

## LEVEL 1 - 2 OF 3 STORIES

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HEADLINE: ATTORNEY GENERAL JANET RENO  
WEEKLY PRESS AVAILABILITY  
THE JUSTICE DEPARTMENT

BODY:

Q: Ms. Reno, can you tell us what types of federal resources are being amassed in the kidnapping of the two toddlers in South Carolina on Tuesday, just an overview?

ATTY GEN. RENO: I have not discussed it with Director Freeh, but we have in place a procedure to try to respond in every way possible. Obviously, to discuss how we deploy or the resources that we've deployed would not be appropriate.

Q: Ms. Reno, what impact is it having in the relations and cooperation that you have with the Mexican government to curb illegal immigration, this Proposition 187 that is becoming such a dividing issue?

ATTY GEN. RENO: We try to have an excellent working relationship with the Mexican government. I have had -- I have visited the attorney general of Mexico in Mexico City and they have responded. We have a good line of communication with our ambassador. With respect to Proposition 187, I think we have got to continue our efforts against illegal immigration while at the same time recognizing that there are critical constitutional issues with respect to Proposition 187 and it doesn't make sense to turn school teachers and nurses into border patrol agents, it doesn't make sense to kick kids out of school or not to give them immunizations. When we look at what's happening in America today we see the problems associated with neglect and it doesn't serve any purpose.

Q: But is it having any national impact and is it being a challenge for the Justice Department? It seems that some politicians are using this as a challenge to the Justice Department.

ATTY GEN. RENO: We don't engage in politics on these issues, it's really too critical. I think you have got to address the fact and recognize that even some of the supporters are concerned that Proposition 187 is unconstitutional, and you have to look at the right way to do things. It doesn't make sense to kick kids out of school and not give them immunizations. It doesn't make sense to discourage kids from coming to school.

We have got to address the problem of illegal immigration just as we're doing. We have developed over these last 18 months a comprehensive effort along the border. We're going to continue and enhance that effort. We've increased the number of people being deported. We reformed the asylum system and we're going to continue to do everything we can to stem illegal immigration while at the same time promoting legal immigration in the correct way.

Q: It sounds like you've moved a little further down the road to deciding that 187 may indeed be unconstitutional.

ATTY GEN. RENO: I have not received the report from the Office of Legal Counsel yet, so -- one of the things that I've learned to do is make sure that I'm fully -- that we fully and thoroughly address the issue, but certainly even supporters have acknowledged real concerns.

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Q: Can you outline the constitutional difficulties with Proposition 187?

ATTY GEN. RENO: What I would prefer to do is to make sure that we have the report that we've asked for and so that we do it the correct way.

Q: (Off mike) -- that you asked for a report from the OLC?

ATTY GEN. RENO: I didn't ask specifically from OLC, but as we've prepared and have addressed this issue and knew it was coming, I've talked with Deval Patrick and with others to make sure that we can and will address the issue.

Q: Will there be a report before the November elections?

ATTY GEN. RENO: I don't know the timing on it.

Q: Ms. Reno, my question has to do with my feeling that -- (inaudible). The organization called California -- (inaudible) -- (Legal ?) Assistance sent a letter to Commissioner Meissner with a copy to you, and they are denouncing as serious violations to the human rights of these people -- (inaudible). My question is, first, do you have knowledge of this letter? Second, do you have any information about violations to the human rights of these people? And if there is any investigation, something going on?

ATTY GEN. RENO: I have not received the letter. I'm not aware of the letter, but over the last 18 months we have developed a response and worked with the community to develop outreach so that in any instance in which there is a complaint of unjustifiable use of force or other violations, it's pursued in a prompt, effective and fair manner.

Q: Would you please walk us through what happens in Lexington, Kentucky, now, where it's reported the FBI is going to investigate a police shooting of that young man? Is it strictly an FBI investigation? Does the Justice Department other than FBI get involved in this at this point? And on --

ATTY GEN. RENO: The Federal Bureau of Investigation will investigate and determine if there is a sufficient basis for going forward. Any legal advice that would be necessary would be provided by lawyers of the Department of Justice.

Q: Going forward insofar as a potential Justice Department probe of civil rights violations?

ATTY GEN. RENO: The Federal Bureau of Investigation is the investigative agency of the Department of Justice that conducts the investigation. The lawyers of the Department of Justice in most instances will work with the investigative agencies involved to provide legal advice, to provide whatever support and assistance is needed. If evidence is developed that would indicate that a prosecution is justified, lawyers from the Department of Justice would be involved with the investigators and would take appropriate action.

