



WEEKLY JUSTICE DEPARTMENT MEDIA BRIEFING

WITH ATTORNEY GENERAL JANET RENO

U.S. DEPARTMENT OF JUSTICE

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9:31 A.M. EDT

Q Good morning.

ATTY GEN. RENO: Good morning.

Q Ms. Reno, the head of the Campaign Financing Task Force has been busy formulating his recommendation on a special counsel to investigate statements made by the vice president regarding 1996 fundraising. Has that recommendation formally reached your desk?

ATTY GEN. RENO: I don't know what you mean by "formally," but I have it.

(Chuckles.)

Q When did you get it?

ATTY GEN. RENO: The day before yesterday.

Q And as usual, you don't have a time limit on how long you are going to consider it?

ATTY GEN. RENO: Well, I want to consider anything that anybody wants to present, so I am awaiting the recommendation of others, as well.

Q Will they carry equal weight with Mr. Conrad's recommendation, or does his --

ATTY GEN. RENO: It depends on the substance of the recommendation, how persuasive each recommendation is and what the evidence and the law that they rely on is.

Q And you have no expectation of when this will be resolved?

ATTY GEN. RENO: I'd like to resolve it as soon as possible.

Q Thank you.

(Pause.)

ATTY GEN. RENO: Okay. I can go home now. (Laughs.)
(Laughter.)

Q Can I ask you something about hate crime incidents? There have been a lot of unrelated, but much publicized, incidents involving the victims that may or may not be the result of racial violence or discrimination or bias against gays and so forth.

Yesterday, for example, you met with members of the family of a teenager in Mississippi, who was found hanged.

I wonder if you could tell us anything about that meeting; and also how you decide where and when to get involved in federal investigations, such as for example, the FBI has -- you have opened an investigation into the shoplifting-related death in Michigan. And now there is an incident in Philadelphia this morning that will probably lead to calls for federal involvement. Tell us about the Mississippi meeting and what your feelings are about when the federal government gets involved in cases like this.

ATTY GEN. RENO: Well, we had the opportunity to talk with Mrs. Johnson and her son, Roger. We explained that we were going to pursue this investigation. We wanted to follow every lead. She is a very courageous lady, and I very much appreciated the opportunity to talk with her.

With respect to when we pursue an investigation, it really depends on the circumstances. In some instances, state and local officials will pursue it, and it will be more appropriate for them to handle it. We try to make a judgment based on what is in the best interest of justice and the community. We look to see whether federal laws are implicated. But it really has to be on a case-by-case basis, because it will depend on the circumstances involving the state and local officials as well.

Q Ms. Reno, have you seen the police tape of the Philadelphia incident and --

ATTY GEN. RENO: No, I have not.

Q Has there been any request, from Philadelphia or anyplace else, that Justice get involved in this case?

ATTY GEN. RENO: I don't know whether there's been a request, but the U.S. attorney has commenced a preliminary investigation.

(Pause.) Better come quick! (Laughter.)

Q I'm coming --

Q On capital clemency --

Q Go ahead.

Q -- could you discuss where the recommendations are, as well as the report, what the time line is for the completion, and when this is going to be forwarded to the White House?

ATTY GEN. RENO: Are you talking about the clemency

regulations?

Q Right, as well as the death penalty study that the deputy attorney general --

ATTY GEN. RENO: Well, with respect to the clemency regulations, we hope to complete those as soon as possible, so that that matter can be available, those regulations can be available.

With respect to the study, I hope to complete that in the very near future.

Q What is the aim of the study -- (off mike) --

ATTY GEN. RENO: Everything I do I want to look at, to make sure that we do it right.

And if we can't figure out what figures say that we explore, look at it and try to make sure that we address issues that are of concern to the American people.

I think one of the things that I've tried to do in office is to say, Is there a problem? Let's see, let's look at it, let's dig -- try to get to the bottom of it.

Q It's been described as a review or analysis of numbers; race, among the issues involved. But will the quality of defense and other issues be looked at as well?

ATTY. GEN. RENO: Those are the issues that have got, ultimately, to be addressed if there seems to be any trend or indication that that is a factor. In the federal system, I have been generally impressed with the quality of indigent defense made available by court appointment, but we must continue to look at it.

The other thing we've got to be careful of, when you get into numbers, a very small pool of numbers makes it impossible to make any sound statistical judgment, and so you've got to be careful that you don't jump to conclusions. If there are a significant number of

minorities coming into the system, whether it be in a death penalty case, a juvenile direct-file case, or just charging, you've got to look at it to see why. It may not be any disparity in treatment; it may be just a failure of institutions along the way. That's one of the reasons that I've focused so much on prevention. I think we've got to provide a solid foundation for everyone, and not wait until we have got to do remedial action or take punitive action down the road.

