

October 12, 1999
Firearms Enforcement Directive
Status Report

I. THE DIRECTIVE

To: Secretary of the Treasury and the Attorney General
Issued: March 20, 1999
Due: 90 days

Develop and implement an integrated firearms violence reduction strategy that draws on innovative approaches being demonstrated by communities throughout the country, and make recommendations on how to best allocate Federal resources to support its goals:

- (1) Increase investigation and prosecution of significant firearms violations, including illegal possession, use, and trafficking of guns, through innovative programs such as Project Exile and Boston's Operation Ceasefire;
- (2) Expand comprehensive "crime gun" tracing, analysis, and mapping; increase use of ballistics identification technology; and coordinate use of crime gun information to identify illegal gun markets, gun "hot spots," and illegal gun traffickers.
- (3) Strengthen the coordination of law enforcement and regulatory enforcement efforts to ensure compliance with all applicable laws by federally licensed gun dealers and prospective gun purchasers;
- (4) Implement targeted deterrence of violent offenders through (a) improved coordination with probation and parole officials supervising such offenders, and (b) swift and certain punishment for those found to have violated the conditions of their parole or probation; and
- (5) Promote problem-solving analysis and innovative strategies to work closely with community members to identify gun criminals, remove weapons in the hands of juveniles, search for and seize crime guns, and increase the public's knowledge of their community's gun-related crime and violence problem.

II. DEVELOPMENTS

- (1) The Attorney General has responded to the directive in the following ways:
 - A. On July 17, 1999, she sent a memo to all 93 United States Attorneys requesting that they: (1) appoint a point of contact for the directive; (2) conduct a district gun analysis; and (3) provide an integrated gun violence reduction plan consistent with the President's directive in writing to her office by August 30, 1999.

- B. Many of the integrated violence reduction plans have already begun operation in each of the 93 districts across the nation. The Attorney General attended the first of these in Denver on Monday, October 5th. She will cite the best of these plans as models in the report to the President.
- (2) The Secretary of the Treasury responded to the directive in the following ways:
 - A. A memo was sent out to all 23 ATF Field Offices requesting them to report back on successful integrated violence reduction strategies. He will cite the best of these plans as models in the report to the President.
 - B. ATF has been largely focusing on regulatory improvements and resources.
- (3) The Department of Justice and the Department of the Treasury are meeting regularly.

III. TIMELINE

- (1) DOJ/TREASURY to have outline of report available by the week of October 18th.
- (2) DOJ/TREASURY believe that the report will be completed by late November.

IV. KEY ISSUES: Prosecution and Resources

- (1) At the heart of the directive are two key issues: Prosecution and Resources. Each issue carries a history that is relevant to the development of a new integrated firearms violence reduction strategy.

A. PROSECUTION -- Evolution into Current Policy

- (a) **"Project Triggerlock."** Consistent with federal firearms enforcement policy throughout the 1980's, the focus of this Bush Administration program was to federally prosecute armed career criminals ("one gun felon in possession cases"), preferably the multiple convicted armed felons and armed drug traffickers. (The ATF counterpart to this program was called "Achilles.")

Under Triggerlock, U.S. Attorneys were directed to: (1) create national/state/local task forces designed to strategize on targeting the most violent firearms offenders and prosecute them federally; and (2) designate

one senior AUSA in each district as the "Triggerlock" coordinator charged with identifying firearms cases best suited for federal prosecution. In addition, a special "Triggerlock" code was created in the general case database to better track the number of firearms prosecutions.

- (b) **Attorney General Dick Thornburgh's Memo on Plea Bargaining.** In 1989, Attorney General Dick Thornburgh issued a memo to all U.S. Attorneys directing them never to plea bargain on gun cases as a way to appear tougher on the issue.
- (c) **ATF Shifts Focus from Felon in Possession Cases to Illegal Trafficking Cases.** ATF began reevaluating their enforcement strategies in the late 1980's, and developed a National Firearms Strategy that called for more complex cases and a renewed focus on illegal firearms trafficking -- this was deemed to be a better use of Federal resources than simple armed career criminal cases that could be handled by state/local law enforcement.

For the past five years, ATF has approached the problem of firearms violence, particularly among juveniles and youth, by expanding their illegal market disruption activity, while remaining focused on serious violent offenders where State laws or policies were not as effective as the Federal alternative. (The number of gun trafficking cases referred for prosecution rose from 533 in 1994 to 788 in 1998 under this plan.)

- (d) **Project Triggerlock Evolves into the 1994 Anti-Violent Crime Initiative.** Under Attorney General Janet Reno, the Anti-Violent Crime Initiative was developed to energize the attack on *all* violent crimes instead of focusing strictly on firearms crimes. For example, instead of merely targeting gun crimes, many U.S. Attorneys chose to target gangs or drug dealers in their community who happened to use guns to commit serious violent crimes.

Under the Anti-Violent Crime Initiative, the ATF and the DOJ shared the opinion that the once prioritized "Triggerlock" cases, or "one gun felon in possession cases," should be made when they are in the context of a violent crime reduction strategy relevant to a specific community and where the case would significantly impact public safety.

Similar in makeup to "Project Triggerlock," the Anti-Violent Crime Initiative called upon all U.S. Attorneys to: (1) reach out to national/state/local officials to target the most serious violent crime problem in the area and to identify the best use of federal resources to eradicate it; and (2) appoint one AUSA in each district to serve as the

“Violent Crime Coordinator” to identify cases best suited for increased sentencing under federal prosecution.

(e) Attorney General Janet Reno Overturns Thornburgh Plea Bargaining

Directive. Attorney General Janet Reno issued a 1993 memo to all U.S. Attorneys overturning the Thornburgh directive that had restricted them from plea bargaining on firearms cases. Reno’s repeal provided prosecutors with greater discretion to maximize sentencing for more violent criminals when non-firearms charges carried heavier sentences. Under the Thornburgh policy, Reno believes that prosecutors lost opportunities to keep the most violent criminals in jail longer because they were bound by a largely cosmetic policy to appear tougher on gun enforcement.

B. RESOURCES

- (a) Bureau of Alcohol, Tobacco & Firearms (ATF).** As the primary federal agency charged with enforcing firearms laws, the ATF has been attacked by the National Rifle Association (NRA) and challenged throughout the appropriations process since its inception in 1973. Ironically, the NRA professes to be a leading advocate for stronger enforcement of gun laws.

The ATF has only 9 more agents today than when it was created 26 years ago -- yet it’s responsibilities have nearly tripled in that same time period. For example, Congress mandated that the Bureau dedicate 25% of its resources to explosives cases, such as the Oklahoma City bombing, without allocating funding for new agents to handle the added workload. Since the Drug Enforcement Administration has grown from 1,370 agents to 4,261 over the same period, critics argue that Congress has never taken gun trafficking as seriously as the war on drugs.

With approval of the FY 2000 budget request, ATF expects to achieve a level of close to 1,900 special agents. For FY 2001, they are developing a request that will continue to build to 2,500 agents.

In addition, the Bureau is seeking an increase in the number of inspectors they have to crack down on unscrupulous firearms dealers among the 104,855 that have licenses. In spite of an increase in the number of dealers since 1973, ATF still has virtually the same number of inspectors handling alcohol, tobacco and firearms cases -- 800.

- (b) **Department of Justice -- U.S. Attorneys.** In contrast to ATF, the DOJ is criticized by gun control opponents for a reduction in firearms prosecutions in spite of a tripling of their budget from \$6.1 billion in 1989 to \$18.1 billion in 1999. The majority of the increase in budget was dedicated to new federal prisons and increased border patrols. While we are waiting on exact numbers, we've been assured by OMB that the number of prosecutors has stayed level during this time period.

(crime bill)

V. POTENTIAL INITIATIVES

- A. **Deliverables Exist -- Packaging is the Challenge.** The President has requested that several issues be addressed under the directive. While many deliverables exist, the true challenge will be packaging them to appropriately address all fronts. More clarity will be brought to this issue when the report outline is received from DOJ/TREASURY next week.
- B. **Blanket List of Potential Initiatives -- For Discussion Purposes Only**
- (a) **MORE ATF AGENTS.** Put a historic number of ATF Agents on the street to crack down on more gun crimes than ever before.
- (b) **MORE ATF INSPECTORS.** Put a historic number of ATF Firearms Inspectors on the street to identify unscrupulous gun dealers.
- © **MORE PROSECUTORS.** Increase the U.S. Attorney budget for more prosecutors to handle firearms cases. (Some have suggested dedicating teams of prosecutors in each district to handle all firearms cases -- this has faced resistance at DOJ.)
- (d) **NATIONAL INSTANT NOTIFICATION.** Expand the National Instant Check System to provide instant notification of Brady denials to state/local authorities so that they are made immediately aware of felons attempts to purchase guns in their communities.
- (e) **BUILD NATIONAL ADVERTISING CAMPAIGN SIMILAR TO PROJECT EXILE.** Create a national advertising campaign modeled after Project Exile on the penalties criminals face when they use firearms to commit crimes. Or, consider the creation of a grant program that allows communities to create their own local campaigns.

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list of manufacturers [(g) **DEVELOP VOLUNTARY BALLISTICS TESTING PROGRAM WITH MANUFACTURERS.** Get commitments from all firearms manufacturers to voluntarily participate in ballistics testing for every new firearm manufactured.

(h) **ANNUAL YGCH REPORTS TO INCLUDE CRIME GUN MAPPING TO HELP LOCAL AUTHORITIES IDENTIFY TRAFFICKING HOT SPOTS.**

(i) **HIGHLIGHT THE 93 NEW U.S. ATTORNEYS' INTEGRATED FIREARMS VIOLENCE REDUCTION STRATEGIES RESULTING FROM THE DIRECTIVE. CREATE GRANT PROGRAM TO BOLSTER THEIR EFFORTS AS MODEL PROGRAMS.**

(j) **CREATING PLAN FOR TRACING OF ALL CRIME GUNS.**

(k) **BOLSTERING EFFORTS OF BOSTON PROJECT/CEASEFIRE MODELS THROUGH HIRING OF FACILITATORS OR ADDING NEW RESOURCES SUGGESTED BY DOJ FOR START-UP INITIATIVES MODELED AFTER THIS PROGRAM.**

(l) *NCHIPS expansion, (package for domestic records)*

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(We are currently waiting on OMB for a ten year timeline on the number of prosecutors -- to pinpoint any resource issues similar to that of ATF.)

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Violence Policy Center



U.S. Department of Justice Responds with the Facts to NRA's Misrepresentations on Gun Prosecutions

Firearms Prosecutions in America: Increased Coordination and More Prosecutions

- **Crime is down.** Violent crimes committed with guns - including homicides, robberies, and aggravated assaults - fell by an average of 27% between 1992 and 1997, and the nation's violent crime rate has dropped by nearly 20% since 1992.
- **Overall firearms prosecutions are up.** Criticisms of federal prosecution statistics ignore the basic fact that both federal and state authorities prosecute gun cases, and federal authorities generally focus on the worst type of offenders.
 - Although the number of federal prosecutions for lower-level offenders (persons serving sentences of 3 years or less) is down, the number of higher-level offenders (those sentenced to 5 or more years) is up by nearly 30 percent (from 1049 to 1345).
 - At the same time, the total number of federal and state prosecutions is up sharply - about 25 percent more criminals are sent to prison for state and federal weapons offenses than in 1992 (from 20,681 to 25,186).
- **We're working together.** The Clinton Administration has pursued a strategy of collaborative partnerships between federal, state and local law enforcement agencies in order to bring all resources to bear on violent crime, including gun crime.
 - These partnerships are effective and make sense. They allow each community to identify their unique firearm and other violent crime problems and to implement the techniques that are most likely to have a positive impact on these local problems.
- **Results speak for themselves.** In short, the increased collaboration among federal, state, and local law enforcement has resulted in: (1) a more efficient distribution of prosecutorial responsibilities, (2) a steady increase in firearms prosecutions on a cumulative basis and, most importantly, (3) a sharp decline in the number of violent crimes committed with guns.
- **Stay focused on the real issue.** Since more gun criminals are going to jail, it's clear that the gun lobby's attack on federal law enforcement efforts are meant to take attention away from the real issue -- namely, reducing gun violence and stopping children and criminals from getting guns.

[Source: United States Department of Justice]

Follow this link to view the [Statement of the Department of Justice Before the Subcommittees on Criminal Justice Oversight and Youth Violence Concerning Firearms Prosecutions](#)

(This file is in Adobe PDF (Acrobat) format. You can download the Acrobat reader for free from www.adobe.com).



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

FAX COVER SHEETDATE: 9/28

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305-2643NO. OF PAGES: 16 (EXCLUDING COVER)

COMMENTS:

Materials I sent to Angela Williams.(A) General prosecution stuff.(B) CUFF materials (from our letter)

A

*Department of Justice***Firearms Enforcement in America:
Increased Coordination and More Prosecutions**

Crime is down. In the past six years, there has been an historic reduction in crime in America. Violent crimes committed with guns – including homicides, robberies and aggravated assaults – fell by 27% between 1992 and 1997, and the nation's violent crime rate has dropped by nearly 20% during the same period. Preliminary figures from the FBI's Uniform Crime Report show that in 1998 serious crime dropped for the seventh straight year. The streets of America are safer than they have been in over three decades.

We've kept guns out of the hands of criminals. The Brady Law has stopped more than 250,000 felons, fugitives, and other prohibited people from getting guns, preventing untold crimes and violence. Under the Brady Law's National Instant Check System (NICS) the vast majority of the background checks are completed within minutes.

Firearms prosecutions are up. Since 1993, funding for state and local law enforcement has increased by nearly 300% – due in large part to the resources provided in the 1994 Crime Bill. Federal, state and local law enforcement authorities are now working more closely than ever to combat gun violence through comprehensive strategies.

- ▶ Nationally, firearms convictions are up dramatically and, in 1996, 22% more criminals were incarcerated for either state or federal weapons offenses than in 1992 (from 20,681 to 25,186).
- ▶ The number of federal prosecutions of high-level firearms offenders (those sentenced to 5 or more years) is up by more than 25 % since 1992 (from 1,049 to 1,345).

Despite the good news, reducing gun violence remains a top priority. Although violent crime is down, tragedies like the shootings in Littleton, Colorado, and Conyers, Georgia – and the fact that 13 young people in America die every day from gunshot wounds – remind us that we must do more to reduce firearms violence even further. We must build upon our success in reducing crime to provide greater protection for our children and all of our citizens. This requires keeping guns out of the hands of criminals and children, and enforcing the law effectively when gun crimes are committed.

We're working together. The Clinton Administration's firearms enforcement strategy has two main parts. First, we have committed substantial federal resources to both prevent access to firearms by prohibited persons and incarcerate violent gun offenders. Second, we have forged partnerships with state and local authorities, who make the vast majority of arrests and undertake the vast majority of prosecutions.

- ▶ These partnerships are effective and make sense. They allow each community to

identify their unique firearm and other violent crime problems and implement the strategies that are most likely to have a positive impact on these local problems.

- ▶ They also build on the reality that state and local law enforcement have responsibility for combating the vast majority of violent crime in our country, and have the lion's share of the resources to do so.
 - ▶ Efforts not based on this coordination -- like efforts to require wholesale federalization of firearms offenses by bringing all cases into the federal system -- will shift cases that can be handled effectively at the local and state level to the federal level. This will prevent federal law enforcement officials from targeting their resources effectively to investigate and prosecute uniquely federal crimes such as interstate gun trafficking and gang violence.
 - ▶ It has long been recognized that federal violent crime resources need to be used against those offenders who do the most damage. As the Bush Administration's Project Triggerlock said it, federal firearms enforcement should not be used to "compete with or supplant" local efforts, but should "target the most dangerous violent criminals in the community."
- **Results speak for themselves.** The increased collaboration among federal, state, and local law enforcement has resulted in: (1) a more efficient distribution of prosecutorial responsibilities, (2) a steady increase in total firearms prosecutions and, most importantly, (3) a sharp decline in the number of violent crimes committed with guns.
- ▶ By closely cooperating with state and local law enforcement, ATF has been able to trace 200,000 crime guns annually, and provide information about potential traffickers to state and local police and prosecutors.
 - ▶ Coordinated law enforcement efforts in Boston, Massachusetts, Richmond, Virginia, and elsewhere, involving all levels of law enforcement and community leaders, have produced very dramatic drops in the cities' violent crime rates.
 - ▶ We are building on these and other successful strategies by developing a coordinated firearms violence reduction strategy in response to President Clinton's Directive of March 1999. The strategy will draw on the proven measures and other innovative approaches being demonstrated by communities throughout the country.



DATE: 6-10-99

PAGE: A1

Are gun laws enforced?

Prosecution central
to the debate

Laws already on books making a dent in crime

By Dennis Cauchon
and Gary Fields
USA TODAY

Jimmy Allen Cubello, a fugitive wanted on marijuana smuggling charges since 1993, returned to the United States in March after years of lying low in the border town of Reynosa, Mexico.

The 47-year-old U.S. citizen registered to vote, got a Texas ID and renewed his driver's license — all without trouble. Then, on March 12, he tried to buy a gun at a pawnshop in McAllen, Texas. Big mistake.

The shop's owner called the FBI for an instant background check on the man who wanted to buy an \$800 Beretta .40-caliber pistol. Fifteen minutes after Cubello's name appeared on an FBI computer in West Virginia, federal marshal Gene Diaz arrested the surprised fugitive in front of the store.

"He knew he was wanted, but he didn't realize the arm of the law could be so fast," recalls Diaz, who was driving near the gun store when he got a call on his cellular phone.

The enforcement of existing gun laws — such as the one that let the feds nab Cubello — is central to the fate of the gun control bill set to be debated in the House next week. The bill, which has been passed by the Senate, expands background checks to all sales at gun shows and requires child-safety locks on all new handguns.

But the National Rifle Association argues that the nation already has enough gun laws, more than 20,000 at the federal, state and local levels. The problem, the NRA says, is that the laws have not been enforced, especially by the Clinton administration.