Q: Can you update us on the status of the antitrust value pricing investigation, what prompted it in the first place?

ATTY GEN. RENO: I'm sorry, I didn't hear the first --

Q: About the value pricing antitrust investigation, the status, and what prompted it in the first place.

ATTY GEN. RENO: I would refer you specifically to Anne Bingaman to give you -- to provide for the status. Again, what we have tried to do with respect to the Antitrust Division is to pursue in an effective way and in a thorough way all efforts that are appropriate and fair and consistent with proper enforcement of the Antitrust Division -- antitrust laws to ensure competition, spirited competition in the United States.

Q: How are consumers being harmed?

ATTY GEN. RENO: Again, I would refer you with respect to the status to Mrs. Bingaman specifically.

Q: Mrs. Reno, as to 187 and the OLC, is it common for the Justice Department to look at state ballot propositions around the country, or is this one just because it's receiving so much attention?

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ATTY GEN. RENO: Well, you all have been asking me for the last five weeks. (Laughter.) And rather than say there's serious difficulties, I thought we should be informed one way or the other.

Q: So it's a result of press inquiries more than anything.

ATTY GEN. RENO: I think everyone recognizes that this is an issue that has got to be addressed, that there are constitutional issues that have got to be addressed with respect to it, and that we should do so.

Q: If I can just belabor this a little bit more, you said that --

ATTY GEN. RENO: You can belabor it as long as you want. (Laughter.) As long as your colleagues will let you get away with it.

Q: You said that OL -- you were waiting for a report from OLC, but you also mentioned Deval Patrick. Is the report coming jointly from the civil rights division and OLC?

ATTY GEN. RENO: My understanding is that OLC is working on it now. I do not know what specific action Mr. Patrick is taking, if any. I do know that we have discussed it and that I understand that within the department OLC is preparing a report.

Q: Up until last week you were saying, you know, "it's not been passed yet and we're not taking a position," and now you're saying it would be wrong to turn nurses into INS agents. How would you -- it sounds to us like you're coming out against it.

ATTY GEN. RENO: If I have -- no, I'm -- as I have indicated, the administration up until recently had not taken a position. As I've indicated in my conversations with you in the past, I had severe reservations because, as I have indicated now and have indicated in the past, it doesn't make sense to kick kids out of school and deny them immunizations if we're to address the real problems that plague America.

Q: Yeah, but how are we to interpret your -- does this mean you are now opposing it?

ATTY GEN. RENO: I'm opposed to it.

Q: Can you tell me if you've talked with John Schmidt, who allegedly last week pressured Tom Potter to step down as the community policing chief?

ATTY GEN. RENO: I've talked to both Mr. Schmidt and Mr. Potter.

Q: Can you tell us what you found? Last week you said you would investigate the circumstances surrounding --

ATTY GEN. RENO: What I found was that Mr. Schmidt had talked to Chief Potter, had raised the concerns that had come into the department since they had last talked. With about three sentences into it, Chief Potter indicated that he would like to withdraw, that he thought it would be better to withdraw. I've talked to Chief Potter, told him that I had a great respect for him, for his commitment to community policing, for what he had done in Portland. I reminded him that we had discussed the issue and that I did not think it was a disqualifying issue. I was unclear in terms of his response whether he wanted to be considered, and I specifically asked him did he want to be considered, and he said no, he did not think so at this time.

Q: Did he hear the misunderstanding surrounding that? Do you think he was led to believe that because he supports -- has publicly supported his gay daughter, that he in fact was being pressured to step down? What led him to --

ATTY GEN. RENO: I think there may -- I think there may have been misunderstanding, and reiterated to him that the department did not think that his view should be disqualifying.

Q: General Reno, what do you expect to do once the OLC report is out concerning Proposition 187?

ATTY GEN. RENO: Well I'll get the report and then see.

Q: Is the solicitor general's office at all involved in the review, because

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normally they would also look at constitutionality.

ATTY GEN. RENO: I think they would look at constitutionality primarily in this context of litigation. I don't think that they're involved.

Q: Would you consider Chief Potter for another job in the Department of Justice at a future time?

ATTY GEN. RENO: I would always consider Chief Potter. I think he is an excellent law enforcement officer with a fine attitude about community policing.

Q: Back to 187, one more try. Using the phrase that you used at the outset, wouldn't it make sense, since this is the voice of the federal government on constitutional issues, for that to be issued before the election?

