



**WEEKLY MEDIA BRIEFING WITH
ATTORNEY GENERAL JANET RENO
THE DEPARTMENT OF JUSTICE
WASHINGTON, D.C.**

THURSDAY, AUGUST 3, 2000

9:30 A.M. EDT

ATTY GEN. RENO: How are you?

Q (Off mike.)

Q Ms. Reno, we're entering a rather intense period in the presidential campaign. Wouldn't it be fair for the American public and for the vice president himself if you were to make a decision soon on whether to appoint a special counsel to investigate his statements on fundraising?

ATTY GEN. RENO: I never comment on timing, but it is always fair to make it as soon as possible.

Q Are you close to such a decision?

ATTY GEN. RENO: I wouldn't comment on the process.

Q Have you received all the advice that you're going to receive?

ATTY GEN. RENO: I always welcome new advice.

Q (Laughs.) But I mean, all the ducks are in the row is what I'm asking.

ATTY GEN. RENO: If all the ducks were in the row in my mind, I would tell you what my decision was.

Q (Chuckles.)

Q Ms. Reno, there was a report this week saying that the Brady law has not been -- has made virtually no difference in reducing homicides.

Have you had a chance to look at that report? And what are your thoughts on it?

ATTY GEN. RENO: I just looked at it yesterday, and I think it's -- I haven't digested it at all. And there is also a report indicating that there may be -- have -- the Brady act may have had an impact.

I think it is so important -- and I think you've noticed that I don't jump to conclusions. I don't claim credit for reducing crime.

I just try to look at all the factors that go into it and understand it better.

The authors of the report put a caveat on it that the secondary gun market may have an influence that they cannot measure.

We are getting better at evaluating what works and what doesn't work. We're getting better at identifying crime problems, but we must continue to do everything we can to make it as exact as we can. And I'm going to try to understand the article better.

Q What has the department done on its own? There was a great interest in the Justice Department and in many members of Congress to get the Brady law passed, with a very strong sense that surely this would work. What sort of follow-up has the department done to see what sort of

effect it's had, other than merely the numbers of sales that have been stopped?

ATTY GEN. RENO: I'm not sure that there is any follow-up from groups such as the National Institute of Justice, but let me ask Myron to check for you and see.

Q May I ask one other question on this? What's your sense of what good the law has done?

ATTY GEN. RENO: I just think it makes common sense that if somebody who is not authorized by law to have a gun goes to purchase a gun and cannot purchase it because that prior record is made known, that it must have some effect in terms of the dissemination of guns throughout the community. And it may take longer to measure that.

What I sense is that, beginning with the crack epidemic in about 1984, that came first to cities like Miami and New York and then swept into more suburban areas, that the researchers are correct when they say that crack epidemic brought a wave of guns with it because it was such a violence-inciting drug and people were so desperate to get the crack, so there was a proliferation of handguns throughout the community that caused the rise in crime.

I think the more we can get at that great supply of guns and diminish it, it seems to me to make common sense that that will help reduce crime.

But also, it is important to vigorously enforce the gun laws as they exist, and we have worked on that with jurisdictions such as Boston, where the U.S. attorney and the local district attorney work together in determining who should take which gun case, or Project Exile, where the federal prosecutors are taking most of the cases. We're trying to focus on each community, recognizing that each community may be different, as well.

I just firmly believe the more we can develop solid facts about what works in prevention, what works in punishment, what's necessary in terms of reentry, as long as we

approach it from a comprehensive point of view, I think we can make a difference.

And I think this nation, working together, has.

Q Does this -- (inaudible) -- make you think any differently about things or do or raise any ideas about new approaches to take to this?

Because it seems like the results would be rather surprising that the states for which these Brady checks were newly imposed showed no more progress than for other states.

ATTY GEN. RENO: I think we have to look at it, because I think most reports that have come out, if I'm not mistaken, indicate that after the Brady act was passed, crime with guns came down significantly. I think we just have to look and make sure that we don't jump to conclusions, that we're willing to say, "We need to do more study here; let's figure out what to do here."