Q Does it trouble you at all that it does seem that, aside from the racial question, a lot of death penalty cases are coming out of a few states, and there are something like, what, 11 states that have never even, at least as of a year ago, had a case referred to the main Justice?

ATTY. GEN. RENO: One of the points is to look carefully at each one and to try to figure out why. If you look at some states, we get -- even large urban states -- we get very few cases. happen to know one of the reasons why. In Florida, the state attorney prosecutes most of the death penalty cases, and the federal prosecutors have not handled that many, traditionally. We've got to see what's happening in state court, what's happening in federal court. It becomes a very complicated process. But these are issues that we need to understand and to look at.

But I think one of the key factors that we have got to consider is looking at it and trying to make sure that people similarly situated are treated the same. You've heard me before on the subject, though. You see so many minority victims in minority -- involving minority defendants. And these are people, these victims are being killed or hurt or injured or robbed. We've got to make sure that we look at the system and give to everyone, the minority child or otherwise, an opportunity for a solid foundation in health care, education, supervision, support, mentoring, so that they have an opportunity to grow in a strong, constructive way. It is just very important that there be the substance as well as it's also important that those who are subjected to the system feel that the system has been fair to them.

Q Preliminarily, have you seen anything so far that would lead you to believe that there are serious flaws in the system as it stands now?

ATTY GEN. RENO: Well, going to the substance of the serious flaws, one of the things that troubles me is that there are too many that don't have good, healthy, strong starts in life. And I think that's one of the points that I will continue to address.

With respect to the disparity, I don't know whether the pool is sufficient to make judgments, and I want to try to look at it. In other words, if you have a situation where you have three cases, the change in position in one case could affect the whole thing dramatically and it wouldn't be statistically sound.

So we're just looking at it in order to be very careful.

Q Ms. Reno, Mr. Vasquez-Mendoza (sp) was captured recently in Mexico, had been searched for for four years. He's the accused assassin of Mr. Richard Fass (sp), a DEA agent.

Now what I'd like to ask is, how do you feel with regard to this arrest? And are you going to get personally involved to see that this extradition that's sought by DEA is successful?

ATTY GEN. RENO: I remember attending the service for Special Agent Fass (sp) and talking to his family. And he, like so many other in law -- others in law enforcement, wanted to contribute, wanted to make a difference.

We want to pursue it, to make sure that extradition is perfected in any way that we can contribute to that effort, and we will be doing that.

Q Will you personally get involved with your Mexican colleagues, counterparts.

ATTY GEN. RENO: If it be necessary.

Q If it's necessary.

Q Ms. Reno, on the issue of hate crimes legislation, how actively is the Justice Department involved in lobbying on Capitol Hill? And what's your message to Congress in terms of getting a bill into law?

ATTY GEN. RENO: I -- we have been much involved.

Some people say that hate is not an element to be considered in a crime, but a hate -- a crime motivated by hate addresses a whole group of people. And I think it's very important that we pursue this legislation, that we make sure that people who hate who focus on groups of people understand that there is a strong moral reason why there should be a remedy and that the federal government should have that remedy to vindicate the rights of the group. I'm very hopeful that we can be successful.

Q Ms. Reno, the FBI has recently implemented the Carnivore system on Internet service providers to perform, as I understand it, a pen-register wiretap function on e-mail on the Internet. Did you review this system before it was implemented or --

ATTY GEN. RENO: I'm taking a look at it now, to make sure that we balance the rights of all Americans with the technology of today. But whatever the case, this cannot be done without appropriate court order, according to processes and procedures used now for lawful surveillance.

But when we develop new technology, when we apply the Constitution, I want to make sure that we apply it in a consistent and balanced way.

Q Any sentiment now for a separate set of guidelines, department guidelines, for this whole area of online investigations or --

ATTY GEN. RENO: As you have seen, it has been an exciting time in law enforcement, as we have absorbed the impact of the new technology.

Trying to make sure that we use it the right way is one of my highest priorities because it can be a wonderful tool. And I don't want it to be a tool that is, in any way, a cause of concern for privacy interests.

Q But you don't think it needs new department guidelines to guide what the --

ATTY GEN. RENO: We are looking at it to see just what is needed, if anything.

Q And this is going to come to you in a formal report?

