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STATE AND FEDERAL PERSPECTIVE PORTIONS OF  
"A SUMMIT ON CRIME - COMING TOGETHER  
FOR UTAH'S FUTURE"

Salt Palace Ballroom  
Salt Lake City, Utah  
June 30, 1997  
10:15 a.m.

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June 30, 1997 10:15 a.m.

ORRIN HATCH: We can begin. We'll now begin our first discussion section focussing on state perspectives, and I would first turn to Lieutenant Governor Olene Walker to elaborate more on the plans Governor Leavitt and she are initiating for the state to address our crime problems. Lieutenant Governor Walker, please describe the ALERT volunteer initiative in greater detail, if you will, and -- and then and we're just

12 going to open it up for -- for questions and  
 13 comments involved, so we'll turn it to Lieutenant  
 14 Governor Walker at this point.

15 OLENE S. WALKER: I'm delighted to be here  
 16 to be part of this discussion and especially  
 17 grateful to Attorney General Reno for her  
 18 guidance. And I, too, look back with fond memories  
 19 on our meeting in the Everglades.

20 The governor is sorry that he had to  
 21 leave. He had a longstanding commitment. But we  
 22 certainly look at partnerships as the essential  
 23 part of what we are going to do to solve the crime  
 24 problem, and, more importantly, renew our efforts  
 25 in crime prevention in the state. Certainly we

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1 recognize the partnership is not just with those  
 2 senators seating -- seated around the table, but we  
 3 have to reach out into every community of our  
 4 state, into every county, into every rural remote  
 5 area as well as already talked about urban areas  
 6 where we generate and mobilize the citizens of the  
 7 state of Utah to make it so that they can be  
 8 involved in looking to better ways to handle  
 9 at-risk youth and be a partner in -- with all of us  
 10 in preventing crime as well as taking part in the  
 11 crisis of crime.

12 We will focus on those five identified  
 13 areas and we will have high school committees  
 14 trying to look at those areas and not only support  
 15 the state goals but generate goals of their own, so  
 16 that their quality of life will maintained -- will  
 17 be maintained. We feel we've had great  
 18 advancements in the past few years in numbers of  
 19 beds, crime prevention, and many other options.

20 We recognize the future is before us and we  
 21 need a renewed commitment, and that's what ALERT is  
 22 all about. We are excited about the ALERT program  
 23 and certainly call on all the citizens to get  
 24 involved. The start will be September 27th at  
 25 their local high schools. But we also recognize

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1 that we need greater partnerships with the federal  
 2 government and with local government. And perhaps  
 3 our greatest need right now is the need for

4 detention facilities for illegal immigrants.  
 5 Certainly we recognize the need for beds, but we --  
 6 we want to state that we would like those beds to  
 7 be new brick and mortar. We are fearful that the  
 8 new beds will come from beds that we are already  
 9 utilizing in partnership with the counties, and  
 10 that we feel that we obviously need those beds  
 11 here. And so we would call on them to look for new  
 12 brick and mortar beds for the illegal aliens as  
 13 well as long-term facilities after they've been --  
 14 been through the adjudicated process. We certainly  
 15 recognize that we're all in this together and  
 16 anything that we can do to cooperate and use funds  
 17 more wisely will benefit all of us. We are  
 18 committed as a state government to increase the  
 19 number of beds. We are committed to find  
 20 additional programs that are needed. We are  
 21 committed, also, to involve all the local  
 22 committees in trying to set up organizations to not  
 23 only provide ambulances in the bottom of the  
 24 valleys, but we are going to put far greater  
 25 emphasis on building those fences so that we look

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1 at at-risk kids earlier and that we get all the  
 2 communities involved in building those fences so  
 3 that in the future the ambulances won't be needed.

4 Thank you for being here and thank you for  
 5 sponsoring this crime summit. We appreciate you,  
 6 Senator Hatch.

7 ORRIN HATCH: Well thank you, Governor  
 8 Walker, and we appreciate that.

9 Can I just ask the state panel, any of you,  
 10 to respond for a briefing on the state's plan for  
 11 correctional expansion. Anybody could handle  
 12 that.

13 O. LANE McCOTTER: Senator Hatch, Lane  
 14 McCotter with the Department of Corrections. We  
 15 have developed a five-year plan of expansion. We  
 16 are growing at the rate of about 500 beds a year at  
 17 their current -- this is projections that we base  
 18 these on, are what we've actually experienced over  
 19 the past two years. We are looking at a  
 20 combination of things to expand our capacities. We  
 21 have a new facility currently under construction  
 22 now down in the Gunnison, Utah area that will

23 add 192 beds to our facilities within the next six  
 24 to eight months. However, once we go beyond that  
 25 we have nothing under construction.

6

1 We are expanding our capability and our  
 2 partnerships with the county sheriffs. This is a  
 3 partnership I think that is unique probably to the  
 4 entire nation, in that we work so closely together  
 5 with the county sheriffs. We're contracting now  
 6 with beds in 14 counties, and many of these  
 7 counties are building beds for us to lease from the  
 8 state for state inmates.

9 I think one of the things of concern that  
 10 we have just heard from the lieutenant governor is  
 11 that as these federal people come in and start  
 12 leasing beds they may start trying to lease the  
 13 same beds that we are already leasing, because the  
 14 federal people are -- are able, frankly, to pay  
 15 higher lease rates than we are able to pay here in  
 16 this state. So that is a major concern, and --  
 17 that I think we need to be careful of.

18 But we are looking at these beds. I think  
 19 that we would like to see a federal prison  
 20 somewhere in the west under the regional concept of  
 21 the 1994 crime bill that would be available to not  
 22 only Utah but other western states to use as well.  
 23 I don't think there's any doubt that we need a  
 24 facility for illegal aliens. This is an area of a  
 25 big concern that's growing not only here in Utah

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1 but throughout the west as I speak to my  
 2 counterparts on a regular basis. So that we're  
 3 really looking for opportunities now, and I think  
 4 probably with the private sector as well, to add  
 5 more beds that are available to take care of the  
 6 entire problem.

7 OLENE WALKER: I think we ought to hear  
 8 from Gary Dalton from Youth Corrections to give a  
 9 quick report on what we are doing in -- in the near  
 10 future in youth corrections.

11 ORRIN HATCH: That would be great. Gary.

12 GARY DALTON: Senator, in the Youth  
 13 Corrections arena we do have plans. They have been  
 14 ongoing for some five years. Our legislature has

15 attended to those in a timely fashion. Our plans  
 16 are an additional 144 beds of secured care in the  
 17 next legislative session. We will also, however,  
 18 be going out of state to contract for beds for --  
 19 as alternatives to secure care for some young  
 20 people who can use that kind of attention.

21 It should be noted that though we continue  
 22 to use data that suggests we need many more secure  
 23 beds, a number -- a majority of those young people  
 24 can be served by alternatives to incarceration.  
 25 Strong community programs, strong parental guidance

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1 programs, and strong out-of-state programs can help  
 2 us serve that. We would be delighted in having  
 3 additional federal dollars via grants and other  
 4 state monies to allow us to do that. We're looking  
 5 in the future of contracting for over 100 beds out  
 6 of state for those young people.

7 ORRIN HATCH: Great. Now, we will hear  
 8 from -- from the private sector of panelists in a  
 9 moment, but let me ask your opinion: Would --  
 10 would our fellow Utahns support a federal  
 11 correctional facility here in Utah? Let's assume  
 12 we could get one, we can get the federal government  
 13 to agree to -- to build one here in Utah. Would --  
 14 could we get community support across the board,  
 15 both state and community support?

16 OLENE WALKER: Let's call on one of the  
 17 legislators to answer that --

18 ORRIN HATCH: Okay.

19 OLENE WALKER: -- because they're the  
 20 ultimate money people --

21 ORRIN HATCH: Mike or --

22 OLENE WALKER: -- as we all know.

23 MICHAEL WADDOUPS: Senator, thank you.

24 I believe that there is support for federal  
 25 participation and perhaps even a federal facility.

9

1 I think perhaps the biggest concern, of course, is  
 2 going to be location. The new fee situation is a  
 3 concern all over the state. We've -- we've seen  
 4 that as we've tried to site state facilities. Some  
 5 of the counties have found the same problem.  
 6 Siting a location is more important to the people

7 than -- than having a -- a new facility and knowing  
8 how to -- to fund it. Funding is very important.

9 We've studied this on the state level many  
10 times and find that the funding situation is almost  
11 impossible. As the governor indicated, we put over  
12 \$100 million into -- into corrections the past year  
13 in building new facilities. We've also put another  
14 hundred million into operating and working with  
15 facilities. We're finding that the -- the citizens  
16 of our state are very concerned about the youth,  
17 more than they are about the --  
18 the -- the violent criminals. They think that  
19 violent criminals are -- are out there, but as you  
20 look at the statistics that we saw earlier, a lot  
21 of that growth is not in the more violent crimes,  
22 the percentage growth is coming in the less violent  
23 crimes: the burglaries, the thefts, the car thefts  
24 particularly. We're having a big problem with  
25 that. We don't want those types of people in our

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1 community. We'd like to do something about them.

2 But part of the situation we think is an  
3 education problem. We think the governor  
4 particularly hit it on the head when he talked  
5 about more foster homes, when he talked about  
6 teaching our youth to read, helping in that  
7 situation. We think those are good steps,  
8 alternatives. They are all alternatives to -- to  
9 incarceration, the electronic monitoring and things  
10 of this nature we are looking at. Representative  
11 Valentine took some notes on -- on the costs, and  
12 I -- I think we should hear just how that would  
13 impact the state budget, and ideally, for  
14 Representative Valentine to recite some of those  
15 costs.

16 ORRIN HATCH: Thanks. Why don't you --

17 JOHN VALENTINE: Thank you, Senator. I  
18 appreciate the opportunity of doing that.

19 We have struggled over the last ten years  
20 in building prisons, building a secure confinement  
21 for our youth. It cost about 65- to \$70,000 a bed  
22 for new construction right now in our present  
23 system. That means to meet the initiative that has  
24 been announced today by the governor it would take  
25 about \$300 million plus for those beds just for the

1 construction. We've been running about \$12 million  
2 a year per 500-bed increase, so we allotted how  
3 well we've done the last time, and we put 144 beds  
4 in youth corrections and 120 beds into adult  
5 corrections. That's not even close to the type of  
6 impact that we'd have to make to the type of  
7 facilities that would be needed to meet this type  
8 of initiative.

9 We are basically building about -- a  
10 capacity in the system of about 500 beds per year.  
11 We are looking at some different type of approaches  
12 for state beds, including some privatization  
13 approaches. A team of the legislature, some who  
14 are analysts, some who are staff people, are headed  
15 to Texas next week to go look at some privatized  
16 facilities there. Using the same type of numbers  
17 of the project we have on the books right now for  
18 approximately \$27 million would cost around \$18  
19 million in the privatized model, but these still  
20 won't be even close enough to handle the federal  
21 problems that we've talked about today, especially  
22 with the INS problems.

23 We also encourage the federal government  
24 to -- to look at a siting here or at least  
25 someplace close in the west of a federal

1 penitentiary. It looks like to us that the siting  
2 could be done at a place in our rural area that has  
3 the need for economic development, like we did in  
4 Gunnison when we placed the state facility in  
5 Gunnison and had support of the community and still  
6 have support of it. I think that siting, if you  
7 will work with us as locals, could be done in such  
8 a way that we could make it a partnership in the  
9 true sense.

10 One final comment on -- on costs: The 800  
11 megahertz conversion which is being, in effect,  
12 pushed on to us by the FCC is having tremendous  
13 costs, where we're going to have to retool every  
14 police car, every repeater, every central control  
15 station. That area is getting to be very, very  
16 costly, and we're only now getting a handle on what  
17 type of costs we are looking at there. So we -- we

18 ought to be -- continue to be sensitive as you push  
19 things from the federal government to the states to  
20 look at the overall costs.

21 And we appreciate the opportunity of having  
22 some input in the summit.

23 ORRIN HATCH: Thank you. Before I turn  
24 to -- turn to Attorney Janet Reno, I'd like to  
25 introduce Director Louis Freeh the director of the

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1 FBI, who is a great director and -- and does a  
2 terrific job. He flew in this morning and will be  
3 flying back with the other officials this  
4 afternoon, so you can imagine what a tough day he's  
5 had. We're happy to have you here, Louis.

6 LOUIS FREEH: Thank you, Senator.

7 OLENE WALKER: Could I just give a quick  
8 summary? I think Utahns' overall are very  
9 concerned about their quality of life and high -- a  
10 high priority is safety: safety on the streets,  
11 safety in the home, safety in the community. We  
12 have always found the citizens of Utah very  
13 supportive when we go to them with a -- a program  
14 that makes sense and has some practical aspects in  
15 their own communities in this state. I think you'd  
16 find Utahns very willing to work with the federal  
17 government. We would appreciate an opportunity to  
18 discuss location and those types of issues, and  
19 certainly I think you'll find the citizens of Utah  
20 rising to the occasion.

