



**WEEKLY JUSTICE DEPARTMENT MEDIA BRIEFING**

**WITH ATTORNEY GENERAL JANET RENO**

**U.S. DEPARTMENT OF JUSTICE**

**WASHINGTON, D.C.**

**THURSDAY, MAY 11, 2000**

**9:30 A.M. EDT**

ATTY GEN. RENO: Next week will be one year since the Senate passed common-sense gun legislation. This legislation would require child safety locks on weapons. It would close the gun-show loophole by requiring that, before a sale by an unlicensed gun-seller at gun shows is completed, a background check would have to be done on the purchaser, just as is required with licensed gun dealers at gun shows and at their stores.

Despite this being just a matter of common sense, applying the Brady Act to this new category that covers a number of people, the bill has languished in conference for nine months, while over 20,000 people have been killed by gunfire in America.

That's just simply plain outrageously wrong. The conferees have refused to act on the legislation. In fact, they have only met once since last May, and no substantial progress was made to get the bill to the floor.

During the same period of time, have we experienced far too many tragic instances of gun violence. Now, you can't link one particular piece of legislation with one act of gun

violence and say that it would have been prevented. But we have seen too much in this year -- in schools, in office buildings, even in churches -- and I think the time has come to do something about it.

One mom in suburban New Jersey has done something about it. For her, the shooting in the Jewish Community Center in Los Angeles was the last straw. Around her kitchen table, a movement to end gun violence was born. On Sunday, more than 1 million moms, and others who support their efforts, will be taking to the streets in Washington, D.C., and in 67 communities around the country, to say simply that they have had enough. This kind of involvement by American families is important. And in the spirit of working together, I know we can make our communities safer.

I commend the Million Moms for their concern, their conviction and their commitment. And I implore Congress to listen to them, and to the American people, and once and for all, pass this common-sense legislation.

Gun violence does not have to be a fact of our life. In the period between 1992 and 1996, there were 100 gun homicides in Toronto. In a city of equal size, Chicago, there were 3,063. We can do so much more to make this nation safer for our children and for all our citizens. And this march, I think, will make that statement.

Q Will you be marching?

ATTY GEN. RENO: I have a long-standing commencement address, and I hope to finish there and get to the march.

Q Ms. Reno, what's going on here? The majority of Americans support these gun measures. A minority are vehemently opposed. How does the minority will prevail over the majority in an issue that apparently is very important to a number of people?

ATTY GEN. RENO: I think what these mothers are doing is an example of what we must do when we see something wrong that needs righting. We can't sit silently by and say, "Somebody

else will do it." We cannot remain uninvolved and say, "Leave it to Beaver." We've got to get involved ourselves and speak out and let our voice be heard.

Q Is this just a case of a smaller group of people caring much more about the issue than the majority? Is that -- (off mike)?

ATTY GEN. RENO: I think that's one reason. But I think also they're organized, and they have learned how to speak out so that it can be effective. I think it is important that, as in this instance, with this march and with other initiatives, that the people learn how to let their voice be heard.

Q Also on the gun issue, a couple of months ago the administration made quite a show and a statement when Smith & Wesson agreed to take a number of steps. Since then, however, no other gun manufacturer has indicated any intent of following suit, and many cities have been reluctant to even join in that agreement.

What are your thoughts about where that stands and whether that is turning out to be a disappointment?

ATTY. GEN. RENO: I think any time a company like Smith & Wesson takes that step, it is very important and is cause for real encouragement and not disappointment. I think we look to each step and try to build on it, recognizing that this is not a matter that we say, "Well, you've got to accept it because, like disease, it's a way of life." This is one of the most violent countries in the world. It doesn't have to be.

Q Ms. Reno, part of the gun legislation, as you mentioned, is trigger locks. Is that any more a priority for the administration, given that almost all handgun makers now sell their firearms with trigger locks already in place? Isn't that more or less a fait accompli now?

ATTY. GEN. RENO: I think it is becoming so, but it's becoming so because of efforts around the country. And,

again, for just putting it on a common-sense basis; "Look, guys -- why don't you provide for it?" The same thing should be true of sales by unlicensed dealers at gun shows. If we require licensed dealers to ensure a Brady background check, why not unlicensed dealers? What difference does it make? We're trying to do one thing -- make sure that guns don't end up in the hands of people who are not lawfully entitled to have them.

