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8 ADDRESS TO NATIONAL SHERIFFS' ASSOCIATION
9 U.S. ATTORNEY GENERAL JANET RENO
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16 Oregon Convention Center
17 Portland, Oregon
18 June 16, 1996
19 6:00 PM
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1 MS. RENO: Senator Ashcroft, Sheriffs
2 Pierpont and Hathaway, I thank you very, very
3 much. I appreciate the opportunity to be here
4 again, because my first job was in the sheriff's
5 office, and when I think back what it was like
6 in the summer of 1956, and when I think of what
7 it's like today, I just have a profound
8 admiration for the sheriffs of this nation and
9 the challenges they face.

10 Senator, I really look forward to
11 working with you, because as you and I pointed
12 it out to each other, attorneys general and

13 prosecutors have so much in common, and I think
14 we can work together in so many different ways.

15 I come to these meetings because I
16 want to be accountable to you. I want to hear
17 from the sheriffs about what we're doing right
18 and what we're doing wrong.

19 When a sheriff just told me we had a
20 great working relationship, but my fellow who
21 did so much wonderful work didn't get the credit
22 for a long time, and I want to make sure the
23 sheriffs and the deputies get the credit and
24 that we don't do things based on turf or who
25 gets the credit.

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1 I come to these meetings because I
2 want to share with you and find out how we can
3 be more effective in Washington, and even
4 between meetings it has been so important for me
5 to work with you on a continuing basis.

6 Bud Meeks, your executive director,
7 has been a tenacious advocate for the sheriffs
8 of this country. He and I don't always agree,
9 but one thing I know about Bud Meeks, is his
10 advice is straight, it's accurate, and I know I
11 can trust him from the word go, and I just want
12 you to know.

13 Bud has been a leading member of an
14 asset forfeiture working group that the
15 Department of Justice organized, and he has been
16 invaluable in that effort. We are committed to
17 working with you on asset forfeiture. You and I
18 agree that it plays such an important role in
19 funding task forces and encouraging cooperation
20 between the federal government and state and
21 local law enforcement.

22 The department recently lowered the
23 monetary thresholds for processing of -- for
24 federal processing of local seizures and it has
25 created additional flexibility for U.S.

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1 attorneys to work with state and local officials

2 to choose appropriate thresholds.

3 In addition, the department is ready
4 to send up to Congress legislation which will,
5 among other things, solve some of the problems
6 which court decisions have created in the area
7 of asset forfeiture. NSA has played a pivotal
8 role in the development of this legislation. I
9 want to thank you and I look forward to working
10 with you in securing passage.

11 Mr. President, I want to thank you.
12 I've enjoyed this opportunity to work
13 together with you this year, and I congratulate
14 you on a great year. And Sheriff Hathaway,
15 we've come a long way, but we've got a lot more
16 to do and I look forward to working with you in
17 the coming year.

18 We want to continue to forge a strong
19 partnership with sheriffs across the country. I
20 came to Washington remembering what it was like
21 when the feds came to town to tell us what to
22 do, or to take a case that we had worked on for
23 a long time and they got all the credit. And I
24 wanted, with all my heart, to form a partnership
25 where we sat down with the sheriffs, the chief

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1 of police, the local prosecutor, and decided
2 what was in the best interests of the community
3 and the case, and not who was going to get the
4 credit. And I'm going to continue to do that in
5 every way I can.

6 There are times when you, as local
7 officials, will ask for federal government
8 assistance, whether it's in cracking down a
9 fugitive who's fled the country; providing
10 technical assistance in complex and high tech
11 investigations; or assisting in the resolution
12 of hostage or barricade situations.

13 And then there are times you'd like us
14 to leave you alone. We need to learn from our
15 experiences together, relying on your local
16 knowledge, and together decide the best course
17 for justifying and justly enforce the laws of

18 this country.

19 We can do it. And if we don't do it,
20 my telephone number is (202) 514-2002, and as
21 the sheriffs will tell you, I do return my phone
22 calls.

23 Senator Ashcroft pointed out that
24 we've got to be careful that our partnership and
25 the very principles of federalism are threatened

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1 if too many crimes are federalized that have
2 been traditionally and historically prosecuted
3 at the local level.

4 And yet there are other occasions when
5 it's very important for the federal government
6 to be involved, because there are matters that
7 cross state lines, there are other instances in
8 which the sheriffs will say, yes, we'd like you
9 to take that case, we'd like to work with you
10 and our deputies will work with you.