21 ORRIN HATCH: Well, let me turn to Janet  
22 Reno who -- who would like to comment.

23 JANET RENO: First of all, Senator, one of  
24 the things that I look forward to working with you  
25 on is this whole issue with respect to the -- to

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1 the costs that are going to be incurred by local law  
2 enforcement. I don't think that many people in  
3 Washington have begun to understand the dimension  
4 of that, and I think that that's something that  
5 perhaps we might put together a small group with  
6 you and with Senator Bennett because I think it  
7 will -- it -- it is a significant issue.

8 Secondly, I just -- I wonder, what are you  
9 all doing considering the number of people who are

10 drug involved that come into the system? What are  
 11 you doing in terms of drug treatment and job  
 12 training while young offenders are in -- are -- 18  
 13 to 21-year-olds are incarcerated?

14 GARY DALTON: Let me respond to that from a  
 15 juvenile side, if I could, please, and then maybe  
 16 Lane could respond.

17 In Utah there is a cut-off. You may have  
 18 young people incarcerated up to the age of 21 if  
 19 they're adjudicated before their 18th birthdate.  
 20 For the most part there are vocational programs.  
 21 There are -- they're not highly tuned to actually  
 22 hands-on vocational skills. They may learn from a  
 23 computer, they may learn all of the job resume kind  
 24 of skills, how to get a job, but we are woefully  
 25 short in our ability to bring actual programs into

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1 the facilities. That is something that we ought to  
 2 address and do a better job of.

3 We have attempted to be doing mentoring in  
 4 a large -- much larger scale, where the mentors and  
 5 mentees deal around vocational aspects. We're  
 6 doing a much better job of that, and it's making a  
 7 considerable difference on young people who are  
 8 leaving our facilities.

9 There is a group, then, that is in our  
 10 serious youth offender population that would leave  
 11 juvenile corrections and go into the adult system.  
 12 I think one of the -- that's been a very strong  
 13 point for Utah to have, but also it's been one of  
 14 the areas in which Lane and the Department of  
 15 Corrections is able to bring specific programs to  
 16 them. They are incarcerated along with adult  
 17 population. They then have available to them any  
 18 of the opportunities available to Utah correctional  
 19 industries or other programs of vocational nature  
 20 in the adult system, but nothing targeted to  
 21 juveniles or young offenders specifically.

22 LESLIE LEWIS: I might also respond that in  
 23 the court what we're seeing is that the poustie of  
 24 resources that has been directed toward drug  
 25 treatments is having a tremendous impact. Now, in

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1 the courts we've attempted to do what we can to do

2 to deal with this, and following up on what Senator  
3 Hatch said, and you, Attorney General Reno, said,  
4 we have tried to be creative and to be aggressive  
5 in handling this problem.

6 One of at things that my colleagues and I  
7 did a few months ago is we set up a special session  
8 of courts that lasted two full days into the night,  
9 and we brought in some of our district attorneys,  
10 defense attorneys, law enforcement, and court  
11 staff, and we processed 500 illegal aliens from  
12 beginning to end. People from the INS were  
13 available and there were planes and they were  
14 immediately deported. This obviously emptied the  
15 jails and was a creative solution that I believe  
16 worked effectively. That sort of thing is not done  
17 enough.

18 We're also utilizing a drug court in both  
19 our juvenile court and also in the Third District  
20 Court that we have found to be extremely helpful  
21 for those individuals who are not sellers of drugs  
22 but, rather, the users. What we find is that there  
23 is no corollary availability of treatment  
24 resources. We have essentially one excellent  
25 viable treatment program in Salt Lake County, and

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1 that's Odyssey House. If you cannot get someone in  
2 Odyssey House there really isn't anything  
3 available. And this is a concern that I am very  
4 happy you brought to the forefront.

5 ORRIN HATCH: Thank you, Judge Lewis.  
6 Janet Reno.

7 JANET RENO: What might be helpful,  
8 Senator, is perhaps she, you, and the courts and  
9 INS can work together and -- and we can look at how  
10 we might correlate things so we can get people out  
11 on a more rapid basis. So I'll follow up on that.

12 And the only reason I raise the issue of  
13 treatment: We would really like to work with you  
14 in terms of technical assistance. We're doing some  
15 work in terms of drug testing treatment, the whole  
16 drug court program, and anything that we might do  
17 in terms of technical assistance, and then perhaps  
18 building on that. We would be grateful for the  
19 opportunity.

20 ORRIN HATCH: Well, General Reno, as you

21 know, in the -- when we go back I've scheduled a  
22 markup on the -- on the juvenile justice, on  
23 the 10th of July. It's going to be a whingdinger  
24 of a markup because there's a wide disparity of --  
25 of beliefs and approaches between Democrats and

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1 Republicans on the Judiciary Committee in the  
2 Senate, and, of course, the House Juvenile Justice  
3 Bill has caused, thanks to a lot of people.

4 And one of the big issues is -- is  
5 prevention and rehabilitation-type monies. And we  
6 do have a lot of money in the system, but if all we  
7 have in Salt Lake City is the Odyssey House, that's  
8 great, but that's not enough. I think that Project  
9 ALERT might very well try and include -- you know,  
10 we're finding Boys & Girls clubs and similar  
11 organizations like that have a tremendous impact,  
12 but what General Reno is concerned about is job  
13 training as well and whether we can get these kids  
14 to work and to be productive and to feel good about  
15 themselves and to have the self-confidence that  
16 comes from being able to -- to, you know, being  
17 able to work and support themselves. So we need a  
18 community response to that as well, but we also  
19 need these -- to use these federal funds a little  
20 bit better than we are using them.

21 Let me ask Craig this question again:  
22 Governor Leavitt mentioned the need for more law  
23 enforcement. Could you tell us a little bit about  
24 the state's plan for the expansion of law  
25 enforcement in this area.

19

1 CRAIG DEARDEN: Well --

2 ORRIN HATCH: Okay.

3 CRAIG DEARDEN: -- currently we're -- we're  
4 approaching the legislature right now by next year  
5 to add a highway patrolman to the police force  
6 here. Also, it was mentioned by the Mayor that  
7 we've received, oh, probably -- I think she  
8 mentioned 400, but I don't know -- a lot of  
9 officers on the COPS through COPS grants. We are  
10 continuing to do that. In fact, I just saw Sheriff  
11 Kennard signing a grant at the break for a -- a  
12 request for other officers. I believe that he's

13 probably received 60. Salt Lake City has probably  
 14 received that amount, too, and so we are making  
 15 good progress that way.

16 One of the problems that kind of comes  
 17 along with the number of officers is the other  
 18 areas that all the arrests affect. With -- a lot  
 19 of times what happens is we put more officers on  
 20 the street but we don't include jail space and  
 21 other court people to take care of the increase in  
 22 the arrests and so forth. But as far as putting  
 23 policemen on the street, we are working through the  
 24 state, and I know that the counties and local  
 25 agencies are all working to increase their forces,

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1 and many agencies have taken advantage of the COPS  
 2 program to put more officers on the street.

3 ORRIN HATCH: Great. Let me encourage  
 4 others to comment here around the tables and offer  
 5 suggestions in what the state is doing and what it  
 6 can do. If you want to be recognized, just raise  
 7 your hand and I'll try and recognize you.

8 OLENE WALKER: Could -- why don't we have  
 9 Colonel Greenwood comment on it, because highway  
 10 problems -- and tying back to drugs. We recognize  
 11 that is a huge problem, and we certainly want to  
 12 call on the private sector and the community to  
 13 join in in helping us solve it. But I --

14 ORRIN HATCH: That would be great.

15 OLENE WALKER: -- also recognize in  
 16 manpower tied in with drugs, that the highway  
 17 patrol has a significant role.

18 RICHARD GREENWOOD: Well, I appreciate  
 19 that. I don't know if this is on, Senator. Maybe  
 20 I'll just speak in that --

21 ORRIN HATCH: Just -- just get a little bit  
 22 closer to it. It's on, but --

23 RICHARD GREENWOOD: Well, perhaps I thought  
 24 I could speak in that demanding voice that I had  
 25 gotten over the years in using on the highway

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1 patrol whenever I stopped those speeders that --  
 2 traveling down Highway 15.

3 However, as Commission Dearden has  
 4 mentioned, since 1989 the Utah Highway Patrol has

5       been approaching the legislature in requesting 100  
6       new troopers on our streets here in the state of  
7       Utah. We feel we're justified and it's justifiable  
8       to have 100 additional troopers. These troopers  
9       play a role in -- in crimefighting. They write --  
10      they do more than just write tickets. As a matter  
11      of fact, I'd like to share with this committee last  
12      year we took off the street in U.S. currency and  
13      drugs over \$10 million here in the state of Utah.  
14      We feel that Utah Highway Patrol takes off more  
15      drugs and criminals than most law enforcement  
16      agencies in the state combined, even with the small  
17      staff that we do have.

18               Over the -- as I mentioned, over the past  
19      number of years since 1898 we have been asking  
20      for 100 additional state troopers. During that  
21      time period each year we've received anywhere from  
22      three to six additional troopers. We have noticed  
23      that the -- not necessarily the violent crimes such  
24      as homicides have not been increasing alarmingly;  
25      however, the auto thefts and burglaries.

22

1               When people steal cars they're out on the  
2      freeways. When we don't have troopers out on the  
3      freeways these criminals continue to drive down the  
4      street to perform the -- or to commit drive-by  
5      shootings. And that's one of the things that that  
6      Utah Highway Patrol has been doing, Senator, is  
7      approaching the legislature each year asking for  
8      that additional manpower. And we have been  
9      fortunate, however, that the legislature has been  
10     listening to us, but not to the degree or to the  
11     level that we would feel to be able to be adequate  
12     for the patrol.

13              ORRIN HATCH: And, Richard, identify  
14     yourself for the audience.

15              Whenever I call on anybody, just please  
16     give your name and identify your position so that  
17     everybody in the room will understand.

18              RICHARD GREENWOOD: My name is Richard  
19     Greenwood, superintendent of the Utah Highway  
20     Patrol.

21              ORRIN HATCH: Thank you.

22              Yes, Louie.

23              LOUIE TONG: Lou Tong, office of Asian

24 Affairs for the state of Utah.

25 This is a comment that the governor

23

1 mentioned earlier in his talk about the GIFT  
2 program, the Governor's Initiative on Families  
3 Today. I want to tell you about a program we had  
4 in Ogden City working very closely with the Ogden  
5 City Police Department. The program there was to  
6 control the gangs in a -- a specific ethnic group.  
7 After the governor's program was presented we had  
8 the audience there of over a hundred people from  
9 this ethnic group, of which two or three of the  
10 community leaders stood up and said, "We know all  
11 of our youth, and we are not going to have our  
12 youth committing these crimes." Now, that was the  
13 very powerful statement coming from a community who  
14 is run by volunteers and by volunteers from the  
15 Ogden Police Department.

16 And for one year that particular ethnic  
17 group had no crimes recorded in Ogden. We have a  
18 very strong and good working relation with Chief  
19 Ortega from the Salt Lake City Police Department.  
20 So the GIFT program is a program from the  
21 governor's office which has had strong, strong  
22 support from Lieutenant Governor Walker. She  
23 attended most of those conferences. But there's a  
24 connection there. The GIFT program is very small.  
25 It certainly warrants more attention. Thank you.

24

1 ORRIN HATCH: Well, thank you. Let's start  
2 with Reverend France Davis of the Calvary Baptist  
3 Church, and then I'll come back to Lane McCotter.

4 FRANCE DAVIS: I'd -- I'd like to ask some  
5 of my representatives what we can do to get you to  
6 list one of the goals, seven or 11 or whatever the  
7 numbers are, something that will help us to keep  
8 people from getting into the system in the first  
9 place: educational systems, something about  
10 rehabilitation or -- I don't know what -- what  
11 we've got to do, but it seems that's the glaring  
12 missing part of our discussing here today.

13 ANDREW VALDEZ: Senator, can I respond to  
14 that?

15 ORRIN HATCH: Sure. Judge Valdez.

16 ANDREW VALDEZ: From the juvenile court.

17 ORRIN HATCH: You bet. From the juvenile  
18 court, Judge -- Judge Valdez.

19 ANDREW VALDEZ: I think a different  
20 perspective is most of the gang kids, most of the  
21 people who are incarcerated, most of the adult  
22 criminals are having children. Two-thirds of my  
23 cases and two-thirds of most judges in -- in the  
24 Third District Court are dealing with kids and  
25 adults as parents. These children have never

25

1 committed crimes. These kids are abused,  
2 neglected, and dependent children, everything from  
3 crack babies to 16-, 17-year-old homeless  
4 teenagers. Most of the problems within these home  
5 situations are life-style related problems: drugs,  
6 alcohol, domestic violence. Two-thirds of our time  
7 is dealing with these kids at this point. Most of  
8 these kids, as I indicated, come from these types  
9 of environments, and, of course, today's dependent  
10 kid is tomorrow's delinquent kid.

