Korn
Crime prevention

ROUTING SLIP

DATE: 3/11/00
FROM: Stephanie Streett
Assistant to the President and Director of Presidential Scheduling

File Pending

Comments It doesn't look like this will fit our schedule, but should we try to do something else with it? Please comment

SUBJECT: For POTUS and FLOTUS to participate in release of the Fight Crime: Invest in Kids report America's Child Care Crisis

Kris Balderston	___	Sean Maloney	___
Lisa Berg	___	Capricia Marshall	___
Samuel Berger	___	Thurgood Marshall Jr.	___
Sidney Blumenthal	___	Minyon Moore	___
Chuck Brain	___	Bob Nash	___
Charles Burson	___	Beth Nolan	___
Mary Beth Cahill	___	John Podesta	___
Maria Echaveste	___	Steve Ricchetti	___
Terry Edmonds	___	Bruce Reed	✓
George Frampton	___	Dan Rosenthal	___
Laura Graham	___	Rozensky/Emrich	___
Nancy Hernreich	___	Dori Salcido	___
Mickey Ibarra	___	Patti Solis-Doyle	___
Ben Johnson	___	Doug Sosnik	___
Joel Johnson	___	Gene Sperling	___
Neal Lane	___	Carrie Street	___
Ann Lewis	___	Karen Tramontano	___
Mark Lindsay	___	Loretta Ucelli	✓
Bruce Lindsey	___	Melanne Verveer	✓
Joe Lockhart	___	Jen Palmieri	✓
Tim Freedman	✓		

SCHEDULE PROPOSAL TODAY'S DATE: 03/09/00

__ ACCEPT 00 MAR 10 A 8 : 35 __ REGRET __ PENDING

TO: Stephanie Street
Assistant to the President and
Director of Scheduling

FROM: Thurgood Marshall, Jr. T.M.
Secretary to the Cabinet

REQUEST: Request for the President and the First Lady to participate in release of the Fight Crime: Invest in Kids report *America's Child Care Crisis: A Crime Prevention Tragedy.*

PURPOSE: As the child care initiative is one of the President's and HHS' top legislative priorities for this session of Congress, this event would be an important opportunity to highlight the need for high quality child care and support for the President's initiative.

Fight Crime: Invest in Kids is a group composed of police chiefs (including Bernard Parks of L.A., former NYC Police Commissioner William Bratton, and Gilberto Gallegos, the President of the Fraternal Order of Police), prosecutors and advocates for victims of crime (including Marc Klaas). The report represents an attempt by the group to translate concern about crime into support for early childhood investments.

The report highlights the persuasive findings of a recent survey of police chiefs. The chiefs rated Head Start and early childhood education as a much more effective crime prevention tool than prosecuting juveniles as adults, building more juvenile detention centers or metal detectors in schools. Half of the chiefs gave early childhood education the highest rating as a prevention tool; only 14 percent gave prosecuting more juveniles as adults the same rating.

Promoting the crime prevention impact of early childhood education could prove an effective strategy for advancing the child care initiative. Joining an anti-crime group (with many prominent members) for the release of its report would be an excellent way to kick off such a strategy.

BACKGROUND:	In 1997 the same group issued its *Prime Time for Juvenile Crime* report which called for expansion of after-school programs as a response to the disproportionate amount of juvenile crime that occurs in the after-school hours. Congress has provided major funding increases for the Department of Education's 21st Century Community Learning Centers in each of the last two years.
PREVIOUS PARTICIPATION:	N/A
DATE AND TIME:	March 17 (Date is flexible, but no later than April 7)
DURATION:	½ hour
LOCATION:	White House (flexible)
PARTICIPANTS:	The President, Secretary Shalala, Attorney General Reno, members of Fight Crime: Invest in Kids, others TBD.
OUTLINE OF EVENTS:	TBD
REMARKS REQUIRED:	YES
MEDIA COVERAGE:	YES
VICE PRESIDENT'S ATTENDANCE:	NO
FIRST LADY'S ATTENDANCE:	Invited
MRS. GORE'S ATTENDANCE:	NO
RECOMMENDED BY:	Secretary Shalala
CONTACT:	Irma Martinez Office of Cabinet Affairs (202) 456-2572
ORIGIN OF PROPOSAL:	External – Department of Health and Human Services and Fight Crime: Invest in Kids

Crime

Reed

"INTERNATIONAL CRIME CONTROL ACT OF 1997"
(Draft -- July 15, 1997)

FACT SHEET

Background

International crime poses an increasing threat to the national security of the United States and to the safety and well-being of U.S. citizens and businesses, both here and abroad. The same factors that are expanding freedom and raising standards of living around the globe -- advancements in technology, the fall of communism and the resurgence of representative democracies, and the lowering of political and economic barriers -- also provide new opportunities for organized crime groups involved in terrorism, drug trafficking, arms trafficking, financial scams, and child exploitation, among other criminal activities.