11 Nothing was more frustrating to me as
12 the county prosecutor, than not to have that
13 opportunity to talk it out and figure out what
14 was in the best interests of the case. And
15 we're going to do everything we can to continue
16 to work with you to ensure that cases are
17 handled based on the principles of federalism
18 and what is in the best interests of the case.

19 We also want to remember something
20 that is very important in Washington, when
21 people start thinking about the crime problem,
22 and that is, the wonderful, wonderful space of
23 America, the rural areas, the small counties,
24 the places where there are maybe one or just two
25 deputy sheriffs.

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1 Most of you serve communities with far
2 fewer than 100,000 people. My job is to do all
3 I can to make sure that we forge a strong
4 partnership and provide appropriate federal
5 tools and processes, not just to big counties,
6 but to all counties and to all sheriffs across

7 this country.

8 One of the points we must not forget,
9 is that violent crime isn't confined to the
10 cities any more. Planes, trains, buses and
11 automobiles, all mean that we can get almost
12 anywhere we want in this country in a matter of
13 hours. That's a wonderful benefit for a child
14 in a small town who needs surgery in a major
15 city hospital, but it also means that gang
16 members from large cities can be in your areas
17 in no time flat.

18 While gangs had almost exclusively
19 been the problem of big city chiefs ten years
20 ago, many of you are now struggling with the
21 problem of gangs in your communities as they
22 spill over to rural areas.

23 What we have tried to do is to
24 organize the federal agencies with local law
25 enforcement so that we work with you in

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1 exchanging information about gangs and other
2 types of violent crime affecting our youth, therefore
3 we can develop the investigation in the right
4 way.

5 And there have been so many
6 coordinated efforts where state and federal
7 investigators, where local deputies and FBI
8 agents, have worked together in such an
9 effective arrangement, where local prosecutors
10 have had their prosecutors cross designated as
11 assistant United States attorneys, or vice
12 versa.

13 And what we have been able to do is to
14 focus on these gangs and take them out in an
15 effective way. Sometimes the prosecution will
16 be in federal court because we can get more
17 time; sometimes it will be in state court
18 because that can be a more effective
19 opportunity. But what we want to try to do is
20 to make sure that we consult with the local
21 sheriff and do what's in the best interests of
22 the community.

23 The Department of Justice is helping
24 sheriffs to identify gangs and to learn about
25 techniques to better investigate and prosecute

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1 them. We're working to find better ways for law
2 enforcement to share information on violent gang
3 offenders.

4 We want to work together to improve
5 and modernize criminal recordkeeping systems and
6 gang tracking software. We need to explore how
7 to achieve a common sense approach to youth
8 violence, which says there's no excuse for
9 putting a gun up beside somebody's head and
10 hurting them, you're going to face a certain,
11 fair punishment that fits the crime, but at the
12 same time we work together to give those young
13 people, who haven't gotten into trouble yet, the
14 chance for a strong and positive future.

15 But one thing is clear, and as head of
16 the juvenile division of the state attorney's
17 office, before I became the state attorney, the
18 overwhelming majority of juvenile cases in this
19 country have been and will be investigated and
20 prosecuted by state, county and local officials,
21 and from what the sheriffs tell me, they don't
22 want it any other way, because that's too much
23 federalization if we did do too much the other
24 way.

25 However, we are seeing cases in which

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1 gangs cross state lines, where we can be
2 effective in supporting you, and again, we want
3 to work with you in every way possible.

4 You have been so helpful to us in
5 giving us insight in terms of legislation and
6 how legislation should be crafted. I have been
7 indebted to you for the thoughtfulness and the
8 fact that you will point out that there are some
9 jurisdictions which have different points of
10 view because there are different circumstances.

11 In this regard, it is important that

12 we work together as Congress addresses the issue
13 of the reauthorization of the office of Juvenile
14 Justice and Delinquency Prevention, or JJ, and
15 not turn it into a series of block grant
16 programs. I've directed the office of justice
17 programs to work with the sheriffs on reducing
18 mandates and other requirements which have
19 accumulated over the years relating to
20 juveniles, which have caused the sheriffs of
21 this country concern.

22 Perhaps more than any other group of
23 law enforcement officers, sheriffs understand
24 the importance of correctional facilities and
25 how they should be designed and the processes

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1 that should be involved in their operation. And
2 because many of you police rural areas, you
3 understand that it is often difficult to stay
4 within the mandates for housing juvenile
5 offenders.

6 We need to remember that young people
7 are a special problem, but we've got to be
8 flexible, we've got to be realistic, and we've
9 got to take into account the great distances you
10 have to travel in getting young people into
11 detention facilities.

