1993 CANDLELIGHT VIGIL

1. Craig W. Floyd, NLEOM Chairman and emcee
2. Joseph Burden, singer (retired D.C. Police Officer)
3. Rev. William Andrews, International Conference of Police Chaplains and ceremony participant
4. Mark Frye, ceremony participant (disabled Baltimore City Police Officer)
5. Kathleen A. Young, COPS President and speaker
6. Hon. Dennis Deconcini, U.S. Senator and speaker
7. Hon. William J. Clinton, keynote speaker
8. First Lady Hillary Rodham Clinton (?)
9. Chelsea Clinton (?)
10. Hon. Janet Reno, U.S. Attorney General and speaker
11. Hon. Claiborne Pell, U.S. Senator and NLEOMF Honorary Chairman
12. Robert H. Frank, NLEOMF Treasurer
13. Suzanne Sawyer, NLEOMF Secretary and COPS Executive Director
14. George W. Mayo, Jr., NLEOMF Counsel
15. Victor Oboyski, President, Federal Law Enforcement Officers Association and NLEOMF Board Member
16. Gil Gallegos, National Vice President, Fraternal Order of Police and NLEOMF Board Representative
17. Cyndi Calender, National President, Fraternal Order of Police Auxiliary and NLEOMF Board Member
18. Dan Rosenblatt, Executive Director, International Association of Chiefs of Police and NLEOMF Board Member
19. Ed Reilly, Vice President, International Brotherhood of Police Officers and NLEOMF Board Representative
20. Robert Kliesmet, President, International Union of Police Associations/AFL-CIO and NLEOMF Board Member
21. Robert T. Scully, Executive Director, National Association of

Police Organizations and NLEOMF Board Member

22. Joseph Wright, Executive Director, National Organization of Black Law Enforcement Executives and NLEOMF Board Member
23. Charles "Bud" Meeks, Executive Director, National Sheriffs' Association and NLEOMF Board Member
24. Mike Muth, 2nd Vice Chairman, National Troopers Coalition and NLEOMF Board Member
25. Chuck Wexler, Executive Director, Police Executive Research Forum and NLEOMF Board Member
26. Hubert Williams, President, Police Foundation and NLEOMF Board Member
27. Robert Gordon, Secretary/Treasurer, United Federation of Police and NLEOMF Board Representative
28. Hon. Mario Biaggi, Former U.S. Rep. and co-author of legislation to establish Memorial
29. Ed Haggerty, New York City Patrolmen's Benevolent Association
30. Secret Service Agent
31. Fannie Featherstone, International Association of Women Police and Honorary NLEOMF Board Representative
32. Don Baldwin, Federal Investigators Association
33. Hon. Robert Langston, Chief, U.S. Park Police (host chief)
34. Hon. Fred Thomas, Chief, D.C. Metropolitan Police Department (host chief)
35. Hon. Bruce Babbitt, Secretary of the Interior

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Program Draft

A Tribute to America's

"Thin Blue Line"

Thursday, 1993
~~Wednesday~~, May 13, 1992

***National Law Enforcement
Officers Memorial***

Judiciary Square
Washington, D.C.

~~Fourth~~ Annual Candlelight Vigil
Fifth

Page 2

"IN VALOR THERE IS HOPE."
--Tacitus

(Inscribed on the Memorial)

(small italics)

Each year in our country some 62,000 law enforcement officers are assaulted, more than 20,000 officers are injured and 170 of these brave men and women are killed in the line of duty. Even with those dangers in mind, more than 530,000 federal, state and local law enforcement officers are proudly serving today . . . putting their lives on the line for our protection. The National Law Enforcement Officers Memorial was dedicated in October 1991 as a long overdue tribute to these very special people.

Tonight we gather on this hallowed ground during National Police Week to salute all of America's law enforcement heroes--past and present. Special tribute will be given to the 13,296 officers who have lost their lives in the line of duty, and whose names grace the Memorial's marble walls. Those names include 328 new additions that we formally dedicate this evening.

Photo
(Being Messengered)

Photo for
Page 2
of Candlelight

K&M Company POLY-VU
Torrance, CA 90503 #PV119



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PROGRAM

---Introduction---

Craig W. Floyd, Chairman
National Law Enforcement Officers Memorial Fund

--Presentation of Colors---

United States Park Police

---National Anthem---

Joseph Burden
D.C. Metropolitan Police Department (Ret.)

---Invocation---

Rev. William Andrews
International Conference of Police Chaplains

---Special Presentation---

Mark Frye
Baltimore City Police Department (Ret.)

---Honoring the Fallen---

Kathleen A. Young, President
Concerns of Police Survivors

---Introduction of President---

Hon. Dennis DeConcini
United States Senator

---Keynote Address---

Hon. William J. Clinton
President of the United States

~~Page 1~~
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---Candlelighting---

"The Little Shining Badge"
Written and Performed by Joseph Burden

---Roll Call of Fallen Heroes---

---Concluding Remarks---

Hon. Janet Reno
Attorney General of the United States

---Tribute to America's "Thin Blue Line"---

Presented by Walter Gundy of Image Engineering, Boston, MA

"Wind Beneath My Wings"
Performed by Mark Frye

---Benediction---

Rev. William Andrews
International Conference of Police Chaplains

---Retreat of Colors---

United States Park Police

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**The National Law Enforcement Officers Memorial Fund
Officers and Board of Directors**

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Craig W. Floyd, *Chairman*

~~Jan C. Savage, Special Assistant to the Chairman~~

Robert H. Frank, *Treasurer*

Suzanne Sawyer, *Secretary*

George W. Mayo, Jr., *Counsel*

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International Brotherhood of Police Officers*

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Leslie J. Seymore, *Chairperson
National Black Police Association*

~~Cassandra Johnson~~, *Executive Director
National Organization of Black Law Enforcement Executives*

Charles Meeks, *Executive Director
National Sheriffs' Association*

Mike Muth, *2nd Vice Chairman
National Troopers Coalition*

~~Donal W. Stephens~~, *Executive Director
Police Executive Research Forum*

Hubert Williams, *President, Police Foundation*

Ralph Purdy, *President, United Federation of Police*

Kathleen A. Young
←

Joseph Wright
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Chuck Wexler
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News

MEDIA ADVISORY

CONTACT: Craig Floyd or Kelley Lang Helms
(o) 202-737-3400

THOUSANDS TO ATTEND CANDLELIGHT VIGIL HONORING FALLEN POLICE OFFICERS

WHAT: A candlelight vigil during National Police Week (May 9-15) honoring more than 13,000 American law enforcement officers who have died in the line of duty. The vigil will include the reading of 328 new names being added to the National Law Enforcement Officers Memorial this year (full listing of new names by state enclosed).

Thousands of police officers and survivors of officers killed in the line of duty are expected to attend and will light candles in memory of the fallen. A brilliant blue laser beam will shine during the vigil (and on May 14 and 15) as a special tribute to the more than 530,000 active law officers who form the "thin blue line" protecting the lawful from the lawless. The National Law Enforcement Officers Memorial Fund is sponsoring the vigil.

WHO: Honorable William J. Clinton (Invited)
President of the United States

Honorable Janet Reno (Confirmed)
Attorney General of the United States

Honorable Dennis DeConcini (Invited)
United States Senator

Kathleen A. Young (Confirmed)
President, Concerns of Police Survivors

Law enforcement leaders and survivors of fallen officers from across the country.

WHEN: Thursday, May 13, 1993
8:00 p.m.

WHERE: National Law Enforcement Officers Memorial
Judiciary Square
Washington, D.C.
(E Street, between 4th and
5th Streets, NW)

OFFICE:
605 E Street, NW
Washington, DC 20004
(202) 737-3400 FAX (202) 737-3405

MEMORIAL:
E Street, between 4th & 5th Sts., NW
Judiciary Square
Washington, DC
Metro subway stop/Red Line

**ROLL CALL OF FALLEN OFFICERS FORMALLY ADDED TO THE
NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL MAY 1993**

<u>NAME OF OFFICER</u>	<u>DATE OF DEATH</u>	<u>RANK</u>	<u>DEPARTMENT</u>	<u>LOCATION</u>
ALABAMA				
Samuel H. Hamilton	May 12, 1907	Detective	Birmingham Police Department	Panel 46E, Line 18
John Martin Huffman	May 21, 1992	Police Officer	Birmingham Police Department	Panel 58E, Line 18
Hugh Tully	October 13, 1913	Detective	Birmingham Police Department	Panel 40E, Line 18
Charles Cook	December 1, 1942	Deputy Sheriff	Etowah County Sheriff's Department	Panel 29E, Line 18
Douglas Emil Kountz, Jr.	May 2, 1992	Police Officer	Mobile Police Department	Panel 21W, Line 19
Ronald Edward Wascom	June 8, 1992	Patrolman	Morris Police Department	Panel 63E, Line 18
ALASKA				
Anthony Carwford Jones	February 12, 1992	Police Officer	Dillingham Police Department	Panel 34E, Line 18
Karl William Reishus	May 4, 1992	Police Officer	Juneau Police Department	Panel 33E, Line 18
ARIZONA				
David Jon Zesiger	July 3, 1992	Sergeant	AZ Department of Public Safety	Panel 8W, Line 19
David Neal Wilson	September 11, 1992	Chief of Police	Payson Police Department	Panel 21W, Line 19
Carlos Escamilla	May 14, 1955	Deputy sheriff	Pinal County Sheriff's Department	Panel 30E, Line 18
Donald Gene Bookbinder	November 28, 1992	Officer	Surprise Police Department	Panel 41E, Line 18
ARKANSAS				
Jerry Don Stallings	August 27, 1992	Patrolman	Barling Police Department	Panel 59E, Line 18
William Thomas Pond	June 8, 1973	Sheriff	Clay County Sheriff's Department	Panel 34E, Line 18
Kenneth James Wilkins	October 2, 1992	Deputy Sheriff	Madison County Sheriff's Department	Panel 35E, Line 18
R.D. Purifoy	November 12, 1992	Deputy Sheriff	Nevada County Sheriff's Department	Panel 39E, Line 18
John Z. Norris	March 21, 1901	Town Marshal	Randolph County Sheriff's Department	Panel 16W, Line 19
CALIFORNIA				
George Riley Nash	November 4, 1989	Deputy Sheriff	Contra Costa County Sheriff's Department	Panel 52E, Line 18
Ronald Hills	August 5, 1992	Officer	Dinuba Police Department	Panel 41E, Line 18
Fidel Aleman	July 23, 1992	Officer	California Highway Patrol	Panel 32E, Line 18
Richard B. Hammack	May 11, 1992	Deputy Sheriff	Los Angeles County Sheriff's Department	Panel 55E, Line 18
Nelson Henry Yamamoto	March 31, 1992	Deputy Sheriff	Los Angeles County Sheriff's Department	Panel 34E, Line 18
Edward Stefan Kislo	August 23, 1992	Detective	Los Angeles Police Department	Panel 54E, Line 18
Raymond Alfred Messerly, Jr.	October 22, 1992	Police Officer	Los Angeles Police Department	Panel 1W, Line 19
David Charles Schmid	December 16, 1992	Police Officer	Los Angeles Police Department	Panel 5W, Line 19
Kolone Kolone, Jr.	April 20, 1992	Officer	Marina Department of Public Safety	Panel 58E, Line 18
John A. Hoglund	May 29, 1992	Officer	Maywood Police Department	Panel 48E, Line 18
Leonard Walter Garcia	December 28, 1992	Police Officer	Richmond Police Department	Panel 42E, Line 18
David Thomas Haynes	December 28, 1992	Police Officer	Richmond Police Department	Panel 17W, Line 19

COLORADO

Hugh A. Martin	April 14, 1992	Deputy Sheriff	El Paso County Sheriff's Department	Panel 63E, Line 18
Joseph Allen	July 3, 1907	Patrol Officer	Fort Collins Police Department	Panel 61E, Line 18
Lyle Fredrick Wohlers	November 5, 1992	Trooper	Colorado State Patrol	Panel 40E, Line 18
Ernest Conrad	August 12, 1898	Deputy Sheriff	Summit County Sheriff's Department	Panel 14W, Line 19
Sumner Whitney	September 7, 1898	Deputy Sheriff	Summit County Sheriff's Department	Panel 23W, Line 19

CONNECTICUT

Thomas Dean Jahelka	April 17, 1981	Constable	East Haddam Police Department	Panel 31E, Line 18
William F. Madden	January 30, 1919	Constable	Manchester Police Department	Panel 52E, Line 18
Edward W. Truelove	November 13, 1992	Aux. Deputy Trooper	Connecticut State Police	Panel 17W, Line 19
Walter T. Williams, III	December 18, 1992	Patrolman	Waterbury Police Department	Panel 36W, Line 18

DISTRICT OF COLUMBIA

Ronald Levert Richardson	October 7, 1991	Correctional Officer	D.C. Department of Corrections	Panel 51E, Line 18
Jerry Wayne Morris	December 4, 1971	Police Officer	Metropolitan Police Department	Panel 24W, Line 19

FLORIDA

Pedro Antonio Cainas	November 19, 1992	Sergeant	Hialeah Police Department	Panel 53E, Line 18
James Herbert Fulford, Jr.	February 1, 1992	Trooper	Florida Highway Patrol	Panel 46E, Line 18
Kimberly A. Hurd	July 16, 1992	Trooper	Florida Highway Patrol	Panel 15W, Line 19
Owen Coleman	January 24, 1926	Police Officer	Hollywood Police Department	Panel 23W, Line 19
Van B. Jackson	August 7, 1899	Deputy Sheriff	Liberty County Sheriff's Department	Panel 6W, Line 19
Osvaldo Juan Canalejo, Jr.	October 13, 1992	Police Officer	Miami Police Department	Panel 47E, Line 18
J.D. Marchbanks	February 16, 1926	Police Officer	Miami Police Department	Panel 20E, Line 19
Lewis Thomas Hailey	September 15, 1992	Chief Bailiff	Nassau County Sheriff's Department	Panel 33E, Line 18
Steven Ernest Bauer	January 3, 1992	Detective Sergeant	North Miami Police Department	Panel 7E, Line 19
Kevin Douglas Mathews	March 6, 1992	Deputy Sheriff	Palm Beach County Sheriff's Department	Panel 16W, Line 19
Anita Karen Pospisil	March 25, 1992	Deputy Sheriff	Palm Beach County Sheriff's Department	Panel 4W, Line 19
Donald R. Mahan	May 13, 1992	Sergeant	Port St. Lucie Police Department	Panel 59E, Line 18
Philip Jeffrey Flagg	May 31, 1992	Police Officer	Satellite Beach Police Department	Panel 47E, Line 18
E. Edward Hartmann	May 31, 1992	Sergeant	Satellite Beach Police Department	Panel 32E, Line 18
Samuel J. Carter	June 2, 1905	Captain	Tampa Police Department	Panel 22W, Line 19
Thomas M. Chevis	April 17, 1938	Sergeant	Tampa Police Department	Panel 31E, Line 18

GEORGIA

Randy John Schipani	May 8, 1992	Officer	Atlanta Police Department	Panel 56E, Line 18
Ben Porch	September 5, 1908	Deputy Town Marshal	Barnesville Police Department	Panel 58E, Line 18
Ronald Eugene Bays	January 23, 1992	Deputy Sheriff	Barrow County Sheriff's Department	Panel 31E, Line 18
S.N. Haley	May 21, 1916	Sheriff	Elbert County Sheriff's Department	Panel 40E, Line 18
James Corbett Coleman	December 17, 1941	Police Officer	Glynn County Police Department	Panel 46E, Line 18
George Anton Krauss	December 17, 1941	Asst. Chief of Police	Glynn County Police Department	Panel 11W, Line 19
William Dooley	February 6, 1883	Town Marshal	Hartwell Police Department	Panel 42E, Line 18
Marcus Lee Hall, Sr.	June 21, 1992	Sheriff	Jeff Davis County Sheriff's Department	Panel 55E, Line 18
Carl E. Leonard	June 20, 1934	Patrolman	Macon Police Department	Panel 51E, Line 18

***GEORGIA (continued)**

Thomas F. Thompson
James Hilton Johnson

January 1, 1921
July 22, 1931

Detective
Officer

Macon Police Department
Ware County Sheriff's Department

Panel 17W, Line 19
Panel 9W, Line 19

ILLINOIS

Eugene Iattoni
Michael Capparelli
Richard J. Keogh
John J. Lyons
Robert H. Perkins
John Nerad
Kenneth Richard Novak, Jr.
Joe Bosshardt
A.L. Vonsar
Royce E. Cline
Harrison Dunning
William D. Keller
Michael A. Browning

September 27, 1929
March 27, 1992
September 27, 1932
October 5, 1992
March 7, 1992
July 28, 1929
April 8, 1992
December 31, 1941
January 26, 1935
August 14, 1925
January 28, 1952
January 23, 1931
April 20, 1992

Lieutenant
Officer
Policeman
Police Officer
Police Officer
Patrolman
Patrolman
Deputy Sheriff
Deputy Sheriff
Deputy Sheriff
Deputy Sheriff
Special Agent
Patrolman

Calumet City Police Department
Chicago Dept. of Aviation Police Dept.
Chicago Police Department
Chicago Police Department
Chicago Police Department
Cicero Police Department
Lansing Police Department
McLean County Sheriff's Department
McLean County Sheriff's Department
Saline County Sheriff's Department
Saline County Sheriff's Department
Wabash Railway Police Department
West Chicago Police Department

Panel 16W, Line 19
Panel 38E, Line 18
Panel 13W, Line 19
Panel 56E, Line 18
Panel 19W, Line 19
Panel 29E, Line 18
Panel 39E, Line 18
Panel 44E, Line 18
Panel 62E, Line 18
Panel 49E, Line 18
Panel 32E, Line 18
Panel 17W, Line 19
Panel 56E, Line 18

INDIANA

Paul Joseph Ernst

March 21, 1992

Major

Marion County Sheriff's Department

Panel 50E, Line 18

IOWA

Clarence Woolman
Jimmie M. Biggs

March 25, 1911
March 11, 1959

Deputy Sheriff
Chief Deputy Sheriff

Pottawattamie County Sheriff's Department
Woodbury County Sheriff's Department

Panel 47E, Line 18
Panel 6W, Line 19

KANSAS

William Thomas Cody
Richard Alexander Calhoun

June 2, 1885
December 11, 1904

Constable
Constable

Butler County Sheriff's Department
Yale Constable's Office

Panel 59E, Line 18
Panel 57E, Line 18

KENTUCKY

Frank Duncan
Houston Greene
Cecil E. Cyrus
Victor Green
Charles Kirksey Todd
Boyd Westin Hatfield
Steve Lynn Bennett
Arthur Clay Briscoe
John Hunley
J.P. Hays
Robert Rowland

June 19, 1908
May 18, 1944
March 18, 1992
July 22, 1935
August 23, 1992
November 11, 1931
January 30, 1992
January 30, 1992
April 22, 1929
December 21, 1935
December 22, 1935

Patrolman
Patrolman
Sheriff
Deputy Sheriff
Patrolman
Deputy Sheriff
Sheriff
Deputy Sheriff
Chief of Police
Patrolman
Patrolman

Covington Police Department
Kentucky Highway Patrol
Johnson County Sheriff's Department
Johnson County Sheriff's Department
Mayfield Police Department
Pike County Sheriff's Department
Powell County Sheriff's Department
Powell County Sheriff's Department
Prestonburg Police Department
Kentucky State Police
Kentucky State Police

Panel 20W, Line 19
Panel 22W, Line 19
Panel 12W, Line 19
Panel 48E, Line 18
Panel 3W, Line 19
Panel 45E, Line 18
Panel 7W, Line 19
Panel 38E, Line 18
Panel 30E, Line 18
Panel 52E, Line 19
Panel 19W, Line 19

LOUISIANA

John Mark Hardy	December 24, 1992	Patrolman	Abbeville Police Department	Panel 1W, Line 19
Ricky Dodge	January 20, 1992	Agent	LA Dept. of Wildlife & Fisheries	Panel 45E, Line 18
J. Gordon Anderson	May 13, 1933	Marshal	Hammond Police Department	Panel 12W, Line 19
Talton E. Jett, Sr.	November 17, 1992	Police Officer	New Orleans Police Department	Panel 13W, Line 19
William Henry Bishop	July 18, 1943	Chief of Police	Oakdale Police Department	Panel 58#, Line 18
James Duane Ruby, Jr.	June 1, 1992	Police Officer	Oakdale Police Department	Panel 10W, Line 19
Ronald Edward Dean, Jr.	December 16, 1992	Officer	Shreveport Police Department	Panel 50E, Line 18
Milton J. LeBoeuf, Jr.	May 11, 1970	Patrolman	Westwego Police Department	Panel 55E, Line 18
Walter H. White	August 4, 1939	Town Marshal	Westwego Police Department	Panel 15W, Line 19
Narvin Alex Powell, Sr.	September 26, 1992	Patrolman	Winnfield Police Department	Panel 30E, Line 18

MARYLAND

Ira Neil Weiner	September 21, 1992	Police Officer	Baltimore Police Department	Panel 44E, Line 18
Roger Peck Fleming	October 27, 1992	Sergeant	Prince George's County Police Department	Panel 42E, Line 18
Ryan Christopher Johnson, Sr.	April 22, 1992	Patrolman	Prince George's County Police Department	Panel 41E, Line 18
Mark P. Groner	October 1, 1992	Trooper	Maryland State Police	Panel 3W, Line 19

MASSACHUSETTS

Emmanuel Andre Wilson	September 26, 1992	Police Officer	Boston Housing Authority Police Dept.	Panel 62E, Line 18
Stratford B. Allen	July 6, 1966	Patrolman	Sharon Police Department	Panel 52E, Line 18
Joseph Francis Moynihan, Jr.	June 19, 1990	Trooper	Massachusetts State Police	Panel 33E, Line 18