And I think it is also important to recognize that each community is different, and there's not going to be a particular solution for any one community.

Q Ms. Reno, this week the Drug Enforcement Administration has held a conference on ecstasy. How big a threat do you see that drug -- (off mike)?

ATTY GEN. RENO: What I -- this is, again, an effort, because -- let me just digress for a minute here. In about 1983 or '84, we began to hear about a substance called "crack," and we couldn't really understand what it was and what it was doing.

The effort to get ahead of the game on ecstasy, I hope, will limit its impact.

But any drug such as that, any new and emerging substance, requires a focus on the part of everyone concerned, requires diligence, in terms of making sure that we

understand what's necessary to treat the abuse of that substance, because in many instances, the treatment requirements are specific for a specific drug, and that we understand the enforcement patterns that are necessary to have an effect on it.

Q Attorney General Reno, in the shadows of the Justice Department right here in Washington, D.C., there's been a very disturbing number of homicides just in the past week, a real wave of crime that's swept the city, and the number of murders for the year is up.

What does the Justice Department, under your leadership, need to do differently to have an impact on the very city in which it sits?

ATTY GEN. RENO: I think it's -- if I'm not mistaken -- and I'll ask Myron to confirm it for you -- crime is down in the city now --

Q (Off mike) -- murders.

ATTY GEN. RENO: I'm trying to get to your point. One of the reasons I think it's down is that people like Chief Ramsey are focusing on a particularly four-day period.

They see that homicides are up by about 10 or 15 in number.

What is causing that?

What may be the pattern involved? Is it drugs?

Is it a drug organization?

Is it an armed career criminal returned from prison?

It is that immediate attention to problems as they emerge that I think has been very effective in cities in trying to understand what's causing it and take immediate steps to deal with it.

And this is what we're suggesting across the nation and

what we're asking U.S. attorneys to do across the country.

Q Are you satisfied with the results in the District of Columbia?

ATTY GEN. RENO: I'm not satisfied with the results as long as this nation continues -- and I think I've told you that on a number of occasions now. We have a real chance if we keep at it, if we continue to fund policing in America, if we continue to make sure that we have appropriate prisons and that people serve the length of time the judges sentence them, if we have reentry programs that can make a difference, and prevention programs that work. We can end the culture of violence as we have seen it in this country.

Now, you say, well, we'll never be able to eliminate all violence, and obviously, that may be the case. But at least we can bring this nation's level of violence down to that of other industrialized nations in the world. And I'm going to be not satisfied until we do that.

Q General, putting aside the particular case of Washington, there were, I think, in the last FBI preliminary numbers back in the spring some signs that some of the cities which have made a lot of progress in reducing crime have started to see a little bit of an increase in crime, and some of the criminologists were wondering, after these figures, if we were starting to reach the point where we had stopped making progress or we're about to reach the point where we'd stopped making progress in reducing crime in America.

Have you given any thought to those sort of preliminary possibilities? I think there were a few little Op Ed pieces that came up at the time. Have you thought about that?

ATTY GEN. RENO: That's what I've been giving thought about and talking to you-all about for a long time.

Q But is there anything that you see --

ATTY GEN. RENO: Whoa, whoa, whoa.

Q Are there any conclusions that you're drawing from it?

ATTY GEN. RENO: Here's the conclusion that I draw. It's a conclusion I drew back in the '80s as I watched crime go down and thought, "Well, we've got it under control," and then it starts back up. We cannot become complacent.

That's the reason I continue to speak with such concern about the fact that we've got to continue to fund community policing in this country, we've got to make sure that we address programs that can give people coming back from prison a chance to get off on the right foot, so that they don't immediately start committing further crime. We've got to make sure that drug courts and other courts work, that they have caseloads and resources sufficient to deal with the problem.