ATTY GEN. RENO: Yes.

Q: Is it your hope that it will be issued before the election? Your expectation is that it will?

ATTY GEN. RENO: One of the points that I want to -- I don't know what the status of it is at this point, and I just want to make sure. But it certainly would make sense.

Q: Is the Justice Department looking into the possibility of an identification card to ask for a job? Is that a fair proposition?

ATTY GEN. RENO: What we have done is to try to reduce the number of documents, and we have already undertaken this initiative and have reduced the number of documents that are necessary in an employing context. We've tried to develop, through pilot projects, an employment and verification system that makes an employer have easy access to a means of verifying the status of an applicant. What we would like to do is to work with Commissioner Jordan's commission to develop an appropriate response based on documents. We will continue to try to refine the documents that can be used and to make it fair and consistent for all concerned.

Q: But what about for education, to apply for a school? You know, there's all this cry this morning here in the paper from --

ATTY GEN. RENO: You don't worry about cries in the paper, do you? (Laughter.)

Q: Well we are very concerned about this becoming such a big debate, national debate and such a divisive issue.

ATTY GEN. RENO: Well I don't think that this should be a divisive issue. I think that this -- divisiveness does not belong in this situation. I think what is necessary is that we continue our efforts to stem illegal immigration, to take proper steps along the border to control the border, to deport those who are illegally in this country, to develop appropriate responses in terms of asylum reform, while at the same time doing everything we can to promote legal immigration and to recognize the rights of all concerned, and to recognize that it doesn't make sense if you have children in this country who are here, it doesn't make sense to discourage them from attending school or discourage them from getting health care that can enable them to be strong and healthy citizens rather than burdens on our emergency rooms or prisoners in our jails.

Q: (Off mike) -- youth violence, you know, this recent rash of really bad incidents in Chicago, and we've got a situation in Chicago or Illinois where they can't even lock up a juvenile offender, they can't put him behind locked doors. Is the administration doing anything, or is there anything you can do?

ATTY GEN. RENO: As I said when I came to Washington from my experience as a prosecutor in Miami, youth violence was probably the single greatest crime problem we faced there. Clearly I think it is one of the greatest single crime problems that the nation faces.

I have asked U.S. attorneys, the criminal division and our office of juvenile justice and delinquency prevention to do everything possible to address the issues. At the U.S. attorneys conference this past January, one of the speakers was Dr. Mark Rosenberg of the Center for Disease Control, who has taken the

lead in pointing out that youth violence is not only a criminal justice problem, but it's one of the great public health problems we face in America today, and more and more people are coming to recognize that. I think it's imperative that we work with state and local law enforcement -- and we have, through our anti-violence initiatives -- to do everything we can to pursue the serious juvenile offender. If it's a gang activity that cuts across state lines or district lines, and we can properly assist local law enforcement, or if there are reasons that make federal laws more effective in focusing and disrupting gang activity, we should pursue that as a partner with local law enforcement. At the same time, we've got to develop comprehensive initiatives that prevent violent crime amongst our youth. We've got to assess what is working, and we are in the process of evaluating what's working in conflict resolution programs in the schools. We are working with the Department of Education and others concerned. We're trying to work with all concerned to develop truancy prevention programs because the correlation between early truancy and subsequent delinquency and violence is high.

In all of this effort, it involves a comprehensive effort of letting a kid know that there is no excuse for putting a gun up beside somebody's head and hurting them. There has got to be a fair, firm sanction that fits the crime. But at the same time, there's got to be a follow-up. If you send a kid away for three years and he comes out of jail or a youthful offender facility at 17 without having the problems that caused the crime addressed, he's going to be right back into trouble again. You've got to provide the aftercare and in all our developments, through the Office of Juvenile Justice and delinquency prevention, through crime bill initiatives, we tried to address that.

At the same time, what the Center for Disease Control and other will -- have taught us is that one of the common denominators of youth violence are guns, and we have got to do everything we can to get guns out of the hands of kids, both by enforcement actions, by enforcement of youth handgun safety act, by prevention, by education, by the development of as many initiatives as we can, by support of what the Children's Defense Fund is doing. We have got to join together throughout America and get guns out of the hands of kids.