MICHIGAN

Alexander Lang	September 2, 1932	Police Officer	Lansing Police Department	Panel 18W, Line 19
Gottlieb Sohn	May 23, 1943	Police Officer	Lansing Police Department	Panel 4W, Line 19
James Thomas Kelley	April 10, 1992	Police Officer	Livonia Police Department	Panel 48E, Line 18
Frank W. Miller	October 28, 1929	Village Constable	Petersburg Police Department	Panel 60E, Line 18
Harry Hartsel Davis	May 20, 1945	Patrolman	St. Clair Shores Police Department	Panel 22W, Line 19
Gordon R. McAllister	May 20, 1945	Patrolman	St. Clair Shores Police Department	Panel 64E, Line 18
James R. DeLoach	February 1, 1992	Trooper	Michigan State Police	Panel 43E, Line 18
Steven J. Niewiek	February 2, 1992	Trooper	Michigan State Police	Panel 28E, Line 18

MINNESOTA

Jerome Victor Haaf	September 25, 1992	Patrolman	Minneapolis Police Department	Panel 50E, Line 18
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MISSISSIPPI

James Blake Myers	June 7, 1912	Patrolman	Greenville Police Department	Panel 31E, Line 18
Rickey Joe Simmons	February 4, 1992	Sergeant	Jackson Police Department	Panel 49E, Line 18
Thomas Wayne Daughdrill, Sr.	August 26, 1992	Chief Investigator	Pike County Sheriff's Department	Panel 40E, Line 18

MISSOURI

John Franklin Chambers	September 19, 1907	Deputy Marshal	Aurora Police Department	Panel 10W, Line 19
James H. Turner	July 18, 1921	Deputy Constable	Benton Township Constable's Office	Panel 9W, Line 19
W.A. Leonard	March 16, 1898	Marshal	Cameron Police Department	Panel 14W, Line 19

MISSOURI (continued)

Henry H. Hughes	February 10, 1877	Deputy Marshal	Independence Police Department	Panel 59E, Line 18
John M. Swearingen	January 15, 1884	Chief of Police	Independence Police Department	Panel 62E, Line 18
Stephen Allen Faulkner	December 1, 1992	Police Officer	Kansas City Police Department	Panel 44E, Line 18
James Martin Leach	May 2, 1992	Sergeant	Kansas City Police Department	Panel 64E, Line 18
Jack Steven Shepley	December 1, 1992	Sergeant	Kansas City Police Department	Panel 54E, Line 18
Nat Gaines	December 21, 1890	Deputy Sheriff	Kennett Police Department	Panel 10W, Line 19
R.J. Chappell	December 3, 1900	Night Watchman	Pierce City Police Department	Panel 28E, Line 18
Simeon W. Coleman	January 9, 1892	Night Watchman	Pierce City Police Department	Panel 50E, Line 18
Fred Rogers	October 21, 1918	City Marshal	Portageville Police Department	Panel 49E, Line 18
Edward P. Neu	April 3, 1923	Deputy Constable	St. Louis County Sheriff's Office	Panel 12W, Line 19
L.N. Crisman	March 19, 1890	Marshal	Wakenda Marshal's Office	Panel 42E, Line 18

NEBRASKA

Marion F. Marshall	September 9, 1942	Policeman	Lincoln Police Department	Panel 35E, Line 18
Sheldon C. Mecomber	January 15, 1920	Chief of Police	North Platte Police Department	Panel 16W, Line 19
George E. Rodgers	January 15, 1920	Patrolman	North Platte Police Department	Panel 54E, Line 18

NEVADA

Daniel Mark Peterson	June 18, 1992	Trooper	Nevada Highway Patrol	Panel 29E, Line 18
Donald Charles Weese	October 23, 1992	Police Officer	Las Vegas Metro Police Department	Panel 11W, Line 19
Gary Raymond Downs	August 22, 1992	Deputy Sheriff	Nye County Sheriff's Office	Panel 1W, Line 19

NEW HAMPSHIRE

Ralph C. Brooks	June 18, 1992	Chief of Police	Antrim Police Department	Panel 19W, Line 19
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NEW JERSEY

David W. Bocker	November 16, 1951	Warden	NJ Division of Fish, Game & Wildlife	Panel 4W, Line 19
William Holblitzell	September 17, 1921	Warden	NJ Division of Fish, Game & Wildlife	Panel 48E, Line 18
Amos Horrocks	May 26, 1963	Conservation Officer	NJ Division of Fish, Game & Wildlife	Panel 37E, Line 18
Alfred J. Perkins	November 23, 1946	Warden	NJ Division of Fish, Game & Wildlife	Panel 39E, Line 18
John C. Rheinbold	October 23, 1913	Warden	NJ Division of Fish, Game & Wildlife	Panel 60E, Line 18
John E. Laughery	November 24, 1992	Sergeant	Jersey City Police Department	Panel 24W, Line 19
John A. Dolan	March 22, 1966	Chief of Police	Passaic Township Police Department	Panel 53E, Line 18
Burtis Birkhoff	April 15, 1935	Patrolman	Passaic Police Department	Panel 30E, Line 18
Scott R. Parker	August 30, 1983	Police Officer	Port Authority of NY/NJ	Panel 24W, Line 19
Michael P. Cullinane, Sr.	August 26, 1992	Patrolman	Sea Isle City Police Department	Panel 37E, Line 18
Thomas J. Hanratty	April 2, 1992	Trooper	New Jersey State Police	Panel 6W, Line 19
Charles A. Harm	January 29, 1922	Detective Lieutenant	West Hoboken Police Department	Panel 61E, Line 18
Edward J. Brennan	March 7, 1929	Patrolman	West Orange Police Department	Panel 40E, Line 18

NEW MEXICO

Bernard F. Leonard	July 16, 1933	Deputy Sheriff	Chaves County Sheriff's Department	Panel 4W, Line 19
W.L. Jerrell	February 1, 1884	Deputy Sheriff	Dona Ana County Sheriff's Department	Panel 28E, Line 18
Victoria Louise Chavez	July 9, 1992	Community Service Officer	Farmington Police Department	Panel 34E, Line 18

NEW MEXICO (continued)

Thomas W. Jones
Philip Olivas

July 16, 1933
September 1, 1992

Deputy Sheriff
Deputy Marshal

Lincoln County Sheriff's Department
Mesilla Marshal's Office

Panel 23W, Line 19
Panel 56E, Line 18

NEW YORK

Vincent Spinelli
Stanley Delano Rhem
Peter M. Petrosino
Erik R. Renninger
Joseph T. Alcamo
Gerard Appuzzi
William T. Gunn
Joseph Nullett
Hilario Serrano
Andrew McLean Wood
Armando Rosario
Robert K. Hannahs
Vincent DeVivo
James Hutchens
Henry J. Stewart
William Henry Rafford
Michael J. McMahon
Thomas P. Oates

August 6, 1992
June 10, 1991
October 24, 1991
October 9, 1992
March 26, 1992
May 4, 1968
November 27, 1992
November 7, 1864
January 31, 1992
April 12, 1923
March 25, 1992
April 28, 1939
October 28, 1962
July 2, 1992
July 11, 1992
December 16, 1903
October 10, 1910
April 25, 1925

Sergeant
Captain
Corrections Officer
Deputy Sheriff
Police Officer
Police Officer
Police Officer
Patrolman
Police Officer
Patrolman
Aux. Police Officer
Chief of Police
Police Officer
Sergeant
Police Officer
Warden
Police Officer
Sergeant

Cayuga County Sheriff's Department
NYC Department of Corrections
NY State Department of Corrections
Dutchess County Sheriff's Department
New York City Police Department
New York City Police Department
New York City Police Department
New York City Police Department
New York City Police Department
New York City Police Department
New York City Auxiliary Police Department
Richfield Springs Police Department
Suffolk County Police Department
Suffolk County Police Department
Suffolk County Police Department
Suffolk County Sheriff's Department
Troy Police Department
Troy Police Department

Panel 12W, Line 19
Panel 60E, Line 18
Panel 24W, Line 19
Panel 2W, Line 19
Panel 61E, Line 18
Panel 23W, Line 19
Panel 31W, Line 18
Panel 42E, Line 18
Panel 11W, Line 19
Panel 7W, Line 19
Panel 53E, Line 18
Panel 11W, Line 19
Panel 63E, Line 18
Panel 30E, Line 18
Panel 12W, Line 19
Panel 15W, Line 19
Panel 21W, Line 19
Panel 15W, Line 19

NORTH CAROLINA

Allen Bernard Lennon
S.C. McKenzie
Porter Link Robinson
Charles Marion Hawkins
Paul Herman Futrell
John Albert Rape
Jerry Vernon Beach
Leslie J. Becsi
John Allen Pegram
A.P. Moore
Aaron Gerome Tise, Jr.
J.E. Zachary

August 11, 1992
August 13, 1941
November 23, 1992
February 27, 1916
September 16, 1992
January 1, 1938
October 12, 1992
June 30, 1992
October 31, 1929
February 16, 1936
June 26, 1992
February 13, 1920

Deputy Sheriff
Patrolman
Police Officer
Deputy Sheriff
Deputy Sheriff
Chief of Police
Sheriff
Correctional Officer
Deputy Sheriff
Chief of Police
Lieutenant
Sheriff

Cumberland County Sheriff's Department
Gastonia Police Department
Greensboro Police Department
Halifax County Sheriff's Office
Hertford County Sheriff's Department
Huntersville Police Department
Martin County Sheriff's Department
NC Department of Corrections
Rockingham County Sheriff's Department
Scotland Neck Police Department
Winston-Salem Police Department
Yadkin County Sheriff's Department

Panel 33E, Line 18
Panel 14W, Line 19
Panel 20W, Line 19
Panel 14W, Line 19
Panel 41E, Line 18
Panel 36E, Line 18
Panel 39E, Line 18
Panel 64E, Line 18
Panel 60E, Line 18
Panel 63E, Line 18
Panel 11W, Line 19
Panel 36E, Line 18

NORTH DAKOTA

Arthur Milford Sem

June 21, 1942

Chief of Police

Stanley Police Department

Panel 10W, Line 19

OHIO

Thomas Davis, Jr.
Larry Allen Hart
Michael Capizzi

June 26, 1992
December 7, 1992
January 12, 1987

Corrections Officer
Wildlife Officer
Deputy Sheriff

Ohio Dept. of Rehabilitation & Correction
Ohio Division of Wildlife
Erie County Sheriff's Department

Panel 44E, Line 18
Panel 3W, Line 19
Panel 3W, Line 19

OHIO (continued)

Walter Leslie Francis	May 20, 1935	Deputy Sheriff	Hamilton County Sheriff's Department	Panel 30E, Line 18
Michael B. Benerlein	May 20, 1926	Police Officer	Parma Police Department	Panel 39E, Line 18
Clifton Wolf	June 28, 1926	Deputy Town Marshal	Parma Police Department	Panel 59E, Line 18
Millard Williams	April 14, 1992	Detective Sergeant	Youngstown Police Department	Panel 19W, Line 19

OKLAHOMA

Paul Douglas Eirwin, Sr.	March 14, 1992	Agent	OK Alcoholic Beverage Commission	Panel 37E, Line 18
W.T. Beasley	September 11, 1919	Deputy Sheriff	Tulsa County Sheriff's Office	Panel 51E, Line 18
Silos W. Cope	January 29, 1928	Assistant Chief of Police	Wewoka Police Department	Panel 17W, Line 19

OREGON

Frank L. Ward	April 8, 1992	Police Officer	John Day Police Department	Panel 9W, Line 19
Bret Robert Clodfelter	September 30, 1992	Trooper	Oregon State Police	Panel 60E, Line 18

PENNSYLVANIA

Abram L. Kulp	February 24, 1927	Sheriff	Bucks County Sheriff's Department	Panel 43E, Line 18
Michael Richard Sanger	October 7, 1972	Officer	East Earl Township Police Department	Panel 18W, Line 19
Douglas Paul Hartman	July 7, 1992	Deputy Sheriff	Lehigh County Sheriff's Department	Panel 14W, Line 19
Richard Hugh O'Hara	March 19, 1923	Patrolman	Midland Police Department	Panel 1W, Line 19
Thomas M. Barone	October 11, 1992	Police Officer	Norristown Police Department	Panel 3W, Line 19
Raymond Davis	January 13, 1982	Police Officer	Philadelphia Housing Authority	Panel 63E, Line 18
Ivan J. Walker	September 11, 1980	Police Officer	Philadelphia Housing Authority	Panel 22W, Line 19
Raymond Fredericksdorf	February 19, 1972	Police Officer	Philadelphia Police Department	Panel 37E, Line 18
Paul Hathaway	October 4, 1934	Patrolman	Philadelphia Police Department	Panel 61E, Line 18
Charles Thomas Knox	August 30, 1992	Police Officer	Philadelphia Police Department	Panel 2W, Line 19
Michael D. Love	February 8, 1992	Patrolman	Rochester Police Department	Panel 48E, Line 18
Charles Berry	August 27, 1912	Patrolman	Scranton Police Department	Panel 47E, Line 18
Alvin Earl Brant	May 28, 1931	Patrolman	Scranton Police Department	Panel 41E, Line 18
Derle Edward Shoemaker	June 16, 1992	Chief of Police	South Centre Township Police Department	Panel 36E, Line 18

SOUTH CAROLINA

James Robert Kennedy	December 30, 1900	Sheriff	Abbeville County Sheriff's Department	Panel 18W, Line 19
Herbert A. Williams	December 23, 1977	Deputy Sheriff	Aiken County Sheriff's Department	Panel 40E, Line 18
Harold Michael Harvey	January 26, 1978	Police Officer	Aiken Police Department	Panel 22W, Line 19
Charles Junior Smith	August 24, 1992	Chief Deputy Sheriff	Allendale County Sheriff's Department	Panel 10W, Line 19
Christopher L. Taylor	December 7, 1992	Deputy Sheriff	Anderson County Sheriff's Department	Panel 52E, Line 18
Hubert Leander Lloyd	June 7, 1992	Sergeant	Charleston County Sheriff's Department	Panel 23W, Line 19
William Nalley	June 7, 1992	Deputy Sheriff	Charleston County Sheriff's Department	Panel 53E, Line 18
Jeremiah Hughes	June 23, 1892	Town Marshal	Easley Police Department	Panel 16W, Line 19
Thomas W. Spears	July 9, 1992	Corporal	Florence County Sheriff's Department	Panel 12W, Line 19
Mark Hunter Coates	December 21, 1992	Trooper	South Carolina Highway Patrol	Panel 59E, Line 18
Hardy Merle Godbold	February 29, 1992	Trooper	South Carolina Highway Patrol	Panel 48E, Line 18
Edward Joseph Alva	December 24, 1992	Deputy Sheriff	Richland County Sheriff's Department	Panel 38E, Line 18
John Mark Dial	April 17, 1992	Deputy Sheriff	Richland County Sheriff's Department	Panel 50E, Line 18

SOUTH CAROLINA (continued)

James Brent McCants	October 25, 1992	Deputy Sheriff	York County Sheriff's Department	Panel 36E, Line 18
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SOUTH DAKOTA

Ole Alexander Solberg	February 25, 1939	Sheriff	Brown County Sheriff's Department	Panel 46E, Line 18
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TENNESSEE

Hugh Thomas Lowery	April 23, 1924	Chief of Police	Bon Air Police Department	Panel 34E, Line 18
Larry Junior Thomas	December 13, 1992	Deputy Sheriff	Cocke County Sheriff's Department	Panel 13W, Line 19
George W. Young	June 27, 1934	City Marshal	Crossville Police Department	Panel 44E, Line 18
George VanDorse Holcomb	January 26, 1992	Trooper	TN Department of Public Safety	Panel 49E, Line 18
Daniel Bascomb Talley	December 11, 1969	Chief Deputy Sheriff	Fayette County Sheriff's Department	Panel 6W, Line 19
John A. Cline	April 15, 1929	Sheriff	Grundy County Sheriff's Department	Panel 5W, Line 19
Will Hudson Evans	October 15, 1935	Deputy Sheriff	Lauderdale County Sheriff's Department	Panel 54E, Line 18

TEXAS

Jerry L. Crocker	October 9, 1992	Officer	Arlington Police Department	Panel 23W, Line 19
Terry L. Lewis	October 9, 1992	Patrol Officer	Arlington Police Department	Panel 19W, Line 19
Charles R. Billeck	July 10, 1992	Patrolman	Corrigan Police Department	Panel 43E, Line 18
Byron Richardson	July 22, 1969	City Marshal	Cross Plains Police Department	Panel 18W, Line 19
Billy Walter Daugherty	August 14, 1992	Senior Corporal	Dallas Police Department	Panel 63E, Line 18
Harold Lee Hammons	January 22, 1992	Police Officer	Dallas Police Department	Panel 29E, Line 18
John Paul Jones	September 3, 1992	Police Officer	Dallas Police Department	Panel 4W, Line 19
William McDuff	December 24, 1896	Officer	Dallas Police Department	Panel 6W, Line 19
Bill Davidson	April 14, 1992	Trooper	TX Department of Public Safety	Panel 9W, Line 19
Brent David Wisdom	September 2, 1992	Officer	Fort Worth Police Department	Panel 8W, Line 19
John Walter Clements	July 24, 1931	Night Patrolman	Gainesville Police Department	Panel 19W, Line 19
William Edward Johns	August 2, 1931	Officer	Gainesville Police Department	Panel 5W, Line 19
Larry John Miller	January 27, 1992	Deputy Sheriff	Hood County Sheriff's Department	Panel 5W, Line 19
Randy J. Zimmerman	October 2, 1992	Patrol Officer	Jacksonville Police Department	Panel 13W, Line 19
Brack Morris	June 13, 1901	Sheriff	Karnes County Sheriff's Department	Panel 16W, Line 19
Rex Harrison St. John	February 29, 1992	Deputy Sheriff	Karnes County Sheriff's Department	Panel 11W, Line 19
Bennie F. Forrester	November 24, 1951	Deputy Sheriff	Lubbock County Sheriff's Department	Panel 32E, Line 18
Kenneth Dwin Fowler	June 18, 1992	Sergeant	Lubbock County Sheriff's Department	Panel 55E, Line 18
Will P. Stillwell	April 4, 1918	Private	Texas Rangers	Panel 33E, Line 18
Rondall Sisco	September 22, 1992	Patrolman	San Antonio Police Department	Panel 43E, Line 18
Charles E. Carruth	June 1, 1934	Deputy Sheriff	Tom Green County Sheriff's Department	Panel 6W, Line 19
John Quincy Daugherty, Sr.	March 18, 1865	Sheriff	Uvalde County Sheriff's Department	Panel 21W, Line 19

UTAH

Joseph Samuel Brumett, III	December 11, 1992	Trooper	Utah Highway Patrol	Panel 62E, Line 18
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VERMONT

Gary Allan Gaboury	May 12, 1992	Sergeant	Vermont State Police	Panel 47E, Line 18
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Panel 51E, Line 18
Panel 20W, Line 19
Panel 20W, Line 19

Panel 18W, Line 19

Panel 46E, Line 18
Panel 43E, Line 18
Panel 38E, Line 18
Panel 51E, Line 18

Panel 39E, Line 18

Panel 5W, Line 19
Panel 43E, Line 18
Panel 22W, Line 19
Panel 55E, Line 18
Panel 32E, Line 18
Panel 55E, Line 18
Panel 2W, Line 19
Panel 54E, Line 18
Panel 52E, Line 18
Panel 45E, Line 18
Panel 18W, Line 19
Panel 32E, Line 18
Panel 62E, Line 18
Panel 33E, Line 18
Panel 38E, Line 18
Panel 47E, Line 18
Panel 51E, Line 18
Panel 45E, Line 18
Panel 7W, Line 19
Panel 14W, Line 19
Panel 21W, Line 19
Panel 58E, Line 18
Panel 62E, Line 18
Panel 61E, Line 18
Panel 37E, Line 18
Panel 57E, Line 18
Panel 17E, Line 19

FEDERAL (continued)