"They want a new group of federal gun laws when they don't even enforce the ones we have now," NRA executive vice president Wayne LaPierre says.

"That spells hypocrisy with a capital H."

To step up enforcement, House Republicans have been pushing a proposal that would require each of the 94 U.S. attorneys to designate at least one assistant who would concentrate on prosecuting gun violations. To sweeten the deal, the GOP would offer \$50 million for salaries and expenses.

A USA TODAY examination of gun-law enforcement found that the NRA has advocated some of the most effective gun laws — notably the instant background check — over the opposition of many gun control advocates. But the NRA's accusations that the Clinton administration is soft on gun-law violators do not appear supported by the evidence.

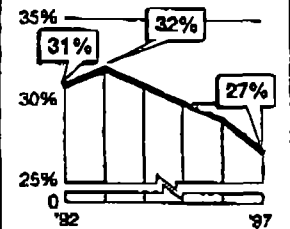
Laws with teeth

Among USA TODAY's findings:

► The instant background check might be the most effective piece of gun legislation ever. It not only has stopped nearly 300,000 illegal gun purchases

Violence down

Violent crime is declining steadily in the nation, and the percentage of violent crime that involves guns also is dropping:



Source: FBI Uniform Crime Report

By Genevieve Lynn, USA TODAY

since 1994, but it also has resulted in the arrests of hundreds of fugitives. It has essentially put teeth in a 1968 gun control law that banned felons and other potentially dangerous people from owning guns.

► Gun laws are enforced more vigorously today than five years ago by nearly any measure. Prosecutions are more frequent than ever before; sentences are longer; and the number of inmates in prison on gun offenses is at a record level. The number of inmates in federal prison on firearm or arson charges (the two are lumped together) increased 51% from 1993 to 1998, to 8,979.

► Longer prison sentences for gun offenders might have a greater effect on gun violence than efforts to ban specific types of weapons, such as assault rifles or small, cheap "Saturday night special" handguns. The NRA has been a crucial supporter of the most common

cont'd

way to punish a gun offense: extending the prison sentence when a gun is used in a crime.

Jack Levin, director of the Program for the Study of Violence at Northeastern University in Boston, says longer prison sentences imposed on firearms offenders have been a factor in the decline of violent crime. "In the '80s, we locked up larger numbers of people for drug offenses. In the '90s, we began locking up more violent people who carry firearms," he says.

The number of violent crimes nationwide (excluding rape) fell from 1.8 million in 1992 to 1.5 million in 1997. In addition, the portion of violent crimes committed with guns fell from 31% to 27% during that same period.

Gun rights advocates were crucial in creating instant background checks, which became national in November after being phased in since 1994. Most gun control advocates opposed the instant check in favor of a longer, drawn-out process that would have allowed more thorough checks and would have functioned as a waiting period.

But rather than seeing the instant check as a success that has stopped 300,000 illegal gun purchases, gun rights advocates say the system reveals lax prosecution because so few arrests are made.

Since 1968, it has been illegal for tens of millions of people to possess a gun. These "prohibited persons" include felons, fugitives, the mentally ill, drug users, illegal aliens and those dishonorably discharged from the military. In 1994, the prohibition was expanded to people who have misdemeanor domestic abuse convictions or are the subject of restraining orders in domestic disputes.

It is a federal felony punishable by up to 10 years in prison to lie on the background-check forms that are filled out by gun purchasers. But Rep. Bob Barr, R-Ga., a former federal prosecutor, says that crime has gone virtually unpunished in the federal system.

"The question is not so much what new laws can we pass, but why are we not enforcing existing laws better," Barr says.

LaPierre says the federal government should have prosecuted every case in which a person lied on the background check form, without exception. That would be 40,000 cases since November, more than the number of federal prosecutions during that period for all other crimes combined.

In response, the Justice Department and the Bureau of Alcohol, Tobacco and Firearms (ATF) say they do not have the resources to prosecute every case. Instead, their strategy is to have states pursue most gun violations while federal law enforcement handles the more serious cases.

"We've decided to prosecute smarter. We have used limited resources to go after those who are committing the most serious crimes," Deputy Attorney General Eric Holder says.

A U.S. Sentencing Commission analysis done for USA TODAY shows that lying on the background check form is prosecuted in federal court far more often than acknowledged.

From 1994 to 1998, 832 federal defendants were sentenced to prison for lying on the form, according to the Sentencing Commission. The average sentence for lying on the form was 19 months. When a defendant was simultaneously prosecuted with another crime, the average was 44 months.

Length of sentences

The prosecutions account for less than 1% of apparently illegal attempts to purchase guns. But the length of the average sentence seems to confirm that felons with more serious criminal pasts have been targeted

for prosecution. A defendant with no serious criminal record would expect to get five months in prison upon pleading guilty, according to federal sentencing guidelines.

Total state and federal prosecutions for firearms offenses rose from 30,243 in 1992 to 36,370 in 1996, the most recent year for which the Bureau of Justice Statistics has complete statistics. Juvenile gun offenses, which are prosecuted mostly in local juvenile courts, are not included.

Agency is strapped

The ATF says it does not have the staff to handle every gun offense. Its 1,500 agents have been stretched thin over the past five years, investigating everything from church burnings to the explosion of TWA Flight 800. Still, the bureau brought 3,619 criminal cases involving 5,620 defendants in 1998. "How anyone can say we're not enforcing firearms laws is beyond my belief," ATF special agent Jeff Roehm says.

Of the 40,000 people who have been denied firearms since the instant check system took effect in November, 12,129 have been referred to field agents for investigations. So far, 156 cases have been turned over to prosecutors.

The investigations involve everything from obtaining fingerprints to conducting handwriting analysis. Even seemingly simple cases can take weeks.

In one case, Roehm says, the ATF declined to prosecute a black man who had been convicted of a felony 40 years ago

in Mississippi. His offense: possession of playing cards that featured naked white women. "Is it worth the taxpayers' money to go after a person like this?" Roehm asks.

Three-fourths of gun purchases rejected under the Brady Law are turned down because the buyer has a felony record. But most of these crimes are old offenses and relatively minor felonies, such as writing bad checks.

The NRA has praised Project Exile in Virginia as a model of how to get felons with guns off the street by aggressively prosecuting them. But when federal prosecutors investigated the backgrounds of 100 felons who had tried to buy a gun, they didn't find violent criminals. "Our survey did not indicate a single murderer, rapist, armed robber, burglar within the last 10 to 15 years or a drug dealer of any recent vintage," says U.S. Attorney Helen Fahey of the eastern district of Virginia.

Fugitives caught

Several recent cases seem to confirm that federal prosecution for a firearms offense would be an unusual use of federal resources.

Cubello, the accused marijuana smuggler, faces a seven-to-nine-year sentence if convicted on racketeering charges for his role as the alleged middleman in smuggling 3,000 pounds of marijuana from Mexico in the late 1980s.

Cubello is scheduled for trial in a Denver federal court in September. He has not been charged with a gun crime, which would have to be prosecuted in Texas where the alleged gun offense occurred.

Jeff Edelman, Cubello's defense attorney, says his client is innocent of the marijuana charges and of any potential

gun violation. Edelman says his client didn't know he was a fugitive. "How's a guy from Texas supposed to know he was indicted years ago and far away in Colorado for something he didn't do?" Edelman asks.

Another fugitive caught with the instant background check was Joseph Salisbury Jr. A landscaper from Monroe County, Mich., he was arrested May 11 at a local gun store when he tried to buy a SKS semi-automatic rifle, the Chinese version of the AK-47. Salisbury, 24, says he wanted it for hunting.

Salisbury's name showed up in the FBI computer because he was wanted for fleeing police and as somebody banned

from owning a gun because of a misdemeanor domestic abuse conviction. The computer did not show that the domestic abuse conviction, for a fight with his father, had been expunged from his record after he took anger-management classes.

The Monroe County sheriff's department charged Salisbury with felony fleeing and eluding in July 1997 after he allegedly failed to pull over while being followed for 3 miles by a police car with its lights on and siren blaring.

"The whole thing is a bunch of hogwash," Salisbury says. He says he wasn't fleeing; he was just too drunk to hear the siren or see the lights. "My blood alcohol was so high they said I should be dead. But they never charged me with drunk driving. They charged me with fleeing and eluding. I'm innocent."

System worked

Monroe County prosecutor Edward Swinkey says that although he considers fleeing from a police officer a serious offense, Salisbury probably will get probation.

The system worked by stopping Salisbury from getting a gun, the prosecutor says. "If he's not responsible enough to show up in court, how can he be responsible enough to own a gun?" Swinkey says.

Asked whether Salisbury should face federal gun charges, Swinkey says: "In the real world, there's not enough police, prosecutors, or room in prison to handle all of these cases. This is a local offense, not a federal one."

USA TODAY - MONDAY, JUNE 14, 1999

LETTERS

Local officials effectively enforce gun-control laws

There is an additional important point to be made in connection with USA TODAY's excellent Cover Story about the gun-control issue ("Are gun laws enforced?" News, Thursday).

No matter how many more gun-control laws Congress passes, the federal government simply doesn't have the resources to deal with the gun crimes covered in those statutes — nor should it.

In the article, U.S. Deputy Attorney General Eric Holder admitted this, declaring that the feds only can go "after those who are committing the most serious crimes."

There are fewer than 100 U.S. attorneys, whose staffs already are stretched trying to cope with ever-mounting caseloads.

But there are almost 3,000 local prosecutors who are prosecuting more than 90% of the crimes in the USA, including gun laws.

The fact is, when both federal and state laws are involved in a gun violation, the federal prosecutor will defer — as he or she should — to the local prosecutor, who is better acquainted with the local situation, better staffed to handle it and frequently more experienced in prosecuting

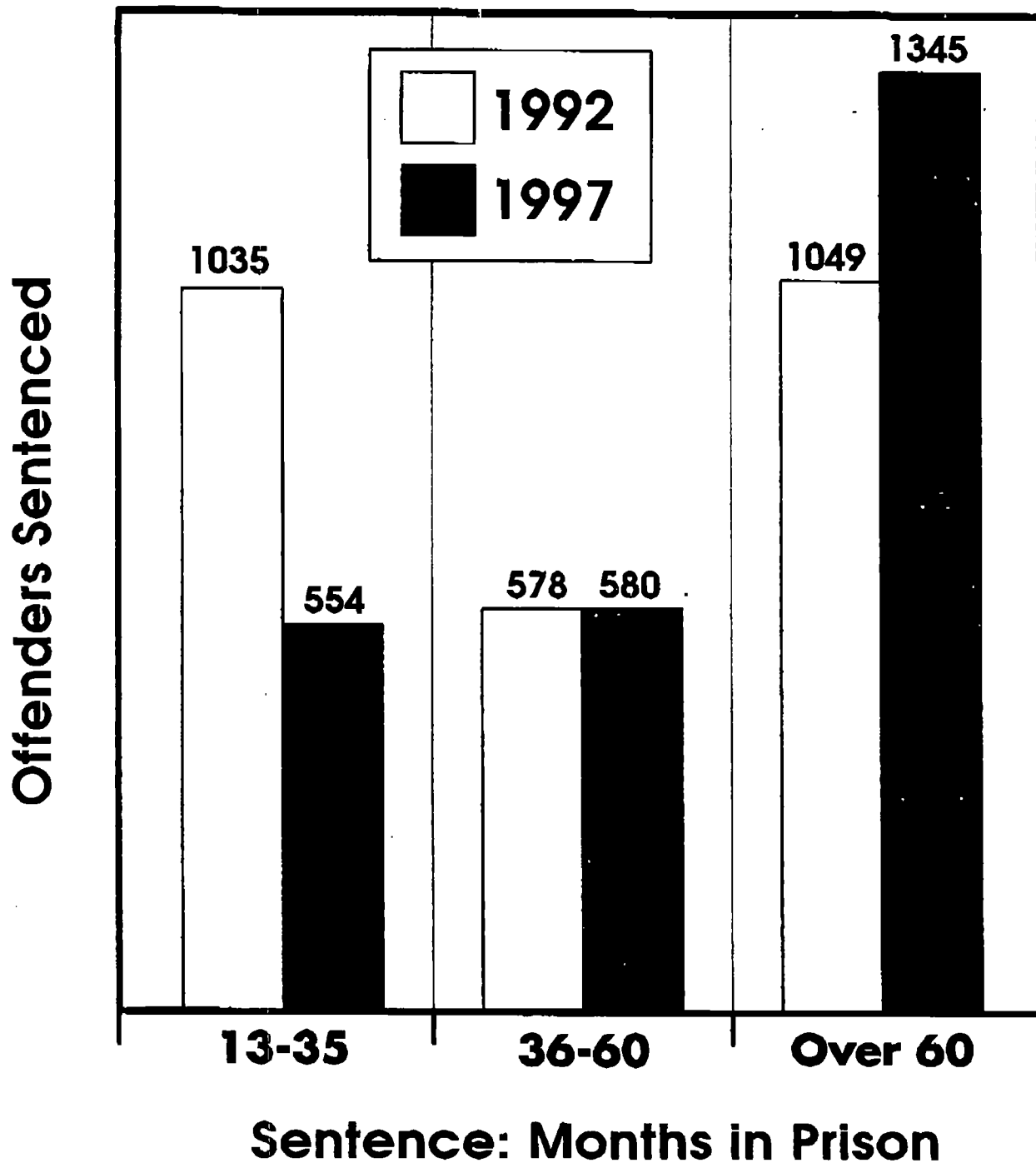
criminal cases.

The feds move in when there's an obvious overriding federal issue, such as interstate trafficking.

The point is, contrary to the political rhetoric, gun-control laws are being enforced, prosecutions are increasing steadily and sharply, and local prosecutors are handling most of the cases and are progressively sending more violators to jail.

John R. Justice, president
National District Attorneys Association,
Solicitor, Sixth Judicial Circuit of
South Carolina, Chester, S.C.

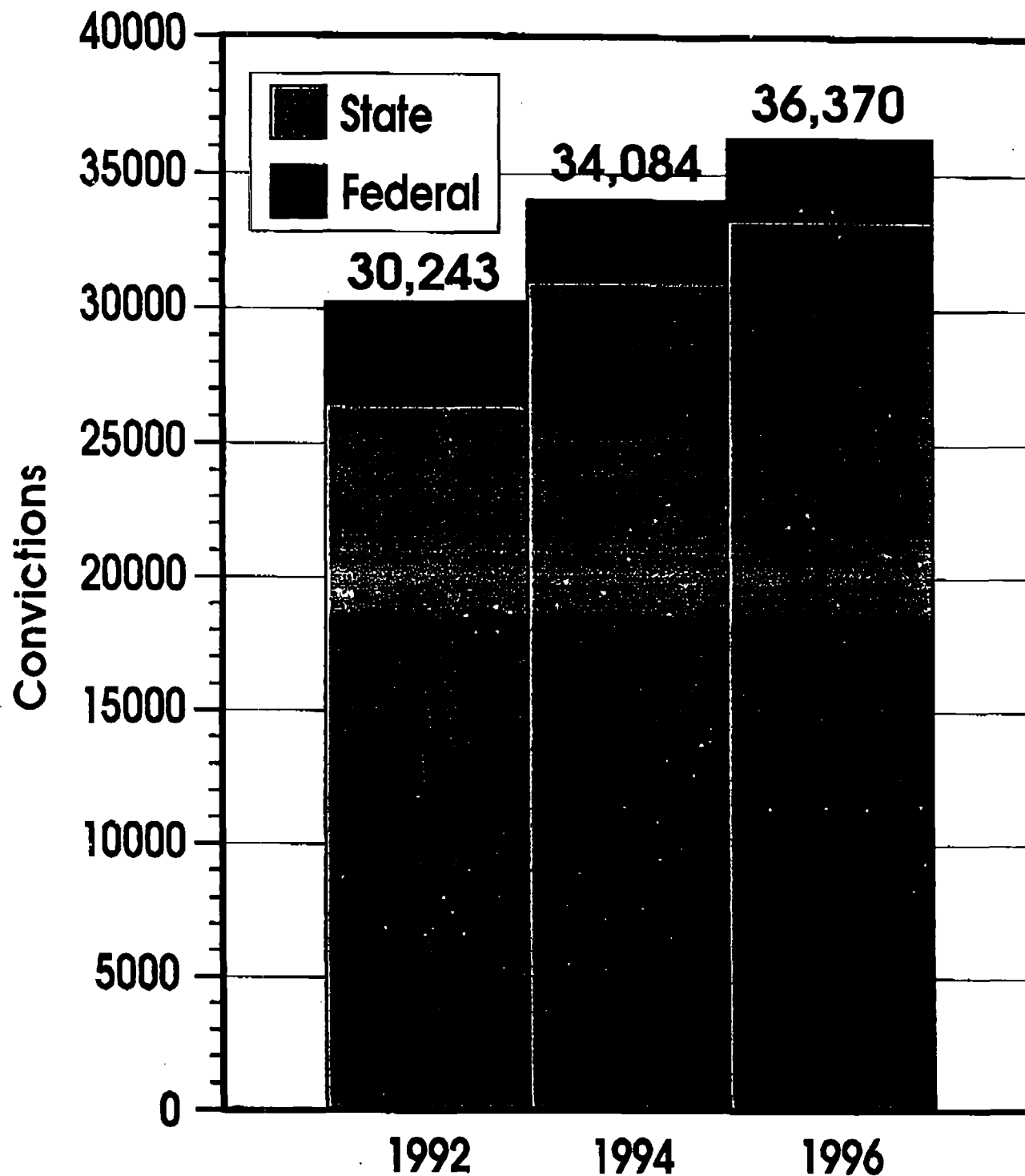
Federal Weapons and Firearms Offenders Convicted & Sentenced, 1992 vs. 1997*