These, I think, are some of the tools that have gone into this historic, now eight-year reduction in crime. And I think it is imperative, and the conclusion I draw is that we cannot become complacent, we cannot think we've licked the crime problem.

We've got to constantly look at the data for a particular city, a particular region, see the blips, understand what's happening.

One of the things that you will find in some instances, as I checked on it, there is one drug organization where some of the offenders have returned from prison and they've gotten right back into it. You can't draw conclusions nationwide. You've got to look at the specifics and say, How can we work together to get at this, to understand what's happening, to make a difference?

Q Is there any change in strategy, then?

ATTY GEN. RENO: I think in terms of strategy, I don't -- tactics, strategy, whatever the case, I think what you've got to do is be prepared to see what's coming down the line. There may be a new substance called the XYZ drug that may be more dangerous than crack.

It may require a different strategy. What I think we have been able to do is try to look at what the situation is, forecast it as much as the tools we have enable us to do so, and take action designed to do something about it.

But it requires that we not be complacent. It requires that we have a commitment to doing it in a bipartisan, thoughtful way that can, I think, have a real impact. So in terms of strategy, it's going to depend on the facts as they evolve.

Q Whether it's strategy or tactics, is there anything new, different that you are going to do in the five months remaining, anything that you're going to do to attack the drug problem, the crime problem? Are you trying to finish up anything in particular?

ATTY GEN. RENO: I've got a whole list of things in there that I'm trying to do.

Q What's on that list?

ATTY GEN. RENO: What I've tried to do is to take the issues that we have been working on, to outline what still remains to be done, and to chart what we can do in these four and a half, five months left, so that I don't waste the people's time.

One of the issues, for example, is methamphetamine. How can we improve our efforts? DEA just completed the first step of a major investigation, resulting in arrest, where it designed a new way to go at the methamphetamine problem in this country.

I want to continue to look at the time -- in the time I have remaining, at anything I can do, new or old, to address the problems.

Q Ms. Reno, you've been a proponent of a holistic approach to crime, not just law enforcement but social issues, education.

But taking the city of the District of Columbia, for example, there seems to be still a certain level of chronic violence in the U.S. The District, even though there has been a crime drop, has never gone below 200 homicides. I was recently at a high school, Ballou (sp) High School, where they've buried eight current or former students in just one year.

Is there a need to expand these holistic approaches, more funding for those kinds of approaches?

ATTY GEN. RENO: You bet. I think the mayor, the chief have done a lot in this city that has had numerous challenges.

Other cities have been more successful more immediately, but they had more infrastructure.

Each city is different. There is no one answer. But clearly, if you raise a kid without supervision, if you raise a kid without a good educational opportunity, if you raise a kid where he can get a gun at the drop of a hat, and he turns 15 and 16, is there any doubt but the risk he faces of getting into trouble?

What I think we've got to do is to continue our efforts, and I'm -- one of the nice things that's happened is for everybody to be talking about the need for focusing on children, for making sure that the children of America have a chance to grow in a strong, constructive way. But you still see heart-breaking examples of that not happening, and until we make sure that hope is available for all children, we've got to continue to try.

Q It sounds like you've been watching the Republican convention.

Q (Chuckles.)

ATTY GEN. RENO: No. But it's nice to hear that they're talking about it.

Q Attorney General Reno, a federal judge weighed in

yesterday on the Carnivore system and urging expedited turnover of some information regarding that system. You spoke last week about not suspending the use of the system during this interim period of study and review.

My question is, why does it make sense, if this is an FBI system, to leave the FBI in charge of deciding who's going to be on that panel and who's going to be on that study? If your goal is to inspire for the confidence of the American people, why leave the FBI in charge of reviewing its own program, rather than providing some type of outside oversight that would give people greater confidence?

ATTY GEN. RENO: That is exactly what we're trying to do. I've asked the Justice Management Division and the Justice Department to work with the FBI to select an independent entity that can review the matter, review this -- the thought would be that we would show the source code to these experts and then create the opportunity for us to have a discussion about any weaknesses that they saw in the whole process.

