

Box #2

Operation Drug Test (12/12/96 Directive)

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Youth Crime Gun Interdiction Initiative

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The Clinton Administration's Prisoner and Parolee Drug Testing Initiative

December 12, 1996

Announcement

- In a further effort to break the cycle of crime and drugs, President Clinton announced today new Justice Department guidelines to the States requiring comprehensive drug testing and sanction programs for prisoners and parolees.

The Problem

- Illegal drugs are an enormous factor behind the level of crime and violence in America. Recent research shows that three out of every four prisoners and over half of those in jails or on probation are in need of some type of substance abuse treatment or intervention. Drug addicts are involved in approximately 3 to 5 times the number of criminal incidents as arrestees who do not use drugs.
- We continue to witness the same criminal addicts cycling through the court, corrections and probation systems still hooked on drugs. President Clinton believes that our criminal justice system should reduce drug demand, not prolong, enhance, or tolerate it.

Breaking the Cycle of Crime and Drugs

- The 1994 Clinton Crime Bill provides states \$7.9 billion to improve their existing prisons and to build new ones to keep our streets safe from violent criminals. Building upon that, in his 1996 State of the Union, President Clinton challenged states to implement truth-in-sentencing to insure that offenders serve time that truly reflects their sentence.
- At the end of last Congress, President Clinton pushed and signed into law legislation that requires states to drug test prisoners and parolees as a condition for receiving prison grants. Under this measure, parolees who fail drug tests go back to prison.
- The guidelines announced today implement that legislation and gives states until March 1, 1998 to develop and submit to the Attorney General a comprehensive drug testing and sanction plan for prisoners and parolees. States that do not meet this requirement and then the Attorney General's approval will be ineligible to receive prison grant funding.

Building on a Record

- Over the last four years, the Clinton Administration has instituted effective policies and programs that are helping to break the cycle of crime and drugs -- among other measures, creating a National Drug Court grant program, instituting drug testing for Federal arrestees, and enacting tougher penalties for drug dealers. President Clinton's Prisoner and Parolee Drug Testing initiative is the first comprehensive effort to rid our criminal justice system and prisons of drugs.



White House Press Release

REMARKS BY THE PRESIDENT ON PRESIDENT'S DIRECTIVE ON DRUG TESTING

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

December 18, 1995

REMARKS BY THE PRESIDENT ON PRESIDENT'S DIRECTIVE ON **DRUG TESTING**

Oval Office

4:35 P.M. EST

THE PRESIDENT: I want to welcome the Attorney General, United States Attorney Eric Holder of Washington, D.C.; and Kathryn Landreth of Nevada; the Attorney General of Minnesota, Skip Humphrey; District Attorney Lynn Abraham of Philadelphia; District Attorney Michael Barnes of South Bend, Indiana, who is President of the National District Attorneys Association; Jeremy Travis of the National Institute of Justice. I thank all of them for joining me here today.

I am about to sign a directive to the Attorney General instructing her to take the next step in our administration's all-out effort to break the cycle of crime and **drugs**.

The criminal justice systems of our country are overburdened with **drug**-abusing defendants who cycle through the system while continuing to use **drugs**. Far too many criminals brought into our system have a substance abuse problem. In fact, a 1993 study by the Justice Department found that more than half of the arrestees **tested** positive for an illicit substance. Unless we break the cycle of **drugs** and crime, criminal addicts will end up back on the street, committing more crimes, and then right back in the criminal justice system still hooked on **drugs**. That's not fair to the taxpayers, the crime victims, or the American public. The cycle must be broken.

All across our country employers have accepted responsibility to reduce the level of **drug** use in the workplace. Teachers and coaches have accepted the responsibility to reduce the level of **drug** use in our schools. Now it is time for agencies in our criminal justice system to use all their power to reduce **drug** use by federal arrestees.

With this directive, when you enter the federal criminal justice system, you will be **tested**. If you have been taking **drugs** you should suffer the consequences. The administration is committed to breaking this link between crime and **drugs**. Indeed, if we could break it we could dramatically lower the crime rate.

As a nation, there is only one message we can send: Continued **drug** use is unacceptable. We can't have a comprehensive crime-fighting effort until we end **drug** offenders' habits. That's why it's critical that the criminal justice system put all its power behind cleaning up **drug**-abusing criminals.

This directive is another example in which the federal criminal justice system can serve as a model for states. I'm very honored to be joined by the Minnesota Attorney General, Mr. Humphrey, and the District Attorneys of Philadelphia and South Bend, Indiana. When they leave here today they're going home to ask their state legislatures to follow our lead in making sure all offenders are **drug-tested**. I call upon every governor, every state assembly, every state attorney general to do the same.

I'm proud of our antidrug strategy. It combines tough enforcement with a real, comprehensive prevention program and more investment in **treatment**. This directive is another step in our efforts to eliminate illegal **drug** use.