***Excluding Sentences One Year or Less**

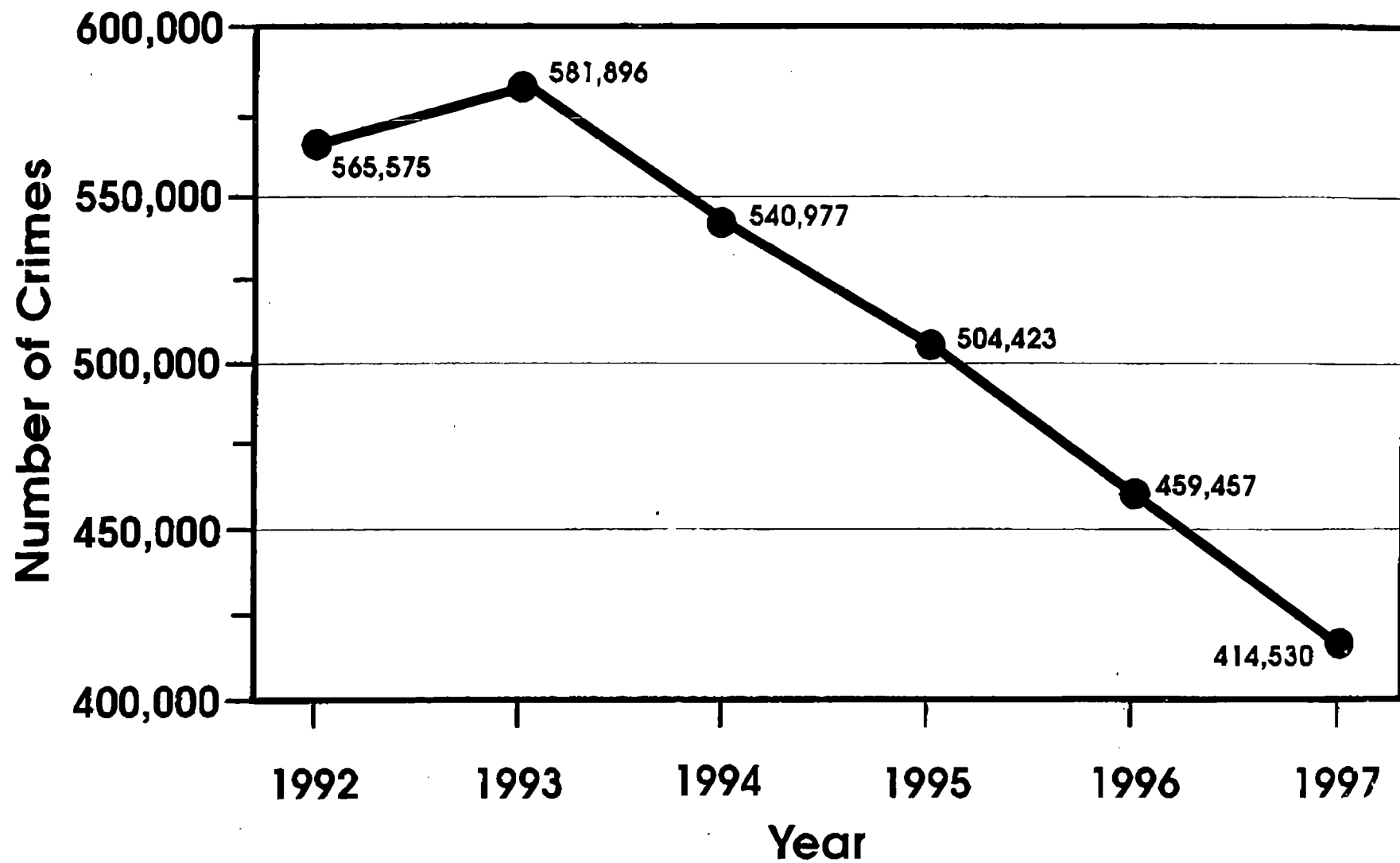
Source: AOUSC annual reports, Table D-5, 1992 and 1997.

Total State and Federal Weapons Offenders Convicted in 1992, 1994, 1996



Source: BJS, National Judicial Reporting Program (NJRP) state estimates and Federal Justice Statistics Program (FJSP) totals, 1992 (cy), 1994 (cy), 1996 (st=cy)

Violent Crimes With Firearms*



* Excluding Rape

Source: FBI/Uniform Crime Report Data

B

Provide effective firearms enforcement. Over the past several years, the Justice and Treasury Departments have supported several innovative and effective firearms enforcement programs around the country, including Project Exile in Richmond, Virginia and Operation Ceasefire in Boston, Massachusetts, among others. Every one of these programs has been developed collaboratively by state and local – as well as federal – officials and tailored to address the gun violence problem specific to the locale by enforcing the toughest laws available. These partnerships have resulted in a significant increase in the overall number of firearms prosecutions in this country. Since 1992, the combined number of federal and state firearms convictions is up sharply, and about 22 percent more criminals were incarcerated for state and federal weapons offenses in 1996 than in 1992. The number of federal gun cases in which the offender gets five or more years in prison is also up by more than 25 percent. We support giving our United States Attorneys and the Bureau of Alcohol, Tobacco and Firearms the resources they need to work with state and local authorities in developing and expanding individualized firearms violence reduction programs in their jurisdictions. However, the Senate and House Bills include provisions that would diminish the effectiveness of these programs by mandating the wholesale federalization of crimes even when state or local laws provide more stringent penalties, and would prevent states from implementing their own intensive firearms prosecution programs. These provisions should be dropped.

TITLE VII – ASSAULT WEAPONS

BAN ON IMPORTING LARGE CAPACITY AMMUNITION FEEDING DEVICES

S. 254 § 702 amends 18 U.S.C. § 922(w) (pages 370-71) to prohibit the importation of large capacity ammunition feeding devices, regardless of their date of manufacture. We support this provision and note that the Senate adopted an instruction to its conferees that this provision be included in the conference report.

We note that S. 254 § 704 (page 371) would appear to delay the effective date of the provision by 180 days from the date of enactment. However, the text of § 704 actually exempts the substantive provisions from the delayed effective date and applies only to the short title. Thus, the ban becomes effective immediately as presently drafted. The Administration supports an immediate effective date for this section.

Due to a loophole in existing law foreign large capacity ammunition feeding devices that were manufactured prior to September 13, 1994, may still be imported into the United States today. Section 702 of the Senate bill would close this loophole to prohibit the importation of any large capacity ammunition feeding device, regardless of its date of manufacture.

The Administration supports the reinstatement of this provision into the conference bill. Given the vast worldwide supply of magazines with a capacity of more than 10 rounds, the amendment is necessary to limit the commercial sale of these devices. It is also consistent with the original congressional intent to limit access to such magazines by the general public. We would note, however, that the provision as currently drafted would prohibit the possession of large capacity ammunition feeding devices that were lawfully imported between September 13, 1994, and the effective date of this section. We recommend that the conferees add a new "grandfather" provision to clarify that such devices may continue to be lawfully possessed and transferred. We look forward to working with the conferees to provide language on this technical correction.



TITLE VIII – EFFECTIVE GUN LAW ENFORCEMENT

CRIMINAL USE OF FIREARMS BY FELONS

S. 254 § 803 (pages 375-77), and H.R. 1501 § 301 (pages 77-79), both contain provisions designed to increase the number of federal firearms prosecutions by requiring the Department of Justice to establish agreements with local authorities for the referral of gun cases to the Bureau of Alcohol, Tobacco, and Firearms and the U.S. Attorneys. The Senate bill calls its program "CUFF" (Criminal Use of Firearms by Felons), while the House bill calls its program the "Armed Criminal Apprehension Program." The programs "provide for the establishment of agreements with State and local law enforcement officials for the referral" of persons arrested for firearms violations to federal officials for prosecution. Under section 301(b)(5) of the House bill

and section 803(b)(5) of the Senate bill, the program "shall . . . ensure that each person referred to the United States Attorney" by state or local officials "be charged with a violation of the most serious Federal firearm offense consistent with the act committed." (Emphasis added.)

These provisions appear designed to impose mandatory duties on the Executive Branch with respect to prosecutorial charging decisions. Once a state or local official refers a case for prosecution, the provisions appear to require the Executive Branch to charge "the most serious Federal firearm offense consistent with the act committed." They appear to do so, moreover, despite any competing law enforcement considerations, such as whether other prosecutions might be advanced by granting the defendant some form of immunity in order to compel his or her testimony, or whether the state has established its own intensive firearms prosecutions program. Because either provision may be interpreted to require federal prosecutors to prosecute all gun violations that occur in their respective federal districts, rather than sharing responsibility for bringing such prosecutions with state and local prosecutors, these provisions raise serious concerns for the Administration.

The Administration fully supports the goal of enhanced prosecution of those who violate our Nation's gun laws. Earlier this year, the President directed the Attorney General and the Secretary of the Treasury to develop a national integrated firearms violence reduction strategy that includes elements to increase the investigation and prosecution of significant firearms violations, including illegal possession, use, and trafficking. As we have recognized time and again, every federal government effort to reduce violent crime, including gun crime, must be rooted in collaboration or partnership with state and local authorities. As Attorney General Thornburgh's memorandum implementing the Bush Administration's firearms enforcement effort, called "Project Triggerlock," put it: "Since violent crime is essentially 'street crime,' it is usually investigated and prosecuted at the state or local level. Project Triggerlock is not intended to compete with or supplant the traditional local response to violent crime. Rather, it is intended to assist state and local authorities in this area of enforcement by providing for complementary federal prosecutions under U.S. firearms statutes of the most dangerous violent offenders in each community."

In contrast, both the Senate bill's CUFF provision and the House bill's Armed Criminal Apprehension Program, as drafted, would interfere with the established relationships between federal, state and local law enforcement, and would create a situation in which federal programs attempt to compete with or supplant the state and local gun crime efforts, with serious negative effects on our Nation's collective ability to reduce and control crime. For instance, mandating federal charges without consideration of local factors might actually result in lesser sanctions being imposed on those who commit gun crimes. In many states, the state gun charge arising from facts that could also give rise to a federal gun charge will actually carry a higher penalty than the federal penalty. And in some states, federal prosecution of gun charges would lead to double jeopardy problems for the state prosecution of a rape, robbery, or murder stemming from the same incident.

Most state systems have a significantly greater volume of resources available to detect, investigate, and prosecute gun crimes, and when those states are able and willing effectively to prosecute gun crimes, a compelling federal interest in wholesale federalization is absent. On the other hand, mandating federal charges would impose significant fiscal burdens on the scarce federal resources needed to investigate, prosecute, and imprison gun criminals, and would require the diversion of such federal resources to the detriment of other important priorities, such as drug and other violent crime.

In addition to these significant policy concerns, the provisions would appear to violate constitutional separation of powers. Article II of the Constitution places the power to enforce the laws solely in the Executive Branch of government. The decision to charge a particular offense is a core Executive function. As the Supreme Court has observed, "the Executive Branch has the exclusive authority and absolute discretion to decide whether to prosecute a case." United States v. Nixon, 418 U.S. 683, 693 (1974); see also Fletcher v. Peck, 10 U.S. (6 Cranch) 87, 136 (1810); Confiscation Cases, 74 U.S. (7 Wall.) 454, 457 (1869); Smith v. United States, 375 F.2d 243, 247 (5th Cir.), cert. denied, 389 U.S. 841 (1967); Inmates of Attica Correctional Facility v. Rockefeller, 477 F.2d 375, 381-82 (2d Cir. 1973). The proposed provisions, however, would appear to diminish the ability of the Executive Branch to determine how best to enforce the law. Indeed, by requiring the institution of particular prosecutions for particular offenses whenever state or local officials make a referral, the provisions appear to transfer to the those officials the authority to determine for the Executive Branch how the criminal law should be enforced. Because Congress may not unduly interfere with the meaningful Executive control of the administration of the laws, the provisions would appear to violate separation of powers. See Nathan v. Smith, 737 F.2d 1069, 1077 (D.C. Cir. 1984) (Bork, J., concurring) (Congress's attempt to control law enforcement decisions by authorizing a writ of mandamus or a private right of action to compel investigation or prosecution "would raise serious constitutional questions relating to the separation of powers."); cf. Printz v. United States, 521 U.S. 898, 923 (1997).

We would urge that section 301(b)(5) of the House bill and section 803(b)(5) of the Senate bill be deleted or amended to specify that the United States Attorney or the Attorney General retain the discretion to decide whether to charge a particular Federal violation once state or local officials refer a case for prosecution.

Redrafting the provisions in this way would be entirely consistent with the approach already in place in jurisdictions with intensive firearms prosecution programs. As the U.S. Attorney for the Eastern District of Virginia, Helen Fahey explained her district's creation and implementation of "Project Exile" in Richmond, but not in northern Virginia, in testimony before a Senate Judiciary Committee subcommittee: "We are not doing it in Northern Virginia because we have sufficient police resources, prosecution resources, and court resources to deal with the problems; whereas, I think when we started in Richmond, the local police, prosecutors, and courts were absolutely overwhelmed by the number of very, very serious cases." Review of

Department of Justice Firearm Prosecutions: Hearings Before the Subcomm. On Criminal Justice Oversight of the Senate Comm. on Judiciary, 106th Cong. (Mar. 22, 1999).

The Administration supports a firearms enforcement policy that encourages jurisdictions to distribute firearms prosecutions between federal and local prosecutors in a way that maximizes prosecutions and punishment and efficiently uses scarce investigative and prosecutive resources. As such, the Administration prefers the amendment offered by Representative George Gekas (R-PA) that was submitted to the House Rules Committee but was not considered by the full House, to either the Senate or the House bill. The amendment would assure that, in making charging decisions for federal firearms prosecutions, a U.S. Attorney, in coordination with state and local law enforcement officials, would assess the available penalties, the possible effect that a federal prosecution would have on related state or federal prosecutions, the available investigative and prosecutorial resources at the federal, state, and local levels, and the likelihood of conviction in either a federal or state prosecution. We would be happy to work with the conferees to develop language that assures enhanced prosecution of firearms crime without unduly interfering with state and local violent crime reduction efforts.

We offer the following additional more technical comments on the Senate and House bills. S. 254 § 803(b)(2) (page 376), and H.R. 1501 § 301(b)(2) (page 78), require that the intensive firearms prosecution programs be based on agreements with state and local law enforcement officials providing for the referral by state and local law enforcement officials to the ATF and the U.S. Attorney of persons arrested for violations of various federal firearms statutes. If this provision is interpreted literally, it would have little impact, since state and local law enforcement officials rarely arrest persons on federal charges. However, if this provision were interpreted more broadly, it could require state and local officials to refer all persons arrested on state charges that constitute possible federal law violations to federal officials for investigation and prosecution. We would suggest clarifying this referral provision to indicate that state and local law enforcement should be encouraged to refer firearms cases for federal prosecution in appropriate circumstances.

Section 803(b)(4), of the Senate bill and § 301(b)(4), of the House bill provide for the hiring of ATF agents to investigate violations of firearms laws. The language should be clarified to indicate that the Department of the Treasury, and not a U.S. Attorney or the Department of Justice, is responsible for the hiring of ATF agents.

S. 254 § 803(b)(5) (page 376), and H.R. 1501 § 301(b)(5) (page 78), require the United States Attorney's office to "ensure that each person referred to the U.S. Attorney [for a gun violation] be charged with a violation of the most serious Federal firearm offense consistent with the act committed." This language could be construed to require federal charges to be filed for all referrals, even when there are evidentiary problems, or when it makes more sense for other reasons for the case to be handled at the local level.

The House bill includes a broader range of gun crimes in this program (all of chapter 44 of Title 18), compared to the Senate bill, which specifies certain gun statutes (§§ 922(a)(6), 922(g)(1) through (3), 922(j), 922(q), 922(k), and 924(c) of Title 18, and §§ 5861 (d) and 5861 (e) of the Internal Revenue Code). The Senate bill would apply this requirement in 25 jurisdictions based on FBI crime statistics, while the House bill would apply this requirement to all gun violations nationwide. The Senate bill requires that the 25 jurisdictions to be included in this program would be the 10 jurisdictions with the highest total number of violent crimes according to the FBI Uniform Crime Report for 1998, and the 15 jurisdictions with the highest per capita rate of violent crime. Neither the Senate formula, nor the House bill, take into account many of the important factors listed above that are necessary for a successful firearms prosecution program. Local factors or the circumstances surrounding an individual case often will be important for determining whether federal firearms prosecutions are appropriate.

H.R. 1501 § 310(d) (page 79), provides authority for the Attorney General to grant waivers of the program requirements of § 301(b) with respect to a particular U.S. Attorney pursuant to guidelines to be established by the Attorney General. The Senate bill does not include such waiver authority. The guidelines are required to take into consideration the number of Assistant U.S. Attorneys in the office making the request and the level of violent youth crime committed in the judicial district. We believe that a waiver provision is essential if Congress chooses to mandate the establishment of an intensive federal firearms prosecution program, as described in either the Senate bill or the House bill. However, in order to take into account all the relevant considerations, the waiver guidelines should include all the factors included by the Gekas amendment.

Finally, we recommend that S. 254 § 301(c)(2) (page 377), and H.R. 1501 § 301(c)(2) (page 79), should be revised to "encourage law-abiding citizens to report the illegal possession of firearms to authorities" rather than to "encourage law-abiding citizens to report the possession of illegal firearms to authorities," to make clear that illegal possession, not just possession of illegal weapons, should be reported.

APPREHENSION AND TREATMENT OF ARMED VIOLENT CRIMINALS

We strongly support S. 254 § 811, amending Pub. L. No. 93-619 (18 U.S.C. § 3156(a)(4)) (1974) (pages 380-81), and H.R. 1501 § 602, amending Pub. L. No. 93-619 (18 U.S.C. § 3156(a)(4)) (1974) (pages 93-94), which amends the Bail Reform Act to add the felon-in-possession offenses for firearms and explosives within the Act's definition of "crime of violence." This will mean that the courts may, on a proper showing of dangerousness, impose pretrial detention on individuals charged with these offenses, consistent with the existing (but sparse) case law.

