

**MEETING WITH LAW ENFORCEMENT REPRESENTATIVES
ROOSEVELT ROOM
12:00 Noon – 1:00 PM**

THURSDAY, JUNE 29, 2000

PURPOSE:

Today you will meet with representatives from the national law enforcement organizations to thank them for their past support and stress the importance of COPS reauthorization and other FY 01 law enforcement related funding priorities.

ATTENDEES:

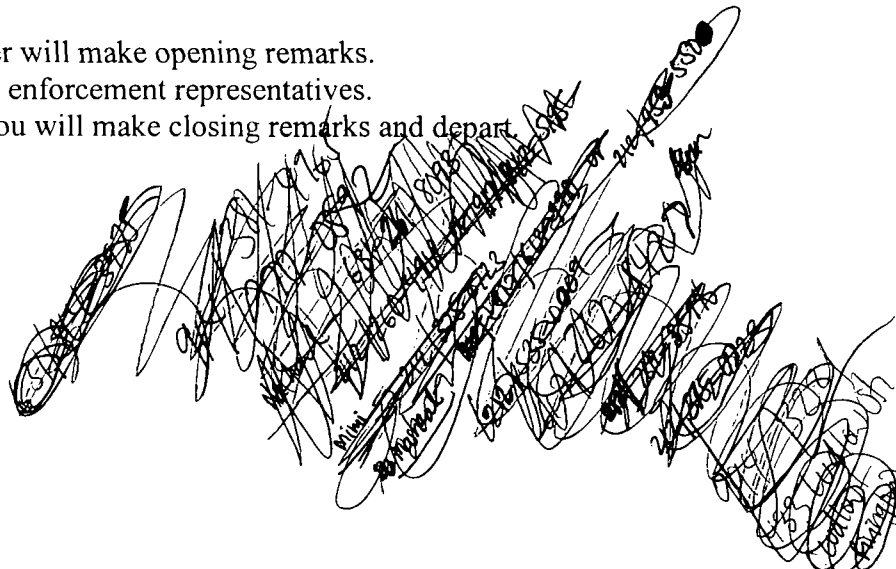
John Podesta
Bruce Reed
Mary Beth Cahill
Charles Burson
Eric Holder, Deputy Attorney General
Daniel Marcus, Acting Assistant Attorney General
Thomas Frazier, Director of the COPS Program
Brian Moskowitz, Legislative Director, Federal Law Enforcement Officers Association (FLEOA)
Jim Pasco, Executive Director, Fraternal Order of Police (FOP)
Dan Rosenblatt, Executive Director, International Association of Chiefs of Police (IACP)
Mike Robinson, President (and Director of the Michigan State Police), International Association of Chiefs of Police (IACP)
Chris Donnellan, Legislative Director, International Brotherhood of Police Officers (IBPO)
Sam Cabral, President, International Union of Police Associations (IUPA)
Mark Spurrier, General Counsel, Major Cities Chiefs (MCC)
(Tentative) Mike Canning/ Johnny Hughes, National Trooper Coalition (NTC)
Bob Scully, Executive Director, National Association of Police Organizations (NAPO)
Newman Flanagan, Executive Director, National District Attorneys Association (NDAA)
Chester White, Communications Director, National Organization of Black Law Enforcement Executives (NOBLE)
Dean Keuter, Legislative Director, National Sheriff's Association (NSA)
Martha Plotkin, Communications Director, Police Executive Research Forum (PERF)
Chief Edward Flynn, Legislative Chair (and PERF Board Member), Police Executive Research Forum (PERF)
Chief Jerry Oliver (Richmond, VA), Police Foundation

SEQUENCE OF EVENTS:

- You will make welcoming remarks.
- Deputy Attorney General Eric Holder will make opening remarks.
- You will initiate discussion with law enforcement representatives.
- Upon conclusion of the discussion you will make closing remarks and depart.

ATTACHMENTS:

- Talking Points
- Additional Guidance



Talking Points for Meeting with Law Enforcement

June 29, 2000

Background: The national law enforcement organizations attending today's meeting were critical in helping to enact the COPS program and have defended the COPS program during numerous Congressional oversight hearings and budget battles. You met with this group last November to swear in the current COPS Director, Tom Frazier, and to strategize about adequate FY 2000 funding for the COPS Program. Shortly after the meeting, the Administration was able to secure over \$900 million of its \$1.27 billion request for COPS.