12 Senator, although we may not agree on
13 everything, but I think we probably agree on
14 most things, I think we do agree, absolutely,
15 that it is extraordinarily important to consult
16 with sheriffs and with people who are on the
17 front line of law enforcement, and I look
18 forward to working with you in that effort.

19 To meet the threat from growing crime
20 in rural areas, though, we've done everything we
21 could to put more law enforcement officers on
22 the streets of this country, not just in the big
23 cities, but in the little towns, in the rural
24 counties.

25 President Clinton pledged to put

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1 100,000 new community police officers on our
2 streets. He made that pledge and he signed the
3 Crime Act into law on September 13th, 1994.

4 Since then, we've funded over 44,000
5 federal, local enforcement officers across the
6 country. That's pretty remarkable, considering
7 this is a six-year program. The Justice
8 Department has provided almost 280 million
9 dollars to sheriffs' offices, which will be used
10 to hire and deploy 5,038 deputy sheriffs in
11 1,375 sheriffs' departments across the country.

12 We fought together to keep full
13 funding for the COPS program this year. It was
14 a long, tough fight and we didn't get all that
15 we wanted. The Crime Act had authorized 1.9
16 billion dollars this year and we got 1.4
17 billion. The remaining 500 million has gone
18 into a new block grant program, which will go
19 primarily to the larger cities, primarily at the
20 expense of the smaller cities and towns and
21 counties controlled by sheriffs' departments.
22 Any way you cut it, the block grant took a bite
23 out of COPS at your expense.

24 For instance, here in Oregon, as we
25 figured, the City of Portland will receive 1.8

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1 million dollars under the block grant program;
2 however, the county will only receive
3 approximately 71,000. In California, the City
4 of Los Angeles will receive over 17 million; the
5 county will receive only three million.

6 We need to work together on these
7 problems, work together with Congress to make
8 sure that when we distribute federal monies, we
9 remember the whole nation and do it as
10 effectively and fairly as possible.

11 But as we continue with the COPS
12 program, we need to continue the collaboration
13 that began in the designing of the program. We
14 need to collaborate in developing monitoring
15 systems to ensure that the grants are spent the
16 right way.

17 It has been so impressive for me to
18 see how law enforcement across this land has
19 responded, and we owe it to ourselves and to the
20 American public, that this money be -- to ensure
21 that this money be well spent and used for the
22 purposes for which it was intended.

23 If we make a grant to hire two new
24 deputies, we expect the department to grow by
25 two officers, and not to cancel the grant out by

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1 two retirements. Working together, I think we
2 can come up with standards that people accept,
3 appreciate, and they will understand it better
4 if they know we have reached out to the sheriffs
5 to involve them in designing the process in
6 which they have confidence.

7 But it is not just more resources.
8 That is not enough in this day and time.
9 Emerging technology shrinks the global village,
10 as well. New technology means that a student at
11 a rural high school can tour a museum with the
12 great masterpieces of the Renaissance on the
13 Internet. It means that a doctor with a sick
14 child as a patient can tap into a data base from
15 a laptop hooked up to a cellular telephone in
16 his car.

17 Unfortunately, it also means that a
18 sophisticated white collar criminal, halfway
19 around the world, can likely access the records
20 at a local rural bank, which has never even
21 needed a guard. We need to make sure that you
22 can meet the technological challenges of the
23 21st century, as they impact on the criminal
24 justice system through additional technological
25 tools.

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1 We need to meet the future with a
2 criminal justice structure which benefits from,
3 and does not suffer from, the latest
4 technology. Not too many years ago,
5 surveillance meant hiding behind the curtain to

6 listen to a conversation, and not too many years
7 ago, long distance phone calls had to be
8 scheduled in advance through the operator.

9 Nobody could have dreamed of a day
10 when a microphone and a camera were no larger
11 than a pin head; nobody thought about direct
12 dial; and certainly nobody thought about the
13 Internet.

14 Today, when those things are a reality
15 and unbelievable technologies are on the near
16 horizon, we need to ensure that the criminal
17 justice system can accommodate the explosion in
18 cyberspace. We need to work together with the
19 state attorneys general, and all involved, to be
20 able to respond to consumer fraud on the
21 Internet; to respond to so many different
22 problems that we will face on the Internet.

23 Why is this a problem? Just think
24 about the hacker in St. Petersburg, Russia, who
25 can access a bank and steal from a bank here in

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1 the United States. We have got to be prepared.

2 First let me suggest that the very
3 technologies upon which we routinely depend are
4 important, they are particularly valuable to
5 those in rural law enforcement, but
6 unfortunately, the criminal elements have been
7 the beneficiaries, as well.