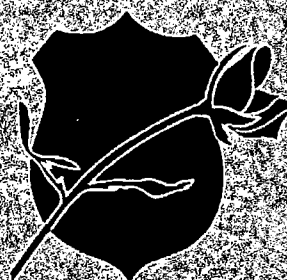
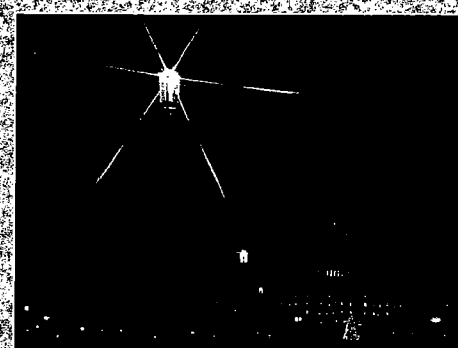
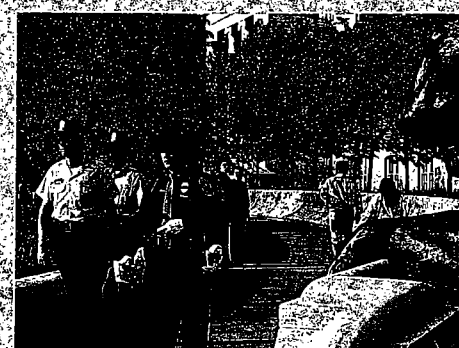
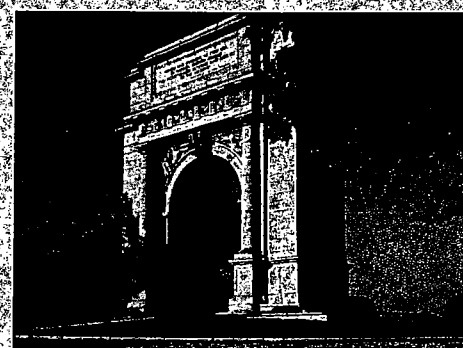
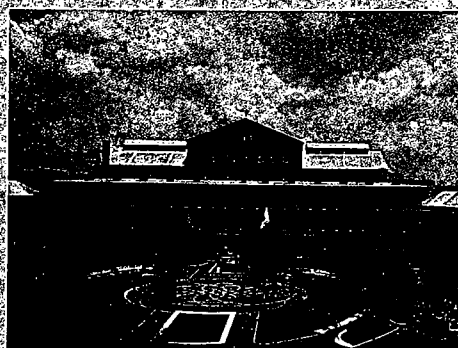
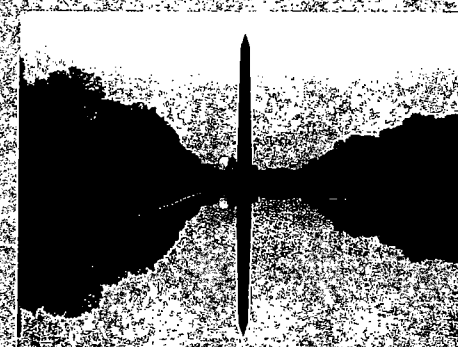
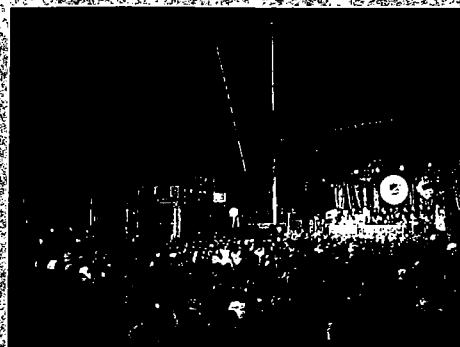
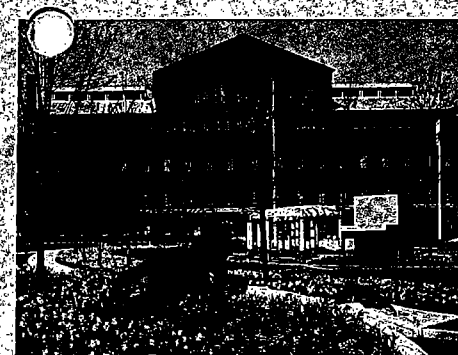
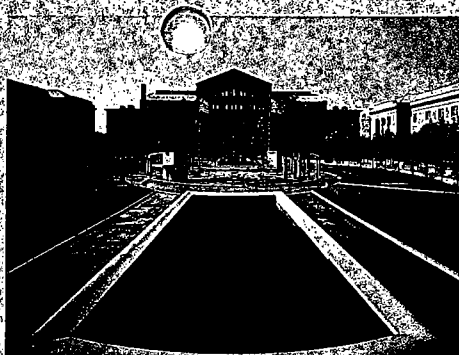
Charles Proctor	August 10, 1896	Deputy Sheriff	Bureau of Indian Affairs	Panel 53E, Line 18
W.M. Russell	December 24, 1904	Sheriff	Bureau of Indian Affairs	Panel 45E, Line 18
Sam Scott	July 30, 1882	Captain	Bureau of Indian Affairs	Panel 34E, Line 18
Charles Shavehead	December 16, 1890	Sergeant	Bureau of Indian Affairs	Panel 42E, Line 18
Jeff Surratt	December 5, 1900	Sheriff	Bureau of Indian Affairs	Panel 7W, Line 19
Issac Walkingstick	July 29, 1894	Sheriff	Bureau of Indian Affairs	Panel 61E, Line 18
Frank West	December 17, 1886	Police Officer	Bureau of Indian Affairs	Panel 29E, Line 18
George Douglas Althouse	May 28, 1992	Special Agent	Drug Enforcement Administration	Panel 36E, Line 18
Stanley Charles Ronquest, Jr.	March 11, 1992	Supervisory Special Agent	Federal Bureau of Investigation	Panel 50E, Line 18
Louis D. Stahl	June 13, 1992	Pilot	U.S. Border Patrol	Panel 41E, Line 18
Harry A. Belluomini	July 20, 1992	Deputy Marshal	U.S. Marshal's Service	Panel 7W, Line 19
William Francis Degan, Jr.	August 21, 1992	Deputy Marshal	U.S. Marshal's Service	Panel 10W, Line 19
Roy L. Frakes	July 20, 1992	Deputy Marshal	U.S. Marshal's Service	Panel 13W, Line 19
Irving I. Snyder	January 14, 1944	Sergeant	U.S. Naval Civilian Police	Panel 4W, Line 19
Brett Alan McKee	November 25, 1992	Criminal Investigator	Naval Investigative Service	Panel 54E, Line 18
Ivan William Thompson	June 14, 1940	Officer	U.S. Park Police	Panel 35E, Line 18

U.S. TERRITORIES

Francisco Malijan Isezaki	October 31, 1964	Conservation Officer	Guam Department of Agriculture	Panel 31E, Line 18
Julio Ferreira Bonilla	November 17, 1992	Police Officer	Puerto Rico Police Department	Panel 58E, Line 18
Jose Ramon Hernandez-Rodriguez	October 4, 1992	Police Officer	Puerto Rico Police Department	Panel 64E, Line 18
Angel Luis Marques-Rivera	December 18, 1992	Police Officer	Puerto Rico Police Department	Panel 35E, Line 18
Raul Gonzalez Mulero	October 27, 1992	Police Officer	Puerto Rico Police Department	Panel 24W, Line 19
Santos Febus Ocasio	March 27, 1992	Police Officer	Puerto Rico Police Department	Panel 15W, Line 19
Jimmy Wilson Ortiz-Valentin	September 29, 1992	Agent	Puerto Rico Police Department	Panel 49E, Line 18
Ricardo Atilas Quinones	May 4, 1992	Agent	Puerto Rico Police Department	Panel 5W, Line 19
Genaro Matos Rivera	February 24, 1992	Sergeant	Puerto Rico Police Department	Panel 45E, Line 18

NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND 1994





National Law Enforcement Officers Memorial Fund

605 E Street, N.W. • Washington, D.C. 20004 • Telephone: (202) 737-3400

Map to the Memorial

- [illegible]



National
Law Enforcement Officers
MEMORIAL FUND, Inc.
605 E. Street, NW, Washington, DC 20004

Memorial News

(202) 737-3400

This marked the fifth annual candlelight vigil sponsored by the National Law Enforcement Officers Memorial Fund (NLEOMF) and, as in years past, the evening culminated with the thousands of people in attendance lighting candles in honor of the fallen officers, and a blue laser light shining skyward as a special tribute to the "thin blue line" of protection provided by all of America's police officers.

Member Organizations — Board of Directors

-4-

Memorial Visitors Center Opens

Thanks to the generosity of our supporters, another major milestone was reached by NLEOMF in 1993 with the opening of our new Visitors Center less than two blocks from the Memorial.

Not only does this allow NLEOMF staff the opportunity to interact with visitors and better oversee the Memorial's upkeep, but it enhances the Memorial experience.

A special collection of photographs from the Memorial archives is on permanent display at the Visitors Center, helping to explain the history of the Memorial and the law enforcement officers it honors. Visitors are treated to striking photographs of the finished Memorial, as well as never before seen pictures of the Memorial being built.

Also highlighted are memorable scenes from the Memorial dedication in October 1991, when some 20,000 police officers, survivors and supporters came to Washington, DC.

Other exhibits take visitors even further back in history. In a rare photo obtained from the Library of Congress, the Memorial site and its surroundings are shown as they appeared in 1890, more than 100 years ago. A portrait donated by the U.S. Marshals Service introduces visitors to Robert Forsyth, who was killed in 1794 and is the first American law enforcement officer ever to have died in the line of duty.

Historical snapshots are displayed of people like Dallas Police Officer J.D. Tippit, who was shot and killed by Lee Harvey Oswald only moments after he assassinated President Kennedy; Missouri Night Marshall Dotson "Pop" Sutton, the oldest officer killed at the age of 80; and New Mexico Sheriff William Brady, one of six officers murdered by the notorious outlaw, Billy the Kid.

An interactive video system provides visitors with a brief biography and photograph of the officers who have died in the line of duty, along with their location on the Memorial walls. Video clips of some of the Memorial's milestone events, such as the dedication and groundbreaking ceremonies, are also provided by this interactive system.



U.S. Marshal Robert Forsyth was the first officer ever killed in the line of duty.

Some of the personal mementos left at the Memorial by visitors are also on display. They include a teddy bear left by a little boy with a note to his grandfather, a North Carolina police chief, along with moving letters and poems, as well as some of the hundreds of police patches from the departments of the fallen officers.

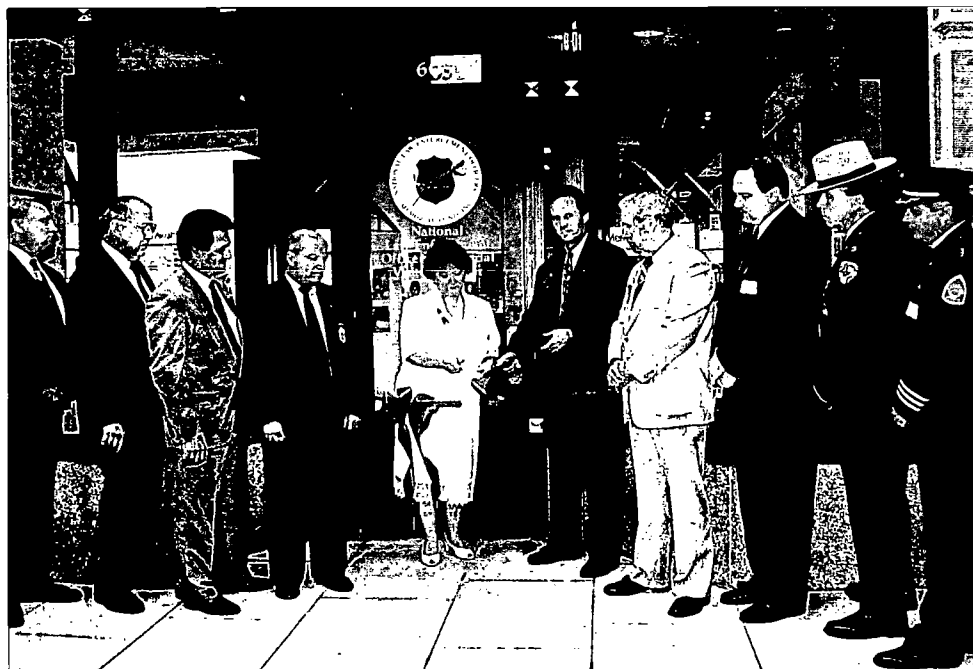
One of the exhibits features information about female officers who have died in the line of duty. Of the more than 13,000 names engraved on the Memorial, only 75 are those of women, and all but four of those deaths occurred after 1970.

A gift shop at the Visitors Center has a wide variety of special commemorative gifts bearing the Memorial name and logo. Visitors can purchase books, videos, flags, hats, patches, posters and a variety of other items that help to extend the Memorial experience, and to remind all Americans of the monument and what it represents.

The Visitors Center, which is located at 605 E Street, NW, is open Monday through Friday 9:00 a.m. to 5:00 p.m., Saturday 10:00 a.m. to 5:00 p.m., and Sunday 12:00 p.m. to 5:00 p.m. Free guided tours of the Memorial and Visitors Center can be arranged by calling 202-737-3400. For those visitors wishing to tour at their own pace, copies of a self-guided walking tour are available at the Visitors Center free of charge.

With the continued support of people like you, we will maintain and update exhibits at the Visitors Center so that school kids and the millions of other people who come to the Memorial in the years ahead will have a far better appreciation and understanding of the men and women who proudly serve the law enforcement profession.

With NLEOMF board members looking on, Memorial chairman Craig W. Floyd and COPS president Kathleen A. Young cut the ribbon officially opening the Memorial Visitors Center on May 13, 1993.



A Walk Through The Memorial

"This Memorial is dedicated to all law enforcement officers in the United States of America.

Inscribed on these walls are the names of those officers who died in the line of duty."

*Inscription greeting visitors at
National Law Enforcement Officers Memorial*

The National Law Enforcement Officers Memorial can trace its roots back some 200 years — to the 1790's when two very significant events occurred.

The first involved U.S. Marshal Robert Forsyth, appointed to his post by President George Washington. On January 11, 1794, Marshal Forsyth became the first American law enforcement officer ever to die in the line of duty. He was shot and killed while serving court papers in Augusta, Georgia.

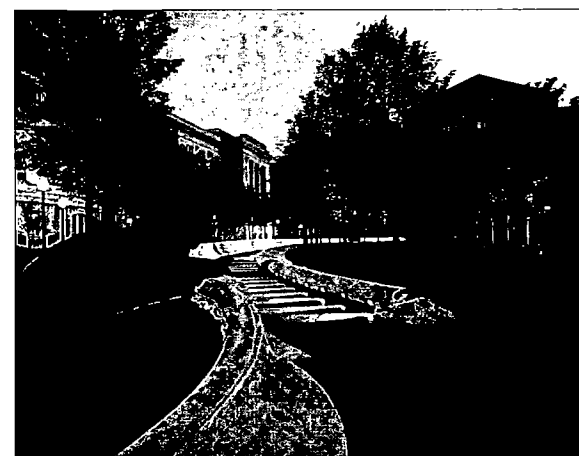
Around that same time, Frenchman Pierre L'Enfant was creating America's capital city — Washington, DC. His plans for the Nation's Capital called for three major spaces to be formed. Everything else would be built around them. They were the White House, to serve as the seat of our Executive Branch of government; the U.S. Capitol, to be the home of our Legislative Branch of government; and Judiciary Square, to become the center of our Judicial Branch of government.

Today, Robert Forsyth's name, along with 13,255 others, grace the marble walls of the National Law Enforcement Officers Memorial. The Memorial is located in Judiciary Square.

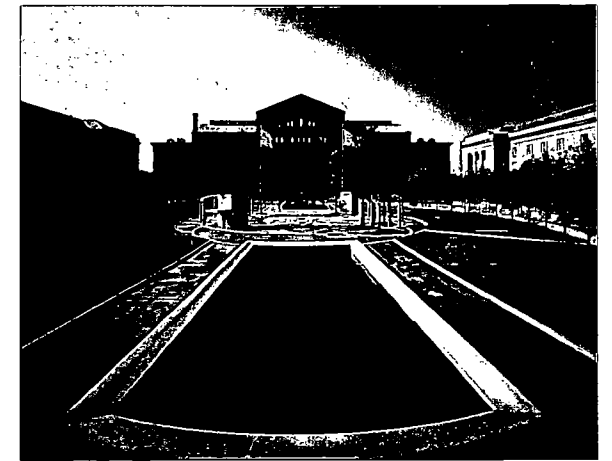
Upon entering the Memorial site from the south (E Street end), visitors are greeted by an 80-foot long reflecting pool. The shallow, cascading pool mirrors the shape and size of the metro subway escalator at the north end of the site — adding to the Memorial's wonderful symmetry, complements of the architect, Davis Buckley.

A glance around the site finds plush carpets of grass, nearly 60,000 plants and 128 trees decorating the Memorial grounds. Each year, around the first of April, 14,000 orange and yellow daffodils make the Memorial one of Washington's most spectacular attractions. In mid-May, 700 azaleas provide a beautiful encore presentation for Police Week visitors.

The Memorial is flanked on the east and west by DC Superior Court buildings and to the north by the Old Pension Building (now the National Building Museum), which was designed by General Montgomery Meigs and dedicated in 1887 to serve the Civil War pensioners.



A female lion watches over her cubs at entrance to the Memorial's "Pathway of Remembrance."



The National Law Enforcement Officers Memorial.

Two marble walls — each three and one-half feet high and 304 feet long — lined with granite walkways and marble benches, and surrounded by double rows of little leaf linden trees, border the Memorial grounds on the east and west. Together, these elements form the Memorial's "Pathway of Remembrance."

Upon closer inspection, it becomes clear that the marble walls bear row upon row of names — names of America's fallen law enforcement officers. The names are randomly displayed, with directories at each of the four entrance points to assist visitors in locating a particular officer.

The pathway entrances are adorned with four powerful statuary groupings of an adult lion protecting its cubs. The bronze statues symbolize the protective role of our law enforcement officers and convey the strength, courage and valor that are the hallmarks of those who serve the law enforcement profession.

A walk along the west wall will find names like Leslie William Coffelt (panel 23W), a White House police officer killed during an assassination attempt on President Truman; Samuel P. Cowley (panel 30W), one of three FBI agents killed in 1934 by the violent gangster, "Baby Face" Nelson; and James Cook, Jr. (panel 54W), the youngest officer to die at the age of 19.

Cutting across to the east wall, visitors will pass through the beautiful central plaza, which features intricate paving patterns, the Memorial and American flags, a metal pergola and gazebos, and a bronze medallion at the very center of the Memorial space, with the Memorial name and logo.

Names on the east wall include Mary T. Davis (panel 7E), the first female officer to die in the line of duty in 1924; Edward D. Cunningham (panel 20E), one of seven correctional officers killed during the Attica (NY) State Prison riot in 1971; and Harry L. McGinnis (panel 55E), one of 10 officers murdered by the outlaw gang of Bonnie and Clyde Barrow in the 1930's.

An inscription on the Memorial's east wall, under the lion and after panel 64, explains the uplifting spirit that is felt by every visitor to the Memorial: "In valor there is hope."

TO: Steve
FROM: Danny
SUBJECT: National Law Enforcement Officers Candlelight Vigil
DATE: May 4, 1993

Following is the tentative program for this event:

8:00	Introduction Craig W. Floyd Chairman, National Law Enforcement Officers Fund
8:04	Presentation of Colors United States Park Police
8:06	National Anthem Joseph Burden D.C. Metropolitan Police Department (Ret.)
8:08	Invocation Rev. William Andrews International Conference of Police Chaplains
8:10	Special Presentation Mark Frye Baltimore City Police Department (Ret.)
8:15	Kathleen A. Young, President Concerns of Police Survivors
8:20	Introduction of President Senator Dennis DeConcini
8:25	Keynote Address The President
8:35	Candlelighting The President would light the first candle, "The Little Shining Badge" would be performed by is writer Joseph Burden.
8:38	Roll Call of Fallen Heros
9:17	Concluding Remarks Attorney General Janet Reno
9:20	Tribute to American's "Thin Blue Line" Presented by Walter Gundy of Image Engineering, Boston, MA. Wind Beneath My Wings, Performed by Mark Frye.

9:24 Benediction
 Rev. William Andrews
 International Conference of Police Chaplains

9:26 Retreat of Colors
 United States Park Police

This is their tentative schedule. I have spoken with Craig Floyd and he can be flexible. His schedule is open on Thursday and Friday. I told him I would call him tomorrow to set up a time when we can go to the site. If you want to shortcut the process a little we might want to invite Steve Rabinowitz with us, your call.

THE WHITE HOUSE
WASHINGTON

*File
Police*

May 12, 1993

KEYNOTE SPEECH
CANDLELIGHT VIGIL
THE NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL

DATE: May 13, 1993
LOCATION: The National Law Enforcement
Officers Memorial
Judiciary Square
Washington, D.C.
TIME: 8:00 pm
FROM: Alexis Herman

I. PURPOSE

To honor the more than 13,000 American law enforcement officers who have died in the line of duty and to pay a special tribute to the nation's active law enforcement officers.

II. BACKGROUND

In honor of the thousands of police officers killed in the line of duty, the National Law Enforcement Officers Memorial Fund (NLEOMF) sponsors an annual candlelight vigil. This is held during National Police Week (May 9 - 15). Some 5000 police officers and survivors are expected to attend tomorrow evening.

Congressman Mario Biaggi (a 23-year veteran of the New York City Police Department and House sponsor), Senator Claiborne Pell (Senate sponsor) and Suzanne Sawyer (then Executive Director of Concerns of Police Survivors (COPS)) were responsible for incorporating the National Law Enforcement Officers Memorial Fund in D.C. in June of 1984.

The Board was made up of representatives from 15 national law enforcement groups. Each donated \$1,000. Starting with only \$15,000, the Memorial Fund raised nearly \$11 million from some 300 corporations, thousands of police officers across the country and more than 700,000 private citizens.

The Memorial was dedicated on October 15, 1991, two years after its groundbreaking. This is the second candlelight vigil.

The names of the more than 13,000 police officers killed in the line of duty throughout our nation's history are inscribed on the walls lining the east and west sides of the Memorial. The walls are known as "pathways of remembrance." The earliest recorded line of duty death is U.S. Marshall Robert Forsyth, shot and killed on January 11, 1794, in Augusta, Georgia. Each year new names will be added during Police Week. This year's vigil will include the reading of 328 new names to be added to the memorial this year. The names will be those killed in the previous year and names recently discovered by the Memorial Fund.

There are five names from Arkansas on this list:

Jerry Don Stallings--Struck by an intoxicated driver while investigating an automobile accident, August 27, 1992. A Patrolman from the Barling Police Department

William Thomas Pond--Automobile accident, June 8, 1973, Sheriff, Clay County Sheriff's Department

Kenneth James Wilkins--Motorcycle accident enroute to an undercover drug buy, October 2, 1992. Deputy Sheriff, Madison County Sheriff's Department.