Q Who's going to make the decision about that process and who sits on that panel? We were told last week it was the FBI.

ATTY GEN. RENO: My understanding is that we will make the decision together and that it will be ultimately the recommendation I receive from the Justice Management Division, and I will be ultimately responsible for it.

Q Ms. Reno --

Q So the review panel -- just so I understand -- will not be firmly set until JMD reports to you and you accept their recommendation?

ATTY GEN. RENO: I have not established a particular process, but the process that I understand is in train, if you will, is that JMD and the -- which is the Justice Management Division; we get back into initials -- will discuss with the FBI on appropriate expert or experts that

can review this issue; that if there is any disagreement, then I will resolve it.

Q Isn't this taking a rather long time to get off the ground? It's --

ATTY GEN. RENO: Yes, I thought so, too.

Q (Laughs.)

Q Just a related question here -- there's a separate request for -- a Freedom of Information Act request for the -- how the guts of this thing work. And a judge has said the Justice Department should hurry up and decide what it's going to do.

Why would the Justice Department release anything about this under FOIA? Why not say, "This is a law enforcement tool, and we're sorry"?

ATTY GEN. RENO: Since the matter is pending before the court, I think it more appropriate that we comment pursuant to the court procedures.

Q Your Honor --

ATTY GEN. RENO: I haven't gotten elevated to "Your Honor" yet. (Laughter.) And don't expect to.

Q Both Senators -- probably because I was thinking of senators, I was thinking of -- (laughter). Senators Hatch and Leahy have proposed alternative methods of adjusting the rules governing post-conviction relief when scientific evidence is involved, particularly DNA. Do you plan on endorsing either one of those measures?

ATTY GEN. RENO: We're looking at all the proposals and trying to work with both Senators Hatch and Leahy to come up with something that can truly provide the best protection against an innocent person being convicted.

Q A committee under your direction, or at least your

appointment, has studied the issue for better than two years and come up with its own set of proposals. Would you offer those as an alternative to the two that are under consideration?

ATTY GEN. RENO: We're discussing all the possibilities because we're trying to reach some understanding that will serve as a consensus that can meet the needs of everyone.

Q (Off mike) -- is that a vote of somewhat less than full confidence in the measures that your own committee brought back?

ATTY GEN. RENO: No.

Q But you haven't endorsed them.

ATTY GEN. RENO: One of the interesting things that you see in Washington, as you see in all of the democracy, is that there is excellent work done; to get it implemented, you have to work with everybody concerned to develop the best means of doing so and the means of getting it funded.

Q Back on Carnivore for a moment. If you feel things have been moving too slowly, what are you doing to speed them up so that this review takes place and gets off the ground, rather than people just talking about a process for weeks and weeks and weeks?

ATTY GEN. RENO: I call and say, "When am I going to see the process in place?"

Q Who do you call?

ATTY GEN. RENO: A variety of people in the office. One of them is Steve Colgate. The other, I ask the -- whoever is at the FBI bi-weekly, and try to pursue it in that fashion.

Q Do you have confidence that it's moving faster at this stage?

ATTY GEN. RENO: I'm going to check when I leave here.
(Laughter.)

Q Have you had any second thoughts about suspending the program, or -- (off mike)?

ATTY GEN. RENO: No. When I am satisfied that the U.S. attorneys and the Justice Department are satisfied with the process, I think we should go ahead.

But I want to make sure that everyone is -- I don't know that I can satisfy all the privacy advocates, but I want to try to do everything I can.

Q Ms. Reno, you saw the report this week on the Citizenship USA program from the Inspector General's Office, and that talked at some length about political pressure that was brought by aides to Vice President Gore on not only the INS but some of your top deputies here in main Justice. Were you concerned at all about those allegations? And do you see a need to raise the fire wall, if you will, between the White House and Justice on programs such as this?

ATTY GEN. RENO: I liked what my top deputy at the time did, which was kick them out of their office.