During the last meeting, you and the Attorney General committed to maintain an ongoing dialogue with the group on COPS reauthorization and funding for the program. Today's meeting is an important opportunity to stress the importance of reauthorizing the COPS program (now called the "21st Century Law Enforcement Initiative"), ensuring full FY 01 funding for the initiative, and reassuring the group that the door is open to them on issues of concern to law enforcement.

Welcome/Opening

- I want to start by thanking you once again for standing with the President on so many issues of importance to law enforcement and public safety-- including the COPS Program. Because of our partnership, we have built the most successful federal program to assist local law enforcement ever. It is an accomplishment that we share with all of you.
- In just six years, we've given over 12,000 law enforcement agencies \$6.6 billion in COPS grants to fund 104,000 more community police officers for our streets and to advance community policing. More than 60,000 of these officers are already on the beat, working with their communities to fight crime.
- Before we begin, I hope you will be pleased to know that the President today will be signing an Executive Order to create a new Medal of Valor for uncommon valor by public safety officers. Since legislation to create the Medal has remained stalled in the Congress, during Police Week of this year, the President directed the Attorney General to develop a plan to create the Medal. We will have copies of the Executive Order for all of you.

FY 01 Budget

- With your help and help from others who strongly support the President's 21st Century Policing Initiative, last year we were able to more than double the final amount of FY 2000 funding we got for this important initiative.
- I'm glad that we are here today to talk about COPS even earlier this year. As you know, the FY 01 House Commerce, Justice, State Appropriations bill passed the House on Monday. The bill's serious underfunding of our COPS Initiative is one of the key reasons why the President's advisers have recommended a veto on the House-passed bill.

- The House appropriations bill would jeopardize our ability to fund up to 50,000 more officers by FY 2005, provide new crime-fighting and crime-solving technology for law enforcement, and fund community and gun prosecutors. Specifically, the House-passed bill would fund 1,000-2,000 fewer officers in FY 2001. At this level, we would only reach about 33,000 to 36,000 officers by FY 2005 -- well below the President's goal of 50,000 officers.
- Moreover, the House bill contains problematic earmarks of \$150 million in unobligated balances which it designates for other important COPS-related programs, such as grants for police vests, Police Corps and law enforcement technology. The problem is that DOJ predicts that due to strong demand to hire more officers, there will not be any unobligated balances in FY 2000 -- placing funding for all of these core programs at serious risk.
- We still have many opportunities to help ensure full funding for the COPS program -- at the Senate Appropriations Committee, the Senate floor, and during conference. As you all recall, last year Subcommittee Chairman Gregg zeroed out the COPS program. I think it is important for us to signal the priority we all place on this program at every possible stage.
- What I would like to do now is to hear from you on what more all of us can do to send the message out to Congress and the American people to ensure full funding for COPS.

COPS Reauthorization

- In addition to making sure our COPS program is fully funded in the FY 2001 budget, it is absolutely essential that we extend this key program into the 21st Century. As you all know, the COPS program is set to expire on October 1, 2000. Reauthorization of COPS, along with the Violence Against Women Act and the Violent Crime Reduction Trust Fund ("VCRTF"), are top priorities of the President.
- I would like to specifically thank all of you for your input on the importance of renewing the Violent Crime Reduction Trust Fund. As you all know, the Vice President recently announced the Administration's strong support for reauthorizing the VCRTF thanks in part to feedback we received from you.
- Last year, we unveiled our COPS reauthorization proposal. Our proposal authorizes the program at \$1.3 billion per year for five years, provides for more police hiring, new funds for law enforcement technology, crime prevention, and state and local prosecutors.
- As you know, the Republican leadership has not been helpful to date in funding and extending the COPS program. We have heard that certain House Republicans may move a COPS reauthorization bill, but have yet to see anything introduced. While we support making the program more flexible, we don't want to make COPS a block grant with hiring as an afterthought. As we've seen in recent months, demand for COPS hiring remains strong.

- We have been working closely with Senator Biden, our bill's lead sponsor, to strategize on reauthorization. Senator Biden is considering offering COPS reauthorization onto the Senate CJS bill as a floor amendment. We support his efforts.
- I would like to open up the discussion to see if others here have suggestions on how we can help get the Republican leadership to act on the Biden/Weiner reauthorization bill.