11 To answer Reverend Davis' question what are  
12 we doing, what we're trying to do, hopefully, is to  
13 build children and hopefully fix adults on the  
14 way. But it's very difficult to change a family  
15 culture in one generation. Most of these  
16 dysfunctions or these problems within the homes run  
17 generations. The children of the people who have  
18 been prosecuted in the adult systems for years and  
19 years and years, they're coming into the juvenile  
20 court system as neglected and dependent children.  
21 And that's the challenge for this community, is  
22 what are we going to do with these children, which  
23 two-thirds of our time, all the judges -- there's  
24 eight of us -- we spend most of our time dealing  
25 with these kids.

26

1 And I think nationally -- there's 40  
2 million children nationwide that are now seven  
3 years old or ten years old who will reach  
4 adolescent and teenage years within the next  
5 decade. And they're predicting some horrible  
6 things for these kids, and largely because these  
7 kids, as reflected in my courtroom on a day-to-day

8 basis, are neglected, abused, and dependent  
9 children.

10 I was in my chambers last night until 11:00  
11 preparing for today's calendar, 30 cases today.  
12 And out of those 30 cases 80 percent of those cases  
13 were dealing with neglected and abused kids. They  
14 weren't ethnic, they weren't illegal aliens. It  
15 crosses all racial and social lines, all barriers,  
16 all boundaries. These kids are neglected, abused,  
17 and I think only ten percent of the kids I dealt  
18 with last night until 11:00 preparing for today's  
19 calendar -- of course, I'm not there, I have  
20 another judge covering -- 10 percent of those kids  
21 were delinquent kids. The rest were abused and  
22 neglected kids.

23 That's the perspective. If you don't get  
24 to these kids early as dependent children, then  
25 they're tomorrow's delinquent kids, and we're going

27

1 to continue this discussion for more beds, more  
2 incarceration, more law enforcement, and -- and  
3 more summits such as this.

4 ORRIN HATCH: Now, that's very impressive.  
5 Thank you, Judge.

6 FRANCE DAVIS: Can I -- can I just add:  
7 One of things that we are doing -- (applause)

8 ORRIN HATCH: Perhaps before I -- before I  
9 get back to you, let me just mention to you on  
10 Page 47 and 48 of the -- of the Coming Together for  
11 Utah's Future that we put out here today, that we  
12 mention these three things, and these are three  
13 that we ought to really do everything we can.

14 The "Construction of Additional Boys &  
15 Girls Clubs," we did -- we did pass legislation  
16 authorizing \$100 million in funds for the  
17 establishment of new Boys & Girls clubs across the  
18 nation. As you know, most of the money comes from  
19 the local communities, so it's just seed money from  
20 the federal government. That's a lot of seed money  
21 compared with the past, and we passed into  
22 legislation. That we'll help to establish these  
23 clubs.

24 Number two, "Adoption of a 'Zero Tolerance'  
25 policy for 'Quality of Life' Crimes," I think you

1 might want to read that.

2 And "Religious-based Drug Treatment and  
3 Prevention Programs," sooner or later we're going  
4 to have to -- we're going to have get by this  
5 problem of the so-called separation of church  
6 and -- church and state, because we're not using  
7 our religious institutions as much as we should to  
8 make a dent in these problems. We're not using our  
9 government institutions as much as -- as we can,  
10 either.

11 And I might add that the -- the Hatch Youth  
12 Violence Bill provides \$500 million a year in block  
13 grants to the states and to local governments.  
14 Now, this could bring nearly \$4 million a year to  
15 Utah. 40 percent of those funds would be used for  
16 prevention. We may need more. We may need to --  
17 General Reno, Director Freeh, others, we may -- may  
18 need to have better coordination of federal funds  
19 and states funds and better help from the federal  
20 government in some of these areas.

21 But you're right, if we -- and -- and  
22 you're right. If we don't -- if we don't do  
23 something about these kids now, that we're just  
24 going to be going to building more prisons and more  
25 beds without really good results.

1 But let's get back to Reverend Davis for a  
2 minute, and then I've got to go to Lane McCotter.

3 FRANCE DAVIS: If -- if I can, Senator,  
4 just --

5 ORRIN HATCH: Lane, before I get to you I'm  
6 going to go to Lorena because it's on this subject  
7 real quick.

8 FRANCE DAVIS: Thank you, Senator.

9 ORRIN HATCH: And Elder Morrison will be  
10 before I get to Lane McCotter.

11 FRANCE DAVIS: Thank you, Senator.

12 If I can say just a -- a brief statement:  
13 It seems to me that all of the research is  
14 indicating that reading has a clear connection  
15 between people who are committing crimes, and one  
16 of the things that we are doing is we are starting  
17 to teach kids on a computerized reading program to  
18 read as early as two and a half, three years old.

19                   ORRIN HATCH: That's great.

20                   FRANCE DAVIS: And -- and our goal is to  
21 say that by taking this early approach we can keep  
22 some of these kids and getting involved in the  
23 system and perhaps also help some of these adults  
24 to keep from going back into the system. Thanks.

25                   ORRIN HATCH: Thank you. Reverend Davis

30

1 really does put his money where his mouth is. He  
2 really is working in that community and doing an  
3 awful lot of good.

4                   (Applause.)

5                   Lorena Riffo. Please tell them what you  
6 do, Lorena, and --

7                   LORENA RIFFO: Yes. I'm with the state  
8 office of Hispanic Affairs. And I'm happy to be  
9 here and also happy to have an administration --  
10 for everything I heard Governor Leavitt and the  
11 Lieutenant Governor that we're talking about  
12 prevention, we're talking about coming together as  
13 a society and doing something about it when it  
14 comes to crime.

15                   In terms of my office, my responsibilities,  
16 I think what's critical is that it is a point of  
17 contact for the Spanish community in the state of  
18 Utah. And I'm going to share with you some  
19 examples that I -- from phone calls that I received  
20 regarding this issue in terms of -- there was an  
21 operation held I believe in April in southern Utah  
22 where we were bringing in basically undocumented  
23 immigrants coming into the United States, and some  
24 of them were criminal because they were bringing  
25 in, indeed, some drugs. At the same time my office

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1 did receive phone calls from U.S.-born Hispanics  
2 who were afraid to go out -- out on the street  
3 because they were afraid they were going to be  
4 profiled. That's something that is real for the  
5 Hispanic community. That's something that a lot of  
6 people have demonstrated fear that this is going to  
7 be depicted in a negative fashion upon the Hispanic  
8 community.

9                   Furthermore, in terms of talking about  
10 bringing more enforcement agents, we believe this

11 is needed, we need more enforcement agents when it  
12 comes to INS. I know how busy that office is. I  
13 know how Merrill Rogers, the officer in charge,  
14 works really hard to keep up the load -- the  
15 workload in that office. However, at the same  
16 token, we do have some concerns that our net --  
17 that our individuals who are legally, or taxpayers,  
18 their paperwork is not being processed because  
19 unfortunately the INS office here doesn't have the  
20 manpower to process their applications. And I just  
21 want to mention to you that as we talk about  
22 enforcement agents and bringing them in -- and we  
23 have the commissioner of the INS here -- we also  
24 need to remember the legal residents who are paying  
25 taxes and who want to be part of this great country

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1 and who are part of this wonderful country. And I  
2 know that Merrill is doing everything he can to  
3 make it happen; however, we need that help.

4 We talked about partnerships. I believe we  
5 can have the partnerships needed among -- we're all  
6 Utah citizens, we're all citizens of this great  
7 country. I also think that looking at partnership  
8 and addressing the issue of undocumented immigrants  
9 coming to the United States, we need to talk about  
10 having the governments -- the foreign governments  
11 who are needed to probably be around this table. I  
12 know that the Constable of Mexico pulled me aside  
13 earlier and said that she would have liked to have  
14 been here, because she spoke this morning with the  
15 ambassador of Mexico and they want to be part of  
16 the solutions. So I suggest in the future we have  
17 them as part of the solution.

18 And we are here to help you to solve this  
19 problem. We love and care about this -- this  
20 state, and I am glad that I'm part of an  
21 administration that gives a voice to the Hispanic  
22 community of the state of Utah as well as to the  
23 other ethnic citizens.

24 But if we look -- and there is one thing,  
25 one recommendation on Page 45, and that talks about

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1 cross-deputization, which is a good idea to have in  
2 case -- since we don't have enough INS agents. The

3 one thing that I will bring to the table is that it  
 4 is not done by profiling people. That is a fear  
 5 that is out there in the Hispanic community. But  
 6 if you're Hispanic, sound foreign like myself,  
 7 besides telling you that I'm a naturalized citizen  
 8 there's nothing I can show you to prove it.

9 We need to make sure that those individuals  
 10 that are around this table could bring forth that  
 11 information.

12 ORRIN HATCH: Well, thank you, Lorena. You  
 13 know, we have to deal with this -- this aspect of  
 14 the crime problem realistically and fairly. I'm  
 15 the chairman of the Republican Senatorial task  
 16 force in the -- the Senate, and I just want to  
 17 state that the vast majority of immigrants in Utah  
 18 are productive and law-abiding members of our  
 19 communities and of our neighborhoods, and to  
 20 believe otherwise would allow prejudice to  
 21 continue. And I think you make a very good case  
 22 and you stand up very well with pride.

23 LORENA RIFFO: Thank you, Senator, for the  
 24 time, and thank you for conducting this summit.  
 25 (Applause.)

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1 ORRIN HATCH: In fact, the Hispanic people  
 2 have helped to build this country just as much as  
 3 anybody else.

4 And we'll turn to Elder Morrison of the  
 5 Church of Jesus Christ of Latter Day Saints.

6 ALEXANDER MORRISON: Mr. Chairman, I would  
 7 like to embroider a little on the remarks  
 8 introduced by Judge Valdez. I happened to watch  
 9 the other day a replay of one of the famous  
 10 victories of Muhammad Ali the heavyweight boxer.  
 11 He not have to bite off his opponent's ear to win.

12 ORRIN HATCH: He just knocked his ears off,  
 13 that's all.

14 ALEXANDER MORRISON: One of the reasons Ali  
 15 was such a great fighter was because he could hit  
 16 very hard with both hands. And in our fight  
 17 against crime we need a one-two punch. In the  
 18 short-term we clearly need much more aggressive law  
 19 enforcement, and I thought that the remarks given  
 20 so eloquently and eloquently by Mayor Corradini  
 21 this morning indicated in good detail the kinds of

22 initiatives we require --

23 ORRIN HATCH: Elder, could I interrupt  
24 you just for a second?

25 ALEXANDER MORRISON: -- in this important

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1 area.

2 ORRIN HATCH: Could I interrupt you just  
3 for a second on that? Since you've been talking  
4 about my good friend Ali, just for everyone  
5 here, I'd like you all to know that on Saturday  
6 August 23rd as part of our Utah sesquicentennial  
7 we're having a Utah tribute to Muhammad Ali who's  
8 coming for Utah just for that -- well, for that  
9 purpose plus the charitable golf tournament that I  
10 have. So I just wanted -- I thought it would be an  
11 opportune time to get a plug in for that. It will  
12 be at the Capitol Theater, won't it? And we're --  
13 we're hoping that all of you will consider coming.  
14 I think you'll enjoy that. Sorry to interrupt you.

15 ALEXANDER MORRISON: Let me return. We  
16 need not only the -- the right hand of law  
17 enforcement, but we must also have the left hand of  
18 the patient perseverance of crime prevention. And  
19 that starts in the family and in the home. Indeed,  
20 the best single indicator of whether a young man  
21 will grow up to be a criminal is not his race or  
22 his economic status but whether he has a father who  
23 lives with his mother and is married to her.

24 The seeds of criminal behavior are sewn in  
25 childhood, and the greatest thing that we can do to

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1 prevent crime is to strengthen our families and to  
2 strengthen our communities. The values which  
3 children need to ensure and they grow up to be  
4 honest and law-abiding citizens are taught  
5 primarily by their parents. And we need to do all  
6 that we can to strengthen the hands of parents and  
7 strengthen families, and those efforts will be  
8 assisted by churches and schools and by community  
9 agencies.

10 But I do hope that we leave here today with  
11 a better understanding as of the need to combine  
12 both the potent requirements for more aggressive  
13 law enforcement, but also the long-term quiet

14 perseverance of crime prevention. Otherwise, we  
 15 will think that the way to solve the problem is to  
 16 build more jails. There is a lot more to it than  
 17 that.

18 Thank you very much.

19 ORRIN HATCH: Thank you. Lane McCotter.  
 20 Let me go to Lane McCotter, who I've been trying to  
 21 get to.

22 And then let me also say we have not heard  
 23 from many of our local officials and -- concerning  
 24 the state perspective, and if you care -- if any of  
 25 you care to comment we'd like to. And I notice our

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1 attorney general would like to comment, too. So  
 2 why don't I go to Lane McCotter, then to the  
 3 attorney general, and then Sam Dawson would like  
 4 to -- you know, we have to go to Sam.