The Clinton Administration has put fighting international crime high on the U.S. foreign policy agenda, expanding U.S. law enforcement efforts abroad and working in partnership with other countries to shoulder the burden of responding to this latest threat to the United States and its democratic allies. While the Administration and Congress have worked together in recent years to toughen U.S. laws, more can and must be done to ensure U.S. law enforcement agencies have the tools they need to investigate, prosecute and punish international crime.

International Crime Control Act of 1997

The International Crime Control Act of 1997 ("ICCA") focuses on five key areas to improve the U.S. government's ability to prevent, investigate and punish international crime:

Protecting U.S. Nationals and Interests At Home and Abroad

* Authorizes U.S. agencies to investigate murder, extortion and other serious crimes against U.S. nationals overseas when committed in furtherance of organized crime.

* Eliminates the statute of limitations for all federal criminal offenses committed outside the United States. This change will ensure that international criminals are not shielded from prosecution due to delays in gathering evidence and other information overseas.

* Fosters the prosecution of international criminals in U.S. courts by streamlining court rules on the admission of foreign evidence and facilitating the testimony of foreign witnesses in U.S. criminal trials.

Ensuring International Criminals Have Nowhere to Hide

* Allows the Attorney General to extradite international criminals charged with extremely serious crimes -- under strict procedural safeguards -- when an existing treaty does not cover the offense or in the absence of an extradition treaty with the requesting nation.

* Strengthens U.S. immigrations laws by authorizing the Attorney General to prohibit entry into the United States of persons affiliated with racketeering, drug trafficking, arms smuggling and of fugitives who are fleeing prosecution in foreign countries.

* Authorizes the United States, pursuant to international treaty, to transfer foreign nationals convicted of crimes and imprisoned in U.S. facilities to their home country without the prisoner's consent.

Seizing and Forfeiting the Assets of International Criminals

* Strengthens U.S. anti-money laundering laws by creating a new federal criminal offense for "structuring" cash deposits to avoid reporting requirements under a geographic targeting order; expanding the list of money laundering "predicate crimes" to include violent crimes, terrorism, and public corruption against foreign governments; and expanding U.S. coverage to reach foreign banks operating in the United States.

* Provides new authority for Customs officials to identify and seize money and evidence linked to terrorism and other international crime at U.S. borders.

* Strengthens U.S. forfeiture laws to facilitate the tracing, seizure and forfeiture of the proceeds of international crime, particularly proceeds located abroad.

Responding to Emerging International Crime Threats

* Provides news tools to investigate computer crime and attacks on computer systems.

* Expands U.S. jurisdiction over financial crimes committed against U.S. nationals or businesses abroad.

* Cracks down on the international shipment of "precursor chemicals" used to manufacture illicit drugs, including methamphetamine -- a growing threat in the United States.

Promoting Global Cooperation in the Fight Against International Crime

* Streamlines procedures for U.S. agencies in cooperative investigations with foreign law enforcement agencies.

* Expands the Attorney General's authority to share the proceeds of joint forfeiture operations with cooperating foreign law enforcement agencies.

* Expands U.S. training of foreign law enforcement agencies.

In addition, the ICCA would strengthen control over U.S.-international borders, establish a new fund to defray the costs of state and local law enforcement agencies in cases involving fugitives or evidence overseas, and authorize international communications services to report suspicious money flows to law enforcement authorities.

Potentially Controversial Provisions in the International Crime Bill

The International Crime Control Act of 1997 will give U.S. law enforcement agencies important new tools to respond to the growing threat of international crime. For example, the legislation will expand U.S. law to reach violent crimes against U.S. citizens and businesses abroad when committed in furtherance of organized crime; bolster our ability to arrest and prosecute international fugitives wanted in U.S. courts; strengthen U.S. anti-money laundering laws and expand our ability to trace, freeze and forfeit the assets of international criminals; and foster cooperative efforts with foreign law enforcement agencies.