Closing

- I want to thank you all for coming today. Funding and reauthorization for COPS is a priority for all of us. Opponents have tried to make this a partisan battle, but we know that it shouldn't be. We know – and you know – that this program works.
- I want to close by saying that while the COPS battle is important, we still have much work ahead of us in remaining months to help keep our communities safe. Please know that our door is always open to you and that addressing the concerns of the law enforcement community will remain a top priority for all of us in the White House and Administration.

Guidance and Background on Other Law Enforcement Issues

Dickerson v. United States

Background: On Monday, in a 7 to 2 opinion written by Chief Justice William H. Rehnquist, the U.S. Supreme Court ruled that the requirement that criminal suspects be read their “Miranda rights” is rooted in the Constitution and cannot be overturned by an act of Congress. The U.S. Department of Justice weighed in to defend the requirement to give “Miranda rights” rather than a 1968 law passed by Congress intending to overturn the Miranda decision. However, most law enforcement groups oppose the Administration's position on this issue.

Q: Doesn't the *Dickerson* decision represent a lost opportunity for law enforcement? Wouldn't this decision essentially allow criminals to go free?

A: As Chief Justice Rehnquist stated in his opinion, "Miranda has become embedded in routine police practice to the point where the warnings have become part of our national culture." For over 30 years, Miranda set out clear standards for police officers, helped get confessions admitted into evidence, and ensured the credibility of confessions in the eyes of jurors. Moreover, we also believe that Miranda warnings will also continue to provide a public sense of fairness in our criminal justice system.

FAA Carriage of Weapons Task Force

Some police organizations had expressed concern about the Federal Aviation Administration's (FAA) recent announcements to limit law enforcement from bringing their firearms onto planes. Instead of restricting certain law enforcement from carrying guns onto planes entirely, the FAA Carriage of Weapons Task Force is currently working with the Secret Service to come up with a counterfeit-proof credentialing system for law enforcement to verify law enforcement before they board planes or enter sterile areas. The Task Force has created a small working group consisting of the FAA, Secret Service, FBI, and representatives from the state and local law enforcement groups to work on implementation of a “smart card” system.

Q: Is the FAA planning to implement the 24 hour/7day-a-week telephone verification system for law enforcement traveling with weapons?

A: No, the FAA does not plan to employ the telephone verification system as they are moving forward with this new smart card technology.

Q: Does the Administration support this proposed smart card credentialing system?

A: The Administration is supportive of the FAA's efforts to create a counterfeit-proof credentialing system for all law enforcement, Federal, state, and local, traveling with weapons.

Q: How long will it be before this new technology can be implemented?

A: The FAA estimates this new technology would take between 6 months and one year to implement.

Gun Enforcement Budget

On Monday, the House of Representatives passed a Commerce, Justice, State Appropriations bill which failed to fund critical components of the President's National Gun Enforcement Initiative. Specifically, the House failed to provide \$150 million to hire 1,000 additional state and local gun prosecutors, \$10 million to support local media campaigns on gun violence and gun safety; and \$10 million for the expansion, testing, and replication of smart-gun technology. Senate action on this bill is not expected until after the July 4th recess. [Note: The \$150 million for state and local gun prosecutors is part of the \$200 million requested for community/gun prosecutors in the 21st Century Policing Initiative.]

Collective bargaining

Law enforcement groups are split on S. 1016 - Public Safety Employer-Employee Cooperation Act of 1999 (Collective Bargaining): labor favors and management opposes. The bill would provide collective bargaining rights for public safety officers employed by States or their political subdivisions. This bill was introduced in the Senate on May 12, 1999 and was referred to Committee. There has been no movement on this bill in the Senate since May 12, 1999. Senator DeWine, sponsor of the bill, has requested a hearing but no date has been set. The House held a hearing on this bill on May 9, 2000. It is extremely unlikely that such legislation would pass this year.

Q: What is the Administration's position on S. 1016 (Collective Bargaining)?

A: The Administration does not have an official position on this bill. But we hope to work with both labor and management on this important issue as the legislation progresses in the Congress.

① — Strategy

② — I was thinking — maybe
go on checking FCC'S
if we have license (Internet gunshow)
They are some statutory authority?
already checking regulatory
authority — so go would be reasonable!

John E. Thompson
06/28/2000 09:21:09 AM

Record Type: Record

To: Leanne A. Shimabukuro/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: Re: COPS

As you know, the President's COPS request would fund 6,000-7,000 officers in 2001 (the range is due to the uncertainty over whether the Administration's crime bill, the Biden bill, or neither will be enacted). **The funds provided for COPS in the House CJS bill would fund 1,000-2,000 fewer officers in 2001.**

By 2005...