We know that reducing **drug** use will require everyone's effort. That's why today, our **Drug** Director, Dr. Lee Brown, is in California urging high school coaches to adopt **drug testing** of their athletes in order to reduce **drug** use among our teenagers.

These two actions send a clear and unambiguous message: **Drug** use and **drug** abuse are both wrong and illegal. We can't tolerate a revolving door of criminal **drug** abusers in our system. And if we work together, we can ensure that all the offenders in our country become **drug-free** and stay **drug-free** if they're going to stay out of jail.

Just yesterday, the FBI reported that for the first six months of this year, violent crime was down by five percent and the murder rate was down by 12 percent. Over the last three years, we've made three strikes and you're out the law of the land, passed the Brady Bill, the assault weapons ban. We're well on our way to putting those 100,000 new police officers on the American streets. But there is still one very disturbing and unacceptable finding in the FBI report, the trend of violence being committed by juveniles.

Later this week, I will be sending the Enhanced Prosecution of Dangerous Juvenile Offenders Act to the Congress. This legislation will help to address the critical problem of youth criminals by strengthening federal laws designed to deal with genuinely violent use. It's an additional tool for prosecutors to deal with violent juvenile criminals by holding dangerous youth criminals accountable for their actions. Once they've been arrested we must stop them from repeating their crimes.

With these steps that we've announced today, federal arrestees who are abusing **drugs** will no longer be out on the streets, and hardened criminals will be dealt with accordingly, even if they're juveniles.

(The directive is signed.)

Q Do you think that's constitutional?

THE PRESIDENT: The way it is drawn, I do. The Attorney

General might want to explain it, but, basically, in the places where this has been tried the people who are arrested are asked to undergo **drug testing**. As I understand it, about 80 percent of them agree. If they don't agree, instead of being forced it's just reported to the judge in making a determination about how high to set bail and what the conditions of bail should be.

Q Well, if they are found to have taken **drugs**, does this mean they're not eligible for bail?

THE PRESIDENT: Well, it means it can change the circumstances under which they're tried and what they might have to do as a condition.

Do you want to discuss that?

ATTORNEY GENERAL RENO: What it is saying -- it is clearly constitutional to condition bail on **testing**. And what this says is if you are going to get bail you may have to agree to **testing**, you may have to agree to continued **testing**, to supervision, to certain conduct while you're on bail. Or it may mean that you have got to remain in the jail because the conditions would not ensure that you would be **drug**-free once you were on the streets.

Q Wouldn't you be subject to additional charges, though? You know, in other words, you're arrested on some totally unrelated charge and you're found to have had **drugs**.

ATTORNEY GENERAL RENO: What we're trying to do is to prevent the unrelated charge that happens once they've left the courthouse. And if they are using **drugs** and if **drugs** are what is fueling so much of crime in this country, to send them back out without doing something to interrupt that cycle and to let a crime happen that was **drug**-induced doesn't make any sense.

What the President is doing here is saying, look, we're going to try to do everything we can to ensure the safety of our streets based on these offenders and their condition, and we're also going to try to do something to make sure that we interrupt the cycle of **drug** use on the part of these offenders.

Q Mr. President, what do you hear from the Speaker and Senator Dole on the budget and opening the government again?

THE PRESIDENT: Well, I had talks with both of them this afternoon, and I offered -- first, I asked them to open the government again, and to do it immediately, so that the people who have made plans for Christmas week to be here and elsewhere would not be disappointed, and so that the federal employees would not be basically disoriented during this Christmas week. And I offered some ideas about how we might reopen the government and how we might resume our budget negotiations. And they agreed to take my ideas under advisement and to speak with each other, perhaps with others as well.

So I don't think I should talk about specifically what I said to them until I hear back from them. I think that would be wrong. I owe it to them and they have a chance to consider this in a confidential matter on their own time.

Q Did you invite them to come over here to sit down with you and try to resolve this?

THE PRESIDENT: I talked about how we could get together and my personal willingness to be involved. But I'd rather not talk about the specifics of it until I hear back from them.

Q Do you think they'll respond tonight?

THE PRESIDENT: I just don't know. I hope so. I want the Congress to open the government again. This is not -- this whole action is without precedent. I think we should stop it and we should go back to the ordinary way of dealing with this.

I have demonstrated, I think, repeatedly that I am committed to balancing the budget. I have shown that I will put forward a plan in seven years. I have told them that I will work with them. And I will work with them, and I believe we can do it. But we ought to re-open the government, the Congress should, for the benefit of the American people, especially this week. We shouldn't -- this week the people and the employees should not be subject to this government closing.

Q Are you willing to have them over here as early as tonight, Mr. President?

THE PRESIDENT: Well, I'd like to give them the chance to get back to me. I think it's important that I not talk anymore about the contents of my conversation until they have a chance to consider it and get back to me.

Q Are you more encouraged, though, by what you heard in this phone call that the government can get back to working 100 percent?

THE PRESIDENT: I hope so. That's all I can say. I hope so.

THE PRESS: Thank you.

END

4:44 P.M. EST



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