5 LANE McCOTTER: Thank you, Senator Hatch.  
 6 Lane McCotter with the Department of Corrections.

7 I really wanted to just respond a little  
 8 more to General Reno's request or her question on  
 9 the adult correctional side of the house, as far as  
 10 drug treatment and the programs that we have  
 11 available here in Utah and what we're trying to do  
 12 to address this tremendous problem.

13 Just for your information, we have right  
 14 now -- about 16.5 percent of our total incarcerated  
 15 population here in the state of Utah are there for  
 16 pure drug offenses: use, possession, and mostly  
 17 sale of drugs.

18 ORRIN HATCH: What percentage was that,  
 19 what percentage?

20 LANE McCOTTER: 16.5 percent of all those  
 21 incarcerated.

22 But I think the telling statistic is at  
 23 least 80 percent -- and I think, personally, that's  
 24 a probably low figure -- that 80 percent of all  
 25 those incarcerated in our prisons here in Utah

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1 are -- in some way have drug and alcohol abuse  
 2 problems. In other words, they might be there for  
 3 robbery, burglary, or whatever it might be, but  
 4 they have a long history of drug and alcohol abuse  
 5 in their histories. And so, therefore, we look

6 at 80 percent of our population as within our  
7 incarcerated system of needing some form of drug  
8 and alcohol abuse treatment during incarceration --  
9 and even after care I think is very critical  
10 components of that once they are released from  
11 prison on parole.

12 We are spending here in Utah a little  
13 over 13 and a half million dollars out of our  
14 budget annually on drug and other types of  
15 treatment programs, not just drug treatment. But  
16 in it's hard to separate treatment because no  
17 matter what we're treating there's probably some  
18 kind of a drug problem involved with those people  
19 that we're trying to treat. We have therapeutic  
20 communities, drug counselors, etc. throughout our  
21 system. We are not able to treat, with the budget  
22 that we currently have and provide the treatment  
23 that we think we probably ought to be providing,  
24 probably 50 percent of those that need that  
25 treatment. We're a long way from where we need to

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1 be to begin to provide all the treatment that we  
2 probably feel is necessary for drug and alcohol  
3 abusers as well as all the others incarcerated that  
4 need treatment. So, therefore, we end up with  
5 waiting lists and long lines in our prison systems,  
6 and we try to work that so that when they're  
7 receiving adult probates through the Board of  
8 Pardons that we can then get them into some kind of  
9 treatment and hopefully some kind of after-care  
10 program while they're on parole, because we think  
11 that's a very critical component to keeping that  
12 individual from recidivating back into the prison  
13 system.

14 I would just like to finalize my final  
15 comment to thank General Reno for what the  
16 Department of Justice is doing in the way of grants  
17 to help us in this arena. This year the State of  
18 Utah is receiving around \$162,000 for a substance  
19 abuse treatment from the federal government, of  
20 which about 120,000 of that is going into the  
21 prison system to help us hire treatment personnel  
22 to deal with this -- the magnitude of particular  
23 problem.

24 And recently I was asked and -- and went to

25 Washington just a couple weeks ago. We met with

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1 members of your staff dealing with the truth and  
2 sentencing grants for the future that are tied also  
3 to drug testing. And that's an area that we're  
4 very deficient in, and as far as funding for, and  
5 we're hoping that we'll get some help in that arena  
6 to be able to add more drug testing to our  
7 component to make it a better system.

8 ORRIN HATCH: Thanks.

9 General Graham and then we're going to go  
10 to Sam Dawson and then to Ruben Ortega. And we're  
11 going to have to be as short as we can in our  
12 comments because we're running out of time.

13 JAN GRAHAM: Senator Hatch, thank you so  
14 much for making this possible. I think everyone in  
15 the room has a renewed hope today that we can solve  
16 our problems in the state of Utah. I also want to  
17 acknowledge General Reno as the other attorney  
18 general in the room named Janet. I'm very  
19 appreciative of her work and I want to say there is  
20 not a state attorney general in our nation who has  
21 not applauded your efforts and your caring for what  
22 we do, so thank you for that.

23 My only comment on behalf of the Attorney  
24 General's Office is that we were doing a couple of  
25 things in our state very well and I want that to be

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1 noted. We have in our state probably the strongest  
2 and toughest domestic violence and child abuse laws  
3 in our country, and I'm very proud of what our  
4 state has done in that area. Secondly, we have  
5 very strong, very proactive law enforcement that,  
6 quote, "gets it." That has helped us in many of  
7 our battles, and I would like to note that we  
8 appreciate increasing sensitivity on the part of  
9 the state judiciary about the realities of law  
10 enforcement, particularly in the Fourth Amendment  
11 area, but I do want to note that.

12 Finally, to second what Elder Morrison so  
13 eloquently stated, there is no kindergarten teacher  
14 in this state who cannot identify for you every  
15 five-year-old in the room will be before Judge  
16 Valdez in the next eight to 15 years. That means

17 we know the risk factors, we know who they are, and  
 18 we know who needs the help. And I just can't say  
 19 how strongly I feel that -- about the issue of  
 20 violence and abuse within the family and at home.  
 21 The most common victims of crime in our state and  
 22 any state in the nation are those who are victims  
 23 of crime, abuse, and violence in their own homes.  
 24 It is there and very much important in substance  
 25 abuse, teen pregnancy, and all the problems we've

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1 been talking about today. And we can do something  
 2 about it by simply having an honest discussion.

3 Everywhere let's give ourselves the  
 4 permission to talk about this most secret but most  
 5 terrible crime. Let's talk about it in church,  
 6 let's talk about it in this meeting today, let's  
 7 talk about it in our schools. That honest  
 8 discussion is what will lead to a solution to the  
 9 problem.

10 Thank you.

11 ORRIN HATCH: Well, thank you. (Applause)

12 We're -- we're -- we're very honored to  
 13 have Judge Lewis and Judge Valdez with us today,  
 14 and for them to take this time means a lot  
 15 to -- to me personally and I'm sure to all of us.

16 We'll now turn to Chief Dawson, and then  
 17 we'll go to Chief Ortega.

18 SAM DAWSON: Thank you, Senator. I'm the  
 19 police chief of Sandy City. I'm here representing  
 20 the Utah chiefs today.

21 I would like to comment specifically on  
 22 what -- what Chief Valdez said about that ten  
 23 percent. We know that community policing works.  
 24 We also know we don't have enough people to do it.  
 25 It's a spin-off of a problem -- problem-oriented

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1 policing. When we get in and work with the  
 2 families, work with the schools, work with our  
 3 communities, we have our mobile -- our neighborhood  
 4 watches, our mobile watches, they really, really  
 5 work. The problem is, and what is so frustrating  
 6 about -- on behalf of all of those officers that  
 7 are out there making these arrests day in and day  
 8 out, is we are arresting them, we're convicting

9           them, we can't incarcerate them.

10           That ten percent that Judge Valdez talks  
11 about that are the -- the developing animals that  
12 are doing the violence crime that have moved beyond  
13 troubled kids to where they're taking lives,  
14 they're raping, they're pillaging, they need to be  
15 taken off the street. As long as our officers have  
16 to repeatedly rearrest the same people and we  
17 cannot get them off the street, we are not going to  
18 be able to continue to do the problem-oriented  
19 policing, the community policing that we need to do  
20 to -- to solve the car burglaries, the home  
21 burglaries, and those kinds of things.

22           We have to support the DARE program, we  
23 have to stay into those types of youth-oriented  
24 programs. We have to do exactly what Elder  
25 Morrison said. We have to overcome the apathy and

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1           the lack of information that our families are  
2 dealing with in our own community.

3           There is a great deal of denial in Utah  
4 about what's going on in our own families. We have  
5 to overcome that. We do that with education.  
6 Attorney General Graham facilitated a tape "Not My  
7 Kid," about gangs. It's excellent but it's not  
8 getting out there. We don't have the people to get  
9 the information out. We don't have the officers to  
10 work with them. But, critically, we have to be  
11 able to lock them up somewhere.

12           ORRIN HATCH: Thank you, Chief.

13           Chief Ortega, and we'll --

14           RUBEN ORTEGA: Thank you, Senator. I -- I  
15 can't remember in the last 20 years I've been in  
16 law enforcement where I have been so energized by  
17 what I've heard here this morning. I am so excited  
18 about what finally is happening here, and I'm  
19 tempted at lunchtime to call Elway and tell him,  
20 "Forget about me."

21           Three things -- three things in my mind  
22 will have to occur in this state for us to be  
23 effective in this crime issue that we're trying so  
24 desperately to prevent from escalating any more  
25 than it is today. One of them happened already

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1 this morning that has been so frustrated to me  
2 since I've been here the last four and a half  
3 years, and that first thing that happened today is  
4 that we have successfully removed this iron curtain  
5 of denial that has been here in this state about  
6 crime in this state. It has been so hard to have  
7 people recognize the path that we were heading in  
8 terms of crime in this state, and I was so  
9 gratified to have you conduct this summit because  
10 that helped lift the curtain. But more than that,  
11 it was what -- to hear the governor says that "We  
12 have a crime problem in this state and, by gosh,  
13 we're going to do something about it." That to me  
14 was the first step if we were going to be  
15 successful in dealing with this crime issue.

16 The second is -- we have a great beginning,  
17 and the second part of it is we have to deal with  
18 the immediate crisis at hand. And it was so  
19 encouraging to hear some of the resources now that  
20 will come to bear to effectively deal with this  
21 immediate crisis. We need more cops, we need more  
22 correction officers, we need more prosecutors, and  
23 we need more courts, and we certainly need more  
24 juvenile sanctions -- alternatives of sanctions  
25 that we have heard today.

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1 But that's only going to deal with the  
2 short-range crisis that we have at hand. The third  
3 thing which will be more difficult to accomplish,  
4 because it doesn't have the basis -- you don't get  
5 the media attention to it when you talk about  
6 prevention. I was so glad to hear Reverend Davis  
7 and Elder Morrison and the Judge Valdez talk about  
8 this issue. We have got to bring prevention up to  
9 the level of enforcement and incarceration. We  
10 have not done that very well. We haven't -- we  
11 just talk about it. But until we do that we're not  
12 going to be successful in bringing an end to this  
13 issue of crime. It's got to be a balanced  
14 approach. Enforcement and incarceration, harsh  
15 treatment of the criminals, but we have got to  
16 start at the -- with the same aggressive interest  
17 and action in dealing with the prevention. And we  
18 haven't done that. We'll touch more on that this  
19 afternoon when the local perspective talks about

20 what can we do in the area of prevention, because  
21 that's where the long-range answer's going to lie.  
22 If we accomplish those three things we will  
23 be well down the road to dealing with alleviating  
24 the crime in this state, and I thank you again for  
25 what you've done.

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1 ORRIN HATCH: Thanks, Chief. What a great  
2 statement.  
3 We're out of time, but I'm going to call on  
4 Bishop Niederauer to sum up his feelings about  
5 this, and then he'll be our last comment. But keep  
6 in mind this is just our first -- our what? Oh,  
7 Lieutenant Governor? Oh. We'll go to Bishop  
8 Neiderauer and have the Lieutenant Governor try to  
9 sum up and finish for us.  
10 Now, this is just the first discussion  
11 period. We're going to move into the federal in --  
12 in the next one, and I think you'll enjoy that.  
13 Bishop Neiderauer.  
14 GEORGE NEIDERAUER: Yes. I just wanted to  
15 single out three people I would like to agree with  
16 and thank and build a little bit on some of what  
17 they said. I think that what Elder Morrison has  
18 said is -- and it struck home with most of us, that  
19 a healthy family life and a time of education for  
20 our children is so important, I think role models,  
21 mentors. Something we haven't touched on directly,  
22 but programs where children five, ten years older  
23 than the children we're trying to help, helping us  
24 help them, that's a very important thing because  
25 that contact with somebody who's making it and

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1 doing well in school or in the community five or  
2 ten years older than themselves, that's very  
3 important as well.  
4 I think what Attorney General Graham said  
5 strikes me very strongly. After all, we are told  
6 by one study that one in ten residents in Utah has  
7 been a victim of domestic violence, told that  
8 in 1995 nearly a third of the assault charges filed  
9 were about domestic violence, and yet I can speak  
10 from my own perspective that I think it's something  
11 we don't preach on nearly enough in our churches,

12 something we don't raise the consciousness about in  
 13 our communities, and I think we need to pursue  
 14 that.

15 And then I think with Lorena Riffo, I --  
 16 I'm concerned about this. We cannot do everything  
 17 in one day so we can't talk about all the problems  
 18 that need to be addressed. However, I want to  
 19 build on something Lorena said, and I think it was  
 20 implicit in what Judge Valdez said as well. Taking  
 21 off from Senator Hatch's remark that the vast  
 22 majority of our people from other countries who  
 23 have come to join us here in Utah are law-abiding  
 24 and productive citizens, when we single out for  
 25 these focus problems a group of people, in one case

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1 youth, in another case aliens, we can -- if we're  
 2 not careful if we're not cautious, we can imply  
 3 that everyone in that group is suspect, and we have  
 4 to be very careful, bend over backwards not to do  
 5 that.