Furthermore, the House report states, "The Committee prohibits the COPS program from obligating any funds available from prior year recoveries not reported in the budget submission without the approval of a reprogramming." COPS estimates prior year recoveries (i.e. de-obligations) in 2001 at \$140 million. These funds are grants that are returned by the grantee for whatever reason; they have been counted toward the total number of cops hired, so they need to be re-obligated for hiring by other grantees to maintain that total. If Congress were to disapprove a reprogramming to re-obligate the estimated \$140 million for hiring, it would result in a reduction of about 2,000 officers.

Finally, the House bill earmarks \$150 million in unobligated balances (which would come from Hiring) for non-hiring programs. This should have little effect, since DOJ estimates 2001 unobligated balances at \$0-20 million (COPS thinks it will be zero, but the Hill refused to accept zero, so DOJ told the Hill \$20m). However, if there were \$150 million in balances in Hiring in 2001, the earmark would reduce hiring by up to 2,000 officers. (I would expect the conference bill to reflect a more realistic estimate of balances - Congress does not want to fund Vests, etc. from balances if there aren't going to be any.)

I will provide you a table comparing COPS funding in the Budget vs. House, so you can see exactly what items were funded and not funded, and what the House would fund from carryover vs. new appropriations.

Message Copied To: _____

900 170-8122
296-8706

OFFICE OF COMMUNITY ORIENTED POLICING SERVICES
FY 2001

DECISION UNITS	President's Budget	Officers	House Sub-Committee	
			Carryover	New BA
Public Safety and Community Policing Grants	614,000,000		50,000,000	435,175,000
Hiring:	422,286,000			371,444,750
UHP	337,828,800			273,383,336
Fiscal Distress Waivers (8% of UHP)	27,026,304			23,772,464
MORE @ 20%	84,457,200			74,288,950
Training and Technical Assistance	34,650,000			13,055,250
Non-Hiring:				
<i>Police Corps</i>	30,000,000		15,000,000	-
<i>BulletProof Vests</i>	25,000,000		25,000,000	-
Indian Country	45,000,000		-	-
DC Offender Services	17,064,000		-	-
National Police Scholarship	20,000,000		-	-
Safe Schools (School-Based Partnerships)	20,000,000		10,000,000	5,000,000
Methamphetamine/Drug Hot Spots	-		-	45,675,000
Crime Technology	350,000,000		100,000,000	130,000,000
Crime ID Tech Assistance Act (CITA)	199,000,000			
CITA - COPS CONECT	89,000,000			
CITA - OJP Global	18,000,000			
CITA - JMD Global	7,000,000			
CITA - AGILE	5,000,000			
CITA - PSWIN	70,000,000			
CITA - NIBIN	10,000,000			
<i>Law Enforcement Technology Centers</i>	10,000,000			
<i>DNA Research and Development</i>	5,000,000			
<i>Criminal Records Upgrade</i>	70,000,000			
<i>CLIP/DNA Backlog Reduction</i>	50,000,000			
COMPASS	10,000,000			
Computer Forensic Crime Labs	6,000,000			
Community Crime Prevention	135,000,000		-	-
<i>Building Blocks</i>	15,000,000			
<i>Strategic Approaches to Community Safety (SACSI)</i>	10,000,000			
<i>Police Firearms Surplus Safety</i>	10,000,000			
<i>Community Supervision-- Project Reentry</i>	35,000,000			
<i>Safe Schools/Healthy Students</i>	20,000,000			
Police Integrity and Hate Crimes Training	20,000,000			
Police Recruitment	5,000,000			
Citizen's Academies/One America Race Dialogues	5,000,000			
School Based Partnership Program	10,000,000			
Value-Based Program between Youth and Police	5,000,000			
Community Based Prosecutors	200,000,000		-	-
M&A	36,000,000		-	29,825,000
TOTAL	1,335,000,000	6,000-7,000	150,000,000	595,000,000

NOTES:

Italicized program titles are transfers to OJP

President's Budget – Number of officers is approximate based on current and proposed bills

House Sub-Committee – retains current law (TTA @ 3% and UHP @ \$75k cap)

House Sub-Committee – UHP funding includes up to \$180 million for CIS