A number provisions in the legislative package, however, have the potential to trigger significant opposition among interest groups, the media, and Congress. In particular, several provisions have the potential to become lightning rods for the same left/right, civil liberties/anti-government coalition that successfully opposed parts of the Administration's terrorism bill. Among the provisions that have the potential to trigger significant opposition:

<u>Black powder/explosives</u> (Secs. 5402 and 5403)

Explanation: The bill contains two explosives-related provisions. The first would require permits or insta-checks for all <u>intra</u>-state sales of explosives (current law imposes such requirements on <u>inter</u>-state sales). The second would extend the statute prohibiting felons and other dangerous persons from possessing guns and ammunition to prohibit such persons from possessing small quantities (50 lbs. or less) of black powder. Treasury strongly supports both proposals and argues (with respect to the second) that a very substantial number of bombings in the United States involve black powder.

Potential for controversy: The NRA and other gun rights groups will strongly oppose both provisions. Beyond the questionable nexus to international crime, the NRA is likely to question whether either proposal will keep explosives out of the hands of criminals and argue that these are further steps in the Administration's efforts to strip law-abiding citizens of their Second Amendment rights. In addition, including these provisions in an international crime bill may inspire bizarre linkages by the fringe groups worried about the New World Order and too much U.S. cooperation with the United Nations and foreign governments.

<u>Searches of outbound first-class mail</u> (Sec. 4002)

Explanation: This provision provides statutory authority for the Customs Service to search <u>outbound</u> U.S. mail. First-class mail could be searched upon reasonable suspicion that it contains monetary instruments (whether or not linked to a crime) or firearms, drugs, instrumentalities of terrorism, pornography or similar items. All other mail (i.e., packages) could be searched at random (without a warrant or even reasonable suspicion). Smuggling of drug profits and other illicit materials through the U.S. mail is a serious problem, and the Justice Department has reviewed the proposal and believes it is constitutional.

Potential for controversy: The U.S. Postal Service historically has opposed any effort to allow searches of U.S. mail without a court-approved warrant. In addition, we may encounter opposition from civil liberties groups on the grounds this is an unnecessary intrusion on the privacy rights of U.S. citizens.

Extradition without treaty (Sec. 3101)

Explanation: This provision would authorize the Attorney General -- under strict procedural safeguards -- to extradite persons (including U.S. nationals) charged with very serious crimes in foreign countries (1) in the absence of an extradition treaty, or (2) if a valid extradition treaty with the foreign nation was in force but the treaty did not cover the specific offense. Not only is this provision needed to ensure that the U.S. does not become a safe haven for international fugitives, it is also imperative to U.S. crime-fighting efforts, since many countries will extradite fugitives to the U.S. -- even in the absence of an extradition treaty -- but only if the U.S. can guarantee reciprocal treatment.

Potential for controversy: Opposition is likely to arise from several quarters. First, the Senate Foreign Relations Committee probably will perceive this as an attempt to by-pass their responsibility for giving advice and consent on extradition treaties with foreign countries. Second, Sen. Helms and others may object because the provision would authorize extradition to countries with poor human rights records (e.g., China). Although the provision allows the Secretary of State to deny a request on such grounds, such discretionary authority is unlikely to mollify critics of the provision. This provision could ignite opposition from the far right and other New World Order conspiracy theorists.

Electronic surveillance. (Sec. 5101)

Explanation: Adds 18 U.S.C. 1030 (computer fraud and attacks on computer systems) to the list of predicates under the federal wiretap statute.

Potential for controversy: Although this is a very modest expansion, any expansion in wiretap authority could trigger opposition from the left/right, civil liberties/anti-government coalition. Any opposition, however, should be less than we encountered over the "roving" or "emergency" wiretap authority the Administration requested in the terrorism bill.

Tougher immigration laws. (Sections 3201-05, 3301-04)

Explanation: The international crime bill contains a number of immigration proposals that will expand the Attorney General's authority to exclude persons where there is "reason to believe" they have committed a racketeering and other serious offense. One provision (Sec. 3203) would authorize exclusion of the immediate family members of an alien who is suspected of engaging in racketeering or other serious criminal activities.