6 With young people it may not be quite as  
 7 dangerous; after all, we all know young people.  
 8 You know your children, you know your  
 9 grandchildren, you're around young people. It's  
 10 more dangerous with people from other countries  
 11 because you may not know them closely, you may not  
 12 be -- they may not be your neighbors, you may not  
 13 work along side of them, so they remain the  
 14 stranger, the other. And it is -- it will  
 15 exacerbate our problems in the community if we  
 16 don't have the cooperation of these very  
 17 law-abiding and productive citizens, in listening  
 18 to them, reaching out to them, and asking them how  
 19 we can, within their own communities, draw on their  
 20 resources, including themselves, to help us to  
 21 reach these objectives we're setting for ourselves  
 22 today.

23 ORRIN HATCH: Thank you, Bishop. We  
 24 appreciate it. And (applause) you three  
 25 ecclesiastical authorities have represented the

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1 whole religious community in Utah and you've done  
 2 so well, and we appreciate having you here today.

3 I'm going to turn to Will just for one

4 minute, and then finish up with the Lieutenant  
5 Governor Walker.

6 WILFRED NUMKENA: Thank you, Senator  
7 Hatch. I appreciate the time.

8 ORRIN HATCH: Will, tell them what you do  
9 and so everybody knows.

10 WILFRED NUMKENA: My name is Will Numkena.  
11 I'm the director of the Utah Division of Indian  
12 Affairs, and I'm the state's liaison with the  
13 Indian tribes in the state of Utah.

14 I just want to bring to your attention that  
15 we in the State of Utah have eight Indian tribes  
16 and reservation lands. And if I could just make  
17 comment on a couple of items here. The Indian  
18 tribal courts and law enforcement staff truly need  
19 the support of the Department of Justice. Crime  
20 does not recognize political boundaries, and there  
21 is crime being committed on the Indian  
22 reservations.

23 One thing that I'd like to bring to the  
24 attention of the Department of Justice staff here  
25 is that with regards to major crimes that are

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1 committed on the Indian reservations there needs to  
2 be a commitment possibly of a staff person who  
3 would solely and -- give more attention to  
4 investigation of major crimes on Utah Indian  
5 reservations; also, along with that, that there be  
6 a commitment to accelerating the prosecution of  
7 these crimes that are committed on the  
8 reservations. And so I think it's important for  
9 the Department of Justice to dialogue with the  
10 Indian tribes in the state of Utah because of the  
11 political relationship they have with the federal  
12 government, as well as they having their sovereign  
13 authority.

14 On a final note, I think it's important,  
15 also, to bring out in this discussion that Indian  
16 reservations are seeing an increase in drug  
17 activity, and we are also realizing that there is  
18 gang activity now taking place on the Indian  
19 reservations, and some of those gang activities are  
20 including violent crimes. And so I think it's  
21 important that the Department of Justice work with  
22 and closely coordinate and cooperate with the

23 Indian tribes in the states, and so I just wanted  
24 to bring that to your attention. Thank you.

25 ORRIN HATCH: Well, thank you, Will.

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1 I might mention that our Youth Violence  
2 Bill that I hope will get through this year sets  
3 aside funding for grants for native American tribal  
4 courts and for the tribal prevention programs as  
5 well, so we are hopeful -- hopeful that that will  
6 be helpful to you.

7 We'll wind up with our Lieutenant Governor  
8 Olene Walker.

9 OLENE WALKER: I think one of the things  
10 that Utah is known for, and I feel great about, is  
11 the fact that we're pulling to sit around the  
12 table, forget terms, work together, and find  
13 solutions. We have all been doing certain things  
14 in both crime and crime prevention, but I think  
15 we're very aware it is not enough, and that I think  
16 the fact that we've come together today, thanks to  
17 your work, will mean that we will have even greater  
18 cooperation, that we need to recognize that we all  
19 have responsibilities. The federal government, we  
20 presented certain areas we feel very strongly  
21 about; the state, we've had comments in areas we  
22 need to improve in. Local government is a vital  
23 part. But even more important, we have talked  
24 about crime prevention, we've done many things in  
25 there. I don't want to give the illusion that

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1 nothing has been done. There has been many great  
2 organizations in our state who has put a lot of  
3 time and effort into saving kids, looking at  
4 at-risk kids, and the state has put a great deal of  
5 additional money for the first time in looking at  
6 the needs of at-risk kids. But it's got to be more  
7 and we've got to come together. And I think the  
8 five goals that we've adopted from the federal  
9 government -- safe places, that means that our  
10 community, our streets, and our homes are safe.

11 Caring adults -- this is back to Elder  
12 Morrison. We've got to do something to help those  
13 families who are not functioning well. And it  
14 doesn't mean that we point fingers at them, it

15 means we put our arms around them and help them.

16 We've got to have healthy starts. We've  
17 got -- our rate of adolescent pregnancy is low, but  
18 it isn't low enough. Many of those people that are  
19 in prison are the result of adolescent pregnancy,  
20 and we've got to work to do better to do something  
21 to help reduce that rate.

22 We've got to -- in marketable skills areas,  
23 every child in Utah deserves the right to be  
24 literate. You cannot function if you cannot read,  
25 and there is no reason why when 79 percent of our

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1 citizens are involved in service that we don't have  
2 every youth reading and every adult. We've got  
3 these major goals before us, and I -- that's what  
4 the state of ALERT is all about.

5 This has been a great meeting. The state I  
6 think is committed to go forward in both -- as  
7 Elder Morrison says, both in providing greater  
8 programs, greater law enforcement, greater beds,  
9 but also the future is determinate -- determined on  
10 the ALERT program and the goals that we're setting  
11 forth in preventing crime, and until we make that  
12 happen we won't ever have enough beds -- money to  
13 build all the beds that are needed.

14 ORRIN HATCH: Well, thank you. I'll tell  
15 you, we're very fortunate to have you and Governor  
16 Leavitt and General Graham and all of you other  
17 state leaders working as hard as you do, and -- and  
18 if -- if nothing else, we're learning more and more  
19 about what we need in this state what we are doing,  
20 the good things that we're doing and the things  
21 that we need to improve on. So this has been a  
22 terrific discussion, as far as I'm concerned. It's  
23 certainly helped me and I hope it's helped everyone  
24 here today.

25 We'd like to move into our second

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1 discussion section at this time, and we will  
2 address the Utah crime problem from the perspective  
3 of the federal government. Attorney General Reno  
4 has already provided us with an overview of some of  
5 the initiatives of the -- that the federal  
6 government would like to explore with us. We've

7 been grateful for the things that she is willing to  
8 do for us, as well as she's outlined here this  
9 morning, all of which will be immensely helpful to  
10 us.

11 Before we start the discussion, however, I  
12 would like to turn to the heads of the individual  
13 law enforcement agencies within the Department of  
14 Justice so they may elaborate briefly on the  
15 programs within their jurisdiction.

16 We're honored to today to have them with  
17 us, and in particular we'll hear first from the FBI  
18 director Louis Freeh. Director Freeh is head of  
19 the FBI since 1993, and in my opinion is as good an  
20 FBI director as we have ever had. I have a  
21 tremendous respect for him, work with him every  
22 day, and I've seen him do just about everything  
23 that needs to be done.

24 He also is the first FBI director to be an  
25 FBI agent, a federal prosecutor, and a federal

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1 judge. And he left his federal judgeship to come  
2 and serve as FBI director. He comes to us today  
3 with the experience of one who's been in the  
4 forefront of law enforcement as well. He has  
5 served as FBI special agent and an assistant  
6 U.S. Attorney and as a federal district court judge  
7 during his career, so he knows well the problems  
8 that law enforcement faces.

9 Director Freeh will provide some more  
10 details on the increased resources the FBI can  
11 devote to federal crime in Utah and how those  
12 resources might be deployed.

13 So at this point I'd like introduce to you  
14 Louis Freeh the director of the FBI. (Applause)

15 LOUIS FREEH: Thank you very much, Senator,  
16 and it's a delight and a pleasure to be here, and  
17 I'm very optimistic not only of what I've briefly  
18 heard this morning but the working papers and the  
19 planning and, of course, the follow-up which will  
20 come forth in this meeting.

21 Let me begin, Senator, by commending you  
22 for convening this summit, and perhaps more  
23 importantly, for the comprehensive leadership  
24 you've provided law enforcement, certainly for many  
25 years, but clearly in my tenure as FBI director.

1           A lot of times because of our preoccupation  
2 with immediate issues -- and in some ways that's  
3 what law enforcement does; law enforcement in many  
4 regards treats a patient with a fever with respect  
5 to many of the crimes that we work against,  
6 particularly at the state and local level. And  
7 it was very gratifying to hear today talking about  
8 the -- the disease. The problems, particularly  
9 those relating to violent crime, drug use, drug  
10 abuse, drug trafficking, are problems which are  
11 beyond the single competence of law enforcement and  
12 go to comprehensive social-economic problems which  
13 need to be addressed. And it's always gratifying  
14 to hear that balance as heard here, very informed,  
15 a few moments ago.

16           The other aspect of effective law  
17 enforcement is really the infrastructure and the  
18 cooperation which has to be provided and  
19 established between our federal, state, and local  
20 agencies. Senator Hatch's colleagues in the  
21 senate, the Attorney General, have been critically  
22 instrumental in providing that infrastructure.

23           Four years ago, because of changes in  
24 technology, the federal government, along with the  
25 state and local colleagues, many of whom are

1 recommended here from law enforcement, would have  
2 lost its court-authorized authority to conduct wire  
3 taps, wire taps which are very sparingly used in  
4 the United States, only 1149 in 1996, the majority  
5 which are done by the federal government, but 49  
6 percent are done by our state and local partners.  
7 Senator Hatch, his colleagues in the senate, the  
8 Attorney General addressed that critical problem  
9 by, one, recognizing it, and, two, overcoming very  
10 difficult resistance in passing a statute which will  
11 now give all of us in this room the ability to  
12 treat that fever with the technique which is most  
13 important in drug trafficking cases, certainly also  
14 in counterterrorism cases. And for that  
15 leadership, Senator, you and your colleagues need  
16 to be commended.

17           Last year, again under the leadership of

18 the attorney general, Senator Hatch and his  
19 colleagues doubled the resources which are used in  
20 our counterterrorism program. Whether we're  
21 dealing with an incident in Oklahoma City or  
22 retrieving, as the federal government recently did,  
23 a fugitive from abroad who was wanted not for a  
24 federal crime but by the Fairfax county prosecutor  
25 for the murder of two individuals, those are the

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1 resources and the infrastructure which are  
2 necessary for us to do our job.

3 With respect to the initiatives here in  
4 Utah and Salt Lake City, we're already beginning to  
5 plan, as you know, for the Olympics in 2002.  
6 You'll see, in addition to the 2000 athletes  
7 from 85 countries, two million visitors. 3.5  
8 million people will view some of those proceedings  
9 on television. It is critical that from a law  
10 enforcement point of view, from a crisis management  
11 point of view, those plannings and underpinnings  
12 have already begun -- begun in earnest and will be  
13 accelerated over the years prior to the Olympics.  
14 Those matters, counterterrorism matters and crisis  
15 management matters, depend critically on the  
16 cooperation between the state, local, and federal  
17 authorities, which in this division in this state  
18 of longstanding are very well practiced and very  
19 well established.

20 With respect to violent crime programs,  
21 your gang project here has identified, for  
22 instance, the presence of 288 gangs, perhaps 3500  
23 members. The initiatives which are necessary to  
24 deal with that problem from a law enforcement point  
25 of view require the combined resources of our

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1 federal, state, and local agencies to mount a  
2 successful and comprehensive attack on a gang like  
3 the Surenos gang which was recently prosecuted  
4 here. The combined initiatives and resources of  
5 all our federal agencies must be pooled together.  
6 We must be able to use more authorized wire taps,  
7 undercover operations, and then rely on competent  
8 and able prosecutors to bring appropriate  
9 prosecutions before the courts.

10           One of the continuing crime problems which  
11 has been recognized here by all of you and  
12 certainly by the federal government is the  
13 interconnection between the gang activity, gang  
14 violence, and drug trafficking. The two in many  
15 cases are indistinguishable. From a law  
16 enforcement point of view we need to have effective  
17 combinations or task portions, as we call them,  
18 where we can address those problems. The FBI has  
19 three main task forces which we support in Utah.  
20 Two are dealing specifically with violent crimes,  
21 and a fugitive apprehension task force is a  
22 separate and third task force which works on the  
23 reservation. It's called our "Safe Trails Task  
24 Force," which is very effective in dealing with  
25 some of the violent crime problems.

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1           What we need to do in the next few years as  
2 planning with the Olympics, insure that with --  
3 with respect to drug trafficking, violent crime,  
4 particularly gang crime and gang establishments,  
5 that our federal resources are here and effective  
6 and also combined appropriately with our state and  
7 local departments.