Section 811 also contains a prohibition on the imposition of probation for a violation of 18 U.S.C. § 924(a)(2) if the defendant has a previous conviction for a violent felony or a serious drug offense. Violations of (a)(2) which proscribe a "knowing" violation of any of a series of

Bill - Bush playing with
kids -
*let from school's
Publication.
Kevin

Sec's Office
doing a piece on this!

202/401-2000

~~2 years~~
~~97-98-3900~~
~~96-97-5900~~

What is
an offender
(preacted or
just a model?)

* Conference of
mayors putting
name

- putting out names
- # presc. of state/local law on gun case?

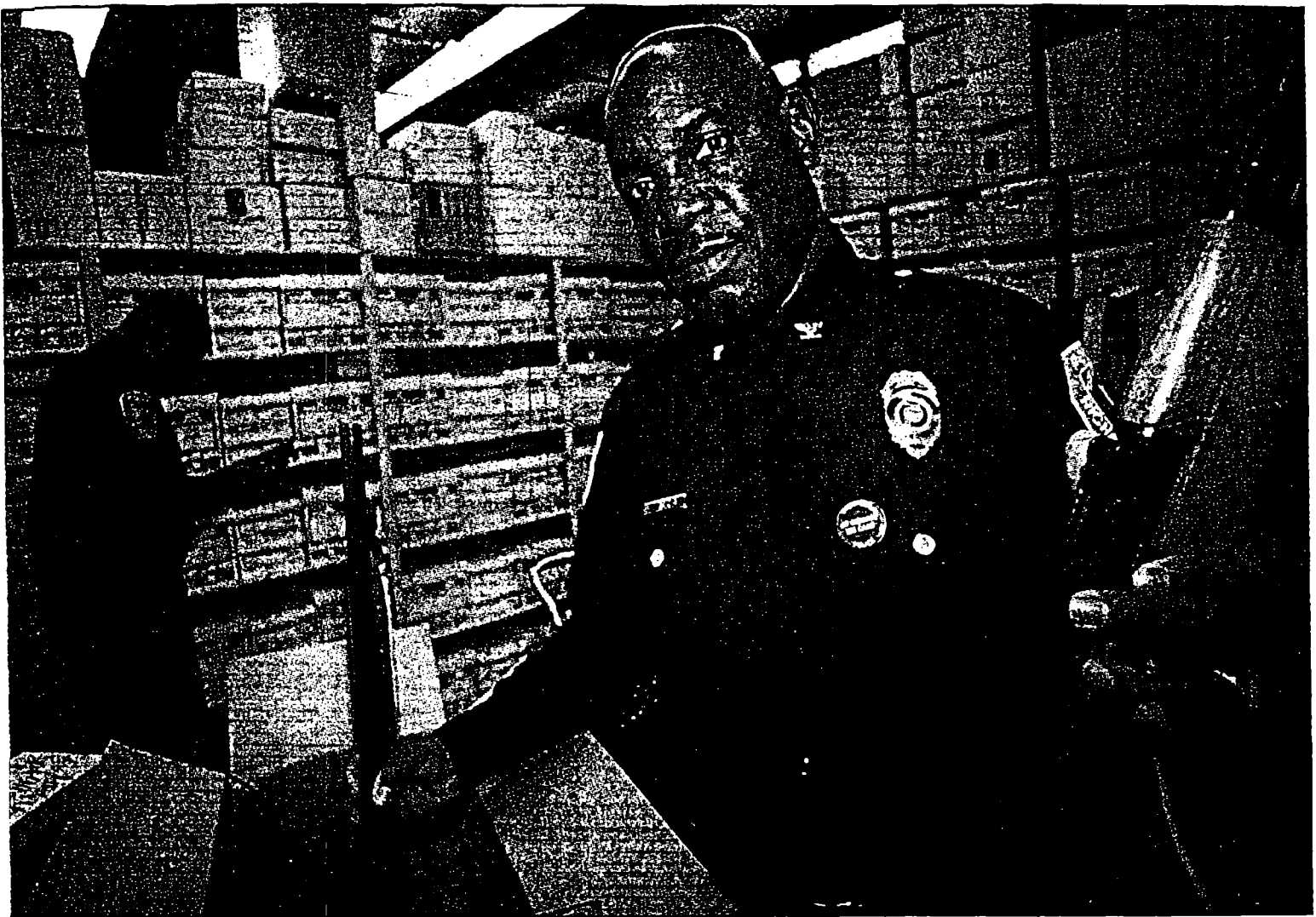
Bill

Apple
1996-1997 TX exp 19978

TX exp
for 1978 to
~~1979~~ 1998
Schulgen
SEA

~~no on GFA~~
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MARY FRANKE/TIMES-DISPATCH

SIGNS OF SUCCESS. In his department's evidence room, Police Chief Jerry A. Oliver displays some illegal firearms netted during Project Exile.

BACK FROM THE BRINK

Deaths dip as city takes blight out of crime

**BY CARRIE JOHNSON
AND GORDON HICKEY**

TIMES-DISPATCH STAFF WRITERS

A few short years ago, Richmond seemed to be trapped in a never-ending spiral of drugs, guns and death. The number of dead reached 160 in 1994, and the FBI ranked Richmond as the city with the second-highest homicide rate in the nation. And the bodies just kept piling up.

Veteran police officers had to scram-

ble just to keep up with the surge in 911 calls. Homicide detectives were receiving up to five new cases every three days.

City officials were stymied, residents were discouraged, and it looked as if Richmond might be lost to the gun-toting drug dealers who lighted up the city streets at night with gunfire.

Now look at 1999.

As of August, there had been 47 homicides in Richmond in 1999, down from 69 at the same time the year before — the

lowest number in more than a decade.

It's not just homicides. All major crimes are down, including aggravated assaults, rapes, robberies, burglaries and larcenies.

At the same time, the number of cases being solved is rising. The clearance rate for all major crimes and simple assaults is up 15 percent from last year, police said.

By most accounts, confidence in the police department has increased among residents. City officials proudly tout Richmond's successes. And police are at-

PLEASE SEE **CRIME** PAGE A8 ►

*Richmond
rejoices*

**Drop
in
CRIME**

FIRST OF
TWO PARTS

Monday, October 11, 1999 ...

RICHMOND REJOICES: DROP IN CRIME

“When I got here, we were playing police department. [It was] just like little kids who play house and they make mud pies. It looks like a real house and it looks like they’re fixing breakfast, but it’s just mud pies.”

JERRY A. OLIVER
RICHMOND POLICE CHIEF

City is a model for fighting crime

Homicide total drops to lowest point in decade

▼ CRIME FROM PAGE A1

tracting national attention for turning one of the nation's bloodiest cities into a model of crime-fighting prowess.

What happened?

The answer isn't simple. There are many variables that are hard to quantify: a decline in crime throughout the nation, a bustling economy, and a change in the type of drugs most common on the streets.

But there also was a massive war on crime being waged in Richmond. A new police chief who promised to push the envelope was hired. The U.S. Justice Department identified the city as a major trouble spot and began sending money and resources. Law enforcement agencies set aside their territorial battles and formed coalitions. Citizens started dialing 911 to turn in their neighborhood crack dealers.

It's impossible to predict whether the trend will last. But here's how Richmond pulled itself back from the brink.

♦ ♦ ♦

March 1995. The year before Richmond had its most murders ever, and 1995 wasn't shaping up much better. A spate of armed robberies had left a number of innocent

bystanders wounded, and a young woman was shot to death while sitting in her Fan District apartment.

Chief of Police Marty M. Tapscott was retiring, and City Manager Robert Bobb had to find someone to replace him.

He went to Pasadena, Calif., to interview the chief there, Jerry A. Oliver.

When Robert Bobb showed up in Pasadena, he said to me "This city is going down the tubes. We've got a murder a day. Come to Richmond and help us find our way out of the box," Oliver said.

Oliver accepted the job and arrived in Richmond in May 1995. He wasn't pleased with what he found. The technology was antiquated, there was no filing system, no communication between the officers, and a deep distrust between the police and other law enforcement agencies.

"When I got here, we were playing police department," Oliver said, a charge Tapscott disputes. "[It was] just like little kids who play house and they make mud pies. It looks like a real house and it looks like they're fixing breakfast, but it's just mud pies."

Also, a mutual apathy had developed between residents and police. Citizens said their complaints were ignored by police. Police said citizens refused to talk about crimes.

There was a feeling of helplessness, Oliver said.

"There was an attitude that you



Tapscott

deserve what you got — that we've got a lot of murders, we've got a lot of violence and we somehow deserve this."

Basically, a rise in crime swept across the country in the 1980s because no one understood the devastating effect of crack cocaine and what people would do to get it, Oliver said. The wave was even worse for Richmond because of its location on Interstate 95 — a perfect stopping point for drug dealers from New York or Miami.

While little could be done to reverse the flow of crack into the nation's inner cities, some police departments reacted quickly to the rise in violent crime.

Richmond wasn't one of them, Oliver said.

While the department had tough, experienced police officers, they weren't given the resources to do their jobs properly. "They were poorly led, poorly housed, poorly financed and poorly equipped," he said.

Oliver set out to change that. He set aside money for computers and other technology. He beefed up training and recruitment. He hired lawyers, planners and MBAs to transform the police department from a paramilitary organization into a smarter, information-driven agency.

But none of that could have happened without the money to fund it. Luckily for Oliver, there recently had been a change in the Richmond City Council.

In 1994, voters in Richmond put five new people on the City Council. They were a majority with little

background in government, and they had no preconceived notion of how the city was supposed to operate.

One of those five "newcomers," as they came to be known then, was Timothy M. Kaine, who now is the mayor.

After the FBI ranked Richmond as the city with the second-highest murder rate per capita in 1994, the five newcomers sat down with the four holdovers and talked about what to do. They discovered that there was no plan for the city, no set of measurable goals.

So the council set about drawing up a strategic plan that listed goals the city administration was expected to reach. "The first thing we looked at was violent crime," Kaine said.

They looked at other cities and national averages and eventually set a goal of reducing the homicide rate by 30 percent in five years.

"I really think in one sense that was the start" of the decline in crime, Kaine said.

But Kaine gives a lot of the credit



Kaine

to Oliver. He brought "real analysis of what are our weaknesses."

Tapscott, reached at his home in White Plains, Md., angrily denies any mismanagement in the police department during

his watch.

He called Oliver's charge there was a lack of leadership in the department ridiculous and accused Oliver of using him as a scapegoat.

"There's no department in the country you can go to where you won't find a few problems when you get there," Tapscott said.

Morale was high among police when he was chief, Tapscott said, and he worked hard to build a trusting relationship between the public and the department.

"We were addressing the crime problem as best we could while a lot of political pressure was being put on us by the City Council," he said.

Oliver soon got to know all about political pressure once he arrived in Richmond. There was plenty of friction between Oliver and the council from the start, and council members didn't hesitate to take him to task over the low number of crimes solved by Richmond police in 1997.

But they also voted to give Oliver the money he needed for technology and better equipment.

For example, in September 1997, members of the council's Public Safety Committee prepared to give Oliver a solid tongue-lashing for the department's low crime clearance rate. Oliver walked out of the meeting with a commitment for \$7 million worth of computers.

Oliver used the computers to pinpoint the city's drug hot-spots so he could concentrate officers in the places they were needed most. With that information, he developed community policing programs with catchy names like Residential Intensive Patrol and Operation Street Heat.

Oliver also opened citizens police academies to the public and spoke at community meetings. His goal was to repair the shattered bond of trust between the citizens and the police.

"Now people know that when they push 911 or any button, there's going to be a quick, swift and sure reaction from the police department."

But police and city officials didn't do it alone. They received some help from people in some very high places, and the result was an "exile" for many of the city's worst criminals.

♦ ♦ ♦

Starting in 1996 and continuing in 1997, the country as a whole began experiencing a drop in crime. Cities once notorious for homicides, such as New York and Philadelphia, suddenly weren't quite so notorious.

But at least one city wasn't following the trend.

Richmond's crime problems were so bad that they caught the attention of the U.S. Deputy Attorney General, Eric Holder Jr.



Holder

"Richmond had a crime rate and a homicide rate that was really out of control," Holder said.

In the summer of 1997, Holder held a series of meetings in his office conference room to discuss Richmond's crime problems. Those in attendance included U.S. Attorney Helen Fahey as well as the heads of the federal agencies in Richmond.

Holder approved sending additional federal agents to Richmond, beefing up the local ATF, FBI and the DEA.

The Justice Department also sent members of the U.S. Marshal Service to Richmond to arrest fugitives in 1997 and again in 1998.

"We tried to respond across the spectrum," Holder said.

The effort was aimed at bolstering the federal resources being used for one of Richmond's most visible anti-crime initiatives, Project Exile, the local-state-federal program aimed at getting guns out of the hands of bad guys.

Project Exile was launched in February 1997. The premise was simple: An illegal gun gets you five years in federal prison.

Under Project Exile, local police turn gun-toting criminals over to federal prosecutors, whose laws are tougher on illegal guns and bond is more difficult to obtain.

The program also includes an extensive advertising campaign on billboards and buses as well as public service announcements on television.

It has attracted a lot of attention, first within the city, then around the country. It's been praised by such disparate parties as President Clinton and the National Rifle Association, U.S. Attorney General Janet Reno and Sen. Orrin G. Hatch, R-Utah.

Law enforcement officials from places such as Baton Rouge, La.,

Rochester, N.Y., and Chattanooga, Tenn., have visited Richmond, looking for the secret that would help them reduce their crime rates, too.

But has Project Exile been the magic formula that has reduced crime in Richmond?

Perhaps not entirely, said Assistant U.S. Attorney James Comey, but it definitely has played a role.

One of the unique aspects of crime in Richmond was the high number of homicides with guns, Comey said.



Comey

"There was just an enormous problem with everyone having a gun."

Drug dealers would stick their 9 mm into the waistband of their pants before going out to make a sale, dramatically increasing the potential for deadly violence.

Now, with Project Exile, criminals think twice before taking a gun on the street, Comey said.

"What the beat cops will tell you is, Exile has really changed their world," he said. "They used to recover guns like crazy. ... That doesn't happen the way it used to."

More importantly, it was a psychological victory for Richmonders. It sent the message that something

could be done about crime.

"That gives us traction," Comey said. "We used to be pushing the rock up the hill. Now we're on the other side and we're gaining momentum."

❖ ❖ ❖

While Project Exile was the most high-profile of the local-state-federal partnerships, it wasn't the only one. Starting in the mid-1990s, agencies that used to engage in turf battles stopped squabbling and started working together.

The Cold Homicide Task Force was formed in 1994. Project Exile came along in February 1997. The long-dormant Fugitive Task Force got a boost in early 1998.

All these programs combined law enforcement officers and prosecutors from the local, state and federal levels.

"It allowed us to use the skills and assets of the respective agencies to attack these issues," said Don Thompson, special agent in charge of the Richmond FBI. "We were able to put aside jurisdiction issues and get the job done."

Nick Broughton, assistant special agent in charge of the Richmond DEA, said he's never seen a city where local law enforcement agencies cooperate the way they do in the Richmond area.

"It's really unbelievable," he said.

That increased cooperation means more resources for all local agencies: city, county, state and federal, Broughton said.

New partnerships continue to form. In October 1998, Attorney General Mark L. Earley assigned a trial lawyer from his staff to work with federal and state prosecutors in Project Exile cases.

And in 1999, the Virginia General Assembly approved legislation that has toughened state laws on criminals carrying illegal guns. The act was dubbed Virginia Exile and has

given communities around the state the ability to start their own "exile" programs.

In Richmond, it allows the Project Exile team to pick the system — federal or state — that will be toughest on a particular criminal.

Hicks

"It continues what we were already doing with the other Project Exile program," said David Hicks, Richmond's commonwealth's attorney.

All of these efforts have combined to change completely Richmond's reputation within the criminal community, he added.

"The word on the streets was that Richmond was a place where the laws were soft," Hicks said. "Now it's just the opposite."

❖ ❖ ❖

All the pieces appear to have fallen into place: The police department has technology that puts it on the cutting edge of crime fighting; trust between citizens and police has been repaired; and programs such as Project Exile and Virginia Exile are locking up bad guys for a long time.

So is there any chance Richmond could revert to Murder Town U.S.A.?

Colleen McCue, who has been studying homicides and violent crimes in Richmond for years, said she wouldn't break out the champagne just yet. Things have a tendency to move in cycles, she warned, and the cycle could turn nasty again.

The bad years were so unusually bad that the years since seem unusually good. Those bad years in the mid-1990s were caused at least partly by the success of the police, said McCue, an assistant professor of surgery at the Medical College of Virginia Hospitals.

Because the police had been successful in cracking down on drug dealers, the drug market was unstable and would-be dealers were killing each other at an unusually high rate, she said.

McCue said the number of homicides went up, partly because of retribution for perceived cooperation with police, and partly because of restructuring in the marketplace.

"A lot of bad guys were killed" then, she said, and they were killers themselves. "If Ed killed five people, perhaps you stopped him from killing five more" by killing him.

In the mid-1990s, nearly half the deaths were related to drug transactions. This year, that number is 15 percent.

But McCue also said she's worried because murder still is a spectator sport in Richmond.

"The thing that scares me is, you go out there and you see 5-year-old kids watching." They see adults standing around, eating lunch, telling jokes and not talking to police. "We're training the killers of 10 years from now. These kids are going to grow up, and there's a lot of 'em."

Richmond police Detective Ray Williams said the department is continuing to improve communication, both among police and between police and the public.

They've got a lot more resources today. In the early 1990s, the city



Williams

had eight homicide detectives. Today, the city has 22. Detectives used to stick their files in a drawer in their desks; now, there's a central computer file where all information is stored.

It's a good time to be a Richmond cop, Williams said.

"My job is a lot less frustrating."