R.D. Purifoy--Unprovoked attack, beaten to death, November 12, 1992. Deputy Sheriff, Nevada County Sheriff's Department

John Z. Norris--Unprovoked attack, shot by the owner of the boat Marshal Norris was attempting to let loose from a dock, March 21, 1901. Town Marshall, Randolph County Sheriff's Department

The survivors attending from Arkansas include the wife and daughters of Jerry Don Stallings. Linda Stallings and her two daughters, Kelly (19) and Laura (12) will be escorted by Barling Police Office Jim Andoe. Also attending will be survivors of Floyd Riley whose name was added last year Officer Riley was killed in a helicopter crash during a manhunt. Floyd's wife Anita Riley and Cheri Mickel will also attend.

III. PARTICIPANTS

You will be met curbside by Arkansans:

Linda Stallings, survivor
Kelly Stallings, survivor
Laura Stallings, survivor
Cheri Mickel, survivor
Anita Riley, survivor
Sergeant Bill Couch, Arkansas State Police Department
Corporal Jim Reed, Arkansas State Police Department

Those sitting on the dias include

Craig Floyd, Chairman and Emcee NLEOM
Joseph Burden, Retired D.C. Police Officer (During the
candlelighting, he will
sing "The Little Shining
Badge," a song he wrote.)

Rev. William Andrews, International Conference of
Police Chaplains

Mark Frye, Disabled Baltimore City Police Officer (he
will sing "Wind Beneath My Wings" following
Attorney Janet Reno's remarks).

Kathleen A. Young, COPS President and speaker

Senator Dennis DeConcini

Attorney General Janet Reno

Senator Claiborne Pell

Robert Frank, NLEOMF Treasurer

Suzanne Sawyer, NLEOMF Secretary and COPS Executive
Director

George Mayo, NLEOMF Counsel

*Victor Oboyski, President, Federal Law Enforcement
Officers Association

*Gil Gallegos, National Vice President, Fraternal Order
of Police

*Cyndi Calender, National President, Fraternal Order of
Police Auxiliary

*Dan Rosenblatt, Executive Director, International
Association of Chiefs of Police

*Ed Reilly, Vice President, International Brotherhood of
Police Officers

*Robert Kliesmet, President, International Union of
Police Association/AFL-CIO

*Robert Scully, Executive Director, National Association
of Police Organizations

*Joseph Wright, Executive Director National Organization
of Black Law Enforcement Executives

*Charles "Bud" Meeks, Executive Director, National
Sheriffs' Association

*Mike Muth, 2nd Vice Chairman, National Troopers
Coalition

*Chuck Wexler, Executive Director, Police Executive
Research Forum
*Hubert Williams, President, Police Foundation
*Robert Gordon, Secretary/Treasurer, United Federation
of Police
Hon. Mario Biaggi, Former U.S. Congressman and co-
author of legislation to establish
Memorial
Ed Haggerty, New York City Patrolmen's Benevolent
Association
*Fannie Featherstone, International Association of
Women Police
Don Baldwin, Federal Investigators Association
Hon. Robert Langston, Chief, U.S. Park Police
Hon. Fred Thomas, Chief, D.C. Metropolitan Police
Department
Hon. Bruce Babbitt, Secretary of the Interior

*Indicates Member or Representative of NLEOMF Board of
Directors.

The NLEOMF invited all members of the House and Senate.
Other than those above we extended invitations to:

Senator Orin Hatch (R-UT)
Representative Jack Brooks (D-TX)
Representative Carlos Moorhead (R-CA)
Representative Dan Glickman (D-KS)
Representative Hamilton Fish (R-NY)

As of this writing, Glickman is confirmed; Brooks and Hatch
are likely to attend.

Staff: Steve Hilton

IV. PRESS PLAN

Open Press

V. SEQUENCE OF EVENTS

7:50 pm - You will depart the White House with Lee Brown.

7:58 pm - Upon arrival you will be greeted curbside by Linda
Stallings, Kelly Stallings, Laura Stallings, Cheri
Mickel, and Anita Riley, all survivors from
Arkansas. Also greeting will be Sergeant Bill
Couch and Corporal Jim Reed of the Arkansas State
Police Department. After the brief greeting, Lee
Brown and the Arkansans will proceed to their
seats while you proceed into tent to wait for cue.

8:03 pm Off stage introduction, proceed to the stage to "Ruffles and Flourishes." You should remain standing.

8:04 pm Presentation of Colors
United States Park Police.

8:06 pm National Anthem
Joseph Burden, D.C. Metropolitan Police Dept.
(retired)

8:08 pm Invocation
Rev. William Andrews, International Conference of
Police Chaplains

8:10 pm Special Presentation
Mark Frye
Baltimore City Police Department (retired)

8:15 pm Honoring the Fallen
Kathleen A. Young, President
Concerns of Police Survivors

8:20 pm Introduction of the President
Sen. Dennis DeConcini

8:25 pm YOU MAKE REMARKS (10 MINUTES)

8:35 pm Craig Floyd will light your candle and Kathleen Young's candle. Together, you and Kathleen will light the big candle, then return to your seats for the singing of the "The Little Shining Badge.

8:38 pm You will be escorted by Kathleen Young to the "Pathways of Remembrance" (the memorial wall with all of the names), and place a rose on the ground in front of it. During this time there will be bagpipes playing in the background.

8:42 pm After the wreath laying, you proceed directly to the motorcade for departure.

NOTE: Atty. General Janet Reno will arrive after you depart, around 9:15 pm and make closing remarks.

VI. REMARKS

To be provided by speechwriters

July 22, 1993

MEMORANDUM TO ALEXIS HERMAN

FROM: Flo McAfee

RE: NOBLE Letter

Hubert Bell, Assistant Deputy of the Secret Service, requested a letter from the President. Attached is copy of what was produced. The letter will be read tonight by the current president of NOBLE, Perry Anderson, at the closing banquet.

Hubert called today and really appreciated the letter. He also wanted to let us know that he was elected Vice President of the organization and will be the chair of next year's convention to be held in Richmond, Virginia.

THE WHITE HOUSE
WASHINGTON

July 21, 1993

I am delighted to extend greetings to everyone gathered for the 17th annual conference of the National Organization of Black Law Enforcement Executives.

Since its inception, your organization has provided vital leadership in helping to make our communities safer. In addressing the needs of urban, low-income areas, you help make law enforcement more effective and responsive to the people it protects.

I am particularly grateful for your group's support of so many of the changes that our country needs. I share your confidence that the Brady Bill will help save countless lives each year. NOBLE has also been an ardent supporter of community-based policing, which helps to form vibrant partnerships between police and community members. In addition, your endorsement of Lee Brown's hard work will do much to remove drugs from our neighborhoods and make our streets safer for ourselves and our families.

I hope you enjoyed a productive and memorable conference.

Rita Clinton

socio-legal research and teaching. Awards prizes to commemorate the work of J. Willard Hurst and Harry Kalven. **Telecommunications Services:** Fax, (413)545-1640.

Publications: *Law and Society Review*, quarterly. Journal containing research and educational information on the cultural, economic, political, psychological, and social aspects of law and the legal system. **Price:** Included in membership dues; \$79/year for nonmembers. **ISSN:** 0023-9216. **Circulation:** 2400. **Advertising:** accepted. **Alternate Formats:** microform. ● *Newsletter*, semi-annual.

Convention/Meeting: annual conference (with exhibits).

★5363★ **LEGAL ASSISTANT MANAGEMENT ASSOCIATION (Law) (LAMA)**
Phone: (913)381-4458
Box 40129 Sandra L. Sabanske, Adm. Dir.
Overland Park, KS 66204
Founded: 1984. **Members:** 525. **Staff:** 1. **Budget:** \$200,000. **Local Groups:** 15. Individuals who manage legal assistants. Promotes the field of legal assistant management; conducts continuing education program for members; provides for information exchange among members and those planning to enter the field. Maintains 15 chapters and speakers' bureau. **Telecommunications Services:** Fax, (913)381-9308.

Publications: *The LAMA Manager*, quarterly. Newsletter. **Price:** Included in membership dues; \$20/year for nonmembers. **Advertising:** accepted. ● *Legal Assistant Management Association—Directory*, annual. **Price:** Included in membership dues. ● *Update*, monthly. Newsletter. Includes employment opportunities and regional reports. **Price:** Available to members only. **Advertising:** not accepted. ● Also publishes *Bibliography* and compensation and benefits survey.

Convention/Meeting: annual conference (with exhibits) - always fall. Also holds annual regional meetings.

★5364★ **NATIONAL ASSOCIATION OF BAR EXECUTIVES (Law) (NABE)**
Div. for Bar Services
541 N. Fairbanks, 14th Fl. Phone: (312)988-5346
Chicago, IL 60611-3314 H. Maria Enright, Asst. Dir.
Founded: 1941. **Members:** 450. **Budget:** \$150,000. Executive directors of national, state, county, or city-bar associations; public information officers; legislative directors; continuing legal education directors; counsels and other professional bar staff. To coordinate and exchange ideas on administration of organized bar activities on both state and local levels. Compiles statistics; conducts surveys of bar activities, bar association staff members, and salaries. Sponsors specialized education programs including Bar Association Budgeting, tax consequences, and Bar Public Relations Workshop. Presents Bolton Award to outstanding bar executive. Maintains numerous committees. **Telecommunications Services:** Fax, (312)988-6281. **Sections:** Communications and Public Relations; Continuing Legal Education; Government Relations. **Formerly:** (1962) National Conference of Bar Secretaries; (1965) National Conference of Bar Executives.

Publications: *Bar Leader*, bimonthly. ● *NABE Newsletter*, 3/year. ● *Roster and Operations Manual*, annual. ● Also publishes handbook.

Convention/Meeting: annual conference - always August, in conjunction with American Bar Association. Also holds annual midwinter meeting - in conjunction with ABA.

★5365★ **NATIONAL CONFERENCE OF BAR EXAMINERS (Law) (NCBE)**
333 N. Michigan, Ste. 1025 Phone: (312)641-0963
Chicago, IL 60601-4090 Tony Nigro, Adm. Dir.
Founded: 1931. **Members:** 650. **Staff:** 35. Bar examiners and members of character committees designated by each state supreme court; lawyers appointed to handle applications for admission to practice law. Works to: increase efficiency of state boards of law examiners and character committees; formulate and distribute bar examination materials and data to members; aid in character investigations incident to admission to the practice of law; further studies and cooperate with other branches of the legal profession in relation to problems of legal education and admissions to the bar. **Telecommunications Services:** Fax, (312)641-2052.

Publications: *The Bar Examiner*, 4/year. ● *MBE Questions*, biennial. **Price:** \$9.50/issue. **Advertising:** not accepted. ● Also publishes *Bar Examiners' Handbook*.

Convention/Meeting: annual - always August, in conjunction with American Association. Also holds midyear meeting - always February.

★5366★ **NATIONAL CONFERENCE OF BAR FOUNDATIONS (Law) (NCBF)**
c/o Amer. Bar Assn.
Div. of Bar Services
541 N. Fairbanks Ct., 14th Fl. Phone: (312)988-5354
Chicago, IL 60611-3314 Howard Karman, Pres.
Founded: 1977. **Members:** 90. **Staff:** 2. **Budget:** Less than \$25,000. Bar and law foundations affiliated with state, local, and Canadian bar associations. Purpose is to help bar foundations develop programs and achieve public

interest objectives by providing a medium for the exchange of information. Compiles statistics. Conducts educational programs. **Telecommunications Services:** Fax, (312)988-5492.

Publications: *NCBF Foundation Forum*, quarterly. Newsletter including articles and meeting updates. **Price:** Available to members only. **Advertising:** not accepted. ● *NCBF Member Roster*, annual. Membership directory. **Price:** not accepted. ● Also publishes brochures and results of bar foundations survey; cooperates with American Bar Association in developing public interest publications.

Convention/Meeting: semiannual conference - always February and August, in conjunction with the ABA. 1992 (next) San Francisco, CA; 1993 Boston, MA and New York, NY; 1994 Kansas City, MO and New Orleans, LA.

★5367★ **NATIONAL ORGANIZATION OF BAR COUNSEL (Law) (NOBC)**
c/o David E. Johnson, Jr.
Natl. Orgn. of Bar Counsel
Office of Attorney Ethics Phone: (609)292-1011
25 W. Market St., CN 962 David E. Johnson, Jr.
Trenton, NJ 08625 Exec. Officer
Founded: 1964. **Members:** 400. **Budget:** Less than \$25,000. Attorneys for bar associations and disciplinary agencies in the U.S. and Canada who are professionally involved in representing their associations in all legal matters, with emphasis on matters of professional misconduct by lawyers. Participates in interpreting and prosecuting professional ethics, investigating unauthorized practice of law, and initiating improved legislation.

Convention/Meeting: semiannual - always February and August, in conjunction with American Bar Association.

★5368★ **NATIONAL WOMEN AND THE LAW ASSOCIATION (NWLA)**
Founded: 1977. **Members:** 500. **Staff:** 2. Lawyers, law students, legal workers, and community organizers. Addresses legal issues affecting women from a feminist perspective. Seeks to empower women to achieve social justice for women through the use, challenge, and improvement of the legal system. Conducts educational and training programs. **Projects:** Feminist Legal Strategies. **Formerly:** (1985) National Conference on Women and the Law. Address unknown since 1992 edition.

Publications: *National Women's Legal Directory*, biennial.

Convention/Meeting: annual Conference on Women and the Law. Also holds annual Feminist Trial Advocacy Seminar.

★5369★ **SOUTHWESTERN LEGAL FOUNDATION (Law) (SWLF)**
PO Box 830707 Phone: (214)690-2370
Richardson, TX 75083-0707 J. David Ellwanger, Pres.
Founded: 1947. **Members:** 700. **Staff:** 17. Educational and civic organization of businessmen, judges, lawyers, educators, government officials, and business groups founded to establish and operate legal institutes and any other related activities for the benefit of the legal profession, the public, and the government; to conduct institutes, research, and forums of international law and relations, especially as affecting the Western Hemisphere. The foundation conducts approximately 30 symposia, seminars, institutes, short courses, and schools annually through its six divisions. Continuing Legal Education Center; Institute for Transnational Arbitration. International and Comparative Law Center; International Oil and Gas Educational Center; Municipal Legal Studies Center; Southwestern Law Enforcement Institute. **Telecommunications Services:** Fax, (214)690-2458; telex, 284522 SWLF UR.

Publications: *Labor Law Developments*, annual. ● *Oil and Gas Law and Taxation*, annual. ● *Oil and Gas Reporter*, monthly. ● *Planning, Zoning, and Eminent Domain*, annual. ● *Private Investments Abroad*, annual. ● *Proceedings of the Institute on Planning, Zoning, and Eminent Domain*, annual. ● *Southwestern Legal Foundation—Annual Report*. ● Also publishes programs for educational and special events, and brochures.

Convention/Meeting: annual Institute on Planning, Zoning, Eminent Domain.

LAW: Also See Types of Law; Also See Index

★5370★ **AFRO-AMERICAN POLICE LEAGUE (Law Enforcement) (AAPL)**
PO Box 49122 Phone: (312)568-7322
Chicago, IL 60649 Edgar Gosa, Exec. Officer
Founded: 1968. **Members:** 2500. **Staff:** 3. Police officers of Afro-American descent. Seeks to: improve the relationship between citizens of the black community and police departments; improve the relationship between black policemen and white policemen; educate the public about police departments; aid police departments in planning successful law enforcement programs in the black community. Maintains speakers' bureau. Conducts professional training seminars; presents National Law and Social Justice Leadership Award to the individual in public service who has done most to improve the relationship between the community and police department. Has initiated referral program for matters of police brutality and legal services. Conducts research on subjects such as police malfeasance and law and order.

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African-Amer.

Divider Title: _____

MEMORANDUM
OF CALL

Previous edit was usable

TO

Rm

YOU WERE CALLED BY

YOU WERE VISITED BY

OF (Organization)

Bernard Thomson
Nat. Org. of Black Law Enforcement

PLEASE PHONE

FTS

AUTOVON

324-8168 (NOBLE)

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

Dr. Butler say to inv you to speak
5/15 7-8 dials Spdiger BIT

Enforcers

Topic:

600 people
Scholarship dinner
LAW ENFORCEMENT ORG. Topic open.

RECEIVED BY

DATE

TIME

63-110 NSN:7540-00-634-4018

U.S.G.P.O. 1992 312-070-40024

STANDARD FORM 63 (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

African - American
Law Enforcement

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY AFFAIRS

FACSIMILE COVERSHEET

PRECEDENCE

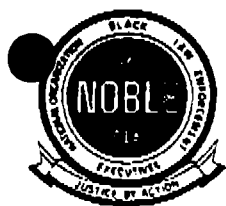
☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION

☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted:

Sender's Initials: RAWNumber of Pages: 4TO: Office of Public Liaison
(Name of Office)DATE: 5/11/93FACSIMILE NUMBER: 456-2983ATTENTION: Ms. Alexis Herman
(Name Room Telephone#)FROM: Office of EEO Affairs / FBISUBJECT: NOBLE INFORMATIONSPECIAL HANDLING INSTRUCTIONS: Please see that
Ms. Alexis Herman receives this fax.ORIGINATOR'S FACSIMILE NUMBER: (202) 324-3976



NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES

WASHINGTON, D.C. METROPOLITAN AREA CHAPTER

P.O. BOX 64461

Washington, D.C. 20019-4461

May 11, 1993

Bernard E. Thompson
PRESIDENT
Supervisory Special Agent
Federal Bureau of Investigation
Washington, D.C.

Herbert Richardson, III
IMMEDIATE PAST PRESIDENT
Assistant Section Chief
Federal Bureau of Investigation
Washington, D.C.

Joseph C. Akers, Jr.
VICE PRESIDENT
Lieutenant
Metropolitan Police Department
Washington, D.C.

Dianna V. Smith
SECRETARY
Sergeant
U.S. Park Police
Washington, D.C.

Wes Thomas
TREASURER
Special Agent, Dept. of Treasury
Washington, D.C.

John B. Boyd, III
SERGEANT AT ARMS
Sergeant, U.S. Secret Service
Washington, D.C.

Clay W. Goldston
PARLIAMENTARIAN
Director of Public Safety
Catholic University of America
Washington, D.C.

Robert R. Feison
SPECIAL ADVISOR to the PRESIDENT
Inspector (Ret.)
U.S. Secret Service
Washington, D.C.

E. Michael Lee
CHAIRPERSON, MEMBERSHIP COMMITTEE
Supervisory Special Agent
Federal Bureau of Investigation
Washington, D.C.

Carlene V. Jackson
CHAIRPERSON, WAYS & MEANS COMMITTEE
Supervisory Deputy Marshall
U.S. Marshall Service
Washington, D.C.

Kenneth Spann
CHAIRPERSON, SCHOLARSHIP COMMITTEE
Deputy Counselor
Univ. of the District of Columbia
Washington, D.C.

Maurice C. Huret
PUBLIC INFORMATION OFFICER
Supervisory Special Agent
Federal Bureau of Investigation
Washington, D.C.

Ms. Alexis Herman
Director of Public Liaison
Room 122
Old Executive Building
Washington, D.C. 20500

Dear Ms. Herman:

This letter serves to confirm the recent conversation(s) you have had with Dr. Bruce Butler, Chief Medical Officer, Federal Bureau of Investigation, regarding the possibility of your speaking at this year's National Organization Of Black Law Enforcement Executives' (NOBLE) Annual Scholarship Awards Ball, on this Saturday, May 15, 1993.

Our annual scholarship ball provides NOBLE's Washington, D.C. Metropolitan Chapter the opportunity to publicly acknowledge the efforts of some future leaders of our society who are currently enrolled in the field of Criminal Justice, while coming together in a relaxed social setting. In the past, we have provided scholarship assistance to recipients at Howard University, The University of the District of Columbia, and American University.

I am enclosing a copy of my letter to the participants of this year's banquet. As you will see, I attempt to set the tone for the event. In that regard, you may wish to make some remarks that tie in with my commentary. Alternatively, you may raise whatever topic that is of concern to you or those of President Clinton's Administration, if that is appropriate.

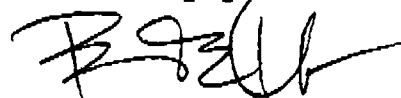
With respect to timing this Saturday evening, cocktails will be served from 7:00 p.m. until 8:00 p.m. At 8:00 promptly, we will begin serving dinner. During the dinner hour, we will have brief remarks from a limited number of persons, to include yourself as somewhat of an

informal "keynote speaker" (I say this in quotes because it is our intention to maintain a relaxed atmosphere throughout, without much "pomp and circumstance").

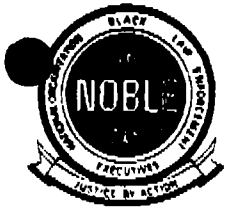
Please contact me as soon as possible with your decision. If you accept, I will arrange, of course, to have two (2) complimentary dinner tickets expeditiously forwarded to you. You can contact me at (202) 324-4128 during normal business hours. If you wish to reply via facsimile machine, my fax number is (202) 324-3976

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'B. E. Thompson', with a stylized flourish at the end.

Bernard E. Thompson



NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES

WASHINGTON, D.C. METROPOLITAN AREA CHAPTER

P.O. BOX 64461

Washington, D.C. 20019-4461

April 15, 1993

Bernard E. Thompson
PRESIDENT
Supervisory Special Agent
Federal Bureau of Investigation
Washington, D.C.

Herbert Richardson, III
IMMEDIATE PAST PRESIDENT
Assistant Section Chief
Federal Bureau of Investigation
Washington, D.C.

Joseph C. Akers, Jr.
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Diana V. Smith
SECRETARY
Sergeant
U.S. Park Police
Washington, D.C.

Thomas
Treasurer
Special Agent, Dept. of Treasury
Washington, D.C.

John B. Boyd, III
SERGEANT AT ARMS
Sergeant, U.S. Secret Service
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Washington, D.C.

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CHAIRPERSON, SCHOLARSHIP COMMITTEE
Senior Counselor
Univ. of the District of Columbia
Washington, D.C.