8           We are doubling the number of agents that  
9 we have assigned to the drug program here in Utah  
10 over the next two years. That's in combination  
11 with the two existing task forces and our liaison  
12 and joint operations with the Drug Enforcement  
13 Administration, the Marshal Service, the INS, all  
14 of the agencies which you see represented here  
15 under the Attorney General's leadership.

16           We are very confident that these problems  
17 from a law enforcement level can be dealt with,  
18 that the violent crime rates can be reduced by  
19 effective management of these resources, and we  
20 look forward to working very closely with all of  
21 you and hearing from you to guide and channel  
22 our -- our efforts in this regard.

23           Senator, let me just again compliment you  
24 for convening this summit and for the  
25 forward-looking nature of all of its aspects.

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1           ORRIN HATCH: Well, thank you,

2 Mr. Director. We've been extremely honored to have  
3 you with us today, and we appreciate all the hard  
4 work you do across our country.

5 Next, federal Drug Enforcement  
6 Administration administrator Tom Constantine will  
7 elaborate more on the Department of Justice's  
8 proposed initiatives to combat drug trafficking in  
9 Utah.

10 Director Constantine also -- also notes  
11 well the challenges faced by state and local law  
12 enforcement. Having come up through the ranks of  
13 the New York State Police before serving for six  
14 years as head of the New York State Police. I've  
15 really enjoyed working with him. And everything we  
16 called upon him to do he's done. He's a tough cop  
17 and a very good guy and a person who I think is  
18 making a heck of a difference. And this  
19 administration deserves applause for the good  
20 people that they have represented here today. Each  
21 of them has made a difference in -- in our country  
22 and in the respective jobs that they've done. But  
23 Tom has done a great job, and I just want to  
24 welcome you here, and we're very grateful to have  
25 you here, and we look forward to hearing your

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1 remarks at this time.

2 THOMAS CONSTANTINE: Thank you. (Applause)

3 Mention has been made about the efforts of  
4 Senator Hatch and others and Attorney General Janet  
5 Reno here today. One of the things that perhaps  
6 not many people see is their efforts in  
7 Washington. Again and again, as head of the DEA, I  
8 will receive support or guidance from the Attorney  
9 General. She will ask me what types of resources  
10 that we need to make an impact or what type of  
11 legislation will make a difference. We will then,  
12 obviously, meet with the leaders in the Senate and  
13 in the House.

14 I think Senator Hatch stands, in my  
15 opinion, as an individual and an elected official  
16 that represents all that I believed when I came to  
17 Washington that politicians should be: bright,  
18 hard working, and caring about such issues, and  
19 they support us a great deal.

20 Many of the people that you have here in

21 the room today from law enforcement of Utah,  
22 sometimes you don't recognize it when they're in  
23 your own livingroom, but Ruben Ortega and Aaron  
24 Kennard and the people running your DPS and your  
25 highway parole are not only recognized as high

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1 quality law enforcement officials, in the meetings  
2 that I've been going to in 37 years of law  
3 enforcement they actually take charge and run many  
4 of the meetings and have many of the good ideas  
5 that come forth.

6 I've listened to people from the clergy,  
7 people -- elected officials and lawyers, many of  
8 them, in all honesty, brighter than I am, great  
9 grasps of the issues, and I think more importantly  
10 they're residents of Utah, and -- and I can sense  
11 the depth of their emotions as they talk about the  
12 problems, so it would be redundant for me to try to  
13 repeat those types of things.

14 But let me tell you, as I thought on the  
15 way out to the plane what a strange twist of fate  
16 has occurred here. As I read the work of Judge  
17 Hutchings and Professor Smith and analysis of crime  
18 rates in comparison to Utah in comparison to the  
19 nation and to New York City, I couldn't think how  
20 ironic -- I couldn't help but think how ironic it  
21 was that it was really the death of a young man  
22 from Utah that changed the entire crime picture in  
23 the United States. In 1990 a young kid from Provo,  
24 Utah with his family on their way to the tennis  
25 open in Forest Hills Queens defended his mother,

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1 his father, and sister from a bunch of predators  
2 that were snatching chains and slashing wallets and  
3 beating up his own mother. They stabbed that kid  
4 to death in front of his parents. It created an  
5 outrage in that city like I had never seen before  
6 in my history. I, like Ruben Ortega, had spent 30  
7 years in that state frustrated by what I thought  
8 was a sense of denial of what had happened in that  
9 state of violent crime. I've watched the murders  
10 go from when I was a rookie trooper from 482 up to  
11 2,600 in that state with no increase in  
12 population. Surely there had not been a

13 significant increase in police officers, prisons,  
 14 prosecutors, probation officers, rehabilitation  
 15 workers, or prevention programs.

16 I traveled that fall with the governor and  
 17 the mayor of New York to meetings with every  
 18 business and community official in that city. The  
 19 headlines of every paper finally said, "We must do  
 20 something about this problem in New York City." I  
 21 watched partisan politicians from both sides in a  
 22 state equally divided between republicans and  
 23 democrats, I watched the division between New York  
 24 City and upstate all be overcome. Special taxes  
 25 were enacted. 8000 more policemen were added to

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1 the New York City Police Department. The size of  
 2 that police force was increased by 30 percent.  
 3 Tens of thousands of prison beds were built at a  
 4 very expensive cost. Prisoners were double bunked,  
 5 which as those in corrections would recognize is a  
 6 very sensitive and at times a dangerous situation.

7 What has the result been? This is in the  
 8 face of a state whose economy did not grow like  
 9 Utah's. The unemployment rate in that city really  
 10 never wavered. The civil service spending, if  
 11 anything, unfortunately decreased. But that city,  
 12 through the effective use of law enforcement and a  
 13 just coming together of the community to say enough  
 14 is enough, will this year go from 2200 homicides  
 15 just six years ago down to probably 800. So as we  
 16 sit here there's 1400 people who will walk that  
 17 city's streets today who would be dead if there had  
 18 not been the reaction much like I've seen in this  
 19 room today.

20 You should get much credit for this. I  
 21 think, however, the real answer will be a  
 22 continuance of the spirit of today.

23 Let me tell you what we do in DEA to try to  
 24 help out. We are a relatively small agency. It's  
 25 essential that we work with every other law

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1 enforcement institution. We have three major  
 2 strategies in DEA that are important to you and  
 3 important to the country. It has to be recognized  
 4 that there are some very powerful, sophisticated,

5 wealthy, organized crime syndicates in this world  
6 who control your destiny in Salt Lake City. There  
7 are decisions being made this morning in Cali,  
8 Columbia and in Cullacan, Mexico that will affect  
9 just how much methamphetamine, cocaine, and heroine  
10 arrive on the shores of the United States, how it  
11 will be distributed, how the profits will be  
12 retrieved and sent back to these major drug lords.  
13 The investigation of those people is very, very  
14 difficult.

15           Some time ago, through -- I agree with  
16 Senator Hatch, probably one of the great people in  
17 law enforcement is Director Freeh. We sat down and  
18 said that if we could pool our assets between the  
19 FBI and DEA, something that had really never been  
20 done to a great degree before, co-locating our  
21 individuals, we would target the leaders of these  
22 organizations and try to take their whole structure  
23 down. We have dedicated 500 DEA and FBI agents to  
24 go after these systems and after the leadership.  
25 Much of its sophisticated investigations often

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1 using court-authorized wiretaps. To give you a  
2 sense of what we spend on that, the DEA alone  
3 spent \$5 million last year in translation costs of  
4 conversations of the leaders of these organizations  
5 outside the United States and inside the United  
6 States. We have been effective in some places.  
7 The Cali, Columbia group, thought to be  
8 indestructible is now destructible, and some very  
9 honest people in that government are assuming  
10 leadership positions. The same thing was done by  
11 DEA officials involving the Medellin group when it  
12 threatened to destroy the entire structure of that  
13 country.

14           Here in the United States there are  
15 national organizations. Often there are  
16 individuals sent here from other countries to  
17 monitor and run and to enforce the drug trafficking  
18 for their -- for their foreign leaders in command  
19 and control situations. That's where in places  
20 like Salt Lake City DEA agents along with 16 state  
21 and local law enforcement officers and a  
22 metropolitan task force can be very effective.

23           The highway patrol was mentioned here in

24 Utah. Probably the most effective interdiction  
25 program for stopping drugs from reaching your

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1 household is not a ship at sea, not a radar plane,  
2 it's a very efficient highway patrol officer,  
3 deputy sheriff, or patrol officer. They have  
4 seized over 90 tons of cocaine in this country, 600  
5 tons of marijuana, and over \$300 million in cash in  
6 the last six years. We have now just gone through  
7 a situation of training 39 additional highway  
8 patrol officers, and we will grant them federal  
9 authority in a short period of time.

10 However, what the public really sees is the  
11 violence that's associated with the drug  
12 trafficking. It is an incredible level of a  
13 violence that has affected this entire country. We  
14 asked the Attorney General, and they supported us  
15 with mobile enforcement teams. We have 250 people  
16 in DEA whose sole job is to work for state and  
17 local law officials. We don't come in and run the  
18 investigations, we just provide the agents, the  
19 manpower, the technical equipment, and money. All  
20 of the key decisions, all of the publicity, all of  
21 the results rightly accrue to the chief of police  
22 or the sheriff, because those are the individuals  
23 that know the community best and have to face the  
24 criticism if the problem becomes irresolvable.

25 The only thing I would say is those have

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1 been so effective in the last two years we really  
2 are starting to have a waiting list for cities and  
3 communities and towns that want their use. We have  
4 arrested over 3500 specifically violent drug  
5 criminals throughout the United States in the  
6 relatively two and a half years that they have been  
7 implemented, which is a very short period of time.

8 The only thing I would say in closing is  
9 that in New York in 1989 and 1988 and 1978 people  
10 said this problem was irresolvable, we could not  
11 solve this situation by taking aggressive action  
12 against violent criminals, and many people started  
13 to believe that. It is not rocket science what has  
14 happened in New York City. They gave them the  
15 assets, they gave them the availability, and people

16 of goodwill who are interested in the safety of  
 17 their own children, because the most vulnerable  
 18 people are not the wealthy, they're not the middle  
 19 class, they're the poor people in our society, and  
 20 all of those programs should be dedicated to  
 21 preventing the least amongst us becoming a victim  
 22 of violent crime.

23 And what you've done here today I think is  
 24 impressive, and I think if you look five years from  
 25 now your results will be similar to those of New

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1 York City. And I'm just thankful, Senator, that I  
 2 had the opportunity to be here this morning.

3 ORRIN HATCH: Thank you. (Applause)

4 You can see why I love working with these  
 5 federal law enforcement officials they are great  
 6 people, and to have them here is a great honor for  
 7 us.

8 But I would like to have Sherman and Karen  
 9 Watkins stand. They're here with us today. Would  
 10 you please stand. This is the family. These are  
 11 the parents that he referred to. (Applause)

12 It was a tremendous loss to -- to lose your  
 13 son that way, but when you hear how it's mobilized  
 14 people in New York and throughout the country, that  
 15 vicious, heinous murder, you at least have to have  
 16 some solace from that.

17 And, Tom, we're grateful to you that you  
 18 told that today because it -- it just means a lot  
 19 to all of us here in Utah. And we're very, very  
 20 grateful to have Sherman and Karen here with us  
 21 today.

22 Now, the Immigration and Naturalization  
 23 Commissioner Doris Meissner has devoted nearly her  
 24 entire career to the particular problems of  
 25 immigration enforcement. She's a wonderful person,

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1 and it's very tough job, and she goes through  
 2 perhaps, in some respects, some of the worst abuse  
 3 of anybody who works for the federal government,  
 4 most all of which is unjustified. And she will  
 5 elaborate on the Attorney General's proposal  
 6 initiatives to deal better with the serious  
 7 problems of criminal and illegal aliens in Utah.

8                   And I just want to personally thank you and  
9                   General Reno for the help that you've given us up  
10                  to now, because you have helped us. When we  
11                  requested help they were happy to give it. And  
12                  every time I've called on you, Doris, you've  
13                  been -- you've been very helpful. So we just want  
14                  to thank you for being here, and we look forward to  
15                  hearing your remarks at this time. (Applause)

16                 DORIS MEISSNER: Senator Hatch, thank you  
17                 very much, Governor Leavitt, the other Utah  
18                 officials and Utahns in general who are here, for  
19                 all your warm hospitality and for the opportunity  
20                 to participate in this extraordinary meeting. I  
21                 especially appreciate the comments that have been  
22                 made earlier this morning about -- from so many of  
23                 you about immigrants as law-abiding members of the  
24                 communities in which we live. That is particularly  
25                 important as we talk about immigration, the work of

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1                 the Immigration Service, and I want especially to  
2                 associate this INS with that idea and keep it  
3                 uppermost in our minds as we move forward in  
4                 solving these very difficult problems that are  
5                 before us.