Q Ms. Reno, on the Justice Department's criminal investigation of ADM, there are allegations made in this book, "Rats in the Grain," which I asked you about a couple weeks ago --

ATTY GEN. RENO: I still haven't had time to read it.

Q If I give it to you, can I -- would you --

ATTY GEN. RENO: No, I'm not going to have time to read it.
(Laughter.)

Q Well, let me -- I talked to your public affairs people about it and asked them why the two top officers, Dwayne Andreas (sp) and James Randall (sp), weren't even questioned, even though the FBI had brought together

evidence they knew about commercial bribery, prostitution, off-the-books payments and the price fixing. They weren't even questioned. And he said, "Well, Williams and Connolly wouldn't let us to Dwayne (sp)." And I said, "Well, what about a subpoena?" and then he got back to me and he said, "Well, we got the information in another manner," and no comment after that. That was it.

It's just very troubling that the two top officers of a company criminally indicted and convicted, in company that paid a \$100 million fine, were never even questioned about evidence the FBI brought together about knowledge they had about this wrongdoing.

Doesn't that trouble you?

ATTY GEN. RENO: I have reviewed it, and I can't comment. But I am not --

Q I'm just asking your gut reaction for any criminal prosecution like this. Why not talk to --

ATTY GEN. RENO: I don't do things based on gut reaction, and I do things based on what I have knowledge of. And I cannot comment further.

Q Will you be able to read this book anytime soon?

ATTY GEN. RENO: No.

Q Why not?

ATTY GEN. RENO: Because I have some other matters to attend to.

Q Ms. Reno, back on DNA for a moment, and perhaps this is the same thing you were talking about earlier. At the seminar last week on DNA, there was a presentation from the district attorney, his office in San Diego, where they've -- this is a state initiative, an initiative of that DA's office. They're saying now they are, on their own, going to go back and look at every conviction based on biological

evidence before 1992, which is, I think, when they began routine DNA testing. This is something they're doing without having the defense lawyers come forward. Does the department have advice or money or resources available for every local prosecutor in America to do something similar, or are we at the point where the best thing to do is just sort of wait and see what local jurisdictions come up with?

What should the department be doing?

ATTY GEN. RENO: We should be looking at what should be done, both at the federal and state levels, what can be done through grant programs or should be done, how the monies can best be utilized, with the ultimate goal of protecting those who may have been wrongfully convicted from the further results of the criminal justice system.

The work of the commission has been superb. The hours that they have spent have, I think, given us a whole vantage point from which to view this issue and to understand the policy considerations that has been very important.

What we must do is to make sure we take our limited resources and use them for cases where it can really make a difference.

We need to define the type of case where a DNA test could make a difference. We must, at the same time, be very careful, because there are in some instances going to be situations where the DNA test is not conclusive as to guilt or innocence.

And we must, whether it be in the use of DNA during trial or in post-conviction protections, do everything we can to make sure that we don't put blinders and on and let DNA guide us to a result that may not be the correct result.

Q I think it's -- I'm confused on the -- your attitude about the DNA commission, because one of the things that you asked them to do, I believe, when you first set them up, was "don't wait until you're finished to give me reports; as you discover matters, let me know what they

are." And they have given you a number of reports in the past two years, with some ground-breaking stuff, like setting forth a framework by which prosecutors and defense attorneys can decide which cases new DNA -- in which post-conviction cases new DNA evidence could make a difference. But yet you have never during the two years said, "I accept your report, I accept your conclusions, and I want to push forward."

ATTY GEN. RENO: I'm pushing forward. (Soft laughter.)

Q Attorney General Reno --

ATTY GEN. RENO: I think they've done a wonderful job.

I'm trying to work out something that can give to federal, state, and local law enforcement not just the concept, but if we can address the issue through forensic labs, however we can address it, so that it is effective and that we get to the truth and that we get the money for it.

That's what I'd like to do.

