

TALKING POINTS ON AIMEE'S LAW

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The purpose of Aimee's Law is laudable -- to encourage states to keep dangerous convicts in prison for the entire term to which they were sentenced. The bill is named after a little girl who was raped and murdered by a sex offender who obviously should have been kept in prison.

Unfortunately, H.R. 894 is a poorly crafted piece of legislation that will not accomplish the goal of keeping dangerous convicts away from innocent children like Aimee Willard. In fact, the bill would punish the states that, arguably, need the most help, by severely cutting their crime prevention and law enforcement funding.

The penalty provisions of the bill come into play when a state convicts a person of murder, rape, or a dangerous sexual offense, who has already been convicted of a similar offense in a prior state. Under these circumstances, the U.S. Attorney General would be required to transfer a portion of the "prior state's" federal law enforcement assistance funds to the second state that convicts the offender. Thus, the bill would "punish" the first state by withholding a portion of its vitally needed federal law enforcement funding, and "reward" the second state by awarding it with additional federal funding. If this *sounds* complicated, just image a federal agency *actually* trying to administer such a provision across all 50 states and territories.

Traditionally, Congress has given states maximum freedom to assess their own public safety needs and formulate their own crime prevention and crime fighting strategies. This is a philosophy that is supported by both sides of the aisle -- because it works. Aimee's law, however, puts the federal government back in control. Under its provisions, the Justice Department would be required to cut funds to some states and increase funds to others. Instead of sending federal funds directly to the states to use on crime fighting programs, more funds would have been dedicated to tracking criminal cases nationwide, notifying states of impending cuts, conducting hearings for states whose funds have been cut, and re-administering the funds.

The impact of such cuts on state and local law enforcement and crime prevention programs would be random, chaotic, and negative -- making it difficult, if not impossible, for states and localities to do long-term planning -- and potentially undermining much of the good work that states and localities have been doing to reduce crime and increase public safety. Finally, the cost of administering Aimee's Law would be significant -- at both the state and federal levels.

We should continue to support funding for state and local law enforcement initiatives and we should continue to work on sentencing reform legislation to ensure that dangerous offenders -- especially those who prey on children -- are punished to the full extent of the law. Although well-intentioned, Aimee's Law is likely to do more harm than good.