Maurice C. Hurst
PUBLIC INFORMATION OFFICER
Supervisory Special Agent
Federal Bureau of Investigation
Washington, D.C.

Greetings:

On behalf of the Washington, D.C. Metropolitan Chapter of the NOBLE, I welcome you on the occasion of our 11th Annual Scholarship Awards Ball.

As we enter a new season and we observe Nature's perennial changes, our thoughts often turn to the changes in our society as we constantly hear of the decline of our inner cities and our children. But, we should not greet such sad tidings with a mere shrug of the shoulders. Rather, we should lift our heads high and dedicate ourselves to the task at hand: to make this world a better place for our youth. You see, our youth are our tomorrow, and our new seasons to come.

While we break bread this evening, we should all consider whether we are individually doing anything to make this world a better place than it was upon our humble arrivals. If the answer is no, we should all take just a few moments to ponder the question raised by Rev. Martin Luther King, Jr., when he asked simply, "what are you doing for others?" This question should burn itself into our collective consciences as we leave here tonight and as we go about our daily walk in Life.

While it is good to provide scholarships for our young adults enrolled in the area colleges, remember that there are children throughout the Washington, D.C. area who are homeless, who go to bed at night hungry, who are without any serious parental guidance, and who long for nothing more than a decent pair of new shoes.

So, let us make a pledge to take some action this year, and next year, and the year after, that will enable some child to realize their dreams. May each of us, regardless of our walks in life, make a silent pledge to help educate one child. We cannot afford to do less.

Sincerely yours,

Bernard E. Thompson

- Hubbell

NAACP not opposed

Local test not applied
Local A/C not voted

State (Gaylord) Endorse

- Willing to support nationally

- Lavinia Culver - supportive

- LCCR supportive as well

Civil Rights Issues

- Use NAACP

- Mobilize constituency

Wants
to be
Proactive

Voluntary Summer Jobs Summer Youth

Bob Reich/

March on Wash

Speaks

National Committee

Jul 6-15, Indianapolis

NAACP/Exec Comm. for March of Pres
June

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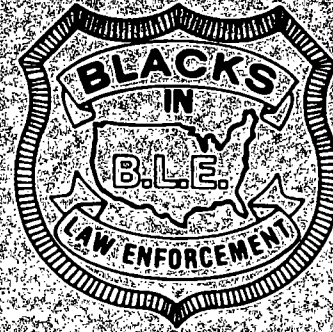
BLACKS IN LAW ENFORCEMENT

1992

\$3.50



Dr. W. W. Herenton
Mayor, City of Memphis



Melvin T. Burgess
Director Memphis Police Department



**Major
Israel
Brooks, Jr.**

**DISTINGUISHED OFFICER
OF THE YEAR**

**Top Blacks In
Law Enforcement**

A Living Tribute To Black History

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Penal System

Divider Title: _____

Penal System (Jail)

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Department of Justice

ADVANCE FOR RELEASE AT 5 P.M. EDT
SUNDAY, AUGUST 29, 1993

BJS
202-307-0784

LOCAL JAILS HELD 444,584 AT MIDYEAR 1992
INMATES TOTAL 174 PER 100,000 U.S. INHABITANTS

There were 444,584 local jail inmates throughout the country as of midyear 1992, the Bureau of Justice Statistics (BJS) announced today. BJS, the Department of Justice's statistics agency, said this was 4.2 percent more than the 426,479 inmates 12 months earlier--slightly less than the 5.2 percent annual growth recorded in 1991.

The number of local jail inmates per 100,000 U.S. residents has risen 120 percent--from 79 per 100,000 to 174 per 100,000--since 1970, BJS said.

"During 1992 the nation's 3,300 jails were estimated to be operating at about 99 percent of the rated capacity--an improvement from the 108 percent occupancy rate in 1989, the highest year recorded," noted Acting BJS Director Lawrence A. Greenfeld. "Jails, as defined here, are facilities that are operated by local rather than state officials and hold people awaiting criminal trials as well as convicted offenders generally serving sentences of one year or less. Excluded are police lockups or drunk tanks as well as federal or state prisons."

-MORE-

BJS said 91 percent of the jail inmates were male and estimated that one in every 226 adult men and one in every 2,417 adult women in the country were in jail on June 30, 1992.

Forty percent of the jail population were white non-Hispanics, 44 percent were non-Hispanic blacks, 15 percent were Hispanics of any race and 1 percent were of other races, such as Native Americans, Aleuts, Asians and Pacific Islanders.

The incarceration rate for blacks has risen more rapidly than the rate for whites. From 1984, the earliest for which the data are available, the rate for blacks rose from 339 inmates per 100,000 to 619 per 100,000. For whites the increase during the 1984-1992 period was from 68 to 109 per 100,000. As of June 30 last year local jails held an estimated 195,156 blacks and 232,966 whites, BJS said.

As of June 30 last year, 131 of the country's 503 largest jail jurisdictions--meaning jail populations averaging at least 100 inmates--reported that at least one of their jail facilities was under court order or a consent decree to reduce inmate population.

Judges intervened most often with population reduction orders, but they also cited staff, medical, recreation, operations and program problems. Overall 157 of the 503 large jurisdictions were under court orders to limit population or

remedy a specific situation. Almost one-third of the large jurisdictions with a facility under a court order were cited for six or more conditions.

Jurisdictions with large jail populations were holding 9,528 inmates for federal authorities and 36,097 for state authorities, primarily because of crowding in state prisons. They also held 3,355 for other local authorities.

On June 30, 1992, nine of the large jurisdictions were operating boot camps, which held about 4 percent of the inmates in these jurisdictions. Almost three-fourths of the larger jurisdictions had residents in daily work release programs--17,887 inmates in 359 jurisdictions.

On the same day, 180 of the large jurisdictions were operating alternative-to-incarceration programs, such as electronic monitoring, house arrest, day reporting or the like. Electronic monitoring was the most widely available and had the most participants--118 jurisdictions and 4,582 participants.

Three hundred eight of the 503 large jurisdictions reported that they tested inmates for drug use. Few jurisdictions (35) tested all of their inmates for drugs. Many more (219) tested upon suspicion of drug use.

Among the largest jurisdictions, 420 reported operating at least one jail facility that had a drug treatment, alcohol rehabilitation, psychiatric examination, psychological counseling

or education program. One hundred twenty-seven jurisdictions operated all such programs.

Educational programs, including literacy, basic education and General Education Degree programs, were offered in more than two-thirds of the large jurisdictions. As of June 30, 1992, about 9 percent of the inmates in these jurisdictions were participating in an educational program.

Alcohol and drug treatment programs were offered in more than 50 percent of the large jurisdictions. The inmate participation was less than 10 percent on the day of the survey.

Thirty-five percent of the large jurisdictions, reported one or more inmate deaths during the 12-month period ended June 30, 1992, compared to 190 (38 percent) the year before.

Among the 445 inmate deaths during the year in large jurisdictions, AIDS-related diseases accounted for 24 percent, suicides 28 percent, fatal injuries (murder or manslaughter) 3 percent, accidents and undetermined causes 6 percent and natural causes 38 percent.

Single copies of the BJS bulletin "Jail Inmates 1992" (NCJ-143284) as well as other BJS statistical bulletins and reports may be obtained from the National Criminal Justice Reference Service, Box 6000, Rockville, Maryland 20850. The telephone number is 1-800-732-3277.

Copy to
FLO



Bureau of Justice Statistics Bulletin

Jail Inmates 1992

By Allen J. Beck, Ph.D.
Thomas P. Bonczar
and Darrell K. Gilliard
BJS Statisticians

At midyear 1992 local jails held an estimated 444,584 persons. From July 1991 to June 1992, the number in jail grew 4%, about the same rate as for the previous months. In 1992 overall jail occupancy was 99% of the rated capacity.

The 1992 Annual Survey of Jails provides these findings from data reported by 795 jurisdictions for 1,113 jails, about a third of all jails. Local officials administer these facilities which are able to hold persons for more than 48 hours but usually for less than 1 year.

Other survey findings include:

- About 1 in every 428 adult U.S. residents were in jail on June 30, 1992.

- A majority of jail inmates were black or Hispanic. White non-Hispanic inmates made up 40% of the jail population; black non-Hispanics, 44%; Hispanics, 15%; and non-Hispanic inmates of other races, 1%.

- An estimated 2,804 juveniles were housed in adult jails on June 30, 1992. The average daily juvenile population for the year was 2,527.

- Based on the most recent census (1988) 503 jurisdictions had an average daily population of at least 100 jail inmates. In 1992, these jurisdictions operated 814 jail facilities, which held 362,217 inmates, or about 81% of all jail inmates in the country.

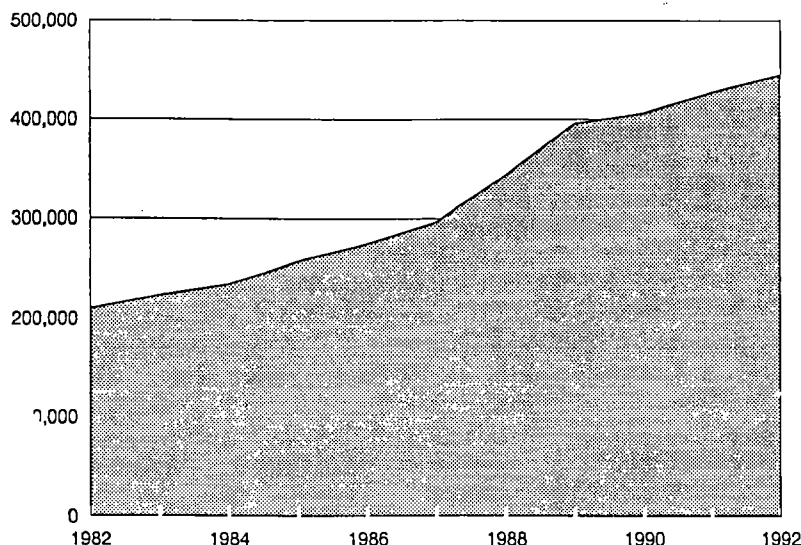
August 1993

In 1992, for the first time in its 9-year history, the Annual Survey of Jails collected information from the large jurisdictions about the programs that their jails administer — bootcamps, work release, alternatives to incarceration, educational and treatment programs for inmates, and drug testing.

The 1992 Annual Survey of Jails and this Bulletin would not have been possible without the generous cooperation of jail administrators and staff whose facilities were selected for the survey.

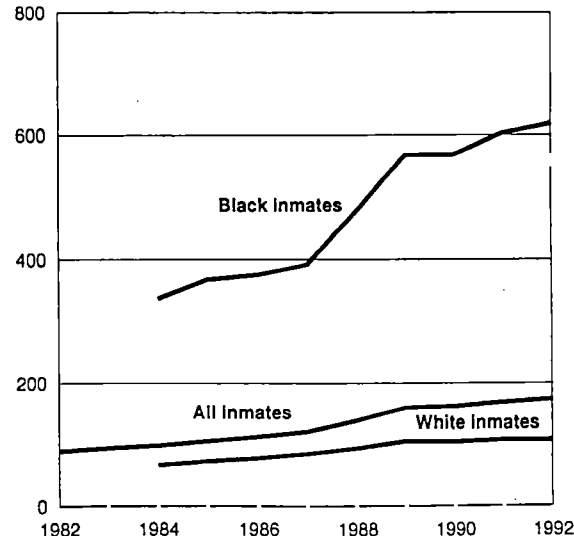
Lawrence A. Greenfeld
Acting Director

Number of persons
in local jails



The U.S. local jail population increased from 209,582 in 1982 to 444,584 in 1992.

Number of inmates in local jails
per 100,000 U.S. residents



The number of local jail inmates per 100,000 U.S. residents increased from 90 in 1982 to 174 in 1992. In 1992, the rates were 109 white inmates per 100,000 white residents and 619 black inmates per 100,000 black residents.

y population movements

On June 30, 1992, local jails had more than 46,000 new admissions and discharges, about equally divided between the two categories (table 5). Discharges include sentence completions, bail, and deaths. These data exclude transfers among facilities and readmissions or other departures on June 30, 1992, which can only be estimated to have been within the range of 10,733 and 13,367. (For a discussion on reporting practices, see *Methodology*.)

Occupancy

The number of jail inmates increased 4% from 1991, while the total rated capacity of the Nation's jails rose 7% (table 6). Between June 28, 1991, and June 30, 1992, the percentage of rated capacity which was occupied fell 2 percentage points to 99%.

Facilities with the largest average daily populations reported the highest occupancy rates. Occupancy was 114% of rated capacity in facilities with an average daily population of 1,000 or more, compared to 53% in those with fewer than 20 inmates.

Size of facility ^a	Number of facilities	Percent of rated capacity occupied
Fewer than 20	1,017	53%
20-49	773	77
50-99	559	82
100-199	370	91
200-999	405	103
1,000 or more ^b	76	114

^aBased on the average daily population between June 28, 1991, and June 30, 1992.

^bIncludes an unspecified number of facilities for Cook County, Ill., and Orleans Parish, La., each counted as having 1 facility.

Table 5. Jail admissions and discharges, by legal status of inmates, June 30, 1992

	Number on 1 day		
	Total	Adults	Juveniles
New admissions	23,742	23,595	148
Discharges	22,287	22,131	155

Note: Admission and discharge data exclude transfers, readmissions, escapes, work releases, weekend sentences, medical appointments, and court appearances. Transfers and readmissions/other departures on June 30, 1992, are estimated to have been between 10,733 and 13,367.

Jurisdictions with large jail populations

Characteristics

In 1992, an estimated 81% of the total annual number of inmates in the Nation's local jails were housed in the facilities of 503 jurisdictions, each with an average daily population of at least 100 incarcerated persons at the time of the 1988 Census of Jails.

Region	Number of large jurisdictions	Population of large jail jurisdictions	
		June 30, 1992	Daily average 1991-92
All	503	362,217	356,471
Northeast	85	68,026	68,384
Midwest	91	44,514	43,329
South	229	152,061	147,644
West	98	97,616	97,114

Between June 28, 1991, and June 30, 1992, these jurisdictions held on average 356,471 inmates. On the day of the survey, June 30, 1992, these large jurisdictions held 362,217.

Including an unspecified number of facilities counted as 1 in both Cook County (Chicago), Illinois, and Orleans Parish (New Orleans), Louisiana, these jurisdictions reported data on 814 separate jail facilities — 73% of all facilities surveyed.

Nearly half of these large jurisdictions maintained an average daily population

of between 100 and 299 inmates (table 7). Although these jurisdictions represented 47% of all large jurisdictions, they held only 13% of the total annual number of inmates in large jurisdictions.

Twenty-nine jurisdictions reported an average daily population of between 2,000 and 22,220 inmates. With an average of more than 4 facilities per jurisdiction, they accounted for 16% of all facilities and 41% of the total average daily population in large jurisdictions.

Table 7. Jurisdictions with large jail populations: Number of facilities and total average daily population, July 1, 1991-June 30, 1992

Average daily population	Number		Total average daily population
	Jurisdictions	Facilities	
All	503	814	356,471
0-99 inmates ^a	7	8	587
100-199	127	145	19,251
200-299	107	134	25,877
300-399	55	77	19,265
400-499	40	56	17,522
500-999	91	157	63,732
1,000-1,999	47	107	64,316
2,000-3,999	15	48	39,382
4,000-22,220 ^b	14	82	106,539

^aSeven jurisdictions reported 100 or more inmates in the 1988 Census of Jails.

^bIncludes an unspecified number of facilities for Cook County, Ill., and Orleans Parish, La., each counted as having 1 facility.

Table 6. Jail capacity and occupancy, selected years, 1978-92

	Census of Jails			Annual Survey of Jails			
	1978	1983	1988	1989	1990	1991	1992
Number of inmates	158,394	223,551	343,569	395,553	405,320	426,479	444,584
Rated capacity of jails	245,094	261,556	339,633	367,769	389,171	421,237	449,197
Percent of rated capacity occupied ^a	65%	85%	101%	108%	104%	101%	99%

Note: Data are for February 15, 1978; June 30, 1983, 1988, 1989, 1992; June 29, 1990; and June 28, 1991.

^aPercent of rated capacity occupied is based on the 1-day count of inmates.

25 largest jail jurisdictions

Within the group of jurisdictions that have an annual number of inmates between 2,000 and 22,220 are the Nation's 25 largest jurisdictions. These 25 jurisdictions were in 11 States: 9 in California, 4 in Texas, 4 in Florida, and 1 each in New York, Illinois, Tennessee, Pennsylvania, Arizona, Louisiana, Maryland, and Georgia (table 8). These jurisdictions had between 1 and 16 jail facilities in their systems.

Six of the jurisdictions had a smaller average daily population in 1992 than in 1991, and six had a smaller population on June 30, 1992, than on June 28, 1991. Harris County (Houston), Texas, reported the largest growth during the year, an increase of 4,919 inmates on the day of the survey. New York City reported the sharpest decline, a decrease of 2,136 inmates.

Table 8. Twenty-five largest jurisdictions: Average daily population and one-day count, June 28, 1991, and June 30, 1992

Jurisdiction	Number of jails in jurisdiction		Average daily population during		Population on	
	1991	1992	1991	1992	June 28, 1991	June 30, 1992
Los Angeles County, Calif.	9	9	20,779	22,220	20,885	22,289
New York City, N.Y.	17	16	20,419	18,673	20,563	18,427
Harris County, Tex.	3	4	6,751	8,086	6,808	11,727
Cook County, Ill.	--	...	7,257	7,621	8,356	9,089
Shelby County, Tenn.	2	2	5,008	6,108	5,755	6,096
Dade County, Fla.	7	7	5,343	5,965	5,493	5,733
Dallas County, Tex.	4	4	5,247	5,502	4,686	5,881
Philadelphia County, Penn.	7	6	4,897	4,878	4,589	4,422
Maricopa County, Ariz.	6	7	4,312	4,829	4,480	4,934
Orleans Parish, La.	--	...	3,677	4,737	4,481	4,737
Orange County, Calif.	3	3	4,378	4,688	4,390	4,690
San Diego County, Calif.	12	11	4,660	4,543	4,303	5,039
Santa Clara County, Calif.	7	7	4,072	4,368	4,166	4,369
Tarrant County, Tex.	4	4	3,779	4,321	4,000	4,858
Orange County, Fla.	2	2	3,267	3,582	3,225	3,536
Sacramento County, Calif.	3	3	3,170	3,265	2,980	3,165
Alameda County, Calif.	3	3	2,912	3,250	2,891	3,550
Broward County, Fla.	3	3	3,502	3,173	3,584	3,069
Baltimore City, Md.	4	4	2,828	2,900	2,894	3,006
San Bernardino County, Calif.	2	2	2,735	2,855	2,929	2,860
Fresno County, Calif.	3	3	2,061	2,572	1,980	2,286
Fulton County, Ga.	4	4	2,983	2,545	2,969	2,590
Bexar County, Tex.	1	1	2,313	2,377	1,981	2,626
Hillsborough County, Fla.	3	3	2,051	2,328	1,944	2,268
Riverside County, Calif.	4	4	2,240	2,180	2,174	2,181

Note: The jurisdictions are ordered according to their average daily population in 1992.
--These jurisdictions provided a single report covering all of their jail facilities.

On June 30, 1992, the 25 largest jurisdictions held 32% of all jail inmates nationwide. The two largest jurisdictions, Los Angeles County and New York City, had more than 40,700 inmates, 9% of the national total.

Overall, the number of inmates in the Nation's 25 largest jurisdictions on June 30, 1992, was 5% greater than on June 28, 1991. The number of jail inmates in these jurisdictions totalled 143,604, up from 132,506.

Inmates held for other authorities

Local jail jurisdictions frequently house inmates for other authorities, because of crowding elsewhere or routine needs of other jurisdictions, such as housing detainees pending their transfer or holding convicted inmates while awaiting transfer to State or Federal prison. Among the 503 jurisdictions with 100 or more inmates in 1988, 425 were holding inmates for other authorities in 1992 (table 9). Approximately 84% of these large jurisdictions had one or more jail facilities holding inmates for other authorities on June 30, 1992.

Table 9. Jurisdictions with large jail populations: Impact of inmates held for other authorities, 1991-92

	Number of jurisdictions/inmates	
	1991	1992
Jurisdictions with large jail populations	503	503
Jurisdictions holding inmates for other authorities:	426	425
Federal	239	256
State	322	342
Local	220	218
Jurisdictions holding inmates because of crowding elsewhere	234	249
All inmates in jurisdictions with large jail populations	343,514	362,217
Inmates being held for other authorities:	39,906	48,980
Federal	7,792	9,528
State	27,566	36,097
Local	4,548	3,355
Inmates being held because of crowding elsewhere	23,484	32,193

Note: Data are for June 28, 1991, and June 30, 1992, covering all jurisdictions with an average daily inmate population of 100 or more at the time of the 1988 Census of Jails. The data for 1991 are revised from those presented in *Jail Inmates 1991*.
*Detail adds to more than total because some jurisdictions held inmates for more than one authority.

Two-thirds of the large jurisdictions were holding inmates for State authorities; half for Federal authorities.

The number of jail inmates being held for other authorities by these large

jurisdictions increased by 9,063, up 23% from 1991. The number of State prisoners in local jails grew the most (31%), followed by the number of Federal prisoners (22%). Prisoners held for other local authorities decreased 26%, from 4,548 to 3,355.

Court orders to reduce population and improve conditions

At midyear 1992 more than a quarter of the 503 large jurisdictions reported that 1 or more of their jail facilities were under court order or consent decree to reduce the inmate population (table 10). On June 30, 1992, 131 jurisdictions were under court orders to limit the number of inmates, down from 135 in 1991.