Q Ms. Reno, if I could just follow up on trigger locks. What is your feeling about what good requiring trigger locks at the point of sale would do, in terms of preventing violence, if there is no additional provision to provide a penalty if the gun is used by someone else and the trigger lock wasn't in place? In other words, is there any indication that just selling the gun with a trigger lock means that it won't just be thrown away or stuck in a drawer somewhere?

ATTY. GEN. RENO: It doesn't mean that it won't be thrown away, but if by selling the trigger lock, it is available, more easily used, and it gets people started thinking in terms of gun safety.

Q Ms. Reno, should the administration be doing more to help foster some sort of compromise on the Hill?

ATTY. GEN. RENO: I think we are trying to do everything we can, and I think when we look at it, it's just a matter of common sense.

When you get to something like that, it's time that we all come together, sit down and get the thing passed.

Q Is there a single reason why it's languished?

ATTY GEN. RENO: I don't know.

Q Ms. Reno, you've called on Congress a lot of times to do this, but at some point shouldn't you turn and call on people to literally vote? I mean, it's a question of right now George Bush leads among white women, yet you would

assume those would be the people who would be saying -- he's obviously an advocate of -- or not a big fan of gun control. I mean, aren't these the people you should be talking to? Aren't these the people who are going to -- in the end Congress will do what they say? Right now Congress does what they say, and they don't seem to be pushing them to do gun control.

ATTY GEN. RENO: I think there are going to be many people talking about the issue in the coming elections. As you know, I can't get involved in partisan politics. But I can certainly speak my mind in terms of what I think.

Q Ms. Reno, there's no doubt that in many parts of the country, if a member of Congress supports these two measures, they will pay a high political price from the NRA. How do you reverse that type of arithmetic?

ATTY GEN. RENO: You try to do everything you can to make it clear to people that you're not trying to take away their hunting rifle, you're not trying to take away a firearm; you're simply saying, look, right now if you went to a licensed gun dealer to purchase a weapon, you would have to have a Brady check done on your background to make sure that you didn't have a prior criminal record that would prohibit you from having the gun, but you can go to a gun show and go up to an unlicensed dealer and get it without a Brady background check. We're not trying to stop you from using a gun lawfully, legally, and if you're lawfully authorized to do it.

Q If a member of Congress came to you and said, "Ms. Reno, I'd like to vote for this, but if I do, I'm history; if I do vote for this, will you come to my district and explain to my constituents why this was so important?" would you do something like that?

ATTY GEN. RENO: What I am faced with is the congressional -- bipartisan congressional sentiment that I can't get involved in partisan politics. So if both candidates said, "Would you come to the district and explain?" I think I might be able to do it.

Q Ms. Reno, there's been a minority within the gun control community lately that's been talking about a handgun ban -- people like Josh Sugarman of the Violence Policy Center -- saying that some of these "smart gun" technologies, trigger locks could actually be counterproductive; that if people start feeling safer about guns, they're more willing to buy them, and there are more guns in the streets and more accidents. How do you feel about that? That argument seems to be coming out more and more in the last few months -- that that "smart gun" technology could actually be harmful and that there -- nothing short of an all-out ban would be productive.

ATTY GEN. RENO: I have not seen such studies that would indicate that. But obviously, any time somebody has something that is based on good research, we'd take a look at it.

Q Ms. Reno, Mr. Holder and Mr. Lee yesterday told a group of visiting civil rights leaders from Providence, Rhode Island, about preliminary inquiries into the shooting of a police officer there and, more broadly, into patterns and practices by that local police department. Some of these people told your officials that they hope that they can reconcile themselves with the attorney general's work in the grand jury that found -- that brought no true bill, that they want to be reassured that the investigation locally was done properly.

So my question for you is, is that a worthy goal of the Justice Department? Is that one of your ends in launching such preliminary inquiries -- to reassure groups that the local law enforcement machinery is working properly? Is that a federal job?

ATTY GEN. RENO: Under the pattern and practice jurisdiction that we have, we can review the patterns and practices of a police department. We do that to enforce the law, but what we try to do, whenever possible, is to work with all concerned to see that police practices are changed or adapted to ensure that the use of force is used correctly, that police practices are according to law, and that they

are not based on any inappropriate racial profiling.