ATTY GEN. RENO: No. I am just exploring it now. When I saw the articles yesterday, I started looking into it, asking questions, and want to make sure it's done the right way. If additional regulations are needed, we will pursue those. But I think -- The ultimate issue is let's look at the technology. Let's look at that Constitution of ours that's been in effect for over 200 years. I can't imagine that John Marshall, as chief justice, envisioned the Internet and e-mail and the wonderful opportunities that modern technology has brought us. But he sure did envision a Constitution that has a lasting nature to it, that has absorbed so many different issues over our history. And I think that, if we do it carefully and thoughtfully, we can utilize the technology and protect the constitutional rights we hold dear.

Q When was this new system first brought to your attention; do you know? Or was it a brand-new subject when you saw the articles in the paper?

ATTY GEN. RENO: We have known of the capacity to do this. Its application and what has been done, had not been brought to my attention. And I just want to make sure that industry, privacy interests, law-enforcement interests are all fully advised so that we can consider anybody's concerns and make sure that we address them.

Q Does the Carnivore system continue to operate?

ATTY GEN. RENO: Could you call it something other than Carnivore? (Laughter.)

Q Does the system continue to operate while this review is occurring?

ATTY. GEN. RENO: I don't know the answer to that. That's a good question, and I will see.

Q Ms. Reno, the Waco trial is supposed to wrap up tomorrow. The government had indicated initially that the two on-scene commanders, Jamar and Rogers, would be called to testify. They have not been called. Do you believe there will have been a full airing of the facts, if the two people who are most responsible for making decisions at the local level are not called to testify?

ATTY. GEN. RENO: I am recused, so I would not comment.

Q Ms. Reno, several publications are reporting this morning that negotiations have broken --

ATTY. GEN. RENO: I can't see, because of the light.

Q Oh. It says, "New Olympic charges likely," the headline. And it indicates today that negotiations have broken down and that now it's reached the phase where charges are imminent. Can you comment on that at all?

ATTY. GEN. RENO: No.

You got one?

Q No. (Laughs.)

Q I got one. (Laughter.)

Q In regard to the leak several weeks ago to Senator Specter of information about task a force chief's recommendation for a special counsel, have you concluded the leak probe --

ATTY. GEN. RENO: I have no comment.

Q Are you finding that there is such, or had been such a leak?

ATTY. GEN. RENO: I'm not commenting.

Q Returning to the clemency, let me asking about something that just, I was sort of curious about when I first heard about that. Why are you folks only now drawing up the clemency regulations for death penalty cases? This was passed back in '94, and surely you knew it was coming down the road.

ATTY. GEN. RENO: We have been involved in that effort. Sometimes things don't go as fast as I'd like.

Q Ms. Reno, do you have any reaction to the reports that Maltese witnesses in the Pan Am 103 bombing, at least some of the witnesses from Malta, are refusing to testify in the Lockerbie trial, like they were being leaned on, perhaps. Do you have any reaction to that?

ATTY. GEN. RENO: I have had a report back that is not consistent with the newspaper report, and so rather than comment, I think any further comment should be made by those that are on the site.

Q Are you advising that that newspaper report may be in error?

ATTY GEN. RENO: I don't know. I just advise care and thoughtfulness as we try to find out what the actual circumstances are.

Q Okay. Thank you.

Q Did you have a good vacation?

ATTY GEN. RENO: What vacation?

Q Did you get time off? Did you get a day off?

ATTY GEN. RENO: I'm leaving this afternoon to go to London to speak at Runnemedede as we reconfirm the debt we owe to those who caused King John to sign the Magna Carta. And it gives you an opportunity to think about the law and all that we have been able to achieve under the rule of law; how much our Constitution owes the Magna Carta. It's wonderful to thumb through the pages and see some of the very specific, just logistical things that the barons wanted, and some of the grand ideas that they supported.

The law gets very complicated sometimes, and lawyers certainly know how to confuse the English language by their legalese. But what I hope to address is King John's promise that to no one will we deny or delay justice or right. I think one of the great issues that we face in America today is how we ensure for all people, not just those that can afford lawyers or the best lawyers, but how we give all people access to right and to justice.

And I'm looking forward to the opportunity. As I pointed out to you, there is a sign on the -- chiseled on the east wall of the Justice Building which goes something like this: "The law issues from the people. It's derived from the will of mankind, framed by mutual confidence and sanctioned by the light of reason." It's important that everyone -- the young man charged with a crime, the elderly person who has no one to take care of them, children who are alone and at risk -- that everyone have access to the right and justice.

Q Thank you.

ATTY GEN. RENO:

Q Thank you very much.

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