6                 Identifying, detaining, and removing  
7                 criminal aliens is INS' top priority in the  
8                 Interior of the United States. Since 1994 the  
9                 Immigration Service, working very closely with  
10                 Senator Hatch, has nearly tripled its enforcement  
11                 capability in Salt Lake City and in Utah. We have  
12                 grown from nine special agents and detention and  
13                 deportation personnel to 23 today. Three more are  
14                 scheduled to be on board before the end of  
15                 September. There is an estimated illegal alien  
16                 population in this country nationally of five  
17                 million. INS has one enforcement position per 839  
18                 undocumented aliens around the country. In Utah we  
19                 have one enforcement position per 577 undocumented  
20                 aliens, so our enforcement strength here far  
21                 exceeds the national average.

22                 We believe that these resources are  
23                 beginning to pay off. INS is now removing from the  
24                 state of Utah 100 percent of identified illegal  
25                 aliens who are aggravated felons. By virtue of a

1 special agreement with the state attorney and  
2 Utah's Third District Court, we have removed 155  
3 aliens who have agreed to be deported after  
4 pleading guilty -- guilty to drug charges. This  
5 effort holds real promise, and we believe that it  
6 can be the basis for an expanded and strengthened  
7 similar effort.

8 So far this fiscal year we have also  
9 transported 58 criminal aliens from Utah state  
10 prisons to Denver for formal deportation hearings.  
11 Because these criminal aliens have formal  
12 deportation orders, they're subject to severe  
13 criminal penalties if they return to the United  
14 States. This approach, too, has the potential to  
15 expand and grow with greater local and federal  
16 planning and coordination.

17 A provision of the 1996 immigration law  
18 which permits INS to delegate enforcement powers to  
19 state and local authorities subject to Memoranda --  
20 Memoranda of Understanding and appropriate training  
21 will launch a new era of cooperation with local law  
22 enforcement. When we have established the  
23 regulatory framework for this program we would like  
24 to ask Utah to be the pilot for implementing these  
25 new law enforcement authorities.

1 ORRIN HATCH: That's great. That's great.  
2 (Applause)

3 DORIS MEISSNER: County jail authorities in  
4 Utah have been extremely helpful in providing  
5 temporary detention space, for which we are very  
6 grateful. We are now working with the United  
7 States Marshal Service and the Davis County Jail to  
8 increase our available detention space by as much  
9 as 40 beds or more. This will permit us to detain  
10 and remove many more illegal aliens who are  
11 convicted of crimes who are associated with  
12 criminal activity and who work in the United States  
13 without authorization. We're also increasing our  
14 ability to transport illegal aliens out of Utah.  
15 We do this with vans, busses, and with U.S. Marshal  
16 Services' flights. The delivery of two new  
17 maxivans next month will substantially increase our  
18 capacity to transport aliens to Denver and to

19 Las Vegas for immigration hearings and removal from  
20 the United States. This transportation  
21 infrastructure allows us to make current resources  
22 in Utah at all levels increasingly productive and  
23 effective.

24 Working together, INS and Utah law  
25 enforcement efforts have accomplished a great

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1 deal. There is more we can do and there's more  
2 that we want to do. Our ideas for next steps  
3 require that our partnership broaden and deepen.  
4 We look forward to that endeavor.

5 Senator Hatch, thank you so very much, very  
6 much.

7 ORRIN HATCH: Thank you.

8 Doris Meissner is one of the people I have  
9 gained respect for, as you can easily see. She  
10 lost her husband in the -- in the terrible crash of  
11 the plane that Secretary of Commerce Brown was in,  
12 and I remember when that happened it was  
13 devastating to her, but she has not let up in doing  
14 her job and she's just carried on and done a  
15 terrific job since that time. So I -- I really,  
16 really just want to acknowledge that to her today,  
17 and I've personally appreciated what she's done.

18 Our final speaker representing the federal  
19 side of things will be Ed Gonzales the Director of  
20 the United States Marshals Service. I have a lot  
21 of respect for Ed and for what the Marshals Service  
22 does. And, as you know, we -- we get tremendous  
23 services of our marshals here in the state of  
24 Utah. I know them all and I'm very proud of them.  
25 And we're very pleased to have you here, Director

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1 Gonzalez, so we'll turn the time over to you at  
2 this time.

3 EDUARDO GONZALEZ: Thank you very much,  
4 Senator. It's my privilege to be here in Utah.  
5 Thank you for setting this summit up.

6 I think Ruben Ortega hit the nail right on  
7 the head when he said that the most important thing  
8 is to acknowledge that you have a problem, because  
9 when you take that first giant step you can really  
10 get to the solutions to the problems. I want to

11 thank Sheriff Kennard and Sheriff Davis and all the  
 12 county sheriffs in Utah that have provided so much  
 13 support for us. I understand the restrictions that  
 14 you're facing, Sheriff, with -- with the cap, and  
 15 it makes it difficult to provide more beds for us.  
 16 But in any case, we're certainly grateful for the  
 17 support that you provide.

18 The Attorney General talked about our  
 19 experiences in Miami. I've -- originally I've  
 20 spent 26 and a half years working with law  
 21 enforcement in Miami, and much of that time the  
 22 Attorney General was state Attorney General in  
 23 that area. And she was talking about our  
 24 experiences in the '80s. In the '80s we had  
 25 an infusion of immigrants from Cuba, and

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1 nearly 200,000 came across on the marial boat lift,  
 2 and we were overwhelmed and we were swamped and we  
 3 thought we could never get a handle on it, and the  
 4 truth of the matter is that Miami did get a handle  
 5 on it and got the problems taken care of. And Salt  
 6 Lake City and Utah will also get a handle on their  
 7 problems because of the commitment of you folks  
 8 that are sitting out here in the audience.

9 She also talked about the federal response  
 10 back in those days, and I was wondering about the  
 11 feds coming in and telling you what to do and how  
 12 to do it, and -- and her approach was is to go in  
 13 and ask, not task. And it reminded me of a -- of a  
 14 little story about three dogs that are allowed to  
 15 in and search a building, and one is a local dog  
 16 and one is a state dog and one is a federal dog.  
 17 And after a couple of minutes the local dog came  
 18 out and he had three guns in his mouth, and he had  
 19 recovered three guns in the building. A short time  
 20 later the state dog came out and he had a couple of  
 21 bags of cocaine in his mouth and had made that  
 22 recovery. And a short time later the federal dog  
 23 came out. He didn't have anything in his mouth,  
 24 but he called a press conference and announced the  
 25 recovery of the guns and the cocaine. I can assure

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1 you that -- (applause) -- under -- under the  
 2 attorney general's leadership that doesn't occur

3 and won't occur. As -- as Tom Constantine said  
4 earlier we go in with a task force to see what --  
5 what it is we can do to help, not to take over a  
6 community.

7           There is one area I'd like to throw on the  
8 table for discussion, and we always talked about  
9 bricks and mortars, and I'd like to suggest that  
10 there's also some technology we need to look at.  
11 We have been talking about closed-circuit video  
12 conferencing for preliminary hearings, and perhaps  
13 we're -- interviews between attorneys and  
14 defendants, and while we've talked a lot about it  
15 we haven't been real successful at getting it  
16 accomplished. But recently there was a judge in  
17 eastern Illinois, Judge Paul Riley, a federal  
18 judge, who convened a civil trial where the  
19 prisoner-plaintiff was in New York, and the trial  
20 was actually held in East St. Louis. And the jury  
21 was in East St. Louis, the defendant's attorney was  
22 in East St. Louis, the plaintiff's attorney was in  
23 East St. Louis. And Judge Riley really did a  
24 wonderful thing. He saved the government about  
25 \$30,000 by doing the trial in that fashion, and

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1 more important than that, became a federal advocate  
2 for the use of closed-circuit TV's.

3           I immediately flew into East St. Louis and  
4 gave the judge a plaque and suggested to the judge  
5 I would certainly be using his name everywhere in  
6 the country in support of the video conferencing  
7 initiative. It's one way that we can all save  
8 money, and we can group our prisoners then in  
9 different areas of the country and not spend a lot  
10 of money on bricks and mortars. It will be  
11 difficult to get done there. There are certainly  
12 lots of constitutional considerations, and I  
13 wouldn't want anybody's civil rights to be trampled  
14 in -- just to save some money, but we certainly  
15 have to look at that as an issue.

16           And I'm glad to be here, Senator, and I'm  
17 ready to answer any questions you all may have.  
18 Thanks very much.

19           ORRIN HATCH: Well, thank you so much.  
20 (Applause)

21           Let me just turn to -- to Senator Bennett

22 first for any comments he might have.

23 I might mention to you that Senator Bennett  
24 is on the very powerful Appropriations Committee,  
25 so I look to him on virtually all Utah issues to

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1 assist in -- and -- and really to do the job in  
2 helping to see that we have the appropriate funding  
3 and the appropriate funding levels, and he does a  
4 terrific job on that committee. But we're really  
5 honored that he's been with us here today and has  
6 taken all this time to spend with us. So let's  
7 turn to Senator Bennett, and then we'll move on  
8 from there.

9 ROBERT BENNETT: Thank you. Not only does  
10 Orrin look to the Appropriations Committee but  
11 everyone else does, and I've learned want to be  
12 very quiet when it comes to making any kind of  
13 commitments. Deedee's on the phone to me all the  
14 time about transportation issues and so on.

15 But I want to share with you a -- a  
16 personal observation that may well come out later  
17 on but that I think needs to be highlighted here.  
18 I went on a ride-along with one of Ruben Ortega's  
19 police squads one night and watched how making drug  
20 arrests in Salt Lake City is like fishing in a fish  
21 hatchery; you just throw in the line and pull it  
22 out and throw in the line and pull it out. As we  
23 left the police headquarters they created a -- an  
24 informal pool to see how quickly the first arrest  
25 would be made, and the lowest bet was five

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1 minutes. And the first arrest was made in three  
2 and a half minutes, beating the pool, because  
3 virtually every place you turn there was someone on  
4 the street corner, quite openly and blatantly,  
5 making cocaine available. They even asked me to  
6 get involved, and I guess I'm on record somewhere  
7 as being involved in buying cocaine on the streets  
8 of Salt Lake.

9 ORRIN HATCH: Let's be careful here.

10 ROBERT BENNETT: Fortunately, there was a  
11 police woman with me in the van and she can vouch  
12 for the fact that it was all proper.

13 After that experience I joined with Senator

14 Hatch in asking the Attorney General for the  
15 increased INS people that have been referred to  
16 here today, and -- and everyone thanked me and  
17 thanked Senator Hatch, and that's fine, except that  
18 not very many months after that I had the police  
19 chief from Ogden in my office. And, Mayor  
20 Corradini, after you had the sting operation that  
21 you've described here and -- and the benefits of  
22 it, the chief of police in Ogden says, "What's  
23 happened? We have illegal aliens all over the  
24 streets of Ogden selling cocaine openly." And you  
25 had squeezed the balloon in one place in the state

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1 to see it come out someplace else.

2 And I was reminded of that, Mayor, when you  
3 held up the -- the cards for legal residency that  
4 were forged and improper, because the chief of  
5 police of Ogden brought me a stack this high  
6 (indicating) and he said, "Any kind of  
7 identification you want, Senator, we can provide  
8 for you in Ogden in a matter of minutes on the  
9 street, any kind of card and circumstance." And I  
10 looked through them, I couldn't tell the difference  
11 between those and the legal ones. They then  
12 pointed out those to me. This shows how -- how  
13 serious this problem is and how fluid it is, and,  
14 unfortunately, how the demand will go to wherever  
15 the supply might be available.

16 I have been deliberately quiet this  
17 morning, wanting to sit here and listen as much as  
18 possible because this is not my field of expertise,  
19 and I -- I thought the more quiet I remained the  
20 more wise I might appear. But it -- it is very  
21 clear that in addition to all the things we are  
22 talking about here as far as drugs are concerned,  
23 we've got to do something about demand side as well  
24 as the supply side. I'm grateful for the religious  
25 leaders that are talking about that in terms of

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1 lowering the criminal mentality. We -- the school  
2 people who are here understand that we must do  
3 things in schools to try to raise literacy because  
4 there is a direct correlation between literacy and  
5 criminal activity, between good families and

6 criminal activity and so on. We are never going to  
7 solve the problem of drugs in our society on the  
8 interdiction side alone. Yes, we have to have the  
9 kind of interdiction activities that we are talking  
10 about here, but we must do something to lower the  
11 level of demand for these products.

12 We have seen activity on the federal level  
13 dealing with tobacco, a major drug problem but that  
14 does not lead to this kind of behavioral  
15 aberrations of crime that other drugs do. There's  
16 been a major educational program in our schools to  
17 try to get our youth to stay away from tobacco;  
18 conversation about doing the same thing with  
19 alcohol, which is the drug of choice. We need to  
20 not turn a blind eye or a wink at marijuana use as  
21 being something that every teenager experiments  
22 with and it's okay. Social use of drugs,  
23 entertainment use of drugs and "it's okay" sends a  
24 message that we have to clean up afterwards on the  
25 streets if we don't focus there as well.