Williams, who is a 28-year-veteran, doesn't hesitate when asked what caused the turnaround.

"The reason [crime is] down is Jerry Oliver. He came in with some good, aggressive community policing," he said. But his concern is that, with the crime rate dropping, funding from federal and local government will dry up.

That's a big worry to many Richmond police officers, because the first round of prisoners who were "exiled" under Project Exile will be getting out of jail in the next couple of years.

"They'll all be getting out at the same time," Williams said. "What are we supposed to do then?"

Oliver said he has no intention of reducing the pressure on Richmond's criminals. But he also sees the police department starting to move in a new direction, acting as a link between the city's social service programs and its most troubled citizens.

"There's a whole number of people who don't understand the system and don't know how to use the system to solve their problems. The only way they know how to solve their problems is hitting back with their fists instead of hitting back with a phone call to their lawyer."

And so while the crime rate may be down, Richmond remains a violent city where the potential for deadly violence always is bubbling below the surface, Oliver said. His task is to find a way to keep that violence from boiling over.

"We still have a lot of work to do," he said.

Beating the deadline

When the Richmond City Council decided to set a goal of reducing violent crime by 30 percent, it used 1994 as the benchmark year. The goal was reached last year — two years before the deadline. Through August of this year, the numbers have continued to improve.

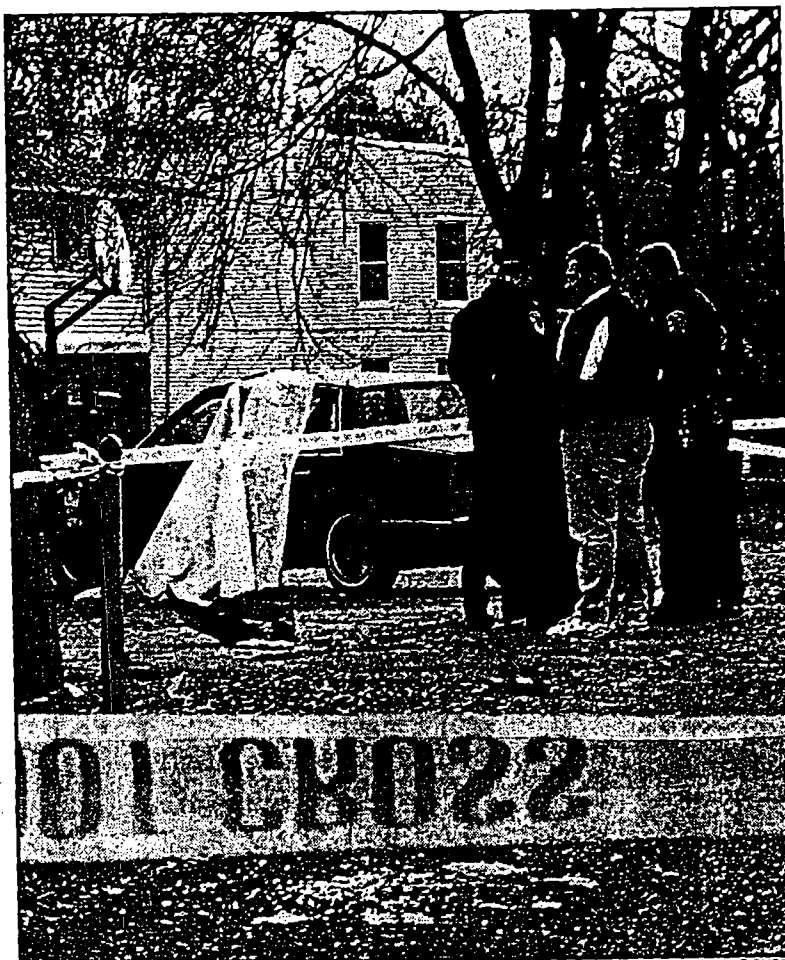
Crime	Jan.-Aug. 1994	Jan.-Aug. 1999	Total decrease	% change
Homicide	116	47	69	-59%
Rape	127	80	47	-37%
Robbery	1,121	689	432	-39%
Aggravated assault	1,231	690	541	-44%
All violent crime	2,595	1,506	1,089	-42%

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Downward trend in major crimes

Crime trends during the past five years have been downward in Richmond.

Year	Homicide	Rape	Robbery	Aggravated assault	Burglary	Larceny	Auto theft	Part One offenses
1994	160	169	1,586	1,679	4,934	10,835	2,641	22,004
1995	120	171	1,491	1,718	4,260	10,848	2,376	20,984
1996	112	143	1,545	1,583	4,022	10,338	2,028	19,771
1997	139	112	1,533	1,679	3,555	9,727	2,674	19,419
1998	94	127	1,216	1,367	3,344	9,098	2,438	17,684



FILE PHOTO

FEWER SCENES LIKE THIS. The number of homicides in Richmond in the first eight months of the year dropped by 59 percent in five years — from 116 in January-August 1994 to 47 in the same period this year.

DRAFT

INTEGRATED FIREARMS VIOLENCE REDUCTION STRATEGY Department of Justice, Department of the Treasury

I. EXECUTIVE SUMMARY

II. INTRODUCTION.

a. President's directive

b. Steps to carry it out

(I) input from ATF field divisions

(ii) input from U.S. Attorneys

(iii) field visits by Treasury/ATF [?]

III. NATIONAL FIREARMS VIOLENCE ASSESSMENT

a. Gun crime: intentional shootings (assault, battery etc) and firearms homicides. Role of firearms in crime generally: Non-gun homicides flat, gun homicides increase. Recent downward trends.

b. Particular firearms crime/victimization trends relating to juveniles and youth

c. Non-intentional shootings resulting in death and injury. Annual and trend.

d. Gun suicides. Annual and trend.

e. Regional differences; urban-rural information [?]

g. The role of gangs, drug organizations, chronic offending groups

h. Illegal access to firearms: Illegal interstate movement of firearms used/illegally possessed by criminals and juveniles. Crime guns obtained from regulated and unregulated gun dealers.

*Make legislative
component
of letter!*

*Susan Wankel known
success points of
view on regulation /
safety!*

IV. BACKGROUND: REGULATORY AND CRIMINAL JUSTICE

- a. 1934 registration law; 1968 GCA; establishment of FFL system; protection of state gun laws against interstate trafficking; enforcement approach -- import regulation; enforcement of criminal misuse and trafficking violations
- b. DOJ-ATF mid-eighties Triggerlock-Achilles strategy focused on prosecuting convicted felons and armed drug traffickers: deterrence and incapacitation. (1986 passage of ant/acc laws; 1989 Report to the Attorney General on Systems for Identifying Firearms Who Attempt to Purchase Firearms; 1991 ATF Protecting America Report). ATF Violent Crime Coordinator program in 1996 (?) to allocate federal and state cases. Role of OCDFT/ICDE.
- c. Passage and implementation of the Brady law requiring background checks on gun purchasers; CLEO system.
- d. ATF development of tracing system to provide federal and local law enforcement with strategic overview of crime guns in particular cities and states, and increase illegal trafficking information for investigators/prosecutors; Project LEAD. Initiation of full scale supply reduction strategy 1996 to supplement deterrence and incapacitation strategy.
- e. Initiation of Youth Crime Gun Interdiction Initiative to build informational foundation on the illegal supply of guns with state and local officials, and increase federal and local investigative attention and support prosecutions to reduce juvenile/youth violence.
- f. Congressionally mandated reform of GCA FFL licensing system in 1994. Reduction of FFLs 1994-1997 (?), and implementation of targeted regulatory enforcement of FFLs using trace data 1999. Revocations and prosecution referrals 1999.
- g. Implementation of NICS, and new referral system.
- h. Development of local violence reduction enforcement initiatives: Boston Gun Project/Ceasefire, Project Exile, DOJ Strategic . . . (SACSE) to replicate Boston Gun Project/Ceasefire. These local plans vary from gun specific plans, like Project Exile and its variations, to "district plans" like the Boston Gun Project/Ceasefire, which are more general violence reduction plans but include a firearms-specific illegal supply reduction component and a prominent role for ATF.

- I. DOJ and ATF emphasis on prevention and community involvement, including ATF GREAT program, myriad DOJ programs (Weed and Seed, PACT etc), as part of "district plans" like Boston Gun Project/Ceasefire and separately.

V. DISTRICT PLANS: AN INTEGRATED FIREARMS VIOLENCE REDUCTION STRATEGY

- a. Introduction: combination of five approaches required. Different combinations of the five approaches are possible and they may overlap to some extent.

(i) District Violence Reduction Projects, involving *all federal, state, and local law enforcement agencies* and community institutions. Known as "pulling levers," and modeled on Boston's Ceasefire/the Boston Gun Project, these plans focus on deterrence and incarceration of chronic offenders and chronic offending groups. They use cases of *all kinds* -- local charges, parole/probation violations, drug, gun charges, based on which charge is the most effective. These plans may include a separate trafficking component specifically aimed at reducing the illegal supply of guns. This component is discussed separately below. They also include social service components, also described separately below.

(ii) Intensive Firearms Enforcement Projects. Modeled on Project Exile in Richmond, Virginia, these plans focus on incarceration and deterrence of violent offenders, including armed career criminals and armed narcotics traffickers, felons in possession, and illegal traffickers of firearms. The plans involve cooperation among federal, State and local law enforcement in apprehending criminals and in determining whether the case is best prosecuted under federal or state law. They include using Brady denial information to identify and apprehend serious violent offenders. One key purpose of these plans is to provide a federal criminal justice forum when state law or state enforcement is lacking, however, they have evolved to constitute generalized intensive enforcement plans, which involve shared federal-local responsibilities.

(iii) Illegal Supply Reduction Projects. These plans complement both general violence reduction plans and intensive enforcement plans by seeking to reduce illegal access to firearms by criminals and juveniles/youth. These plans include:

- (a) regulatory compliance efforts involving FFLs
 - (b) identification, arrest, and prosecution of illegal traffickers of firearms, including corrupt FFLs, interstate and intrastate gun traffickers, illegal sellers at gun shows and similar venues, straw purchasers and straw purchasing rings, traffickers in stolen firearms, and unlicensed street dealing.
 - (iv) Special Juvenile and Youth Enforcement Projects. These plans may be separate or components of other plans, but in each case recognize that juvenile and youth crime represent a special problem, both in terms of the crimes committed and methods of illegal access to firearms.
 - (v) Community Outreach, Prevention, and Support Projects. These elements may be established as separate projects or be integral parts of enforcement plans, but in either event draw on community resources, social services, in-school programs, and other established interventions to prevent violence or assist violent offenders.
 - (vi) Information and Technology Support.
- b. District Violence Reduction Projects
- (I) Goal/role in integrated strategy. These plans address hot spot violence, by focusing on identifiable groups of chronic offenders and individual chronic offenders. Designed to alter the violent street dynamic by changing norms and allowing for a calmer street life (as opposed to dismantling groups or incarcerating large numbers of offenders or trying to deter gun carrying). Primary emphasis is not how many people are being incarcerated, but on deterrence and reducing the demand for guns. This plan maximizes law enforcement resources, and uses focused parole and probation efforts without requiring a huge expansion of their resources. A firearm illegal supply reduction component (described separately below) reduces future violence. Links with community services provide alternatives and other interventions for violent offenders.
 - (ii) Results so far/potential impact on crime: District wide pulling levers plans have demonstrated violent crime reduction rates ranging from 70% (for juveniles/yth, Boston) to 50% (adults, Boston) to 80-90% (smaller jurisdictions with less established criminal groups, Minneapolis). Such violence reduction plans involve all federal, state

and local agencies and are not exclusively gun focused, although ATF has significant role.

(iii) Method/plan:

- Identify the groups of chronic offenders and chronic offenders, in violence hot spots, responsible for the majority of violence.
- The planning process may be led by U.S. Attorney or other person. Examples exist of various leaders.
- Identify all law enforcement agencies able to respond to violence by chronic offending groups
- Determine a cooperative enforcement plan
- Respond to violent activity by particular groups by pulling available law enforcement levers on that group (focused police activity, focused federal investigative attention; gun, drug, asset forfeiture charges, etc; probation and parole violations; special State and Federal prosecutorial attention)
- Notify groups that this special array of enforcement activities will be focused on groups that commit violence
- After an enforcement action, re-notify groups that enforcement occurred and explain why
- Identify governmental and community institutions able to assist offenders
- Notify groups of services available to offenders who wish them
- Make services available to offenders who come forward
- Continue focused "pulling lever" enforcement (each agency pulling its own lever in consultation with the group) response to violence
- Continue communications outreach
- Institute a simultaneous, parallel strategy to reduce the illegal supply of firearms using comprehensive tracing to determine trafficking patterns (*discussed below*)

(iv) Successful examples from the field (other than Boston Ceasefire/Boston Gun Project):

1. Indianapolis' Violence Reduction Project (US Atty: Judy Stuart).
2. High Point Community Against Violence Initiative (US Atty: Walter Holton).
3. Winston-Salem (U.S. Atty: Walter Holton)
4. Minneapolis (not U.S. Atty led)
5. Stockton (not U.S. Atty led)
6. Baltimore (not U.S. Atty led)

(v) Goal for replication: a plan in each district

c. Intensive Firearms Enforcement Projects

- (I) Goal/role in strategy: These plans focus on incapacitation or incarceration of violent offenders. Even when there is a successful district violence reduction plan that reduces violence by chronic offender groups, there will still be individual violent offenders and felons, including illegal traffickers, who must be incarcerated. The plans also have a deterrent value, resulting from intensive enforcement and public relations campaigns that advertise the enforcement effort.
- (ii) Results so far from Richmond's Project Exile. 30% reduction in [?]. Project Exile is an offshoot of ATF's Achilles program, dedicated to incarceration of armed career criminals. As of 199x, more than 2,300 armed career criminals have received sentences of 15 years or more. A study of a sample of these criminals showed that one out of three had previously been convicted of murder, attempted murder, aggravated battery, rape, or a crime against a child. Protecting America.
- (iii) Method
- Identify federal and state laws available to prosecute gun offenses, including trafficking
 - Decide which offer greatest incarceration and therefore deterrence value
 - Intensify efforts to prosecute according to the toughest laws, presumably federal
 - Advertise the program locally
 - Enlist community support for the program
 - Publicize results

[ATF: *What is role of ICDE in this approach?*]

(iv) Integration of Brady referral information into Intensive Firearms Prosecution Plans

(A) ATF uses NICS referrals from the FBI to investigate and recommend prosecution of prohibited individuals who attempt to purchase firearms, provided to dangerous violent offenders

(B) Applicable program statistics (e.g., Since December 1998, 600 investigations have been initiated).

(v) Successful examples from the field (other than Richmond)

1. Chicago Surefire
2. Memphis Ice (?)
3. Philadelphia Ceasefire
4. Atlanta Face 5
5. Rochester

etc [decide list] In describing the examples, include a line where applicable about NICS derived prosecutions. Include explicit reference to trafficker/FFL arrests where such prosecutions occur

(vi) Goal for replication: an Intensive Firearms Enforcement Plan in each district

d. Illegal Supply Reduction Projects

(I) Goal/role in strategy. Illegal Supply Reduction Projects aim to reduce the illegal supply of guns to criminals and juveniles, and thereby reduce the demand for firearms for self-protection as well as violent crime committed with firearms. Illegal Supply Reduction Projects may be components of District Violence Reduction Projects and complement Intensive Firearms Enforcement Projects. These plans include regulatory compliance by the firearms industry and criminal prosecution of illegal traffickers in firearms, including corrupt FFLs, etc.

(ii) Results/potential impact on crime. ATF performance measures. 8,000 defendants recommended for prosecution since 1996; number of guns seized etc. Inspection performance measures

(iii) Method/plan.

- Develop information on the supply of crime guns by debriefing arrestees, comprehensive crime gun tracing, and traditional methods such as confidential informants
- Use the information to target firearms industry regulatory compliance efforts where there are indicators of problems, such as FFLs with high volume/fast time to crime traces
- Revoke licenses of FFLs engaged in illegal trafficking

- Identify, investigate, arrest, prosecute, and incarcerate illegal traffickers
- Where there is sufficient illegal supply information, develop a plan to cut off the source of supply to particular offending groups, hot spots, neighborhoods, by targeting the illegal supply to that area

(iv) Regulatory Compliance and Enforcement Measures. Regulatory enforcement is an integral part of Illegal Supply Reduction Projects that is carried out by ATF inspectors. Discussion of inspectors' role in educating potential firearms dealers about what is legally expected of them before licenses are issued, and identifying suspicious dealers and firearms traffickers, conducting inspections, taking regulatory enforcement actions, and making criminal referrals. The methods followed by ATF include:

- Describe FFL background investigation process and renewal/non-renewal determination process. Describe any continuing role for State and locals in connection with enforcement of local zoning and licensing laws.
- Targeted inspections of any FFL nationwide reaching threshold of crime gun traces, based on semi-annual NTC trace data [?] plus complete detailed information when inspection occurs. Describe warning, revocation, NICS referral to FBI and criminal referral process. Provide number of FFLs and number of annual inspections.
- Focused inspections over a short period of time in a single geographic area (Is this regular or is New Orleans the only instance?) Describe warning, revocation, NICS referral to FBI and criminal referral process
- Meetings with firearms dealers and gun show promoters. (Is there an SOP for this or is there only one instance, Milwaukee?)

(v) Successful examples from the field

1. Philadelphia Trafficking Task force, include reference to Regulatory activity
2. Detroit Trafficking Task force, include reference to Regulatory activity
3. # of Field Criminal Referrals from ATF Regulatory Inspection to Criminal (Harvard survey gives percentage of all investigations initiated by Reg. Ref)
4. Trafficking Component of District Violence Reduction Plans: Baltimore, Minneapolis, Stockton [?]