Q Is it part of your role to put sort of a Good Housekeeping Seal on local practices, in the event that you don't go to a full- fledged investigation?

ATTY GEN. RENO: We don't put seals on something; we really try to suggest, because each situation is going to be different, what can be done to address situations that indicate the need for remedies.

And we try to say, "If this is done, then you will have achieved what I think most police departments want": the appropriate use of force, appropriate practices with respect to stops; and, as importantly -- and we are trying to work through the COPS Program in other instances -- building trust within the community, working together with other parts of the community to reweave the fabric of community around people who are at risk.

Q Ms. Reno, when you do a pattern-and-practice investigation such as in New York and Los Angeles, how do you strike the balance between doing that type of investigation and not unduly affecting the morale of the department?

ATTY GEN. RENO: My sense, from talking to police administrators and police men and women who are on the line across America, is that they are very proud of their profession. It is a very dangerous profession.

I have oftentimes said that police have one of the most difficult jobs of all. They have got to make hard legal decisions, without going to law school or without being able to sit in their office with their feet propped up and a law library at their back.

They have got to decide what to charge and how to charge it. They have sometimes got to do that with an angry crowd at their back, without a backup. They put their life on the line for us.

And most people who are in policing are dedicated public servants. There are some, just like there are some bad lawyers and bad doctors, who contradict what the great majority of police are doing across this country.

I think it's important for us to work together, to say: "Look, this will save you a lot of trouble. It will save lives. Let's do it together. Let's work together to build standards that everyone can be proud of and that can protect lives, both the officer's life and the citizen's life."

Q Ms. Reno, in the LAPD investigation where -- (Joe Lee ?) -- and your folks are out -- going this week, was the decision to go ahead with a lawsuit, if needed; was that a decision you signed off on personally? And if so, what finally convinced you that a lawsuit was needed?

ATTY GEN. RENO: What we're going to try to do is to sit down and work through the issues.

I can't go into the substance now, because, obviously, the matter is pending and it will best be resolved through discussion, and we'll see.

Q Was that an issue -- was that a decision you signed off on personally, the authorization for a lawsuit?

ATTY. GEN. RENO: Yes.

Q Ms. Reno, just back to Congress for a second. Many of your preliminary inquiries do not eventually lead to full-fledged investigations, much less charges. So my question is this: On both tracks here, the possible criminal inquiry into the shooting of this one officer and, second, the broader patterns and practices inquiry, if they do stop short of full-fledged investigations, is it part of your group's job, Mr. Lee and Mr. Holder, to then reassure the local civil rights leaders and others in the community that, yes, we've looked into these two areas and we are satisfied that things are working properly? Or is that implicit, and something that stops short of an



investigation?

ATTY. GEN. RENO: I always try, consistent with the laws, to explain my decisions so that people can have confidence in it. One of the points that is troubling to me is that sometimes we can't go into it because there may be grand jury information or there may be Privacy Act considerations that limit by law what I can say. To the extent that I can under the law, I try to explain what we've done and why we've done it so that people can have confidence in the process.

Q Speaking of people having confidence, why did you suddenly replace the chief prosecutor in the Wen Ho Lee case?

ATTY. GEN. RENO: It seemed the appropriate thing to do.

Q Can you explain why?

ATTY. GEN. RENO: No.

Q It strikes people as odd that the guy who's been handling it for all this time would suddenly be shunted off to the side and that somebody from headquarters would be imposed on the case.

ATTY. GEN. RENO: He has not been shunted to the side.

Q Ms. Reno, on this related matter, the decision to renew the investigation on the former CIA Director Deutch, was that based on new evidence that became available, or simply a decision that things weren't thoroughly looked enough, or what was the reasoning there?

ATTY. GEN. RENO: I can't comment on it.

Q Okay. On the so-called "love letter" virus, it's appearing more and more likely that it came from another country and that it was not something that was injected into the Internet in the United States. This is apparently going to come up a lot. It's already come up once in the

case of Canada, now possibly another country. What are the standards by which the United States, when it is among many other countries -- I mean, like 20 countries that were victimized -- decides whether or not to file charges? Do you consult with the other countries that were -- that also were victims of this, or how is that decision made?