8 Where once upon a time if a criminal
9 didn't live in a town, he wasn't a threat, now
10 you're at his mercy. Key among our concerns is
11 the challenge to law enforcement posed by the
12 ever increasing availability and use of data
13 encryption products.

14 On one hand, encryption is extremely
15 beneficial when used legitimately to protect
16 commercially-sensitive information and
17 communications. On the other hand, the
18 potential use of such encryption products by a
19 vast array of criminals to conceal their
20 criminal communications and information from law
21 enforcement, poses an extremely serious threat

22 to public safety.

23 Consider the value of books and
24 records of a drug dealer that your deputy seizes
25 in a routine search warrant execution. How many

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1 times have you gone to break up an entire
2 organization based on one simple address book?
3 I've seen it be done.

4 Well, if those records are kept on a
5 hard drive of a computer, which can be purchased
6 for less than \$1,000, and if the hard drive has
7 a new encryption technology, it would take a 30
8 million dollar computer one year and 87 days, on
9 the average, to decode just one single message
10 with 56 bit encryption.

11 Following a lawful court order, law
12 enforcement needs the ability to decode
13 encrypted products containing critical evidence
14 in realtime. It won't help to send it off to
15 Washington and have it come back from
16 Washington, that's not how you catch the drug
17 dealer.

18 If law enforcement cannot break the
19 codes, our public safety mission will be
20 seriously threatened, but it is important for
21 sheriffs to point out to the naysayers, that we
22 are not trying to expand our ability to surveil
23 people, we're trying to maintain our present
24 posture where we go to court, get a court order,
25 get a search warrant and we do it the right

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1 way.

2 But a search warrant won't be worth
3 the paper it's written on if we can't effect
4 search because the thing has been coded. Let us
5 make sure that people understand that and don't
6 think that we are trying to expand our powers.
7 For there are very legitimate privacy concerns.

8 I also want to tell you how much I
9 appreciate what you have done and to -- in the
10 whole area concerning the radio spectrum. I

11 want to assure you, and I work on this
12 regularly, we have bi-weekly meetings with the
13 FBI, the Deputy Attorney General and I are very
14 committed to making sure that the spectrum is
15 not sold off without provisions for the need of
16 law enforcement.

17 New technology is great, it's
18 sufficient, but it's expensive. We estimate
19 that if the FBI's forced to migrate to a new
20 spectrum and change over every radio as a
21 result, the cost could approach one million
22 dollars. That cost estimate includes just the
23 FBI and not the rest of federal law enforcement
24 or anybody in state or local law enforcement.

25 Many of you have expressed concerns

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1 that appropriate space on the spectrum be
2 dedicated for law enforcement. I'm pleased that
3 the FCC and the National Telecommunications and
4 Information Administration have formed the
5 Public Safety Wireless Advisory Committee, to
6 advise them in determining the needs of law
7 enforcement and public safety agencies through
8 the year 2010; yet, we need to be vigilant to
9 protect the interests of law enforcement.

10 I look forward to continuing to work
11 with you in these months to come, to do
12 everything we can to continue to build on our
13 partnership, to make sure that the wrongdoers
14 are brought to justice, and that we work
15 together to give law enforcement the tools to do
16 the job.

17 I've been in office almost three and a
18 half years now. I've had a chance to watch law
19 enforcement in action across this nation,
20 deputies and police officers and troopers. I've
21 watched as they've negotiated tense situations,
22 upholding the rule of law in a firm and fair
23 fashion without injuring anyone.

24 I've seen them put their life on the
25 line; I've held their survivors on my shoulders;

1 I have watched as they have mentored young
 2 people; I have watched as they have sent the
 3 wrongdoers off to prison for the sentence they
 4 deserved; I've watched them break the cycle of
 5 domestic violence; I've watched them grapple
 6 with 21st technologies.

7 I am so proud to work with the law
 8 enforcement officers across this land, to serve
 9 and to protect the people of this country, and
 10 to uphold the rule of law.

11 (Proceedings concluded)

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1 STATE OF OREGON)
 2 County of Multnomah) ss.

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I, Catherine Teach-Schmitz, a Certified
 Shorthand Reporter for the State of Oregon, do
 hereby certify that I reported in stenotype the
 proceedings had of this matter previously
 captioned herein; that I thereafter reduced my
 said stenotype notes to typewriting; and that
 the foregoing transcript, pages 1 to 20, both
 inclusive, constitutes a full, true and accurate
 record of all proceedings had upon the said
 matter, and of the whole thereof.

Witness my hand as Certified Shorthand
 Reporter this 18th day of June, 1996.

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Catherine Teach-Schmitz
Certified Shorthand Reporter
My commission expires: 2/15/98