Jail administrators in these 131 jurisdictions reported an increase of 13% in their rated capacity during the year, or an increase of 20,160 beds. On average these jurisdictions were operating at about 105% of their rated capacities. Administrators in the 372 jurisdictions not under orders to reduce population or crowding reported less than 1% rise in their rated capacity, and a slight increase in the occupancy rate, from 104% to 105%.

Judges intervened most often in the operation of jails with orders to reduce population or crowding, but they also cited other elements of the jail facility, staff, operation, or programs. Overall, 157 of the large jurisdictions were under court order to limit population or to correct a specific condition of confinement. Ninety-four were cited for two or more conditions of confinement:

Number of conditions cited by a court	Large jurisdictions with a facility under court order
1	63
2-3	33
4-5	11
6 or more	50

Nearly a third of the large jurisdictions with a facility under court order in 1992 were cited for six or more conditions. Forty-one of the 503 jurisdictions were cited for the totality of conditions (that is, the cumulative effect of several conditions). The most frequent condition cited was crowded living units (118 jurisdictions), followed by inadequate recreation facilities (62), medical facilities or services (57), and staffing patterns (53).

Fourteen fewer jurisdictions were under court order for specific conditions of confinement on June 30, 1992, than on June 28, 1991. Six fewer jurisdictions were under court order for administrative segregation procedures or policies; three fewer for recreation; and four fewer for food service. Nine more jurisdictions were cited for grievance procedures or policies; eight more for staffing patterns.

Table 10. Jurisdictions with large jail populations: Rated capacity and percent of capacity occupied, 1991-92

Jurisdictions with large jail populations	Number of jurisdictions		Rated capacity		Number of jail inmates on last weekday in June		Percent of capacity occupied	
	1991	1992	1991	1992	1991	1992	1991	1992
Total	503	503	322,372	344,580	343,514	362,217	107%	105%
Jurisdictions with no jail under court order to reduce population	368	372	164,497	167,045	172,229	175,680	104%	105%
Jurisdictions with at least one jail under court order to reduce population	135	131	157,375	177,535	171,285	186,537	109%	105%

Table 11. Jurisdictions with large jail populations: Number of jurisdictions under court order to reduce population or to improve conditions of confinement, 1991-92

	Number of jurisdictions with large jail populations					
	Total		Ordered to limit population		Not ordered to limit population	
	1991	1992	1991	1992	1991	1992
Total	503	503	135	131	368	372
Jurisdictions under court order citing specific conditions of confinement	148	134	122	108	26	26
Subject of court order:						
Crowded living units	118	118	111	107	7	11
Recreation facilities	65	62	54	50	11	12
Medical facilities or services	58	57	45	41	13	16
Visitation practices or policies	35	37	30	29	5	8
Disciplinary procedures or policies	34	37	26	27	8	10
Food service	33	29	30	25	3	4
Administrative segregation procedures or policies	27	21	22	16	5	5
Staffing patterns	45	53	39	46	6	7
Grievance procedures or policies	29	38	24	29	5	9
Education or training programs	22	25	19	21	3	4
Fire hazards	17	22	17	19	0	3
Counseling programs	18	18	14	14	4	4
Inmate classification	37	40	34	32	3	8
Library services	50	49	38	36	12	13
Other	15	14	8	9	7	5
Totality of conditions	40	41	34	34	6	7

Note: Detail adds to more than the total number of jurisdictions under court order for specific conditions, because some jurisdictions were under judicial mandate for more than one reason.

Jail programs and alternatives to incarceration

In 1992, for the first time in the history of the survey, jurisdictions were asked if any of their jail facilities operated a boot camp or daily work release program and if any operated alternative-to-incarceration programs, such as electronic monitoring, house arrest, and day reporting.* These programs are defined as follows:

Bootcamp— a program having a chain of command, highly regimented activity schedules, drill and ceremonies, and stressing physical challenges, fitness, discipline and personal appearance.

Work-release— a program that allows an inmate to work in the community unsupervised by correctional staff during the day and return to jail at night.

Electronic monitoring— a program in which offenders are supervised by correctional authorities outside of the jail facility by use of an electronic signalling device or programmed contact device attached to a telephone.

House arrest (without electronic monitoring) — a program in which offenders are legally ordered to remain confined in their own residence except for medical reasons and employment but are not subject to any electronic surveillance.

Day reporting — a program that permits offenders to remain in their residence at night and weekends while reporting to a correctional official one or more times daily.

*Jail jurisdictions reported only for the programs that they operated. Within some counties other agencies may have operated similar types of programs.

Table 12. Large jail jurisdictions offering a bootcamp, work release, or alternatives to incarceration, 1992

	Number	Large jail jurisdictions	
		Program participants	Inmates in jurisdiction with program
Total	503	...	362,217
Special programs			
Bootcamps	9	1,463	39,484
Daily work release	359	17,887	263,370
Alternatives to incarceration			
Electronic monitoring	118	4,582	99,276
House arrest	18	602	13,912
Day reporting	43	2,445	41,318
Other alternatives*	57	6,181	67,826
No alternative offered	323	--	189,420

Note: A single jurisdiction could report participation in more than one type of alternative. Offenders in bootcamps and work release are counted as inmates in the jurisdiction total; participants in the alternative programs are excluded from the inmate count.

... Not determined.

-- Not applicable.

*The number of participants in other alternatives was estimated to be 2,850, community service; 391, weekend reporting; and 1,397, other.

On June 30, 1992, 9 of the 503 large jurisdictions were operating a bootcamp program (table 12). About 4% of the jail inmates (1,463) in these jurisdictions with bootcamps were participating in the program. Among inmates in all large jurisdictions, fewer than half of one percent were in a bootcamp.

Daily work release programs were available to inmates in more than two-thirds of the large jurisdictions. On June 30, 1992, 17,887 inmates in 359 jail jurisdictions were in a work release program. On that day, 7% of the inmates in these jurisdictions were participating in work release programs.

On June 30, 1992, 180 of the 503 large jurisdictions were operating an alternative-to-incarceration program, such as electronic monitoring, house arrest, or day reporting. Offenders in these programs are not considered jail inmates to be included in the midyear count because they are not in physical custody. They do not serve time in a jail facility but would if not for these programs.

Of the differing types of alternative programs, electronic monitoring was the most widely available and had the most participants (118 jurisdictions and 4,582 offenders). Day-reporting programs were offered in fewer jurisdictions (43) and had fewer than 2,445 participants. House arrest programs without electronic monitoring were operated by 18 jail jurisdictions with a total of 602 participants. Other types of alternative programs, such as community service and weekend reporting, were available in 57 jurisdictions. More than 6,100 offenders were participating in these other alternatives.

Table 13. Jurisdictions with large jail populations reporting the most inmates in bootcamp, on work release, or participating in alternatives to incarceration, June 30, 1992

Bootcamp			Work release			Alternative-to-incarceration programs*		
Jurisdiction	Number of inmates		Jurisdiction	Number of inmates			Number of offenders	
	Participating	In jurisdiction		Participating	In jurisdiction		Participating	In jurisdiction
Tarrant County, Tex.	590	4,858	Santa Clara County, Calif.	1,623	4,369	Riverside County, Ca.	1,435	2,181
New York, N.Y.	504	18,427	Los Angeles County, Calif.	1,465	22,289	Cook County, Ill.	1,223	9,089
Oakland County, Mich.	94	1,518	Milwaukee County, Wisc.	394	1,809	Orange County, Calif.	1,050	4,690
Orleans Parish, La.	77	4,737	New York, N.Y.	297	18,427	Alameda County, Calif.	966	3,550
Palm Beach County, Fla.	70	1,663	Santa Cruz County, Calif.	284	541	Lubbock County, Tex.	743	729
Ventura County, Calif.	56	1,540	Kern County, Calif.	250	2,363	Jefferson County, Ken.	467	884
Travis County, Tex.	37	2,049	Solano County, Calif.	248	702	Prince George's County, Md.	403	1,307
Santa Clara County, Calif.	24	4,369	Dallas County, Tex.	248	5,881	Butte County, Calif.	370	273
Brazos County, Tex.	11	323	Maricopa County, Ariz.	232	4,934	Stanislaus County, Calif.	320	784
			Philadelphia, Penn.	232	4,422	Dade County, Fla.	289	5,733

*Alternatives to incarceration include electronic home monitoring, house arrest without electronic monitoring, day reporting, community service, weekend reporting,

and other programs conducted by the jail authorities. The number of participants in alternative programs was not included in the jail population reported at

midyear.

About three-quarters of all jail inmates in boot camps were in two jurisdictions — Tarrant County (Fort Worth), Texas, and New York City (table 13). Each of these jurisdictions had more inmates in a boot camp than the other seven jurisdictions combined.

...ta Clara and Los Angeles counties in California had the largest number of jail inmates in daily work release programs. Each of these jurisdictions had more than 1,000 work release participants.

Riverside County, California, stretching to the Nevada border east of Los Angeles, had the most offenders (1,435) participating in some type of alternative program. Cook County (Chicago), Illinois, had the second largest number of participants (1,223), and Orange County, California, containing Anaheim and Santa Ana, the third largest number, 1,050 offenders. More than 10% of offenders under the supervision of these jail jurisdictions were in an alternative-to-incarceration program.

Drug testing

The 1992 Annual Survey of Jails asked the largest jurisdictions if and on whom they conducted urinalysis tests for drugs. Of all large jurisdictions, 308 said that they did test (table 14). Jurisdictions were more likely to test upon suspicion (219 jurisdictions) than testing all inmates at least once (35 jurisdictions). The number of jurisdic-

tions that tested at random or on an inmate's return from the community was about the same (159 and 153, respectively). Jurisdictions holding between 2,000 and 3,999 inmates were more likely to have at least 1 facility testing for drugs than any other group, 93%. Those jurisdictions that had from 100 to 199 inmates were least likely to test, 47%.

Table 14. Large jurisdictions conducting urinalysis for drugs and type of surveillance, by size of jail population, 1992

Average daily population*	Large jail jurisdictions						
	Total	Conducting urinalysis on inmates	Basis of drug testing				Other basis
			At random	On all inmates at least once	Upon suspicion	On inmates returning from community	
All	503	308	159	35	219	153	117
0-99	7	4	3	0	3	3	0
100-199	127	60	31	3	38	38	20
200-299	107	72	37	5	49	34	31
300-399	55	29	12	2	21	13	9
400-499	40	26	11	2	17	14	11
500-999	91	59	30	8	42	26	21
1,000-1,999	47	35	23	8	29	14	12
2,000-3,999	15	14	8	4	12	7	7
4,000-22,200	14	9	4	3	8	4	6

*Based on the average daily jail population of the jurisdiction between June 28, 1991, and June 30, 1992.

Selected jail programs

In the 1992 survey, the 503 largest jurisdictions were asked to report on inmate participation in drug treatment, alcohol treatment, psychological counseling or psychiatric care, and educational programs offered by their jail facilities. On June 30, 1992, at least 1 jail facility in 420 of these jurisdictions reported operating these types of programs. A total of 127 jurisdictions reported operating all 4 types of programs.

Educational programs (including literacy, basic education, and GED programs) were offered in more than two-thirds of the large jurisdictions. About 9% of the inmates in

these jurisdictions were participating in an education program at the time of the survey.

Alcohol and drug treatment programs were offered in more than half of the large jail jurisdictions. On June 30, 1992, 20,100 jail inmates were receiving alcohol treatment; 18,052 were receiving drug treatment. In the jurisdictions operating alcohol or drug treatment programs, the inmate participation rate was lower than 10%.

Psychological or psychiatric counseling programs were provided in 212 of the large jurisdictions. More than 14,000 jail inmates were participating in these programs.

Table 15. Jurisdictions with large jail populations: Selected jail programs and number of participants, June 30, 1992

Programs for inmates	Number	Large jail jurisdictions	
		Number of	
		Program participants	Inmates in jurisdiction
Total	503	...	362,217
Drug treatment*	275	18,052	234,591
Alcohol treatment*	295	20,100	213,147
Psychological counseling	212	14,237	189,845
Education program	350	25,591	282,328

*Combined substance abuse programs and enrollment in them were classified by the substance most emphasized in the program.
... Not determined.

Inmate deaths

A total of 178 large jail jurisdictions (35%) reported one or more jails with an inmate death during the year ending June 30, 1992, compared to 190 (38%) the previous year (table 16). Natural causes other than AIDS were the leading cause of death among inmates in large jail jurisdictions (38%), followed by suicide (28%). AIDS-related deaths accounted for 24% of the total, injury by another person, 3%, and accidents or undetermined causes, 7%.

Table 16. Jurisdictions with large jail populations: Inmate deaths, 1991-92

Cause of death	Jurisdictions reporting deaths ^a		Inmate deaths	
	1991	1992	1991	1992
Total	190	178	546	445
Natural causes ^b	116	90	278	170
AIDS	32	37	84	107
Suicide	89	93	131	124
Injury by another person	11	12	16	14
Other ^c	21	21	37	30

Note: Data are for the year ending June 28, 1991, and June 30, 1992, and cover all jurisdictions with an average daily inmate population of 100 or more at the time of the 1988 Census of Jails. The number of deaths from AIDS and other natural causes may have been under-reported in some jurisdictions that transferred sick inmates to outside hospitals and other medical facilities.

^aDetail adds to more than total because some jurisdictions reported more than one type of death.

^bExclude AIDS-related deaths.

^cIncludes accidents and undetermined causes of death.

Methodology

The 1992 Annual Survey of Jails was the ninth such survey in a series sponsored by the Bureau of Justice Statistics. The first was conducted in 1982. Complete enumerations of the Nation's jails are conducted every 5 years. Annual surveys — which collect data on all jails in jurisdictions with 100 or more jail inmates and on a sample of all other jails — are carried out in each of the 4 years between the full censuses. The reference date for the 1992 survey was June 30, 1992. Full censuses were done on February 15, 1978, June 30, 1983, and June 30, 1988.

A *local jail* is a facility that holds inmates beyond arraignment, usually for more than 48 hours, and is administered by local officials. Specifically excluded from the count were temporary lockups that house persons for less than 48 hours, physically separate drunk tanks, and other holding facilities that did not hold persons after they had been formally charged, Federal-state-administered facilities, and the combined jail-prison systems of Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont. Included in the universe were five locally operated jails in Alaska and eight jails that were privately operated under contract for local governments.

The 1992 survey included 1,113 jails in 795 jurisdictions. A *jurisdiction* is a county, municipality, township, or regional authority that administers one or more local jails. The jails in 503 jurisdictions were automatically included in the survey because the average daily inmate population in these jurisdictions was 100 or more in the 1988 census. The jurisdictions with large jail populations, referred to as certainty jurisdictions, accounted for 814 jails and 362,217 inmates, or 81% of the estimated inmate population on June 30, 1992.

The other jurisdictions surveyed constituted a stratified probability sample of those jurisdictions whose average daily population was less than 100 in the 1988 jail census.

Data were obtained by mailed questionnaires. Two followup mailings and phone calls were used to encourage reporting. The response rate was 99% for all jails. For the eight jails in certainty jurisdictions

Appendix table 1. Standard error estimates, 1992

Characteristic	Estimate	Standard error	Relative standard error (percent)
One-day count			
All inmates	444,584	2,076	0.47%
Adults	441,781	2,040	0.46
Male	401,106	1,866	0.46
Female	40,674	306	0.76
Juveniles	2,804	217	7.75
Average daily population			
All inmates	441,889	2,083	0.47%
Adults	439,362	2,066	0.47
Male	399,528	1,948	0.49
Female	39,834	280	0.70
Juveniles	2,527	196	7.77
Adult inmate status, 6/30/92			
Convicted	217,940	1,740	0.80%
Male	196,656	1,594	0.81
Female	21,284	248	1.17
Unconvicted	223,840	1,344	0.60%
Male	204,450	1,260	0.61
Female	19,390	172	0.89
Sex			
Male	403,768	1,895	0.47%
Female	40,816	314	0.77
Race/Hispanic origin			
White non-Hispanic	173,973	1,827	1.05%
Black non-Hispanic	191,188	1,530	0.80
Hispanic	62,961	561	0.89
Other	5,831	319	5.46
Total rated capacity	449,197	2,693	0.60%

Appendix table 2. Estimated number of inmates and standard errors for Annual Survey of Jails, selected years, 1982-92

	Number of jail inmates (1-day count)	Estimated standard error	Relative standard error (percent)
1982	209,582	1,470	0.70%
1984	234,500	1,105	0.47
1985	256,615	1,459	0.57
1986	274,444	1,465	0.53
1987	295,873	1,687	0.57
1989	395,553	1,583	0.40
1990	405,320	1,778	0.44
1991	426,479	2,151	0.50
1992	444,584	2,076	0.47

and the one jail in a noncertainty jurisdiction not responding to the survey, data were adjusted by applying the average growth factor for facilities in the same stratum and region with the same type of inmates (men, women, or both sexes).

National estimates for the inmate population on June 30, 1992, were produced by sex, race, legal status, and conviction status and for the average daily population during the year ending June 30, 1992, by sex and legal status. National estimates were also produced for rated capacity. Administrators of jails in jurisdictions with large jail populations provided counts of inmates held for other authorities, inmate deaths, and jails under court order.

Sampling error

National estimates have an associated sampling error because jurisdictions with an average daily population of less than 100 were sampled for the survey. Estimates based on a sample survey are apt to differ somewhat from the results of a survey canvassing all jurisdictions. Each of the samples that could have been selected using the same sample design could yield somewhat different results. Standard error is a measure of the variation among the estimates from all possible samples, stating the precision with which an estimate from a particular sample approximates the average result of all possible samples. The estimated relative sampling error for the total inmate population of 444,584 on June 30, 1992, was 0.47%.

Results presented in this Bulletin were tested to determine whether statistical significance could be associated with observed differences between values. Differences were tested to ascertain whether they were significant at the 95-percent confidence level or higher. Differences mentioned in the text meet or exceed this 95-percent confidence level. (See appendix table 1.)

Measures of population

Two measures of inmate population are used: the *average daily population* for the

year ending June 30 and the *inmate count* on June 30 of each year. The average daily inmate population balances out any extraordinary events that may render the 1-day count atypical. The 1-day count is useful because some characteristics of the inmate population — such as race, Hispanic origin, and detention status — can be obtained for a specific date, but may not be available on an annual basis.

Population movement

In contrast with prior years, admission and discharge data were collected for the single day, June 30, 1992, rather than for the entire year preceding the census date to improve data quality and to ease reporting burdens. Intrasystem transfers within jail systems have been removed from counts of admissions and discharges and included with a combined estimate of transfers between jails and long-term medical and mental health facilities and readmissions/other departures. Because some jurisdictions do not maintain separate records for returning inmates who were on temporary transfers to other facilities or readmissions resulting from weekend sentences, medical appointments, and court appearances, it was only possible to provide an estimate of the volume of this movement.

Juveniles

State statutes and judicial practices allow juveniles to be incarcerated in adult jails and prisons under a variety of circumstances. *Juveniles* are persons who are defined by State statute as being under a certain age, usually 18 years, and who are

initially subject to juvenile court authority even if tried as adults in criminal court. The Juvenile Justice and Delinquency Prevention Act of 1974 requires sight and sound separation from adults for those juveniles not tried as adults in criminal court but held in adult jails. A 1980 amendment to that 1974 act requires the removal of juveniles from local jails, except those juveniles who are tried as adults for criminal felonies. The proportion of juveniles who were housed in adult jails in accordance with these guidelines is not available.

This report was written by Allen J. Beck, Thomas P. Bonczar, and Darrell K. Gilliard. Corrections statistics are prepared under the general direction of Lawrence A. Greenfeld. James Stephan reviewed the statistics. Tom Hester edited the report. Marilyn Marbrook administered production, assisted by Betty Sherman, Jayne Pugh, and Yvonne Boston. Collection and processing of the 1992 Jail Survey were conducted by Margaret Ferguson and Linda Huang under the supervision of Alan Stevens, Governments Division, U.S. Bureau of the Census.

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Data used in this report will be available from the National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0960. The data sets will be archived as the Sample Survey of Jails.

Appendix table 3. Estimated number of persons in local jails and the rates per 100,000 U.S. residents for white and black inmates, for figures 1 and 2 on the front page

	U.S. resident population		Estimates		Rate of inmates per 100,000 residents*	
	White	Black	Inmates in local jails		White	Black
			White	Black		
1992	213,329,000	31,523,000	233,000	195,200	109	619
1991	210,899,000	31,164,000	229,900	188,300	109	604
1990	209,150,000	30,620,000	221,400	174,300	106	569
1989	207,540,000	30,143,000	220,700	171,300	106	568
1988	206,129,000	29,723,000	197,700	142,000	96	478
1987	204,770,000	29,325,000	176,700	115,000	86	392
1986	203,430,000	28,942,000	160,000	108,600	79	375
1985	202,031,000	28,569,000	147,600	105,200	73	368
1984	200,708,000	28,212,000	136,200	95,600	68	339

*Rates are calculated using unrounded numbers of inmates.
Sources: Survey of Local Jails in 1984-87, 1989-92. 1988 Census of Jails.
Current Population Reports, U.S. Bureau of the Census, Series P-25, No. 1095.

**STEVE HILTON
COMMUNICATIONS SLIP**

Name MARCEY BERRY
Organization _____
Telephone # _____
Date of Document Aug. 7, 1993
Date Received Sept. 9, 1993

REQUESTED ACTION:

OPL WH BRIEFING _____ **Who** _____
MEETING WITH STEVE _____ **Phone #** _____
SPEAKING REQUEST _____ **Date** _____
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b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

August 7, 1993

Pr W
The Honorable Alexis Herman
Public Liaison-Executive Branch
1600 Pennsylvania Ave
Washington, DC 20500

Stew
SFP 9 1993
Marcy Berry
P6(b)(6)
Tyler, Texas 75702

SEP - 8 1993

Dear Mr. Herman:

I just finished reading the testimonies of Todd R. Clear, Norman A. Carlson and Kathleen M. Hawk, Director of Federal Bureau of Prisons. These testimonies were before the Subcommittee on Intellectual Property and Judicial Administration House Judiciary Committee.