ATTY GEN. RENO: First of all, I became concerned when I took office about the ability to respond both to situations such as this and other types of hacking, and indeed the possibility of terrorist attacks. And we developed a capacity, through our Computer Crimes Section, to start working with international conferences, with international groups such as the Council for Europe and others, to try to address the issue. We had our first conference of the G-8 here in Washington, of the G-8 ministers of justice, the big industrial eight, and we focused on the issue of cybercrime; how we would work together on a 24-hour-a-day, seven-day-a-week basis to identify the person and take action, because quick action is necessary in order to trace the event.

We have made some real progress. We followed that G-8 meeting up with a video conference. I think you'll recall I had to get here at 6:30 and the Japanese had to stay till 11:30, but it was very successful. And then this last fall we met and again this was the subject of great discussion at our Moscow conference. At the same time, I started working with the Organization of American States and my colleagues in this hemisphere to do what we could to address the issue and to begin to build an understanding, with many countries saying, "Look, we're a long ways behind you," and I'm saying, "You can have a great computer genius in the smallest country in the world that can cause others a great deal of trouble."

The decision as to when to charge and what to do is going to depend on what laws exist in the country where the person is located. In this instance, we want to work with the Philippine authorities in every way we can and be supportive of them. We want to make sure that people know that there is no safe place to hide, and that, working together, we're going to bring people to justice.

Q Are you concerned that in this particular case, the Philippines apparently had no ability to go in quickly and seize the computer, so that evidence was lost? You've talked about your meetings with the G-8 and even with the American states, but do you need to be reaching out to other, smaller countries?

ATTY GEN. RENO: Well, that's what we're doing in the process of trying to build that capacity. And it is a -- even with the larger nations, all of us have a real responsibility to work together to create a network that is -- ensures privacy, that ensures that the law is done the right way.

But we have many issues that we're going to have to address. What happens if one country is investigating a businessman in their country, they issue a -- get a search warrant for his computer and for data in his computer, but he is a customer of America Online, where the data is stored near Dulles airport? Does the search warrant apply here? There are so many questions that we are working through, and that's the reason I have said it is so important that we work with the private sector, with the industry, to do everything possible to ensure that this marvelous medium that we have, this marvelous tool, this marvelous technology, is used the right way.

Q What would it take --

Q Did the -- (off mike) -- system fall short in the Philippines, in terms of the speed of the investigation and getting the search warrants?

ATTY GEN. RENO: I think everything is going apace, and we will look at it afterwards and see how we can work together to address issues of speed.

Q What would it have taken for the Philippines' authorities to have been able to move more quickly?

ATTY GEN. RENO: I think we want to support them in every

way we can and make sure that we learn from this and share our understandings.

Q But was the problem with their slow reactions, or was the problem with their laws?

ATTY GEN. RENO: That's what we need to look at. But I think it's important now that we work together and that we support them.

Q Do we have an extradition treaty with the Philippines that would allow us to extradite any suspects in this case, if that decision is made somewhere down the road?

ATTY GEN. RENO: Well, I think that would be up to our -- what the situation is at the time, and we don't jump to conclusions.

Q But --

ATTY GEN. RENO: We want to support the Philippine authorities in this instance.

Q But do we have an extradition treaty with the Philippines that would -- that could apply in such a decision? Even if you don't make it, is there a mechanism in place to allow you to make that --

ATTY GEN. RENO: I think that's premature.

Q Ms. Reno, we have a case here where, regardless of who committed the offense, regardless of where it came from, it was clearly a problem in 20 countries.

Something like 80 percent of the computers in Sweden were affected, by one estimate. The British Parliament had to shut down its e-mail. It was a problem all over Europe, some parts of Asia, here as well. Clearly, the FBI has among the best capacities in the world to investigate these sorts of things. But if it came to a -- if the decision was made by another nation that the laws in whatever country the virus originated from weren't strong enough, then

wouldn't there be a long line of nations who would be willing to extradite, or would people, in this case, defer to the United States because of our investigative capabilities?

ATTY GEN. RENO: I think you are doing a wonderful job of explaining what I have tried to put forth for now four years.