At the same time, as you look at a child who has been involved in violence at 13, if you look at their pre-sentence investigation and go back through their lives you can see their lives have been in shambles -- in some instances since the day they were born -- and we've got to do so much more in terms of developing comprehensive efforts that permit our children to grow in strong and healthy ways. These initiatives are underway. We just recently, this week, had a meeting of the juvenile justice council representatives of the Department of Education, Labor, HUD, and the National Service Corps -- HHS were there. I chaired the meeting. Practitioners appointed by Congress, the administration and others were there. It was just a very excellent meeting with experts in the whole juvenile justice area focused on this issue. So I think we're making great progress, but we've got to move forward in this effort.

Q: Do you know whatever happened to the Randy Weaver (sp) report out of Idaho? In the Spring it was going to be a matter of weeks but -- do you know the status? What happened to it?

ATTY GEN. RENO: I understand that they are coming to a conclusion and that I will be presented with the report shortly.

Q: In weeks?

ATTY GEN. RENO: I don't know.

Q: Ms. Reno, how serious a challenge does the court order in Florida present to U.S. immigration policy vis a vis Cuba?

ATTY GEN. RENO: As I understand it, Judge Atkins has asked, and through his temporary order has indicated that he wants time to review the pleading. And

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we when he rules, we'll see.

Q: Isn't the department committed to take this as high as it can in terms of overturning that order?

ATTY GEN. RENO: Well, as I indicated, the judge issued a temporary restraining order. I don't think he's really ruled yet on the merits of the matter. So I think it would be appropriate to wait until he rules.

Q: Why would you believe that it is constitutional to return these people?

ATTY GEN. RENO: Again the matter is pending before Judge Atkins and it would be appropriate for the matter to be litigated there.

Q: Ms. Reno to get back to the Proposition 187. If the OLC determines that it's unconstitutional, and if the voters of California still pass it, will the Justice Department go to the court to stop its implementation?

ATTY GEN. RENO: What I would do is review the report and review the law and make a judgment at the time.

Q: That would be a very likely scenario, wouldn't it? I mean, once the --

ATTY GEN. RENO: One of the things that I've learned is that you all can contrive the most likely scenarios imaginable. And the appropriate way for a lawyer to make a determination is to look at the -- (brief audio break) --

Q: (Following audio break) -- would normally last 90 days, but there could be the possibility of extensions for another 60 days. Have you gotten any indication from the FBI as to whether they believe they can wrap this up in the 90-day period?

ATTY GEN. RENO: All I know is that I have been assured that we can do everything that is appropriate within the appropriate time frames.

Q: The appropriate being anywhere between the 90 and the 150 days?

ATTY GEN. RENO: Whatever is correct under the law.

Q: The White House staff has said -- the White House has said that it believes very much in the secretary and believes that he'll be cleared of all this. Have you been able or has the Justice Department been able to offer any kind of reassurance?

ATTY GEN. RENO: I have not commented on it. What I have asked is that the lawyers and the FBI pursue it in the proper way based on the evidence and the law, and I have wanted to make sure that that is done within the department.

Q: So you've had no conversations with the secretary at all regarding this matter?

ATTY GEN. RENO: No, have not.

Q: On 187, has the Justice Department ever taken a position on ballot propositions before? For example, I have no idea, did they look into term limit initiatives when they were on state ballots when they first started? ATTY GEN.

RENO: I don't know.

Q: Ms. Reno, has the COPS position been filled as yet?

ATTY GEN. RENO: No it's not.

Q: Would you welcome, then, Chief Potter to reapply for that position?

ATTY GEN. RENO: I indicated -- I asked Chief Potter if he wanted to reapply and he said at this time he did not.

Q: I take it from cases along the border, along the Mexican border, that the federal government has filed that it's reasonably well established to the government's satisfaction that there are substantial criminal organizations in Mexico that are involved in the transshipment of cocaine into the United States. The question is, what is your present evaluation of the Mexican government's efforts with regard to those organizations, and is this an issue you've raised with the Mexican government in your conversations with various parties?

ATTY GEN. RENO: We have had ongoing conversations with the Mexican government, as I indicated, both here and in Mexico City. And we will continue to work with them in every way we can to cooperate.

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I would not -- involving pending matters -- make an assessment of a particular pending case.

Q: Well, not with regard to a pending case, but with regard to the general efforts of the Mexican government to pursue what is alleged to be some fairly well-established criminal organizations along the border. What is your evaluation of the Mexican government's work in that area?

ATTY GEN. RENO: I think that they have done much, and I think working together we can do more.