(v) Goal for replication: A Supply Reduction Plan in every field division/office/district

(e) Special Juvenile and Youth Enforcement Projects

(I) Goal/role in integrated strategy. These projects focus enforcement resources on juvenile and youth violence, as elements of (or the principal focus of) District Violence Reduction Projects, Intensive Firearms Enforcement Projects, or Illegal Supply Reduction Projects. Special Juvenile and Youth Enforcement Projects are developed in locations with a significant juvenile and youth gun and violent crime problem. They may focus, for instance, on the illegal supply of firearms to youth, the arrest and prosecution of serious juvenile and youth offenders, juvenile and youth gang related enforcement projects.

(ii) Results/potential impact on crime. The Boston Gun Project/Ceasefire was developed as a plan focused on juvenile and youth violence. It has achieved an 60-70% reduction in youth homicides in the city of Boston. ATF has established Youth Crime Gun Interdiction Initiative projects in 37 cities. These have resulted in x guns recovered and traced, x investigations, and x prosecutions, involving x defendants and x guns.

(iii) Method/plan. Juvenile and youth armed violence can and must be addressed through a number of enforcement plans and interventions. ATF has developed a specific enforcement program, the Youth Crime Gun Interdiction Initiative, to increase resources specifically focused on juvenile and youth violence. This program includes the following elements:

- Develop information on the illegal supply of guns to juveniles and youth through comprehensive crime gun tracing, debriefing arrestees, and traditional investigative methods
- Provide an overview of the information to support local enforcement strategy development, including information such as the primary source states for crime guns and the type of crime guns most frequently recovered
- Create an investigative group or task force
- Use the information to develop strategies and build cases against illegal suppliers of guns to juveniles and youth
- Investigate, arrest, prosecute, and incarcerate both violent juvenile and youth offenders and illegal suppliers of guns to them

(iv) Successful examples from the field [*ATF pick cities with cases, YCGII hires, cc tracing*]

1. YGCI Chicago
2. YCGII Philadelphia

3. YCGII Los Angeles
4. YCGII Milwaukee
5. YCGII Atlanta

(f) Information and Technology Programs and Policies

- (I) Enforcement strategies will be most effective if supported by complete and accurate information and analysis that is shared by federal, state and local law enforcement. While much information is local, for instance, information provided by local confidential informants, there are national level policies and programs that can effectively support local criminal and regulatory enforcement. These include:
- Systematic debriefing of local practitioners to identify underlying patterns of homicide and serious violence, including firearms violence.
 - Systematic debriefing of local practitioners to establish the number, membership, rivalries, criminal behavior, and legal vulnerabilities of gangs and other chronic offending groups
 - Debriefing all arrestees for crime gun source information
 - Comprehensive crime gun tracing, Project LEAD, and crime gun mapping and analysis of National Tracing Center trace, stolen gun, and multiple sales information
 - Ballistics identification equipment (NIBIN), linked to the Firearms Tracing System
 - Systematic analysis of pawn and other record keeping mandated by state or local law
 - Analysis of case information to determine patterns.

- (ii) Systematic debriefing of local practitioners-- underlying patterns. Reviewing historical homicide and shooting incidents to establish: the involvement of gangs or other chronic offending groups; the motive behind incidents; the connection of incidents to prior incidents; the nature of gang rivalries, drug market related violence, and other such primary drivers of local violent crime, etc. Examples: Boston, Minneapolis, High Point, Stockton
- (iii) Systematic debriefing of local practitioners -- chronic offender information. This information provides the foundation for developing a District Violence Reduction Project. It can be done by local law enforcement, federal participants, academic partners.
- (iv) The policy of debriefing all arrestees for crime gun source information. Describe use and extent of this policy; linked to plea arrangements? How is information centralized and shared?
 - 1. Bronx project.
- (v) Comprehensive crime gun tracing, Project LEAD, and crime gun mapping and analysis of National Tracing Center trace, stolen gun, and multiple sales information
 - (A) Description of tracing process and its purposes, including providing national and local overview of crime gun problem through crime gun analysis and mapping, AND supporting inspections/regulatory action and investigations/criminal referrals through LEAD and regulatory inspection reports. FTS includes stolen gun and multiple sales information, link to OOB etc. Project LEAD sharing arrangements with pds. Applicable program statistics e.g., in 1990, 44,272 firearms were traced; in 1998, NTC received 188,299 trace requests; FTS related cases.
 - (B) Specific successful establishment and use of tracing.
 - x YCGII cities tracing comprehensively, providing local law enforcement officials with overview of gun problem, being used to develop enforcement response, and case leads, leading to prosecutions. Dallas is YCGII city.
 - NTC/CGAB performance measures -- case referrals based on LEAD/FTS analyses and number of investigations; case support in response to telephone queries and number of investigations;

mapping services to x jurisdictions etc

- New York's Regional Crime Gun Center, supporting operations in NYC, NJ etc, cleaning data, analyzing data, referring cases to joint task force with NYPD.
- Illinois state law implementation, using ex-ATF agent to assist local pds in initiating tracing. Chicago use of trace information in connection with cases/regulatory actions against suburban FFLs.
- DOJ/BJA \$\$ support for IACP trace/trafficking training program, training x officers in x law enforcement agencies in x states.
- [any of the Intensive Firearms Enforcement Projects using comprehensive tracing, FTS/LEAD leads to make cases, e.g. Philadelphia, and any District Violence Reduction Projects using tracing, e.g. Baltimore

(vi) National Integrated Ballistics Information Network (NIBIN)

- (A) Discussion of NIBIN and its how it supports Intensive Firearms and Illegal Supply Reduction Projects as well as local law enforcement operations. NIBIN uses state-of-the art technology to compare firearms projectiles, cartridges, and casings and match evidence from different crime scenes. Since program was initiated in 1993, technicians have entered nearly 127,000 bullets and casings into the system and have produced 700 matches of information. These matches have led to solving crimes.
- examples of NIBIN use in connection with Intensive Firearms Enforcement Projects, e.g. Chicago Surefire
 - Baltimore Police Department/ATF use of ballistics identification and trace information to investigate/prosecute straw purchasers.

(vi) Systematic use of pawn and other record keeping mandated by State or local law

- (A) [Some] [cities/states] require record keeping by pawnshops and other state agencies that can be used to identify criminals. [explain use of pawn data and what types of cases it leads to]
- (B) Specific successful establishment and use of pawn and other local record keeping systems

- Miami Pawntrak
- Baltimore [?]

(vii) Analysis of case information to determine patterns. Focus enforcement and regulatory resources, by showing trafficking modalities, and regional differences, both to explain to the community how illegal trafficking is occurring, and to monitor and shape enforcement and regulatory policy.

- Gun Show Report
- YCGII Performance Report

C. Community Outreach, Prevention and Support Projects

- (I) Outreach, prevention, and other types of projects supporting violence reduction can be independent of or coordinated with enforcement projects. This strategy focuses on those that have a direct connection with enforcement projects. *[this needs to be considered further]* Such projects include combined enforcement and community development programs like Weed and Seed, community institution services offered to violent offenders through District Violence Reduction Plans, support from faith based organizations like the 10 Point Coalitions, and school based prevention curricula taught by law enforcement official, and other special school safety initiatives. *[what else?]*
- (ii) Community institutions supporting District Violence Reduction Plans
- (iii) Faith based organizations
- (iv) GREAT *[since this does not have a firearms component does it belong?]*
- (A) Discussion of GREAT and its relationship to the national strategy. The GREAT Program seeks to prevent youth crime, violence, and gang association while developing a positive relationship among law enforcement, families, and young people to create safer communities.
- (B) Applicable program statistics (e.g., Evaluation of GREAT Program by NIJ).
- (C) Successful examples

- GREAT school somewhere
- Partnership with Boys & Girls Club in Portland, Oregon
- Project CARGO, Miami
- Oklahoma City's liaison with Oklahoma City School District.
- Agreement with local police and public school system in Springfield, Missouri.

VI. STRATEGY IMPLEMENTATION

The Integrated Firearms Violence Reduction Strategy must be implemented by U.S. Attorneys and ATF, as well as other federal, state and local law enforcement agencies participating in District Violence Reduction Projects. Implementation must include, in addition to direct federal resources, federal support for state and local law enforcement agencies seeking to reduce firearms violence.

(a) ATF: The investigative foundation

(i) The Administration is proposing [x] new positions (agents, inspectors, analysts) for ATF to support the Integrated Firearms Enforcement Strategy. *[Issue: what about out years?]*

(ii) The current ATF program structure [will be used to] support all elements of the strategy, with the increased agents and inspectors. Describe ATF programs: Achilles groups, Violent Crime Coordinators, Trafficking groups, Project LEAD coordinators, Intelligence units [?], Youth Crime Gun Interdiction Initiative groups, inspectors. *[ATF: do you want to modify your program structure to make Achilles groups IVRS groups? Or does the program structure have enough flexibility to implement the strategy assuming additional resources?]*

(iii) District Violence Reduction Projects. Currently x cities have District Violence Reduction Plans. The plan is to develop plans in x cities by 200x. Creating District Violence Reduction Plans is primarily a coordination and leadership issue. District Violence Reduction Plans are supported by all ATF program groups, including Achilles, Violent Crime Coordinators, Trafficking, and YCGII groups.

(iv) Intensive Firearms Enforcement Projects. Currently x cities and x US Atty Districts and x ATF field divisions/offices have Intensive Firearms Enforcement Plans, staffed according to [crime rates/population]. The aim is to ensure that [every] district/field division/office have such plans in place by 200x. Further description of agent/group allocations.

Violent Crime Coordinators (VCCS) can be used to support Intensive Firearms Enforcement programs. VCCs coordinate prosecution of firearms cases, both those submitted by ATF and those referred by other enforcement agencies. Number and location of VCCs.

ATF Achilles groups can be used to support Intensive Firearms Enforcement programs. Achilles groups develop cases against armed career criminals and armed narcotics traffickers. Number and location of Achilles groups.

Violent Crime Task Forces can be used to support Intensive Firearms Enforcement programs. These are U.S. Attorney coordinated task forces, made up of Federal, State, and local law enforcement

(v) Illegal Supply Reduction Projects. Currently x ATF field divisions and offices have Illegal Supply Reduction Projects staffed by Trafficking Groups or Youth Crime Gun Interdiction Initiative groups. The aim is to ensure that [every] etc.

(vi) Enforcement Projects With Special Focus on Juveniles and Youth. 37 cities have enforcement plans with special focus on juveniles and youth, supported by ATF's Youth Crime Gun Interdiction Initiative. In other cities, juvenile and youth related investigations are integrated into the Intensive Firearms Enforcement Plans.

(vii) Community Outreach, Prevention, and Support.

(viii) Information and Technology Programs and Policies. ATF's plan is to develop the optimum investigative foundation in every location, sharing it with each police department engaged in joint federal-local enforcement efforts, including:

x field divisions/offices/USAtty Districts have instituted a policy of debriefing all arrestees for crime gun source information. To ensure that such a policy is implemented everywhere else . . .

x field divisions/offices have instituted policies of comprehensive crime gun tracing, x of these are certified through the Youth Crime Gun Interdiction Initiative. Three [?] states have passed comprehensive crime gun tracing legislation that ATF is implementing, and one state has mandated tracing of all recovered guns from juveniles. X field offices have Project LEAD coordinators, with Project LEAD available electronically in real time to [500] agents or inspectors. The NTC provides xxx responses to telephone queries annually, and has developed xxx case referrals based on Project LEAD/FTS data and referred them to the field. The aim is to [describe plan for full deployment in each area]

x police departments have ballistics identification systems. The Departments of

Treasury and Justice aim is that x police departments will have such systems in place by 200x, at the rate of x per year, depending on Congressional action.

X plans include the use of pawn and other recordkeeping systems . . .

- (b) Prosecution: U.S. Attorneys
- (c) Federal Support for State and Local Law Enforcement

VII. CONCLUSION CONCERNING ENFORCEMENT AND PROSECUTION PROJECTS

VIII. VOLUNTARY MEASURES BY THE FIREARMS INDUSTRY

IX. LEGISLATIVE ACTION

FACSIMILE COVER SHEET
DEPARTMENT OF THE TREASURY
DEPUTY ASSISTANT SECRETARY
(ENFORCEMENT POLICY)

Phone: (202) 622-0300

Fax: (202) 622-7301

Date:

Page 1 of

TO: MS. Benoit

FAX: 456-7028

FROM: S. Ginsburg

SUBJECT:

MESSAGE:

- Achilles was before Miguelack /
- Miguelack laws passed in 1986?
- Felons in possession
- ~~not~~ keeps some Miguelack status
- AG likes Boston ~~style~~

NRA-ILA Grassroots

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NRA-ILA Fax Alert

Vol. 6, No. 43 - 11/05/99

HESTON PROMOTES "PROJECT EXILE" ON CAPITOL HILL --

Anti-Gunners Counter By Plotting To Push Gun Control Legislation Next Week (see below)

Yesterday, NRA President Charlton Heston testified before the House Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, reiterating NRA's calls for Congress to appropriate \$50 million to implement "Project Exile" in cities across the country. Heston's testimony highlighted the impact "simply enforcing federal gun laws" has on reducing violent crime. President Heston made his point in part by highlighting the fact that the city where "Project Exile" was first hatched, Richmond, Virginia, had more BATF-instigated prosecutions of gun law violations in 1998 than California, New Jersey, New York, and Washington, D.C., combined! Despite the lip service the Clinton-Gore-Reno Administration often gives to the merit of enforcing existing law, its actions speak louder than its words. Mr. Heston informed the committee of the recent Syracuse University study (see FAX Alert Vol. 6, No. 34) that showed under this Administration, BATF prosecutions have declined by 44%! As he pointed out in his testimony, BATF's response to this prosecutorial neglect has been: "...we (BATF) seek to prosecute the few sharks at the top rather than the numerous guppies of criminal enterprise." Mr. Heston eloquently laid out the case that the Administration's words concerning prosecutions do not in any way match its deeds, referencing a Justice Department spokesman who told USA Today, "...it's not the federal government's role to prosecute" these gun cases. And as if one needed any more proof that this Administration cares not for enforcing laws, but rather seeks political advantage, Mr. Heston highlighted a statement made by Janet Reno's Deputy, Eric Holder, who ridiculed "Project Exile" as a "cookie cutter" approach and called it "fundamentally wrong" to earmark funds to enforce existing federal gun laws. For a copy of Charlton Heston's entire testimony, visit our website (www.nraila.org), or contact the Grassroots Division at (800) 392-8683.

Not to be outdone, the anti-gunners held their own press conference later that day in which they blamed NRA for the current stalemate over the congressional juvenile justice bill. Featuring such "luminaries" as Vice President Al Gore, House Minority Leader Richard Gephardt (Mo.), Senator Ted Kennedy (D-Mass.), and Ranking Member of the House Judiciary Committee, John Conyers (D-Mich.), the message was clear -- we need more gun control. While Gephardt acknowledged that none of the current proposals being bandied about by the conference committee handling the juvenile justice legislation would have stopped recent shootings, he nonetheless advocated the passage of more restrictions. While the speakers vilified NRA for standing in the way of "common sense" gun control legislation, they ignored the fact that it was the House Democrats, who by and large, rejected legislation by one of their own -- Rep. John Dingell (D-Mich.) -- that would have required NICS checks on all transactions at gun shows. The anti-gun Democratic House leadership is willing to forsake virtually any legislation in the belief they can score political points in the 2000 elections. This press conference followed on the heels of a similar ranting earlier in the week, where other supporters of gun control re-hashed HCI statistics and arguments, and pilloried NRA.

"COMPROMISE" PROPOSAL FLOATED?

While the juvenile justice legislation is still pending in a conference committee, reports of a "compromise" proposal concerning the gun show issue have been circulating on Capitol Hill. Under this draft proposal, records of approved purchases under NICS would be destroyed "within 24 hours." This is unacceptable to NRA, for the law says that purchases not denied under NICS must be destroyed

immediately. The draft also envisions a modified three-day delay in circumstances where the system discovers an arrest or other similar record indicating that transfer of the firearm may violate the law. Like the 24-hour record retention, we also oppose this three-day wait provision, as the NICS system was intended to approve transfers "if the receipt of a firearm would not violate" federal or state law. Mere arrest records, which may not contain final dispositions, are inconsistent with the stated purpose of NICS. Only convictions, not arrests, are disqualifiers for gun ownership. Rather than applying band-aids to the current shortcomings of NICS, we will continue to ask Congress to address the core problems concerning deficiencies with the system.

ANTI-GUN LEGISLATION MAY BE ON THE MOVE IN THE SENATE NEXT WEEK!

While the anti-gunners in the House have been giving speeches about the need for more gun laws, anti-gunners in the Senate, led by Sen. Dick Durbin (D-Ill.), were actively plotting to force a vote on an anti-gun amendment on the Senate floor, perhaps as early as Monday. Realizing their best chance to pass restrictions on our rights may be in hijacking other legislative vehicles pending in the Senate, the anti-gunners may push to amend the Senate's bankruptcy bill with legislation prohibiting firearm and ammunition manufacturers from filing for bankruptcy if they lose a reckless lawsuit. Clearly, this amounts to yet another back door, anti-gun scheme to further disadvantage lawful firearm and ammunition manufacturers in their battle to survive attacks in the form of such reckless litigation. It is critical that you contact your two U.S. Senators as soon as possible at (202) 224-3121, in opposition to any anti-gun amendments to the Senate bankruptcy bill or any other legislation. Don't forget you can quickly and easily send your U.S. Senators e-mail with the "Write to Congress" feature at the NRA-ILA web site.