It's a whole new arena that we have got to look at. Crime is becoming international in its origins and its consequences as people are more mobile, as the 'Net gives us the opportunity that we never had before. The way I analogize it is to say when we first started the Postal Service, probably mail was ripped off and people didn't get their mail, and it was essential, so that people could rely on this system, that we develop laws, develop capacity to protect the mail system, to ensure privacy, to ensure that people didn't go into the post office and open other people's mail. And we've got to try to do that now with this new technology.

One of the problems we're going to have down the road is, okay, we've found the person, the country is willing to extradite, but it is a small extortion, say under \$30,000 with somebody who has personal identifiers that he has stolen, and the state who is prosecuting it says, "Well, we can't afford to extradite." We've got to think in terms of closed-circuit TV and witnesses testifying from abroad. We've got to be really -- we've got to put a lot of thought into how we're going to make this worldwide system work and how we're going to enforce laws.

And I am encouraged by the steps that have been taken, but I think that we must move with all deliberate speed and do it thoroughly and wisely.

Q Ms. Reno, on Elian, the hearing is today. Did you give your attorneys any instruction, or did you leave it to them to do the job?

ATTY GEN. RENO: I have great confidence in them.

Q And any thoughts or comments on --

ATTY GEN. RENO: No.

Q -- the hearing today?

Q And what do you think about the schoolmates brought in, and insofar as the sort of reindoctrination of Elian is concerned? Some have stated that this is not fair, this is not right. But do you think he is doing all right with his classmates?

ATTY GEN. RENO: Based on the reports that I have heard from the psychiatrist and the social worker, yes.

Q The contractor who conducted the recent analysis of the infrared video, at Fort Hood, filed his report with the federal court in Waco yesterday, and it indicated that there was no FBI gunfire. And basically, the FBI issued a strong statement saying, "We feel fully vindicated by the results." What is your comment or reaction to the study?

ATTY GEN. RENO: I think that is involved in the overall special counsel's review, and I think I should defer to the special counsel and let him comment.

Q Have you gotten any indication from him, by the way, on when -- has he given you any indication when he thinks he'll be done?

ATTY GEN. RENO: I'd let him speak.

Q Have you been interviewed yet by him?

ATTY GEN. RENO: Yes, I have.

Q When was that?

ATTY GEN. RENO: Last week, I think.

Q And how long did it last?

ATTY GEN. RENO: I don't know. It started at about 9:00. We broke several times.

Q Did he conduct it himself, Senator Danforth?

ATTY GEN. RENO: Yes, he did. I'll ask Myron to give you the exact date.

Q Can you tell us, just in general, the main points of inquiry --

ATTY GEN. RENO: No, he should --

Q -- that were discussed with --

ATTY GEN. RENO: -- he should make any comment.

Q I have some good news.

Q Did he say; is he finished then interviewing you?

ATTY GEN. RENO: I'd let him make any comment. (Laughter.)

Q Getting back to the police misconduct for a second, we are hearing a lot that the Diallo investigation might be coming to a close and haven't heard anything lately. What's the status of that?

ATTY GEN. RENO: It's pending.

Q Do you expect that to finish up soon?

ATTY GEN. RENO: I wouldn't comment.

Q There have been some criticisms in Los Angeles and New York, with the pattern-and-practice investigations, about the Justice Department waiting too long. In L.A. for instance, you have been investigating that for five years before now. Obviously, there have been widespread allegations and evidence of wrongdoing before now moving

in.

I mean, can you answer that concern, that -- why, for instance, in L.A., did it have to take five years before the Justice Department could take action?

ATTY. GEN. RENO: I think that's one of the great questions. Why didn't you do this then? Why did you wait so long?

Why did you do it so soon? Why didn't you wait? (Laughter.)

Q There is some news from Mexico that the chief trafficker for the Ariano (sp) Felix gang, a Mr. Ismael Higera Guerrero (sp), has been arrested in Mexico. He is under sealed indictment in San Diego. The first question is, will the United States get a chance to prosecute this gentleman?

ATTY. GEN. RENO: We will work with the Mexican authorities in every way possible to see that an appropriate action is taken and that justice is achieved.

Q And does this portend -- if I may just finish, briefly -- this portend further arrests and further breakup of the Ariano (sp) Felix gang, in your opinion?

ATTY. GEN. RENO: I hope so.

Q You hope so. Okay.

Q Thank you very much.

ATTY. GEN. RENO: Thank you.

END.