All witnesses Ms. Hawk, Director of BOP, Mr. Norman A. Carlson, Former BOP Director, Mr. Todd Clear, Professor on Faculty Chair, School of Criminal Justice Rutgers University, they all agree that the Federal Prison population, has been growing at a staggering rate over the past 10 years. Future projections tells us that the inmate population will continue to spiral.

I feel it is critically important that we seriously evaluate the policies that are driving this unprecedented explosion. Two things I see, most law makers have not taken into consideration which is causing this great explosion is the conspiracy law (catch all), the sting operations and the reverse sting operations.

The problem comes when the honest, law-abiding citizens and their families become the victims of the overreaching misconduct of government agents and prosecutors who are more concerned about building up their careers than enforcing the law for the benefit of society. And because of the "Mandatory Minimums" and Sentencing Guidelines the Judge's are limited to impose outrageous sentences against a non-violent offenders, who do not deserve them.

One example is Mr. Pogue, a Real Estate Broker, (enclosed article of September issue of Forum Magazine), set up with out any reason by government agents, who is now serving twenty seven (27) year sentence for trying to sell a customers property, for what would have been in other circumstances a total lawful transaction. However, the illegal means of the use of the land was brought up by the government agents and a confidential informant in a meeting in which Mr. Pogue took a deposit for the land, and was arrested immediately, receiving a 27 year sentence and the confidential informant receiving \$250,000.00 in cash for his "services". I think cases of this nature should be investigated, especially when a big amount of tax payers money was involved. To me, Mr. Pogue's situation was a travesty of justice, which should have never be tolerated.

The reality is that human life is not expendable in America, and the end should not justify the means.

We have to somehow give the discretion back to the Judges, at least in cases involving non-violent offenders. This is how we can be sure that the only impartial party in the process will preserve the principles of fundamental fairness and justice.

I pray, you will take a hard look at this great injustice, which is taking place in our great Nation, and take the necessary steps to correct it.

Very truly yours,

Marcy Berry
Marcy Berry

A CRIMINAL SYSTEM OF JUSTICE

a mandatory minimum drug sentence is a true offense

By REG POTTERTON

Of all the anti-American nations in the long history of xenophobia, it is ironic that the United States itself should prove to be the most anti-American of them all. Hyperbole? Not really.

In its most extreme form, anti-American means killing Americans, and nobody leads us in that field. More Americans have been murdered by other Americans in this century alone than have been killed by enemy action in all the wars we have ever fought, beginning with our Revolution.

If killing is the ultimate expression of anti-Americanism, imprisonment is a close second, and there again we lead the race, having overtaken those champions of mass imprisonment, the Soviet Union and South Africa, in the Eighties. Our incarcerated population at last count was around 1,200,000, with another 3,000,000 on parole or probation, all of which requires a criminal justice system that cost taxpayers more than \$61 billion in 1988 and increases every year.

We now spend more than \$20 billion each year keeping people locked up in local jails and county, state and federal prisons. It's estimated that by 1995, the inmate population will increase by 333,000, or 27 percent.

All this incarceration might be good and justifiable if it reduced the rate of crime in America, but it hasn't. It might be worth doing if it kept habitually violent criminals off the streets, but it hasn't. We could even support it and cry out for more if it reduced the fear

and hatred of race, class, gender and religion that eats away at the American spirit, but, of course, it hasn't.

The introduction of mandatory minimum prison sentences in 1986 was one of the more sinister manifestations of governmental anti-Americanism in this country. When Congress passed the laws that impose statutory mini-

class, the professional informer. In 1989 alone, paid informants received \$63,000,000 and immunity or special consideration for their own crimes.

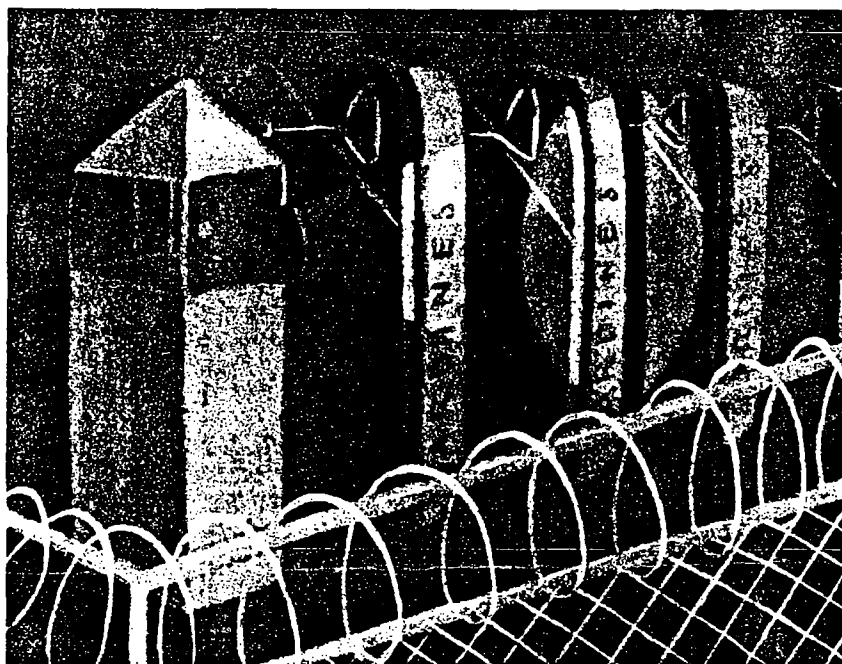
Loren Pogue, a 58-year-old real estate agent, is an example of what this "lock 'em up and throw away the key" policy means. He will spend 27 years in prison because a former business asso-

ciate asked Pogue to help him sell a plot of land on a Costa Rican mountainside to undercover agents who posed as drug smugglers shopping for a place to put an airstrip.

That Pogue had no drug history, that the airstrip was never built and would, even if built, be useless because of its location, played no part in the court's decision. It was enough for the judge to hear that the undercover agents talked of importing a fixed amount of cocaine,

that Pogue was aware of their intention and helped his old pal, a recipient of \$250,000 in government largesse for his information, close the deal to sell the nonexistent airstrip.

Consider that if Loren Pogue lives to serve his 27 years in prison, it will cost the taxpayers \$540,000 in 1992 dollars and far more for the welfare of more than 25 children and foster children he leaves behind. And Pogue is only one of 70,000 federal prison inmates, each of whom costs the government about \$55 a day, or \$20,000 a year. That's an annual total of around \$1.4 billion. In 1995, when the federal inmate population is expected to reach 99,000, it will cost the taxpayers almost \$2 billion.



mums for drug offenses, it simply abandoned the principle that the punishment should fit the crime. With these measures, judges no longer play a role in determining the severity of a sentence. All they do is obey orders. The fundamental rule of mandatory minimums holds that anyone found guilty in a drug case gets a prison sentence for a fixed term without parole, no matter how marginal his involvement and regardless of whether or not he profited from drug deals. Many now go to jail not because they are drug kingpins or even middle-level players or repeat offenders but because their names have been given up by America's newest entrepreneurial

But forget the numbers. Forget that we spend more on enforcement than on education—that California, for example, laid off 10,000 teachers and used the savings to help build more prisons, or that Texas employs four times as many corrections officers now (about 18,000) as it employed ten years ago. Set aside the fact that violent and habitual criminals are released to make room for nonviolent first offenders convicted on marijuana charges. (The average sentence served for murder in the U.S. is six and a half years, while eight years with no possibility of parole is mandatory for the possession of 700 marijuana plants. It doesn't matter if the plants are seedlings or mature—the federal government treats each as a potential kilo of product.)

Let's forget all of that and think about this: Why is the doctrine of mandatory minimum sentencing opposed by the 12 Federal Judicial Conferences, the American Bar Association, the Federal Courts Study Commission, the National Association of Criminal Defense Lawyers and the Criminal Justice Policy Foundation?

Could it be that these groups are in agreement with federal Judge J. Lawrence Irving? He resigned from the U.S. district court in San Diego, saying he could no longer in good conscience impose mandatory minimum sentences. Maybe they concur with Judge William Wilkins, chairman of the U.S. Sentencing Commission, who said, "There is no evidence that mandatory minimums deter crime."

Or are these individuals and organizations just wrong? The government line, as Attorney General William Barr told a meeting of California district attorneys, is that "the choice is clear. More prison space or more crime."

Right now there is only one full-time organization devoted to arousing public awareness of the new laws—Families Against Mandatory Minimums. Its founder, Julie Stewart, began FAMM after her brother was convicted of growing 360 marijuana plants. A man with no criminal record, he got five years with no parole. His two co-defendants, both with prior drug convictions, escaped with probation after informing on him.

Stewart readily concedes that her brother's crime deserved punishment, but one that fit the crime. "He took his chances, he broke the law, he got caught," she says. "But five years without parole? What good does that do anyone?"

She began researching other cases

and discovered that her brother was one of many first-time offenders to fall afoul of mandatory minimums. The more Stewart dug, the more horror stories she unearthed. Here's a sample of cases from FAMM's files, each involving a first-timer:

John R. got 17 years in Florida last year after undercover agents working with indicted drug informants involved him in a deal to supply marijuana that never materialized.

Ken H., 11 years for conspiracy to sell marijuana. No drugs were found on his person or at his home. The two informants against him received two years apiece. During the trial they said they had heard a third person mention Ken's name in connection with a drug deal.

Tim E., ten years for possession of a gun and conspiracy to manufacture

and a half years after he accompanied his son to a marijuana patch under police surveillance. At the sentencing, the judge said he would prefer to take into account Bobby's black-lung disease but the guidelines left him no choice.

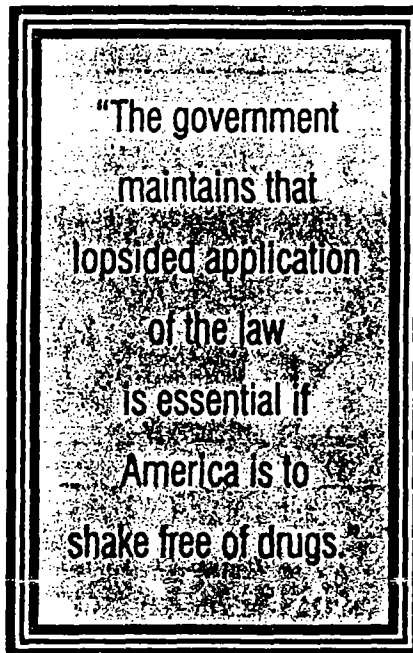
Fifty-two-year-old O. Pound got 20 years for conspiracy to distribute 300 pounds of marijuana. Pound bought the marijuana over a three-year period and was turned in by one of his buyers, a man with a felony record who received immunity and was allowed to keep all his assets despite his confession that he had sold drugs for 15 years. Pound's wife got five years for failing to turn in her husband. The judge said he didn't want to give her the sentence but was obliged to do so by the guidelines.

And one more: Nicholas Bianco of Providence, Rhode Island, described as the "reputed boss of the New England Mafia," was sentenced to 11 years and five months on racketeering charges. An underling received 12 years and seven months for murder. The don got bail and was allowed to spend Christmas with his family. A man from Gloucester, Massachusetts, meanwhile, received 20 years and ten months for growing marijuana. He was carted off to jail from the courtroom as soon as sentence had been imposed. Next time he celebrates Christmas at home with his now four-year-old daughter, she'll be 25.

The government maintains that such lopsided application of the law is essential if America is to shake free of drugs. It is an argument that echoes the claim made by the Army during the Vietnam era that it was necessary to destroy the village of Ben Suc in order to save it. Is this what we want, salvation by destruction? Justice by body count?

We have, almost without being aware of it, built a law-enforcement apparatus that has failed almost totally to deter, prevent or reduce crime. It grows steadily more monolithic with each stroke of the legislative pen, while retreating deeper into isolation from the community it so demonstrably fails to protect or to serve.

Is that what we want? No. We want the punishment to fit the crime, not the crime to meet the marketing agenda of politicians shopping for an extra term. What we want and what we have every right to expect is common sense, logic, integrity and an even-handed observance of the law. As matters stand, we have our criminal justice system. And seldom has there been a more appropriate adjective for U.S. justice than that: criminal.



methamphetamine. He was solicited by undercover DEA agents while buying materials for a student chemistry set in a store owned and operated by the DEA. For three months the agents called him at work, telling him that there was big money to be made with meth. When Tim finally agreed to meet them at their dummy lab site, the agents suggested he bring a gun for his protection. At the lab the DEA gave him a step-by-step course in the manufacture of methamphetamine. According to FAMM's account of the case, Tim was arrested after mixing chemicals. He got an extra five years for having the gun.

Retired coal miner Bobby J. got six

Steve

UNITED STATES SENTENCING COMMISSION
ONE COLUMBUS CIRCLE, NE
SUITE 2-500, SOUTH LOBBY
WASHINGTON, DC 20002-8002
(202) 273-4500
FAX (202) 273-4529



Steve
SEP 23 1993

September 15, 1993

SEP 16 1993

Ms. Alexis M. Herman
Office of Public Liaison
Old Executive Office Building
725 17th Street & Pennsylvania Ave., NW
Washington, DC 20500

Dear Ms. Herman:

Attached is a letter to President Clinton from F. Rick Ferri that was inadvertently forwarded to our office.

Sincerely,

A handwritten signature in cursive script, reading "Michael Courlander".

Michael Courlander
Public Information Specialist

F. Rick Ferri
P.O. Box 1000
Leavenworth, Kansas
66048

April 10, 1993

Mr. William J. Clinton, President,
United States of America
The White House
Washington, D.C. 20500

Mr. President:

The purpose of this letter is to draw your attention to two unpopular subjects (prisoners & their sentences). The first brings to light the impossibility of a government official, who wears two hats, regarding these subjects, from doing justice to either position. The second subject emerges from the injustices that the American Public must burden when the party wearing two hats does a disservice to both positions.

THE UNITED STATES SENTENCING COMMISSION

The U.S. Sentencing Commission is an independent Commission of the Judicial Branch of the U.S. Government. It is composed of nine members, three being active federal judges. Four of the members are selected by this office. The remaining two positions are delegated to the Attorney General and the Chairman of the U.S. Parole Commission. The later two are non-voting members.

The Chairman of the Commission is the Honorable William W. Wilkins, Jr., Judge sitting on the Court of Appeals for the Fourth Circuit. Two other Sentencing Commissioners also are active U.S. District Judges.

The point to be made here is that these three honorable individuals wear two hats. Each position that these individuals hold carries a heavy work load in itself. It's no secret that the federal judiciary is overburdened and cannot manage its present case-load. Today, the federal judiciary processes criminal appeals, no different than the trial courts.

Simply put, could one person do justice to both positions if he were the President of the United States, and the Director of the FBI. This writer thinks not. The second subject of this letter bears this out. But first more on this subject.

In Mistretta v United States, 488 U.S. 361 (1989) the Court held that Sentencing Commissioners (three being active federal judges) did not violate the separation of powers doctrine in the U.S. Constitution, i.e. judges doing the job of legislators by enacting laws regarding sentences.

The next point to be made here is that neither Congress or the Court addressed the point that one man wearing two hats cannot do service to the needs of both positions.

The remedy, without disturbing the present statutes or the Mistretta opinion, is as follows: The three federal judges appointed to the Commission must be retired judges. They need not be elderly retired judges, rather judges who take a leave of absence to serve on the Commission, or judges, who once appointed may retire from the bench, salaries intact, to serve on the Commission.

It is this writers belief that a fresh panel of Commissioners is in order when one reviews the results of rules promulgated by the present Commissioners. (A topic discussed in the second portion of this letter).

This office has the authority to "remove" any member of the Commission "for neglect of duty or malfeasance in office or for other good cause shown" 488 U.S. at 368.

Under the neglect of duty a case can be made that the burden of wearing two hats brings neglect to one or the other of the two positions. The same argument would apply to a removal action under the good cause shown allowance. Another argument could be asserted under the good cause shown that the direction of the present Commissioners is contrary to the policy of this administration. Of course this office has the authority to ask for the Commissioners' resignation so that this administration may implement its policies in view of the apparent failure of the existing guidelines to resolve the prison population problems and reduce the habeas corpus complaints over improper sentences versus the former habeas corpus actions on adverse parole decisions.

This letter has pointed out that the federal courts cannot manage their present case-load. Chief Justice Renquist has been singing this tune for the past four years. When one considers that fact and adds the workload of the Sentencing Commissioner to his duties its obvious one of the positions is being neglected to the public's disadvantage.

This is proven by these facts. In 1984 Congress created the Commission with a mandate to establish the new sentencing guidelines. In 1987, after three years of labor the Commission promulgated a 100 page booklet of sentencing guidelines. Today, six years later the booklet has grown to 600 pages and is still growing. In order to promulgate 500 pages of new guidelines it required a huge effort on the part of the Commission. Despite this huge effort the guidelines are still incompatible. The public, the American Bar Association, the bulk of the federal judiciary, and many prosecutors remained dissatisfied. (*)

Aside from promulgating 500 pages of new sentencing guidelines, the Commission has volumous task of house-keeping chores to fulfill under Congress's mandate. See 488 U.S. at 369, copy attached. See Exhibit 2.

From this brief overview of both positions a factual scenario emerges that both positions carry a heavy burden. That its highly improbable that any one person can do justice to either position when he wears two hats.

We now turn to the injustices that emerge when one official wears two hats, especially when the two positions require the individual to first enact a Rule and later to rule on the application of the Rule to a given case.

(*) Today, the Sentencing Commission has acknowledged that the life long sentences presently being imposed for small time drug offenders is too harsh. A cap of 10 to 13 years with no parole is the more appropriate sentence. Likewise, the Commission admits that to provide for sentencing enhancement by considering charges that the accused was acquitted of, or charges that were dismissed by the Court, or by a plea bargain was improper. Simply put, five years of promulgating rules was all for naught. Back to the two hat theory.

Please take notice of Commissioner Paul H. Robinson's dissent of the guidelines as they were promulgated back in 1987. His dissent is now emerging as totally meritorious. Copy enclosed.

THE INJUSTICE THAT EMERGES WHEN A GOVERNMENT
OFFICIAL WEARS TWO HATS AND THAT AFFECT UPON
TAX PAYING AMERICAN PUBLIC

This writer has the unfortunate infamy of serving seven years in the federal prison system in the 1970's, and now from 1983 through to the present date. He is 60 years old with a wealth of knowledge regarding prisoners, prisons, the former parole statutes, the new sentencing guidelines, and the laws with respect to those subjects.

Today, unlike the 1970 era, I see thousands of young men (18 to 35) sentenced to terms of imprisonment of 40 years and up with no opportunity for early release. They have been sentenced to a de-facto death penalty, for they will never outlive their respective sentences. Most of these prisoners are serving these ungodly terms for minor offenses and government generated crimes. (*)

With no prisoners being released, and all the new prisoners facing life sentences, the federal prison system is 100% over-crowded, and cannot expand its capacity fast enough to accomodate the influx of new prisoners. The federal prison budget once a mere (\$250,000,000) is now exceeding the \$2,500,000,000 figure, all at the public's expense, with no end in sight. (**)

(*) The troubling aspect is that most of these convictions are the result of government generated crime. An undercover agent or informant induces a convicted felon (the easiest prey) to buy drugs or guns. Failing that, to acquire these items for the agents' purchase. The agents then repeat the offense and up the amounts involved so that under the guidelines the accused now qualifies for a life sentence.

(**) See Commissioner Robinson's dissent at page 2. In 1986 (pre sentencing Commission) federal judges sentenced 40,740 offenders. Under today's guidelines 90% of these offenders end up withforever sentences.

Another factor upping the prison population is the Parole Commission's refusal to grant parole to the remaining body of old law federal prisoners (20,000) to ensure their federal longevity.

Thus, the guidelines encourage government agents to generate crimes, and for the agents to compound the offense so that life sentences under the guidelines is mandatory. With 114,000,000 million Americans having a prior conviction, the guidelines do not encourage police to investigate existing crimes, rather, its much easier to obtain an arrest and conviction by preying on individuals with Felony convictions. Under that theory the accused cannot testify in his own behalf lest his conviction be introduced against him, and an entrapment defense is negated by his prior conviction (often a minor marijuana offense) which off sets a predisposition defense.

(We are not fighting a drug war, we are encouraging it under the present format of awarding police agencies huge budgets to generate offenses to ensure the officer's, the prosecutor's, and the police department more funding)

Therefore, had the Sentencing Commissioners been focusing their talents to the Sentencing Guidelines matters, and the inequities that have resulted thereto, rather than worrying about wearing two hats, the dissatisfaction with the guidelines, the overburdened prison population, etc., problems would have been resolved as they emerged. However, they have not, nor will they be erased under the present two hat employment status. (*)

A fresh panel of Sentencing Commissioners devoted solely to the task of ensuing that the Sentencing Guidelines perform their expected Congressional Mandate may yet salvage the Sentencing Guidelines, lest the public clamor (and the courts, the defense bar, and the prosecutors) to do away with them becomes the law. What needs to be accomplished is a much simpler guideline format with bright lines rules. Taking a sentence out of the initial set of guidelines ought to be the exception not the rule.

Today the guidelines are a labyrinth of conflicting rules (600 pages) that try to set a formula for every conceivable offense and an accused's propensities and characteristics. That precise theory brought about the demise of the U.S. Parole Commission, when the Courts complained that they were deluged with a 1,000 habeas corpus parole complaints a year. Today, every federal sentence is either appealed or results in a habeas corpus action. The results dwarf the former parole problems.