ELECTION '99 WRAP-UP

A handful of states hosted elections on Tuesday, and the results for gun owners were impressive, as NRA-PVF-endorsed candidates won nearly 90% of their elections. In Virginia, history was made as the Republicans took control of both houses of the General Assembly. In the Virginia contests, no Republican incumbent, challenger, or open seat candidate, who was targeted for his pro-Second Amendment stance or for being "soft" on gun control, lost. In New Jersey, NRA-PVF-endorsed candidates won 42 out of 44 Assembly races (95%). In Kentucky, pro-gun Governor Paul Patton (D) was re-elected with 61% of the vote, joining NRA-PVF-endorsed Governor Mike Foster (R-La.), who was overwhelmingly re-elected earlier this month, as the second pro-gun Governor re-elected on Election Day '99. As we go to press with this FAX Alert, it appears as if Lt. Governor Ronnie Musgrove (D) will be elected Governor of Mississippi, although this election may have to be officially settled by the Democrat-controlled State House. Both Musgrove and his Republican opponent, Rep. Mike Parker, are pro-gun. NRA-PVF also succeeded in electing candidates to office in special elections in Washington State and Florida. The message from Tuesday's elections was clear -- crime control, not gun control -- was favored by the voters. NRA members were actively involved in many of these elections, and should be heartened with these results as we continue to mobilize our grassroots base in preparation for the 2000 elections.

LAW ENFORCEMENT REJECTS GUN CONTROL

The 12th Annual National Police Survey once again affirms what most of us already know -- that the overwhelming majority of those in the law enforcement community believe gun control does not prevent crime. The 1999 survey, conducted by the National Association of Chiefs of Police, posed questions to 18,102 Chiefs of Police and Sheriffs. Here are some highlights: 93% believe law-abiding citizens should be able to purchase a firearm for self-defense or sport; 88% believe that a convicted felon in possession of a gun should be prosecuted by the U.S. Attorney, and if convicted, receive the maximum prison term; 66% reject the idea that law-abiding citizens should be limited to one gun per month; 56% believe that gun shows are NOT a major source of illegal guns for criminals; and within the past year, 93% of the agencies surveyed have NOT been asked to arrest anyone making a false statement on an application to purchase a firearm.

WANTED -- TOWN HALL INFORMATION

It is anticipated (and hoped for!) that 106th Congress will soon adjourn its first session. In anticipation of this recess, NRA-ILA is again seeking your assistance in providing us with information on upcoming "town hall" meetings your lawmakers may be hosting. Please contact your U.S. Representative's and U.S. Senators' offices and inquire about any upcoming meetings, and request to be placed on any meeting alert list. Your Representative can be reached at (202) 225-3121, and your Senators at (202) 224-3121. When you learn of a meeting your lawmaker(s) is hosting, please make plans to attend, and provide this information to the NRA-ILA Grassroots Division so we may alert your fellow members and encourage them to attend. Critical information that needs to be provided to us includes: name of lawmaker, meeting date, time, and location.

A LOOK AT THE STATES:

LOUISIANA: NRA members in State Senate Districts 17 & 37 should keep an eye on their mailboxes for candidate information concerning the Nov. 20 run-off elections.

MARYLAND: The fact that a judge struck down as illegal the placement of a handgun ban referendum on Takoma Park's ballot on Tuesday, didn't stop the gun ban crowd from forging ahead with a non-binding, politically-motivated "straw poll." Supporters can't be happy with the results of this survey, however, as although the measure passed, only 409 votes were cast in favor of the measure. This was far less than the 2,500 signatures a local gun ban group garnered to attempt to place the measure on Tuesday's ballot, and represented a small fraction of the more than 1,400 persons who actually voted in Takoma Park's real elections.

MASSACHUSETTS: On Tuesday, November 9, a forum titled "Guns Under Fire" will be held at Cascia Hall at Merrimack College in Andover. The forum runs from 7:00 p.m. - 8:15 p.m., and features Steve Ruel of Gun Owner's Action League, John Rosenthal from "Stop Handgun Violence," and members of the Merrimack faculty. For additional information, call Maria at (978) 373-2877.

Posted: 1999-11-05

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Try our [FAQ Sheet](#)

NRAILA.org is maintained for the NRA by
[Mainstream Electronic Information Services](#).

Homepage established 1994 by the NRA Institute for Legislative Action
11250 Waples Mill Road, Fairfax, VA 22030

LEVEL 1 - 1 OF 11 STORIES

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The Washington Post

Ron Noble
ATF agents

December 20, 1994, Tuesday, Final Edition

SECTION: FIRST SECTION; PAGE A17

LENGTH: 971 words

HEADLINE: Heads of FBI, DEA Say Proposed Cuts Would Undermine Anti-Crime
Missions;
Letters Direct Sharp Criticism at White House Budget Office Plans

SERIES: Occasional

BYLINE: Pierre Thomas, Washington Post Staff Writer

BODY:

FBI Director Louis J. Freeh and Thomas A. Constantine, head of the Drug Enforcement Administration, have sharply criticized Clinton administration budget planners, arguing that proposed spending cuts threaten to undermine the president's anti-crime efforts.

In a letter to Attorney General Janet Reno, dated Nov. 29, Freeh expressed "concern and dismay regarding both the policy directives and funding levels provided to the department and the FBI" in preliminary budget proposals by the Office of Management and Budget. "In my opinion," Freeh wrote, "... this budget would undermine the administration's leadership on the issue of crime and would erode the ability of the criminal justice community and federal law enforcement to serve the demands of the American people for safe, crime-free communities."

Freeh objected in the letter to what he said was OMB "rejection" of several of his policy initiatives, as well as "proposed policy guidance that federal prosecutors should adjust prosecutive thresholds based upon projected prison capacity." He also complained that OMB proposals would lead to fewer FBI agents in fiscal 1996 compared to this year.

Constantine, in an internal memorandum to Reno also dated Nov. 29, said he was "deeply disappointed" in OMB's proposals for DEA, given the fact that "America is reeling from the effects of violent crime, drugs, and the disintegration of the quality of life in our communities." He objected to cuts in DEA's base budget and a reduction in the number of DEA agents.

Budget officials will not comment on the "specifics of ... internal budget deliberations," said Lawrence J. Haas, OMB associate director for communications. "And I certainly would not comment on anything that the president has neither seen nor decided."

Law enforcement sources also said that the administration had not completed



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deliberations on these particular issues. DEA and FBI officials declined to comment on the letters, which were not publicly released.

The letters were obtained by The Washington Post as President Clinton yesterday traveled to the Justice Department to announce with great fanfare his administration's plans to fund the hiring of 4,688 more state and local law enforcement officers, spread among 631 jurisdictions nationwide. The hires are part of Clinton's program to place 100,000 new officers on the street.

Such acidic private criticism is not unusual during the budget process. Last week, Ronald K. Noble, the top law enforcement official at the Treasury Department, publicly blasted OMB for proposing spending cuts that he described as "completely out of sync" with the president's anti-crime initiatives.

For Clinton, the slashing of funds to federal law enforcement is particularly sensitive because he has used his anti-crime programs, including his support for gun controls, as a centerpiece of his new Democratic domestic agenda.

Yesterday, against the backdrop of a huge U.S. flag and a number of uniformed police officers, Clinton sought again to position himself as a crime fighter. He presented Hayward, Calif., police chief Joseph E. Brann as head of his community policing hiring program.

"This is a very happy day for the people of the United States," Clinton said, noting that he was proud of the recently passed crime bill. "And I'm going to do my dead-level best to make sure we don't turn back." Since last month's elections, some congressional Republicans have threatened to alter portions of the bill dealing with crime prevention.

Reno praised Clinton for his "vision" in fighting crime and said the president, the administration and the department had answered the critics who said the crime bill would not lead to more police officers. Clinton wanted "to do something about crime rather than just talk about it," she said.

But as the budget process has unfolded, even Reno has privately expressed some concerns about cutbacks. In a Dec. 6 letter to OMB Director Alice M. Rivlin, Reno noted her intent to appeal the budget office's proposals not to meet Justice's budget request.

Reno questioned whether the OMB proposals were "realistic" in terms of the department's mission or the public interest in the administration's anti-crime efforts. She said it was "vital" that the 1996 budget show the department "strengthening the criminal justice system and not reducing our capabilities."

The OMB proposals are called "passbacks." Each government department and agency sends its proposed budget to OMB, which then "passes back" its recommendations for program changes and cutbacks. Administration officials then can appeal the cuts to Rivlin or the White House.

Freeh expressed "alarm" that OMB rejected funding for several of his investigative and technology initiatives, including programs to combat Eastern European and Russian organized crime. He also "categorically" rejected an OMB recommendation calling for "the imposition of user fees for state and local law enforcement using the services of the FBI laboratory." In addition, Freeh criticized OMB's proposal to provide \$ 2 million rather than \$ 10 million for



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capital improvements to the FBI Academy.

OMB is "seriously misreading the expectations of both the Congress and the American public," Freeh wrote.

Constantine said the OMB streamlining plan would lead to the loss of 140 positions, including 55 **agents**, and \$ 17.8 million from DEA's base budget. The funding proposals also would eliminate some pay increases.

Noble, who as Treasury undersecretary for enforcement oversees the Secret Service, Customs Service and Bureau of **Alcohol, Tobacco and Firearms**, balked at an OMB proposal to cut **ATF's** gun enforcement program by one-fourth, about \$ 53 million and 530 employees, to finance a "Cops on the Beat" grant program for state and local law enforcement.

GRAPHIC: PHOTO, PRESIDENT CLINTON AT THE JUSTICE DEPARTMENT, WHERE HE PRESENTED DIRECTOR OF COMMUNITY ORIENTED POLICING SERVICES. AP

LANGUAGE: ENGLISH

LOAD-DATE: December 18, 1994



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LEVEL 1 - 2 OF 11 STORIES

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THE ARIZONA REPUBLIC

December 19, 1994 Monday, Final Chaser

SECTION: FRONT; Pg. A3

LENGTH: 523 words

HEADLINE: SECRET SERVICE, CUSTOMS, **ATF** MERGER CONSIDERED;
TREASURY FEARS BUDGET CUTS WOULD GUT AGENCIES

BYLINE: Scripps Howard

DATELINE: WASHINGTON

BODY:

Faced with budget cuts ordered by the White House, the Treasury Department is considering merging its three law-enforcement agencies.

Treasury officials hope that by merging the Secret Service, the Customs Service and the Bureau of **Alcohol, Tobacco and Firearms**, they can forestall further cuts that they contend will cripple the department's crime-fighting capacity.

Assistant Secretary **Ron Noble**, Treasury's head of enforcement, reportedly has met with the directors of the three agencies to discuss the merger as a contingency plan.

The White House budget office, which is preparing the Clinton administration's fiscal 1996 budget for its trip to Capitol Hill in January, proposes trimming the **ATF's** 2,000-member staff by more than 600 jobs over the next two budget years and cutting the Secret Service's financial-institution fraud program and Customs Service's marine and air drug-interdiction program.

The proposed cuts have outraged local law-enforcement groups, which have accused the administration of double-crossing them after they supported the president's crime bill.

Noble recently took the rare step of going public with a budget dispute. He denounced the proposed cuts as "stupid" and "completely out of sync with what this president stands for."

Clinton has the final say on all budget matters and has not yet said whether he will let the controversial proposed cuts stand.

The White House Office of Management and Budget defends the proposed cuts as a way to streamline federal law enforcement, eliminate duplication and jurisdictional infighting, and to save money.

The federal funds saved would be shifted to local- and state-police efforts, such as "Cops on the Beat" grants to put more officers on the street. Congress



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created the program in the crime bill passed last summer.

However, the prospect of more money for local law enforcement hasn't changed police groups' vehement opposition to the Treasury cuts.

In particular, the groups oppose slashing **ATF** just as new laws banning assault weapons, restricting gun dealers and regulating handgun sales take effect.

"We in law enforcement are amazed, quite frankly, that the administration is taking such drastic steps to eliminate **agents** and technicians at a time when the balance of law-enforcement thrust is aimed at gun-related crime," Dewey Stokes, national president of the Fraternal Order of Police, wrote in a Dec. 8 letter to Clinton.

Stokes reminded the president that he and other law-enforcement leaders had "put our reputations on the line" to lobby for Clinton's crime bill.

However, the lobbying effort has apparently failed to dissuade the budget office from seeking the cuts.

In an internal memo, Charles Thomson, **ATF's** associate director, warned colleagues, "To date, no accommodations have been reached with OMB, and they are holding to the proposed cuts. Such cuts, should they occur, would threaten the viability of this agency."

He indicated that Treasury officials are contemplating the consolidation plan as a last-ditch attempt to preserve some of the department's crime-fighting ability.

LANGUAGE: ENGLISH

LOAD-DATE: December 28, 1994



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LEVEL 1 - 3 OF 11 STORIES

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The Houston Chronicle

December 19, 1994, Monday, 2 STAR Edition

SECTION: A; Pg. 6

LENGTH: 642 words

HEADLINE: Treasury considering merger of 3 law enforcement agencies

BYLINE: LISA HOFFMAN; Scripps-Howard News Service

DATELINE: WASHINGTON

BODY:

WASHINGTON -- Faced with White House-ordered budget cuts, the Treasury Department is considering merging its three law enforcement agencies into one super entity.

By merging the Secret Service, Customs and the Bureau of Alcohol, Tobacco and Firearms, Treasury officials hope to forestall further cuts that they contend will cripple its crime-fighting capacity, especially in enforcing new gun laws and catching counterfeiters.

Treasury's head of enforcement, Assistant Secretary Ron Noble, reportedly has met with the directors of the three agencies to discuss the merger as a contingency plan.

The White House budget office, which is assembling the Clinton administration's fiscal 1996 budget that goes to Congress in January, is proposing to eliminate more than 600 jobs from the 2,000-member ATF over the next two budget years.

Clinton's budget planners also are recommending cuts in the Secret Service's financial institution fraud program and the Customs Service's marine and air drug-interdiction program.

The proposed cuts have outraged local law enforcement groups, which have accused the Clinton administration of double-crossing them after they supported his crime bill.

Noble recently took the rare step of going public with a budget dispute. He denounced the proposed cuts as "'stupid'" and "'completely out of sync with what this president stands for.'"

Clinton has the final say on all budget matters and has not yet said whether he'll let the controversial proposed cuts stand.



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The White House Office of Management and Budget defends the proposed cuts as a way to streamline federal law enforcement, eliminate duplication and jurisdictional infighting and save money.

The savings would be shifted to local and state police efforts, such as "Cops on the Beat" grants to put more officers on the street. Congress created the program in the crime bill passed last summer.

However, the prospect of more money for local law enforcement has not changed the vehement opposition to the Treasury cuts by local police groups.

In particular, the groups oppose slashing ATF just as new laws banning assault weapons, restricting gun dealers and regulating handgun sales take effect.

"We in law enforcement are amazed, quite frankly, that the administration is taking such drastic steps to eliminate agents and technicians at a time when the balance of law enforcement thrust is aimed at gun-related crime," Fraternal Order of Police national president Dewey Stokes wrote to Clinton on Dec. 8

Stokes reminded the president that he and other law enforcement leaders had "put our reputations on the line" to lobby for Clinton's crime bill.

That concern was echoed in a Dec. 8 letter to Clinton from the Law Enforcement Steering Committee, a coalition of police organizations.

"We could not be more dismayed or disheartened at these proposals," the committee wrote. "(W)e are deeply concerned this proposal is a signal that the administration may be backing away from its commitment to a tough and balanced approach to addressing the problem of crime."

However, the lobbying effort apparently has failed to dissuade OMB from going ahead with the cuts.

In an internal memo, ATF Associate Director Charles Thomson warned colleagues: "To date, no accommodations have been reached with OMB, and they are holding to the proposed cuts. Such cuts, should they occur, would threaten the viability of this agency."

Thomson indicated that Treasury officials are contemplating the consolidation plan as a last-ditch attempt to preserve some of the department's crime-fighting ability.

"In light of the current overall budget and political climate, recommendations concerning a combined Treasury enforcement agency or other mergers are going to surface," Thomson wrote.



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LEVEL 1 - 5 OF 11 STORIES

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Pittsburgh Post-Gazette

December 19, 1994, Monday, REGION EDITION

SECTION: NATIONAL, Pg. A1

LENGTH: 643 words

HEADLINE: Treasury may merge 3 enforcement units;
Secret Service, Customs, **ATF** would be one

BYLINE: Lisa Hoffman, Scripps Howard News Service

DATELINE: WASHINGTON

BODY:

Faced with White House-ordered budget cuts, the Treasury Department is considering merging its three law enforcement agencies into one super entity.

By merging the Secret Service, Customs and the Bureau of **Alcohol, Tobacco and Firearms**, Treasury officials believe they could forestall further cuts that they contend will cripple the department's crime-fighting capacity, especially in enforcing new gun laws and catching counterfeiters.

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"We could not be more dismayed or disheartened at these proposals," the committee wrote. "... (W)e are deeply concerned this proposal is a signal that the administration may be backing away from its commitment to a tough and balanced approach to addressing the problem of crime."

However, the lobbying effort apparently has failed to dissuade OMB from going ahead with the cuts.

In an internal memo, ATF associate director Charles Thomson warned colleagues, "To date, no accommodations have been reached with OMB, and they are holding to the proposed cuts. Such cuts, should they occur, would threaten the viability of this agency."

Thomson indicated that Treasury officials are contemplating the consolidation plan as a last-ditch attempt to preserve some of the department's crime-fighting ability.

"In light of the current overall budget and political climate, recommendations concerning a combined Treasury enforcement agency or other mergers are going to surface," Thomson wrote.

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LEVEL 1 - 10 OF 11 STORIES

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December 18, 1994 Sunday, CHICAGOLAND EDITION

SECTION: NEWS; Pg. 16; ZONE: C

LENGTH: 213 words

HEADLINE: TREASURY OFFICIAL RIPS PLANS TO CUT GUN ENFORCEMENT

BYLINE: Associated Press.

DATELINE: WASHINGTON

BODY:

The Treasury Department's law-enforcement chief says plans to reduce gun control efforts are "stupid" and "completely out of sync" with President Clinton's anti-crime initiatives.

In an interview published Saturday in The Washington Post, **Ronald Noble** took particular aim at unnamed officials of the White House Office of Management and Budget to cut the Bureau of **Alcohol, Tobacco and Firearms'** gun-enforcement budget by one-fourth.