Potential for controversy: Immigrant rights groups may complain that this dilutes the requirement of a foreign conviction to justify exclusion (under current law, "reason to believe" standard is limited to drug offenses, otherwise a conviction is required). Moreover, extending exclusion authority to family members of persons suspected of serious crimes may be considered too harsh and unfair.

Elimination of statute of limitations. (Sec. 1002)

Explanation: This provision, which is strongly supported by the Attorney General, would eliminate the statute of limitations on all federal offenses that are "begun" or "committed" overseas. Current law provides for the statute of limitations to be tolled during the collection of evidence and under other limited situations.

Potential for controversy: The defense bar and civil liberties groups may complain that this is too radical given the paucity of cases where the statute of limitations has been a problem and that it fosters disparate treatment of defendants based solely on the locus of the crime.

Prisoner transfer. (Sec. 3303)

Explanation: This provision would authorize the United States, pursuant to international treaty, to transfer foreign nationals who are convicted in U.S. courts and incarcerated in U.S. prisons to their country of origin without the prisoner's consent. In theory, this could be a cost-saving measure and could relieve some of the burden on the U.S. prison system from the incarceration of foreign nationals convicted in the U.S. In reality, few countries are likely to take substantial numbers of U.S. prisoners.

Potential for controversy: Civil liberties groups may complain about forcing persons convicted of U.S. crimes to serve their sentences in substandard, foreign jails. Justice has some concerns about the potential for substantial litigation in such cases. In addition, we may face the problem of "over sell," since foreign countries are likely to accept few, if any, of their nationals incarcerated in U.S. prisons.

Forfeiture amendments. (Secs. 4003-14)

Explanation: The international crime bill contains a number of amendments to federal forfeiture laws. Most of these were cleared in the course of developing the Administration's forfeiture bill. The provisions would facilitate the seizure of the proceeds and instrumentalities of offenses against the United States and would expand cooperation with foreign law enforcement agencies in such matters.

Potential for controversy: Any expansion in the government's forfeiture authority may generate controversy. Moreover, the Administration's forfeiture bill was carefully balanced, including provisions giving law enforcement agencies new powers while eliminating some of the more troubling aspects of current forfeiture law (e.g., placing the burden on defendants to show that assets were obtained legitimately). Unfortunately, the forfeiture provisions with an international nexus were, almost without exception, pro-law enforcement. Thus, we could be criticized for seeking broader forfeiture authority without the corresponding protections in the Administration's general forfeiture bill.

Export controls on precursor chemicals.

Explanation: This provision would require U.S. chemical exporters to show the "end use" and "end user" for exports of various chemicals used to manufacture illicit drugs (including "meth"). The U.S. is a major source of precursor chemicals, and additional controls are needed to address this problem. There is precedent for such requirements in the Arms Export Control and Export Administration Acts.

Potential for controversy: Export businesses may protest that the requirements are too burdensome and put U.S. exporters at a competitive disadvantage (since foreign companies do not face such requirements).

A BILL July 10, 1997--2:00pm

To deter and punish international crime, to protect United States nationals and interests at home and abroad, and to promote global cooperation against international crime

Be it enacted by the House of Representatives and the Senate of the United States of America in Congress assembled,

Section 1. Short title; table of contents.

(a) Short title.--This Act may be cited as "The International Crime Control Act of 1997".

(b) Table of contents.--The table of contents for this Act is as follows:

TITLE V--RESPONDING TO EMERGING INTERNATIONAL CRIME THREATS

Subtitle A--Computer and High-Tech Crime

Subtitle B--Alien Smuggling

Subtitle C--Trafficking in Chemicals Used to Produce Drugs

Subtitle D--Arms Trafficking

TITLE VI--PROMOTING GLOBAL COOPERATION IN THE FIGHT AGAINST INTERNATIONAL CRIME

TITLE VII--STREAMLINING THE INVESTIGATION AND PROSECUTION OF INTERNATIONAL CRIMES IN U.S. COURTS

THE WALL STREET JOURNAL WEDNESDAY, AUGUST 6, 1997

Crime Prevention's Bottom Line

Crime rates are going down and Washington is eager to take credit. The Crime Act of 1994 quadrupled funding for state and local crime prevention to more than $3 billion per year, the highest levels ever.

Whether that funding increase caused the subsequent decline in violent crime is unclear, primarily because federal funds support hundreds of different programs. Some programs work, some don't, and some may even increase crime. But until Congress spends more to evaluate these programs, we can't tell.