(*) When a state agent arrest an individual with a prior conviction for the simple possession of a firearm or the possession of a small amount of drugs, the case is picked up by a federal prosecutor so that under the guidelines a life sentence may be imposed. Many Federal U.S. Attorneys, and ATF officers, have made it a policy to solicit such cases by distributing memorandums to the state agencies.

This letter is not to infer that criminals should go unpunished or receive slaps on the wrists for serious offenses. Rather, the purposes of this letter is to demonstrate that the present Sentencing Commissioners cannot do justice to the needs of the Sentencing Commission as mandated by Congress, when they wear two hats.

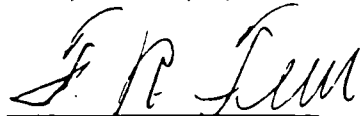
What is needed is a fresh panel of Commissioners who are not obligated to a primary job, filling the role of a Commissioner in his spare time. The new panel must focus on a simple format that takes into consideration the convicted party's prior criminal conviction record, his propensities and characteristics matched on a matrix with respect to the offense for which the party is convicted of. The basis to go outside the guidelines must be the rare exception. (*)

This was accomplished back in 1987 when the Commission implemented the original sentencing table. See attached Sentencing Table. Exhibit 1.

Promulgating over 600 Rules to go outside the guidelines has brought about chaos. Of course there will be the exceptional wind-fall under a simple format, but its better that the system produce the rare wind-fall that entertain the chaos that exists today.

Trusting that I have explained the subjects that I believe need to be addressed I make myself available if the need arises.

Very truly yours,

A handwritten signature in cursive script, appearing to read "F. R. Ferri", written in dark ink.

F. Rick Ferri

(*) See Exhibit 3, an Article in the National Law Journal, where the Federal Appellate Judiciary decries the work load that the new Sentencing Guidelines has placed upon them. In 4 years over 23,000 apeals involving guideline sentences, and still growing.

MISTRETTA v UNITED STATES
(1989) 488 US 361, 102 L Ed 2d 714, 109 S Ct 647

mission has to promulgate determinative-sentence guidelines, it is under an obligation periodically to "review and revise" the guidelines. § 994(o). It is to "consult with authorities on, and individual and institutional representatives of, various aspects of the Federal criminal justice system." Ibid. It must report to Congress "any amendments of the guidelines." § 994(p). It is to make recommendations to Congress whether the grades or maximum penalties should be modified. § 994(r). It must submit to Congress at least annually an analysis of the operation of the guidelines. § 994(w). It is to issue "general policy statements" regarding their application. § 994(a)(2). And it has the power to "establish general policies . . . as are necessary to carry out the purposes" of the legislation, § 995(a)(1); to "monitor the performance of probation officers" with respect to the guidelines, § 995(a)(9); to "devise and conduct periodic training programs of instruction in sentencing techniques for judicial and probation personnel" and others, § 995(a)(18); and to "perform such other functions as are required to permit Federal courts to meet their responsibilities" as to sentencing, § 995(a)(22).

We note, in passing, that the monitoring function is not without its burden. Every year, with respect to each of more than 40,000 sentences, the federal courts must forward, and the Commission must review, the presentence report,

[488 US 370]

the guideline worksheets, the tribunal's sentencing statement, and any written plea agreement.

5. Petitioner's claims were identical to those raised by defendants in other cases in the Western District of Missouri. Argument

II

This Litigation

On December 10, 1987, John M. Mistretta (petitioner) and another were indicted in the United States District Court for the Western District of Missouri on three counts centering in a cocaine sale. See App to Pet for Cert in No. 87-1904, p 16a. Mistretta moved to have the promulgated Guidelines ruled unconstitutional on the grounds that the Sentencing Commission was constituted in violation of the established doctrine of separation of powers, and that Congress delegated excessive authority to the Commission to structure the Guidelines. As has been noted, the District Court was not persuaded by these contentions.⁵

The District Court rejected petitioner's delegation argument on the ground that, despite the language of the statute, the Sentencing Commission "should be judicially characterized as having Executive Branch status," 682 F Supp, at 1035, and that the Guidelines are similar to substantive rules promulgated by other agencies. Id., at 1034-1035. The court also rejected petitioner's claim that the Act is unconstitutional because it requires Article III federal judges to serve on the Commission. Id., at 1035. The court stated, however, that its opinion "does not imply that I have no serious doubts about some parts of the Sentencing Guidelines and the legality of their anticipated operation." Ibid.

Petitioner then pleaded guilty to the first count of his indictment (conspiracy and agreement to dis-

on petitioner's motion was presented to a panel of sentencing judges. The result is described in n 2, supra.

Exhibit 1

Commission to devise guidelines to be used for sentencing, and prospectively abolishing the Parole Commission. 28 USC §§ 991, 994, and 995(a) (1) [28 USCS §§ 991, 994, and 995(a) (1)].

3. It makes all sentences basically determinate. A prisoner is to be released at the completion of his sentence reduced only by any credit earned by good behavior while in custody. 18 USC §§ 3624(a) and (b) [18 USCS §§ 3624(a) and (b)].

4. It makes the Sentencing Commission's guidelines binding on the courts, although it preserves for the judge the discretion to depart from the guideline applicable to a particular case if the judge finds an aggravating or mitigating factor present that the Commission did not adequately consider when formulating guidelines. §§ 3553(a) and (b). The Act also requires the court to state its reasons for the sentence

[488 US 368]

imposed and to give "the specific reason" for imposing a sentence different from that described in the guideline. § 3553(c).

5. It authorizes limited appellate review of the sentence. It permits a defendant to appeal a sentence that is above the defined range, and it permits the Government to appeal a sentence that is below that range. It also permits either side to appeal an incorrect application of the guideline. §§ 3742(a) and (b).

Thus, guidelines were meant to establish a range of determinate sentences for categories of offenses and defendants according to various specified factors, "among others." 28

4. Until the Parole Commission ceases to exist in 1992, as provided by §§ 218(a)(5) and 235(a)(1) of the Act. 98 Stat 2027 and 2031,

USC §§ 994(b), (c), and (d) [28 USCS §§ 994(b), (c), and (d)]. The maximum of the range ordinarily may not exceed the minimum by more than the greater of 25% of six months, and each sentence is to be within the limit provided by existing law. §§ 994(a) and (b)(2).

C

The Sentencing Commission

The Commission is established "as an independent commission in the judicial branch of the United States." § 991(a). It has seven voting members (one of whom is the Chairman) appointed by the President "by and with the advice and consent of the Senate." "At least three of the members shall be Federal judges selected after considering a list of six judges recommended to the President by the Judicial Conference of the United States." Ibid. No more than four members of the Commission shall be members of the same political party. The Attorney General, or his designee, is an ex officio nonvoting member. The Chairman and other members of the Commission are subject to removal by the President "only for neglect of duty or malfeasance in office or for other good cause shown." Ibid. Except for initial staggering of terms,

[488 US 369]

a voting member serves for six years and may not serve more than two full terms. §§ 992(a) and (b).⁴

D

The Responsibilities of the Commission

In addition to the duty the Com-

the Chairman of that Commission serves as an ex officio nonvoting member of the Sentencing Commission. § 235(b)(5), 98 Stat 2033.

GUIDELINES

SENTENCING TABLE Criminal History Category

Offense Level	I 0 or 1	II 2 or 3	III 4, 5, 6	IV 7, 8, 9	V 10, 11, 12	VI 13 or more
1	0 - 1	0 - 2	0 - 3	0 - 4	0 - 5	0 - 6
2	0 - 2	0 - 3	0 - 4	0 - 5	0 - 6	1 - 7
3	0 - 3	0 - 4	0 - 5	0 - 6	2 - 8	3 - 9
4	0 - 4	0 - 5	0 - 6	2 - 8	4 - 10	6 - 12
5	0 - 5	0 - 6	1 - 7	4 - 10	6 - 12	9 - 15
6	0 - 6	1 - 7	2 - 8	6 - 12	9 - 15	12 - 18
7	1 - 7	2 - 8	4 - 10	8 - 14	12 - 18	15 - 21
8	2 - 8	4 - 10	6 - 12	10 - 16	15 - 21	18 - 24
9	4 - 10	6 - 12	8 - 14	12 - 18	18 - 24	21 - 27
10	6 - 12	8 - 14	10 - 16	15 - 21	21 - 27	24 - 30
11	8 - 14	10 - 16	12 - 18	18 - 24	24 - 30	27 - 33
12	10 - 16	12 - 18	15 - 21	21 - 27	27 - 33	30 - 37
13	12 - 18	15 - 21	18 - 24	24 - 30	30 - 37	33 - 41
14	15 - 21	18 - 24	21 - 27	27 - 33	33 - 41	37 - 46
15	18 - 24	21 - 27	24 - 30	30 - 37	37 - 46	41 - 51
16	21 - 27	24 - 30	27 - 33	33 - 41	41 - 51	46 - 57
17	24 - 30	27 - 33	30 - 37	37 - 46	46 - 57	51 - 63
18	27 - 33	30 - 37	33 - 41	41 - 51	51 - 63	57 - 71
19	30 - 37	33 - 41	37 - 46	46 - 57	57 - 71	63 - 78
20	33 - 41	37 - 46	41 - 51	51 - 63	63 - 78	70 - 87
21	37 - 46	41 - 51	46 - 57	57 - 71	70 - 87	77 - 96
22	41 - 51	46 - 57	51 - 63	63 - 78	77 - 96	84 - 105
23	46 - 57	51 - 63	57 - 71	70 - 87	84 - 105	92 - 115
24	51 - 63	57 - 71	63 - 78	77 - 96	92 - 115	100 - 125
25	57 - 71	63 - 78	70 - 87	84 - 105	100 - 125	110 - 137
26	63 - 78	70 - 87	78 - 97	92 - 115	110 - 137	120 - 150
27	70 - 87	78 - 97	87 - 108	100 - 125	120 - 150	130 - 162
28	78 - 97	87 - 108	97 - 121	110 - 137	130 - 162	140 - 175
29	87 - 108	97 - 121	108 - 135	121 - 151	140 - 175	151 - 188
30	97 - 121	108 - 135	121 - 151	135 - 168	151 - 188	168 - 210
31	108 - 135	121 - 151	135 - 168	151 - 188	168 - 210	188 - 235
32	121 - 151	135 - 168	151 - 188	168 - 210	188 - 235	210 - 262
33	135 - 168	151 - 188	168 - 210	188 - 235	210 - 262	235 - 293
34	151 - 188	168 - 210	188 - 235	210 - 262	235 - 293	262 - 327
35	168 - 210	188 - 235	210 - 262	235 - 293	262 - 327	292 - 365
36	188 - 235	210 - 262	235 - 293	262 - 327	292 - 365	324 - 405
37	210 - 262	235 - 293	262 - 327	292 - 365	324 - 405	360 - life
38	235 - 293	262 - 327	292 - 365	324 - 405	360 - life	360 - life
39	262 - 327	292 - 365	324 - 405	360 - life	360 - life	360 - life
40	292 - 365	324 - 405	360 - life	360 - life	360 - life	360 - life
41	324 - 405	360 - life	360 - life	360 - life	360 - life	360 - life
42	360 - life	360 - life	360 - life	360 - life	360 - life	360 - life
43	life	life	life	life	life	life

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Sentencing Overload Hits The Circuits

Appellate judges stagger under
guidelines-generated appeals.

BY CRIS CARMODY

National Law Journal Staff Reporter

WASHINGTON — A glut of appeals generated by the recent revolution in sentencing has thrust the nation's federal appellate courts into circuit overload.

Watching these courts digest the fallout from the 1987 Federal Sentencing Guidelines is like watching a python try to swallow a pig, say judges, practitioners and others.

Between 1988 and 1992, clerks in 11 federal circuits docketed 23,000 appeals involving the guidelines, according to the Administrative Office of the U.S. Courts — roughly 128 per appellate judge.

Before the guidelines were enacted, sentences were generally unappealable. Now simple sentence appeals constitute nearly one-quarter of the criminal appeals docket in some circuits, and combined appeals of sentence and conviction constitute another quarter.

The sentencing revolution, experts agree, is ongoing. But a few trends — some disturbing to defense lawyers and others worrisome to judges — are emerging at the appellate level: Although a number of sentencing issues remain unresolved, case law so far is showing a pro-government tilt. Judges find it difficult to depart downward from sentences imposed by the guidelines, but easier to depart upward, increasing a sentence's severity.

Conflicts within and between circuits, many of which take years to sort out, create a high learning curve for practitioners and judges and make it difficult for all to keep current. The federal bench, strain-

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Sentencing Appeals Clog Appeals Courts

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ing under the sentencing workload and other pressures, is looking for additional brainpower and a re-evaluation of the entire federal sentencing scheme.

"You cannot put in place a revolution in the way sentences are imposed, and also provide appellate review, without making it very difficult for the courts to swallow," says Asst. U.S. Attorney William G. Otis, a liaison from the Alexandria, Va., federal prosecutor's office to the Attorney General's Advisory Subcommittee on the Sentencing Guidelines.

Facing the Flood

Under the guidelines, federal trial judges determine sentences by cross-referencing a defendant's offense level — the seriousness of the crime — with his or her criminal history. They can add to or subtract from the fixed sentence if exceptional circumstances laid out in the guidelines exist, for instance, if the defendant provides substantial assistance to the government, or accepts responsibility for the offense. Judges must explain the circumstances that prompt them to depart from the grid.



Sentencing Commission chairman William W. Wilkins Jr. says the added burden on the courts won't last.

Parties can appeal if they think a sentence was imposed in violation of the law or was based on an incorrect application of the guidelines. They also can appeal if they think a departure from the guidelines — up or down — was unwarranted.

So appeals judges suddenly are facing a flood of new cases, and are literally learning on the job. "Many courts of appeals judges had no experience in this sentencing area," says Barbara Meyernoffer, who is researching the circuit overload for the Federal Judicial Center.

Some in the trenches predict it will take years to thrash out guidelines case law in the appeals courts. "It hasn't died down at all. I think it's going to be around for a long, long time," says 3d U.S. Circuit Court of Appeals Judge Edward Becker.

The numbers back him up. In 1988, fewer than 200 guidelines appeals trickled into the system. By 1992, the trickle had become a flood: circuits docketed 7,832 appeals involving guidelines sentences that year, according to statistics from the Administrative Office of the U.S. Courts.

Since then, however, appeals have climbed at a continually slower rate, according to statistics. Simple sentencing appeals leaped an astronomical 1,212 percent from 1988 to 1989, the first full year of the guidelines. Last year, they increased only 21 percent.

Which comes as no surprise to U.S. Sentencing Commission Chairman William W. Wilkins Jr., who also sits on the 5th Circuit bench. "This surge did produce an added burden on [the] court's resources, but I don't think it's there to stay." He urges critics to put the sentencing overload into perspective. "The sheer number of cases is increasing. The population is growing,

there's more emphasis on law enforcement, more cases are prosecuted. It's all part of the litigation explosion."

And he points out that as circuit rulings start to cool the hottest guidelines issues, not every appeal will take a lot of time.

Good for Government

Several experts say the smoke is already starting to clear, and what is emerging is a slightly pro-government picture that narrows the avenues trial judges can take to arrive at a reduced sentence. "The feel you get is that the courts of appeals are saying it's hard to depart downward, but not so hard to

The bench, straining under the workload and other big pressures, is looking to re-evaluate the sentencing scheme.

depart upward," concluded Ms. Meyernoffer.

According to the Sentencing Commission, appeals courts from 1988 to 1991 approved 33 factors the government can use to argue for upward departure, but only 19 factors defendants can use to justify a downward departure. The circuits rejected 32 proposed factors to reduce sentences, while rejecting 25 factors proposed to add to them.

One of the most appealed issues has been how drug and alcohol abuse should be weighed in the guidelines. Three circuits have specifically held drug rehabilitation does not merit a reduced sentence. But two other circuits have said such efforts by defendants do justify shaving sentences.

Nearly half the circuits have ruled that post-arrest rehabilitation, commonly used to argue for lenience in the pre-guidelines era, doesn't merit a downward departure. The disparity between co-defendants was also a popular defense argument for downward departures until eight circuits rejected it and only two affirmed it.

The defense bar also tried to establish that a defendant's clean prior record could justify a downward departure, but three circuits rejected that argument. At the same time, five circuits have affirmed the practice of weighing a defendant's prior prison time. Four have said a defendant who commits a crime while awaiting sentence could get additional time. Another trend is to affirm upward departures for defendants who cause extreme psychological injuries to their victims.

Still Fluid

But some issues are still up for grabs. In narcotics cases, for instance, the 5th Circuit in 1989 ruled that the low purity of drugs involved in an of-



Judy Clarke says it's almost impossible for practitioners to keep up with changes in the guidelines.



The 7th Circuit's executive, Collins T. Fitzpatrick, says when the court workload increases, results can become 'sloppy.'

ense doesn't merit a downward departure. But the 1st, 3d and 6th circuits have held that high drug purity does merit an upward departure, while the 2d and 9th circuits have ruled that it does not.

The circuits are also at odds over whether judges can weigh criminal conduct of which the defendant has been acquitted. The 2d, 4th and 5th circuits say yes; the 9th Circuit says no.

And some courts are still sympathetic to factors the Sentencing Commission initially called "not ordinarily relevant" to the sentencing process. For instance, a 2d Circuit panel ruled that a bisexual defendant's fragile appearance, which had already led to sexual harassment in prison, justified a downward departure. *U.S. v. Lara*, 105 F.2d 599 (1990).

"This is going to lead to all kinds of disputes, and it's not just the government that has the potential to get hurt here," said the federal prosecutor, Mr. Otis.

The Best Defense

Some experts say defense lawyers strike out so often because they're constantly at bat.

Defense lawyers file 26 times as many sentencing appeals as prosecutors, according to a U.S. Sentencing Commission study, but their victories are relatively few. The government wins 40 percent of its sentencing appeals, compared to only 6 percent for defense lawyers, the study found.

The lopsided results reflect an institutional disparity: defendants have a wide latitude on their ability to appeal sentences, but federal prosecutors must jump a series of hurdles set first by their immediate supervisors, then by the Justice Department and the solicitor general's office.

"Defendants represented by taxpayer-paid counsel are still appealing because there's very little disincentive to appeal," says U.S. Sentencing Commission General Counsel John R. Steer. Particularly if they're going to be appealing the conviction, they may as well add in an appeal of sentence."

One factor government lawyers consider before filing sentencing appeals is the risk of setting a bad precedent, says Mr. Otis. "If you get a bad sentence from a particular district judge, well, there you are. But if you appeal, and the reasons that judge uses are endorsed by the circuit, you've just set a precedent that's going to make your life difficult."

Also, because the Justice Department lobbied for the guidelines, it is reluctant to ask for exceptions to the rules. The government usually will not appeal a sentence based on the judge's interpretation of the facts, or one that deviates only slightly from a target sentence, Mr. Otis says. In fact, he adds, sentencing judges frequently fall as many as 10 months short of the government's target sentences without prompting an appeal. In contrast, defense lawyers frequently appeal to win even a 10th of what their opponents are willing to sacrifice.

"Even if it's just a month's difference in his sentence, to me, the agony is for the defendant and the defense lawyer," explains Judy Clarke, executive director of Federal Defenders of Eastern Washington.

No matter how the law evolves, lawyers continue to debate how the Sen-

tencing Reform Act has changed their day-to-day responsibilities.

"There's clearly an increase in the workload, and though I downplay the difficulty of [the appeals], you still need three judges to look these over carefully," explains Collins Fitzpatrick, 7th Circuit executive. As in any other job, he says, when the workload increases the results can become "sloppy."

Others say intracircuit conflicts, combined with annual guidelines amendments, make it almost impossible to keep up.

"You cannot, I don't care how diligent you are, keep current," declares Ms. Clarke. "There have been eight different versions of the guidelines manual, 473 amendments, 3,000 published opinions. How can you as a practitioner keep up?"

One judge counters that the learning curve, for jurists and practitioners, is simply an occupational hazard when you're dealing with a new body of law. "This is rather a unique area because Congress did not contemplate certainty. They contemplated fluidity," observes Judge Becker. "The first set of guidelines would deal with the heartland, and the guidelines would be revised and changed. I agree it's not desirable, but it's necessary."

What Judge Becker calls fluidity, others call chaos.

"What the appellate courts are struggling with is that the commission is so vague on so many of these things," complains Nancy Murningham, a federal defender in Chicago who specializes in sentencing appeals. "The appellate courts struggle, and they come up with what they think is an



Defender Nancy Murningham says appeals courts are struggling with the Sentencing Commission's vagueness.

appropriate interpretation and it isn't. The work it takes to get these guys to say 'We were wrong,' and reverse, well, basically, you have to get them to have an en banc [hearing] and it's a real hurdle."

'Insane, Complicated'

But the commission is sensitive to complaints. For the first time in five years, the list of proposed guidelines amendments the commission circulated this January includes about 40 suggestions from interest groups such as defense lawyers, prosecutors, federal judges and others.

Meanwhile, the mushrooming caseload, both in sentencing and other areas, has revitalized proposals to beef up the appellate bench. The Judicial Conference of the United States has requested an additional 25 judgeships nationally, and next month will vote on a proposal to add 10 judges to the 9th Circuit. One appeals judge in Los Angeles has proposed doubling the size of the appellate bench.

Others are agitating for a wholesale re-evaluation of sentencing practice. One bill now in Congress would eliminate mandatory minimum sentences, and Chief Justice William H. Rehnquist has said of the guidelines, "We now have sufficient experience to revisit [this] issue and make necessary adjustments."

"We should start over," says Ms. Clarke. "These guidelines are crazy. I don't understand how they came out with this tight little grid. Several states had good models of guidelines, but the commission produced this incredibly insane, complicated system."