The move is aimed at saving \$53 million by laying off 553 **ATF** employees, most of them **agents**, the Post said.

But it quoted Noble, Treasury undersecretary for enforcement, as saying, "This is stupid. . . . I'm telling you that people over there (at the OMB) should be fired or moved or replaced, or I should be fired or removed or replaced . . . One entity is completely out of sync with what this president stands for."

Noble, who oversees the Secret Service and the Customs Service as well as **ATF**, added that the cuts were a disservice to Clinton and threatened to undermine the president's relationship with the nation's law-enforcement leaders.

The Post quoted an unidentified Treasury spokesman as saying the department "does not agree with Undersecretary Noble's assessment of the Treasury-OMB relationship."

LANGUAGE: ENGLISH

LOAD-DATE: December 19, 1994



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December 17, 1994, Saturday, Final Edition

SECTION: FIRST SECTION; PAGE A1

LENGTH: 1044 words

HEADLINE: Treasury Official Blasts **ATF** Cuts;
Rare Public Criticism Calls Plan 'Out of Sync' With Policy

SERIES: Occasional

BYLINE: Pierre Thomas, Ann Devroy, Washington Post Staff Writers

BODY:

Emerging from the anonymity most officials use to attack cuts in their own budgets, **Ronald K. Noble**, the Treasury Department's top law enforcement official, accused Clinton administration budget planners this week of pushing cutbacks "completely out of sync" with the president's anti-drug, guns and crime initiatives.

At issue are plans drawn up by the Office of Management and Budget to cut the Bureau of Alcohol, Tobacco, and Firearms (**ATF**)'s gun enforcement efforts by a quarter, a move that would save \$ 53 million and result in laying off 530 **ATF** employees, most of them agents. Noble, who as undersecretary for law enforcement presides over the Secret Service and the Customs Service as well as **ATF**, described the budget proposals in an interview as "stupid" and suggested those promoting them are "devious."

Noble's public criticism was unusual -- agency officials were warned by OMB not to discuss budget cuts until after an official announcement Monday -- but he's not the only agency head or Cabinet secretary to face the budget realities of 1994 that are pushing the Clinton administration to slash and burn programs they supported only two months ago.

The departments of Transportation and Energy are expected to bear the brunt of the \$ 24 billion in budget cuts that Clinton, Vice President Gore and OMB Director Alice M. Rivlin were seeking from agencies to pay for the tax cuts. The two departments, the Housing and Urban Development Department, the General Services Administration and the Office of Personnel Management also have been pressed to accelerate streamlining plans, turn programs over to the states or push programs off the government's books by "privatizing" them.

The budget process this year has thrown federal workers and those who depend on federal programs into a particularly high state of anxiety because of its unusual pattern and the unusual level of cuts needed in the face of the Republican takeover of Congress. Rather than following the normal budget



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process, the White House accelerated it for Clinton's speech Thursday, and now is filling out details of cuts to pay for his tax cuts plus make huge new reductions -- including those in law enforcement -- for the regular budget submissions and State of the Union next month.

Agency officials from throughout the government are prepared for a long weekend of planning to accommodate budget cuts already announced and to prepare to defend themselves in final decision-making that will continue through early January.

For Clinton, the issue of cutting funds to law enforcement agencies is especially sensitive because he has used his anti-crime programs, particularly his support for gun controls, as a centerpiece of his new Democratic domestic agenda and campaigned on it across the country this fall.

Attorney General Janet Reno has also opposed some of anti-crime cuts at the Justice Department, questioning whether some of the cuts were "realistic" in a Dec. 6 letter to Rivlin that was obtained by The Washington Post.

Lawrence J. Haas, OMB associate director for communications, said yesterday that Clinton had "not even seen, much less made a decision on" law enforcement spending, and Treasury officials were quick to distance themselves from Noble's comments.

"The Treasury Department does not agree with Undersecretary Noble's assessment of the Treasury-OMB relationship," said a Treasury spokesman. "There are always some differences during the budget process. We are confident, however, that the Treasury Department can work with OMB in a way that best serves the president's priorities."

Noble took care not to criticize Clinton but instead to accuse mid-level OMB officials of being "intellectually dishonest," acting in a manner that is a disservice to the president, and threatening Clinton's relationship with the nation's law enforcement leaders.

"This is stupid... .," Noble said, declining to name specific OMB officials. "This is not a close one. And someone should be held accountable. I'm telling you that people over there should be fired or moved or replaced, or I should be fired, or removed or replaced. Some of us -- one of us, one entity is completely out of sync with what this president stands for."

Agency and department heads traditionally fight ferociously to protect their budgets and their employees, but usually anonymously and normally a president's key initiatives are spared large assaults. Noble argued the OMB proposals target the very programs focusing on the problems Clinton has touted.

ATF has been attempting to recover since last year's failed raid at the Branch Davidian compound in Texas left a number of **agents** and Davidians dead. While **ATF** took a horrific public beating, it retains support in the law enforcement community.

Last year the agency was able to survive a reinventing government proposal to fold its law enforcement responsibilities into the FBI. The earliest proposals said such a move would end "fragmentation and jurisdictional overlap" and lead to millions in savings annually. The proposals said that competition for funding

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The Washington Post, December 17, 1994

and performance credit had resulted in "counterproductive rivalry" among enforcement agencies.

In addition, OMB officials have proposed cutting the Secret Service financial institution fraud program and curbing the United States Customs Service air and marine division, which targets drug smuggling.

The proposed cuts have touched off criticism by some of the president's valuable law enforcement allies, people that supported Clinton on the crime bill, the assault weapons ban and the national handgun background check and waiting period.

"We could not be more dismayed or disheartened at these proposals," said a letter from the Law Enforcement Steering Committee, which represents the country's major police organization including, the National Sheriffs' Association, the Fraternal Order of Police, International Brotherhood of Police Officers and the National Association of Police Organizations... . "We are deeply concerned this proposal is a signal that the administration may be backing away from its commitment to a tough and balanced approach to addressing the problem of crime."

Staff writer Stephen Barr contributed to this report.

GRAPHIC: PHOTO, RONALD K. NOBLE SAID PLANS TO CUT ATF GUN PROGRAM ARE "STUPID."

LANGUAGE: ENGLISH

LOAD-DATE: December 16, 1994



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ATF - Treasury

NICS STATS AS OF 11/19/99

APPROX. NO DENIALS RECEIVED FROM FBI	76,467
TOTAL DENIALS PROCESSED	74,539
PENDING	1,928
TOTAL REFERRED TO FIELD	23,187
TOTAL NOT REFERRED TO FIELD	51,352

*NOTE: THE TOTAL RECEIVED IS SMALLER THAN PREVIOUSLY REPORTED BECAUSE IT DOES NOT INCLUDE APPROXIMATELY 6,246 DUPLICATES RECEIVED FROM THE FBI

TOTAL STATS SINCE ONLINE SYSTEM BEGAN ON 11/10/99

NO OF REFERRALS FROM FBI	5758
COMPLETED REFERRALS	3830
PENDING REFERRALS	1928
TOTAL NOT REFERRED TO FIELD	3464
TOTAL REFERRED TO FIELD	366

used by
JESNICS CASE STATISTICS AS OF 9/30/99

→ ARRESTS	43
INDICTMENTS	49
CONVICTIONS	23
ACQUITTALS	3
→ CASES REFERRED	269
DEFENDANTS	278

10/15/99

Open investigations
1098Accepted for prosecution
299

Delayed denials: MRR

1668

Guns retrieved: 770

FACSIMILE COVER SHEET
DEPARTMENT OF THE TREASURY
OFFICE OF THE UNDER SECRETARY (ENFORCEMENT)

Phone: (202)622-0300

Fax: (202) 622-7301

Date:

Page 1 of

TO:

Leanne / Deanne

FAX:

456-7028

FROM:

SG

SUBJECT:

NICS - ATF



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

FAX COVER SHEETDATE: 9/21

TO:

Leanne Shimsbature

PHONE NO.

FAX NO.

456-7028

FROM:

JOE GRAUPENSPERGER

PHONE NO.

514-3951

FAX NO.

305-2643NO. OF PAGES: 9 (EXCLUDING COVER)

COMMENTS:

OLC's draft letter. Please call me about
this.

*Department of Justice***Firearms Enforcement in America:
Increased Coordination and More Prosecutions**

*** **Crime is down.** In the past seven years, there has been an historic reduction in crime in America. Violent crimes committed with guns – including homicides, robberies and aggravated assaults – fell by more than 35% between 1992 and 1998, and the nation's violent crime rate has dropped by 20% during the same period. The FBI's Uniform Crime Report show that in 1998 serious crime dropped for the seventh straight year. The streets of America are safer than they have been in over three decades.

We've kept guns out of the hands of criminals. The Brady Law has stopped more than 400,000 felons, fugitives, and other prohibited people from getting guns, preventing untold crimes and violence. Under the Brady Law's National Instant Check System (NICS) the vast majority of the background checks are completed within minutes.

Firearms prosecutions are up. Since 1993, funding for state and local law enforcement has increased by nearly 300% – due in large part to the resources provided in the 1994 Crime Bill. Federal, state and local law enforcement authorities are now working more closely than ever to combat gun violence through comprehensive strategies.

- ** ▶ **Nationally, firearms convictions are up dramatically and, in 1996, 22% more criminals were incarcerated for either state or federal weapons offenses than in 1992 (from 20,681 to 25,186).**
- ** ▶ **The number of federal prosecutions of high-level firearms offenders (those sentenced to 5 or more years) is up by more than 34 % since 1992 (from 1,049 to 1,406).**

● **Despite the good news, reducing gun violence remains a top priority.** Although violent crime is down, tragedies like the shootings in Littleton, Colorado, and Conyers, Georgia – and the fact that 13 young people in America die every day from gunshot wounds – remind us that we must do more to reduce firearms violence even further. We must build upon our success in reducing crime to provide greater protection for our children and all of our citizens. This requires keeping guns out of the hands of criminals and children, and enforcing the law effectively when gun crimes are committed.

● **We're working together.** The Clinton Administration's firearms enforcement strategy has two main parts. First, we have committed substantial federal resources to both prevent access to firearms by prohibited persons and incarcerate violent gun offenders. Second, we have forged partnerships with state and local authorities, who make the vast majority of arrests and undertake the vast majority of prosecutions.

- ▶ **These partnerships are effective and make sense. They allow each community to**

identify their unique firearm and other violent crime problems and implement the strategies that are most likely to have a positive impact on these local problems.

- ▶ They also build on the reality that state and local law enforcement have responsibility for combating the vast majority of violent crime in our country, and have the lion's share of the resources to do so.
 - ▶ Efforts not based on this coordination -- like efforts to require wholesale federalization of firearms offenses by bringing all cases into the federal system -- will shift cases that can be handled effectively at the local and state level to the federal level. This will prevent federal law enforcement officials from targeting their resources effectively to investigate and prosecute uniquely federal crimes such as interstate gun trafficking and gang violence.
 - ▶ It has long been recognized that federal violent crime resources need to be used against those offenders who do the most damage. As the Bush Administration's Project Triggerlock said it, federal firearms enforcement should not be used to "compete with or supplant" local efforts, but should "target the most dangerous violent criminals in the community."
- **Results speak for themselves.** The increased collaboration among federal, state, and local law enforcement has resulted in: (1) a more efficient distribution of prosecutorial responsibilities, (2) a steady increase in total firearms prosecutions and, most importantly, (3) a sharp decline in the number of violent crimes committed with guns.
- ▶ By closely cooperating with state and local law enforcement, ATF has been able to trace 200,000 crime guns annually, and provide information about potential traffickers to state and local police and prosecutors.
 - ▶ Coordinated law enforcement efforts in Boston, Massachusetts, Richmond, Virginia, and elsewhere, involving all levels of law enforcement and community leaders, have produced very dramatic drops in the cities' violent crime rates.
 - ▶ We are building on these and other successful strategies by developing a coordinated firearms violence reduction strategy in response to President Clinton's Directive of March 1999. The strategy will draw on the proven measures and other innovative approaches being demonstrated by communities throughout the country.



Office of the Deputy Attorney General

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DATE: 10-19-99# PAGES INCLUDING COVER: 3

FROM: Bea L. Witzleben
Counsel to the Deputy Attorney General
Tel: (202) 514-2269

TO: 1. Dee Ann, Fax: 456-7028
2. _____, Fax: _____
3. _____, Fax: _____
4. _____, Fax: _____
5. _____, Fax: _____

SUBJECT: for Podesta's appearance
tomorrow -
updated w/ new FBI
UCR #s - (suggest that he
quote Blumstein, too!) Bea

From: Susan Ginsburg
To: ex.mail("Deanne_E._Benos@opd.eop.gov")
Subject: 10 Questions. . . . -Reply

Thanks for the list, very helpful. We will have greater clarity after tomorrow and get back to you. It would be helpful to know what your goal is:

one event by Nov. ? Please let me know what the goal is.

Meanwhile here are some responses.

1. budget. I have passed on your request to ATF. My guess is that ATF is close to absorptive capacity for one FY, because between attrition and new hiring, they would be at about 750 new hires for FY2001! So chances are there needs to be some thinking about allowing a 2 year period to hire if the numbers are to go much higher.

3. ~~NICS~~. This strikes me as an operational law enforcement decision. I am guessing that the thinking is that it probably makes more sense for ATF to distribute it, because ATF is in charge of enforcement, and this is enforcement information. If ATF is distributing NICS information (like trace information) there can be *coordinated decisions* about who does what. If FBI were to send it out, the enforcement agencies would not know what each other are doing. I am guessing this is why both agencies are thinking about the ATF option. ATF has not had any problem with appropriators for programs backed by OMB, ATF has been fully funded. I think OMB would quickly see the benefit of this, because it would potentially mean less NICS enforcement for ATF. That is of course why state and locals may not be enthusiastic about getting the info. (Mark Schwartz - NICS Enforcement memo from Susan)

6. All of law enforcement knows it can trace with ATF. And, ATF has software it is providing to departments mostly through YCGII. There is a building that ATF is moving into per the Byrd appropriation, and they will move in next fall. ATF has plenty of capacity to do traces. This is not an issue. However, it does not have the people to set places up in doing it overnight --technicians, analysts, trainers. These are the type of people the WH is *not* interested in adding, rather, there is an understandable desire to focus on agents and inspectors. YCGII is progressing at a certain rate, as set forth by the President (75 cities by 2003). We need to make sure the OMB budget supports that as a minimum and we are not there yet. To the extent that we push tracing ahead of enforcement assets we open ourselves up to criticism for being academic or gathering data for no purpose, that is why tracing and enforcement must remain tightly linked. This has been successful in ensuring there was no gap with Republicans who might otherwise not have been receptive to the law enforcement value of tracing.

But once place WH might conceivably be able to add real value re tracing (apart from a Pres Dir on federal tracing) is that state and locals need support for building this new infrastructure/capability. YCGII has been essentially voluntary. On that, I have two suggestions:

a. It is worth your checking what happened to the language we drafted on making Byrne grant funding available to state and locals to support tracing. We worked closely with Jose/Leanne and OMB. It was in the Crime Bill when we last cleared it, but the darn thing is huge and I more or less lost track of it after guns were spl't. I just do not know where Byrne grant reauthorization

Get agreement on \$ increase in agent/inspectors?

is! DOJ quite unenthusiastic -- Jose intervened, he thought they were being ridiculous and said so. We said, it makes much more sense for BJA to fund this than to set up an ATF grant program and even ATF agreed. So did Angela and the House folks.

b. It is also worth your getting a full description from BJA on what they are doing to support tracing and trafficking, with \$\$ amounts. This would be helpful! Here's a hook for you: The President in the 1993 directive on gun dealer licensing directed DOJ to support trafficking programs! BJS is in fact funneling money to PERF and IACP (the IACP money is quite well spent) but what we need is a program to support cities participating in YCGII, to build an infrastructure as the tracing program expands. This would be logical! I think BJA has given a contract to Abt (a commercial contractor) to find out what cities need for tracing. However, ATF of course has detailed city by city information on what they need. BJA or Abt has not contacted either Treasury or ATF, as far as I know. Thus, help from you in getting BJA to work with ATF would be great. There is no point in funding departments or mailing out software out of step with ATF because ATF needs to train them. (Often departments don't even have a computer inventory system, in which case ATF provides them with one, then helps them install tracing.) In other words, getting a BJA dimension to YCGII would be great or to tracing more generally, as long as ATF can staff the installation/training. A BJA state and local tracing support program would be a good announcement teamed with other tracing related items at some point. One thing I would like us to leave behind is improved ATF-BJA relations -- minimal dialogue anyway! I think Laurie Robinson will be pleased to meet with us, but working out a sort of approach with you would I think be very worthwhile.

10. a. ATF inspectors do not have the power to civilly fine or suspend licenses and is restricted by law to one inspection annually. These are authorities requested in the bill and adopted by neither chamber as I recall.

b. ATF already does select FFLs for inspections based in part on high volume crime gun traces. This has been a benefit of increased tracing. I believe this may have been mentioned in the Brady report. It will be highlighted both in the Strategy and in the CIF report, as will the lack of these other common sense authorities.

At the White House level, too, we can use these reports to highlight this situation. But please consider that the WH position has been to support the "Senate bill" -- and it does not include these authorities. However, I was working on getting them into the conference bill somehow and could conceivably succeed, unless the spotlight makes this much harder. By highlighting all of this would the WH be hammering Congress on something you agreed to not hammer them on by supporting "the Senate bill" and whatever constructive equivalent in the House?

Reminder: State what your goal is - this will help us meet it. Give us a date by which you want an event or several optional dates or a time period in which you want one. We *will* respond.

I have a question. What happened to the interest in police sourced guns? We want to try to work on that.

I expect to get back to you on remedies tomorrow, Wednesday, barring unforeseen events. Other questions being attacked.

Thanks for sending the questions!