That is the major conclusion of a report prepared by the University of Maryland's department of criminology and criminal justice at the request of the Justice Department and mandated by Congress. By asking for a comprehensive scientific evaluation of the Justice Department's funding for local crime prevention, Congress framed a more basic question: How do we know what works? What's the bottom line?

Rule of Law

By Lawrence W. Sherman

Despite recent efforts to "reinvent government" with closer analogues to a bottom line, the more appropriate model for evaluating crime prevention programs may be the Food and Drug Administration's approach to evaluating drugs: Do field tests with human beings show this program to be safe and effective? There are already documented examples of how this approach is relevant to crime prevention:

• A University of Southern California evaluation of a gang prevention program found that the program was holding the gang together and sustaining its violent crimes. When the program lost funding, the gang broke up and its crime rate declined.

• Controlled evaluations of mandatory arrests for misdemeanor domestic assaults show that while arrest deterred some assailants, arrest caused some other assailants to increase their violence against women.

Despite these research results, Congress has spent hundreds of millions of dollars a year on domestic violence and gang prevention programs that may actually cause more crime to occur. Whether Congress is aware of these bottom-line results is unclear. What is clear is the absence of a systematic process for measuring the effectiveness of crime prevention programs.

Some of the most popular crime prevention programs have already been tested—at great federal expense—and found ineffective. Yet their funding continues unabated. Military-style boot camps for juveniles, Drug Abuse Resistance Education (D.A.R.E.) classes taught to schoolchildren by police officers, and neighborhood watch programs are but three examples of proven failures to which Congress gives millions of dollars annually.

More effective ways of treating juvenile offenders and preventing drug abuse have been demonstrated by careful evaluation research. Teaching juvenile offenders skills like reading works better than boot camps. Making schools more firm and consistent in overall discipline works better than D.A.R.E. But these strategies lack political advocates and lose out in the competition for funding.

The biggest danger from ignoring the bottom line of program evaluations is not wasted funding; it is wasted opportunities. Some of the most effective crime prevention strategies known to science are not even on the national agenda for funding, let alone in congressional appropriations for the Justice Department. Two of these focus on a widely recognized cause of crime problems: early childhood development in the home.

In early infancy, home visits by nurses can produce major reductions in child abuse, which is a risk factor for later delinquency. Such visits are required in a number of Western nations. Hawaii offers it on a voluntary basis to all new parents, the majority of whom accept. Repeated visits for the first two years of life provide the greatest benefit to children at high risk. This is expensive, but the results are good. A recent RAND study suggests that home visits to infants may be more cost-effective than prison.

> *A recent RAND study suggests that home visits to infants may be more cost effective than prison.*

In preschool years, Head Start programs with home visits by teachers can prevent delinquency up through age 25. This clear effect has been found in several controlled tests started in the 1960s. Yet today, few Head Start programs are budgeted for teacher home visits, and Head Start itself lacks sufficient funds to meet demand.

The good news is that there is increasing evidence to support the largest single program in the 1994 Crime Act: putting 100,000 more police on the streets, funded at $1.4 billion in fiscal year 1996. National Institute of Justice studies show that an increased police presence reduces crime in high crime "hot spots," where most crime is concentrated. Full enforcement or "zero tolerance" policies in those hot spots may even reduce gun crime, the leading theory about New York City's free-falling homicide rate—now almost two-thirds lower than in the early 1990s.

The bad news is that much remains unknown about strategies for deploying police and the cost-effectiveness of different alternatives. Sudden increases in personnel provide an unprecedented opportunity for controlled tests of policing strategies, especially in high-crime poverty neighborhoods where policing often backfires. Funding this program without a substantial investment in comparing the impact of hundreds of different approaches to community policing is more than a wasted opportunity. It is comparable to the Eisenhower administration giving schoolchildren many different polio vaccines without testing any of them for safety and effectiveness.

The University of Maryland report recommends that 10% of all federal funding for local crime prevention be set aside for independent evaluations of the programs' impact, commissioned by an independent evaluation agency in the Justice Department. Several bills now pending in Congress use the same formula. Opponents of this idea say that evaluation money could be better spent on effective programs to fight crime. But until Congress invests more money in program evaluations, it will have no way of knowing which programs are effective.

Mr. Sherman chairs the department of criminology and criminal justice at the University of Maryland.

(1) proposal