Q: Excuse me, I wanted to know what is the situation of the people that are detained? I am asking because the reports I have heard speak about, for example, not having food, not having even water for more than 24 hours.

ATTY GEN. RENO: Which people are being detained?

Q: The illegal aliens that are detained -- apprehended -- in California.

ATTY GEN. RENO: I have not heard of such reports.

Q: Could you -- going back to the original question -- the kidnapping down in South Carolina -- while you don't feel comfortable discussing what resources have been employed, could you offer any kind of reassuring words to folks down there about the situation, as to what the government may or may not be doing?

ATTY GEN. RENO: What I did when I -- because I saw so many situations -- sometimes missing kids, sometimes kids who were kidnapped -- and as soon as Director Freeh took office I told him that that was one of the concerns that I had, that the -- I would hope that he would ensure in the FBI procedures that made it possible for them to do everything they could as soon as possible to work with local law enforcement to pursue every lead. And we have met on two occasions since then, and he has assured me in each instance that significant steps have been made, and I'm impressed with what he's done.

We were -- this was one of the highest priorities for me, because as a local prosecutor, I knew and had involvement in cases in which children were missing or kidnapped, and it's one of the most heartbreaking things in the world. More recently, I have had the chance to meet with Polly Klaas' father, to visit his center, to talk with other families whose children have been kidnapped, and it is a commitment that I think is one of the highest priorities we have.

Q: Apparently the annual BJS victimization report is coming out this weekend. Assuming you've been briefed on it, which we haven't yet, are there any trends that you can comment on that are either promising or alarming or whatever that that report may show?

ATTY GEN. RENO: I have had one initial meeting, and they're coming back with further reports in terms of trends -- what trends could be determined that have statistical accuracy -- so I haven't seen the final report as to what trends can be shown and what further research has to be done.

Q: Did you ever receive a letter from South Carolina Republican party regarding vote buying and other federal violations charges in the South Carolina gubernatorial primary?

ATTY GEN. RENO: Are you taking any action on that?

ATTY GEN. RENO: Yes. I asked if the department pursue it to see what if -- the appropriate role for the department to be and ask that we take all appropriate action.

Q: What -- any kind of time frame? Obviously I would assume nothing before the election --

ATTY GEN. RENO: I have not gotten a response. I've not gotten response back.

Q: Do you think we should expect anything before the general election?

ATTY GEN. RENO: I don't know what's involved so I couldn't comment. I wouldn't want something to be done prematurely. I just want it to be done the right way.

Q: Did the letter seem legitimate? I mean --- crackpot letter? I guess it must have had some legitimacy if you referred it to -- which division would you

refer it to?

ATTY GEN. RENO: I asked the deputy's office to coordinate it to make sure that it was properly pursued.

Q: It seemed legitimate on its face?

ATTY GEN. RENO: I don't characterize something as legitimate or not legitimate until I've pursued it to determine what basis there is in it.

Q: Ms. Reno, would you have any involvement with superfunds or otherwise in the current Ranger investigation in San Antonio into Congressman Bill Sarpalius and Greg Lofton.

ATTY GEN. RENO: So you had no role at all in that investigation? (Off mike.)

ATTY GEN. RENO: I -- the buck stops with me ultimately so I ultimately have a role but I'm not familiar with the investigation. Q: So, for instance, you were not involved in the decision to grant partial immunity to the Congressman Jim Chapman in Texas in the last few weeks?

ATTY GEN. RENO: I don't have any knowledge of it.

Q: Is there a possibility -- back to that other issue -- is there a possibility that the Justice Department looks into the possibility of having that card to enter a school to identify yourself before you apply for a school?

ATTY GEN. RENO: I think what we've got to do is to work with Barbara Jordan's commission and with all concerned to develop appropriate procedures to review what documentation's necessary in terms of employer identification and to address all the issues in the right way, that avoid any type of discrimination and that are fair and we will continue to do so.

Q: Speaking about Mrs. Jordan, have you seen the report and what do you think about the report?

ATTY GEN. RENO: I have not had a chance to read the report. I have asked that it be studied and that a report be made to me.

Q: Do you have any idea why the Randy Weaver (sp) report, or investigation, is taking so long?

ATTY GEN. RENO: Yes.

Q: Will you share that with us?

ATTY GEN. RENO: No. (Laughter.)

Q: Is there a reason?

ATTY GEN. RENO: Yes, it's a pending investigation and I can't comment on a pending investigation.

Thank you.

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LANGUAGE. ENGLISH

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