Q Ms. Reno, the clemency guidelines -- the special clemency guidelines that were issued yesterday for the death penalty mostly talked about timing and procedural steps that would be used.

What criteria will the Justice Department be using to evaluate appeals for clemency from death row inmates?

ATTY GEN. RENO: What criteria?

Q What standards --

ATTY GEN. RENO: I think we will --

Q -- as far as making recommendations to the president.

ATTY GEN. RENO: I think we will address those with the president.

Q Ms. Reno, the --

Q Ms. Reno, can I ask one more thing? One of the -- are you going to be looking at racial disparities and whether the --

when -- the U.S. Attorney's Manual suggests whether punishment is proportionate or not as one of the standards in general for evaluating clemency appeals.

Will you be looking at racial disparities and geographic disparities as one of the criteria for evaluating appeals to clemency?

ATTY GEN. RENO: I would not speculate on what criteria would be used with respect to any particular case.

Let me take it out of the realm of clemency. Whenever we have a situation where there are people similarly situated, it is important that we make sure that everything is done to ensure that there is not disparate treatment. And the whole question of fairness is one that's very important to the criminal justice system.

(Cross talk.)

Q Do you agree with those who are calling for a national moratorium on --

ATTY GEN. RENO: I'm sorry. You all were stereophonically addressing this. (Laughter.)

Q Do you agree with those who are calling for a national moratorium on the death penalty?

ATTY GEN. RENO: I don't think one is necessary. I think it is important that we make sure that as it is implemented, that it is done so according to law and done so fairly.

Q Are you --

Q Ms. Reno -- may I go?

Q (Off mike.)

Q Okay. Thanks.

Ms. Reno, you, I believe, met last week with a delegation from Mexico, I believe with Mr. Fox's people. The Mexicans want to establish a new law enforcement agency similar to the FBI in some ways, called the FAI, Federal Agency of Investigation.

Is the -- is your office, and you personally and the FBI, willing and able to help them to establish a new rule of law in Mexico?

ATTY GEN. RENO: We would look forward to working with the new government, as we have worked with the current government, to do everything that is appropriate in developing real partnerships.

Q Can you tell me anything more about what was discussed with that group that came from Mexico?

ATTY GEN. RENO: I think it would be premature to.

Q Ms. Reno, back to Carnivore for a second. I know that you've expressed some distaste for that name. Have you directed that the name be changed?

ATTY GEN. RENO: No; you can't get away from a name once it's on it. But as the program evolves, I trust it will have a new name. (Laughter.)

Q And if I can just --

Q Push Attorney General Reno's (buttons ?).

ATTY GEN. RENO: As you can see --

Q (Off mike) -- pushy?

ATTY GEN. RENO: Pushy? You, pushy? (Laughter.)

Q The Holder study on the racial and geographic disparities, I keep hearing that it's done but everybody's too afraid of the results for it to be released.

ATTY GEN. RENO: I'm not afraid of the results. What I want to do is make sure that we have answered as many questions as we can. And at some point, we're just going to have to -- but I, for one, am not afraid of the results, because what ultimately you have got to do in a situation like this is search and understand and try to arrive at why things are one way or why things are the other. And so, hopefully, we'll get it out shortly.

Q A spokesman for Governor Bush said last night that he hoped that the new clemency guidelines as well as the stay of execution for Mr. Garza were done for reasons of justice and not politics, since it pushed the decision on Mr. Garza past the November election.

You assure the American people that this is being done for reasons of justice and that politics is not -- ATTY GEN. RENO: I hope with all my heart that everyone understands that when you make a decision and carry out a law to take someone's life, that it is done for reasons of justice.

That is the case here.

Q Thank you.

Q May you continue to have a great day.

ATTY GEN. RENO: Well, it's been a good, rambunctious beginning. (Laughter.)

Q It has!

ATTY GEN. RENO: You're not pushy. (Laughter.)

Q Don't tell my bosses. (Laughter.)

ATTY GEN. RENO: Beverly's pushy, everybody. (Laughter.)

END.