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1 So I'm grateful to be here and I  
2 pay -- pay tribute to -- to you, Orrin. You've  
3 marshalled the power of the chairman of the  
4 Judiciary Committee in a way that I don't think any  
5 other chairman has ever marshalled on behalf of  
6 this state. To have all of these folks follow you  
7 out to Utah is a tremendous demonstration of the  
8 regard with which you're held by your colleagues  
9 and, frankly, how important these folks feel you  
10 are that they want to come out here to this state  
11 and arrange their schedules to be here. And I'm  
12 just grateful that you represent our state instead  
13 of Mississippi or New Jersey or some other place  
14 where they would be having this conference.

15 But at the same time, in the spirit of this  
16 I would hope that all of us who are gathered here  
17 today, primarily on the law enforcement and  
18 interdiction side, will -- will give some thought  
19 as members of the community to what we can do to  
20 deal on the drug problem with -- with help on the  
21 demand side, because if the demand for these things  
22 were to disappear it wouldn't matter how much of it  
23 was growing in Columbia, they wouldn't have anybody  
24 to sell it to.

25

So with that let me thank you all for

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1 coming, again thank our federal leaders for coming,  
2 and as an appropriator say I've learned to be very  
3 quiet about what commitments I will make in advance  
4 on the money, but assure you that I am listening  
5 and will do what I can with my fellow appropriators  
6 to see to it that the money is necessary to take  
7 care of these challenges. Thank you.

8 ORRIN HATCH: Well, thank you, Senator  
9 Bennett. (Applause)

10 Let me throw this open to comments and  
11 questions. You have these federal officials here.  
12 This is a chance for -- for you to have a crack at  
13 them and -- and make any points or ask any  
14 questions you care.

15 ORRIN HATCH: Aaron Kennard.

16 AARON KENNARD: Thank you, Senator.  
17 Sheriff Aaron Kennard, president of the Utah  
18 Sheriff's Association.

19 I have to, first of all, thank you for your  
20 friendship to the law enforcement community not  
21 only of Utah, but as seventh vice president of the  
22 National Sheriff's Association we have seen you  
23 support all of the nation's sheriffs, over 3500 of  
24 them.

25 Janet Reno, Attorney General, you, too,

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1 have been a very true friend of the sheriffs  
2 throughout the country. Your roots started in Dade  
3 County so you know full well what the local efforts  
4 of the sheriffs are. We thank you for your support  
5 and know full well that you are a partner.

6 DEA Administrator Mr. Constantine, you've  
7 touched on some very touchy subjects. We couldn't  
8 agree more with what has happened in New York, the  
9 big problem being with what they have done and what  
10 we have been able to do here in Salt Lake County  
11 and in Utah and the mere fact of not having the  
12 jail beds to lock up those people. New York hired  
13 6500 to 8000 cops, and they spent millions of  
14 dollars building jail beds. Over three years  
15 ago 80 percent of the citizens of Salt Lake County  
16 voted to build a jail and voted for a tax increase

17 to build that jail. We're about ten years behind  
 18 the times in getting this jail up and running.  
 19 I a year and a half ago took a shot at the  
 20 Marshal Service. It was an attempt to let you  
 21 Mr. Gonzalez and your people know that we had a  
 22 serious problem here. It was not a personal attack  
 23 against you people, but my responsibilities lie  
 24 within the residents of Salt Lake County. I had to  
 25 cut you back, and it seems like we were at odds

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1 with each other; however, we are in a partnership.  
 2 You'll hear from Commissioner Callaghan in regards  
 3 to what we think could be a further partnership  
 4 with the federal government in -- here in Salt Lake  
 5 County as well as in the state of Utah.

6 Also, a year and a half ago I presented to  
 7 the INS a unique situation in that we would help  
 8 you move these illegals across the borders if you  
 9 would simply give us the ability of  
 10 cross-deputization. You have seen the wisdom in  
 11 that. We thank you, Commissioner, in regards to  
 12 that. Hopefully we can take it a step further and  
 13 help the Marshal Service in getting rid of some of  
 14 these unfavorable people here that are preying on  
 15 our citizens.

16 So in behalf of all the sheriffs in the  
 17 state of Utah as well as the United States, thank  
 18 you, Senator, for all you've done.

19 ORRIN HATCH: Well, thank you, Aaron.

20 I'm going to have to step out for a minute,  
 21 so I'm asking Senator Bennett to moderate until I  
 22 get back. So Senator, I'll turn it over to you.

23 ROBERT BENNETT: All right. And the first  
 24 one I see is the U.S. attorney, so Scott Matheson,  
 25 let's hear from you.

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1 SCOTT MATHESON, JR.: I don't know if this  
 2 is a federal perspective or a local-federal  
 3 perspective, but I think I'll just jump in and just  
 4 make a couple points.

5 First of all, I'd like to thank Senator  
 6 Hatch for organizing this conference. It has been  
 7 already an extraordinary demonstration of the  
 8 commitment around the table and throughout the room

9 to work together; extraordinary in one sense but  
10 perhaps not surprising in another. For those of us  
11 who have worked over the years on law enforcement  
12 issues, some of us shorter and some of us longer  
13 than others, I think all of us would agree that in  
14 the state of Utah the principle of working together  
15 is so ingrained in Utah law enforcement culture  
16 that it's really manifesting itself throughout the  
17 room today, and I think that this gathering will  
18 only serve to reinforce, strengthen, and deepen  
19 that commitment.

20 As I've been listening to the speakers  
21 throughout the morning I was thinking of some of  
22 the major prosecutions that my office has done on  
23 the federal level, and I can think of very, very  
24 few that have not involved a cooperative law  
25 enforcement effort involving agents from a variety

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1 of federal, state, and local agencies. I think of  
2 the violent crime task forces that Director Freeh  
3 mentioned in his opening remarks this morning, the  
4 DEA Metro Task Force, the Utah Navajo Reservation  
5 Violent Crime Task Force, and the many cooperative  
6 working relationships that have been developed and  
7 will be developed, that sets such a strong  
8 foundation for the resources that Attorney General  
9 Reno announced this morning.

10 We are, of course, honored and delighted  
11 that -- that she is here. It's been such an honor  
12 for me, and I can speak for my entire office, to be  
13 part of the Justice Department during her time as  
14 the Attorney General, and a special privilege for  
15 her to come into our district today, and we're very  
16 delighted to hear the announcement of the resources  
17 that -- that she specified this morning. Planning  
18 is already under way to organize the agents, the --  
19 the prosecutors, and probably most important, the  
20 augmented jail space into our ongoing operations to  
21 make this a -- a good solid initiative to address  
22 the violent crime, drug, illegal immigration  
23 problems affecting the state of Utah.

24 I should point out that the increased  
25 resource that the state has received in the

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1 immigration enforcement area has resulted in a  
2 tremendous increase in immigration prosecutions  
3 that have been handled at the federal court over  
4 the past few years. In fact, our prosecutions have  
5 almost gone to tenfold from where they were about  
6 four years ago, and at this point we are  
7 prosecuting more cases in the immigration area than  
8 all of the non-border surrounding states around the  
9 state of Utah. With this additional resource we  
10 expect to do even more in that area.

11 I was pleased to hear the comments from  
12 Will Numkena. I believe it's important in a Utah  
13 crime summit to take account of the law enforcement  
14 needs of the entire state. I'm sure we'll hear  
15 some more about the law enforcement challenges  
16 outside the Wasatch Front this afternoon, but one  
17 of our special responsibilities and one that we  
18 take very seriously is law enforcement prosecution  
19 regarding violent crime that occurs on the  
20 reservations in the state of Utah. We have  
21 received additional resource over the past few  
22 years to address these problems. It's been a  
23 priority of the Attorney General and it's a very  
24 important of area of prosecution. I appreciate  
25 Will Numkena mentioning that, as well as his

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1 assistance with us in that area as well as in  
2 protecting archeological resources in our state.

3 I also wanted to mention as part of the  
4 state perspective's presentation the Utah Highway  
5 Patrol is another example of a critical working  
6 partnership. Most of the pipeline drug  
7 interdiction work that is done at the federal level  
8 actually involves the Utah Highway Patrol. I'll  
9 just give you a couple of examples. Just recently,  
10 in three Utah Highway Patrol efforts 250 kilograms  
11 of nearly pure cocaine was taken off the highway.  
12 Street value of that seizure could run as high  
13 as \$25 million. In another case the highway patrol  
14 did -- ten pounds of methamphetamines in an  
15 introduction -- in an interdiction effort, which is  
16 reportedly the largest seizure of methamphetamines  
17 in a non-border location in the United States. So  
18 our working relationship with the Highway Patrol is  
19 very important, just another example of that

20 federal, state, local partnership that is critical  
21 to get the job done.

22 I know we're coming up on the lunch hour  
23 and there'll probably be some of those who want to  
24 engage in further discussion in response to the  
25 panel, so I'll stop there, but I do very much

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1 appreciate being here and look forward to the rest  
2 of the program. (Applause)

3 ROBERT BENNETT: Who else? Jan? No,  
4 Camille. I -- I'm sorry.

5 CAMILLE ANTHONY: Jan's reminding of  
6 protocol here.

7 Camille Anthony. I'm the executive  
8 director for the Commission on Criminal & Juvenile  
9 Justice.

10 I'd like to take this opportunity to thank  
11 our federal officials, particularly Attorney  
12 General Janet Reno, for what is about \$8 million  
13 worth of federal funds that flow through my office,  
14 and that as I look around the table just about  
15 everybody here, in -- in the form of gang units,  
16 drug interdiction units, Violence Against Women  
17 grants, Truth in Sentencing, Filing Incarceration  
18 grants, Victims of Crime grants, Juvenile Justice,  
19 Delinquency Prevention. For -- for those resources  
20 we're very, very grateful.

21 We had an interesting presentation in one  
22 of our commission meetings recently by some local  
23 FBI individuals that -- that put our minds to an  
24 effort that is growing that we will probably look  
25 to funds to help us fund. And actually Earl Morris

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1 from our crime lab may be able to assist me in  
2 this, and I'm certain he's more articulate, but  
3 that is the use of technology in the commission of  
4 crime, the ability to remove a hard drive from a  
5 computer, preserve the criminal evidence, and be  
6 able to use it effectively in a prosecution. It  
7 tends to be white color crime. It is obviously  
8 into other areas of crime: violent crime, drug  
9 trafficking, those kinds of things, so it forced  
10 suggestions. Your local staff was excellent. They  
11 are overworked in -- in the need they need to

12 provide on their cases, but technical assistance  
 13 and some training in that area, I think not only in  
 14 Utah but across the United States, would be a  
 15 helpful item in the future. And I don't know, Earl  
 16 Morris may want to expound on that.

17 ROBERT BENNETT: Earl, you've just been  
 18 called on.

19 EARL MORRIS: Well, I will be brief. I  
 20 will say that the technical assistance that we have  
 21 received from the Department of Justice has  
 22 literally turned around the crime lab in the state  
 23 of Utah, and we have been able to provide a bit of  
 24 service for the state and local officers within the  
 25 state, enhance the ability to prosecute crimes.

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1 Because personnel is difficult to obtain, the  
 2 technology that's out there with processing of  
 3 drugs and our link with the FBI and the CODIS  
 4 (phonetic), which is a DNA database for convicted  
 5 criminals, and our Drug Fire, which is a ballistics  
 6 database also linking with the FBI, is assisting in  
 7 the prosecution of many of these violent criminals  
 8 that come through the state of Utah. So albeit  
 9 we've not been able to get a lot of personnel which  
 10 we need in some of the crime lab systems throughout  
 11 the state, by the same token, the technology has  
 12 enhanced our ability to be very productive, and  
 13 we're grateful for that and very receptive.

14 LOUIS FREEH: Senator, may I comment on  
 15 that?

16 ROBERT BENNETT: Yes, certainly.

17 LOUIS FREEH: We certainly appreciate  
 18 your-- your comments very much. The whole question  
 19 of technology with respect not just to  
 20 traditionally white-collar crimes but now  
 21 percolating into all kinds of different crimes is  
 22 very important.

23 Last week, except for scheduling problems,  
 24 Senator Hatch was going to chair a hearing on  
 25 encryption. Encryption is one of those futuristic

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1 problems that law enforcement is now very, very  
 2 concerned about. Ruben and many of the other state  
 3 and local leaders around the country are concerned

4 about an environment where all the communications  
 5 of not just sophisticated criminals but kidnapers  
 6 and bank robbers and pedophiles are in encrypted  
 7 channels where there's no provisions made for  
 8 lawful court-authorized access. So that's one of  
 9 the -- the technology issues which does not impact  
 10 now directly on what you do, but should we have an  
 11 environment where all criminals can go into a Radio  
 12 Shack and buy Level 2 encryption that not the  
 13 federal government but the state and local  
 14 authorities can't either access realtime or find in  
 15 stored data or in evidence, it'll be a very, very  
 16 difficult environment. So those are some of the  
 17 issues that we're -- we're working on.

18 ROBERT BENNETT: Okay. David Nicponski.

19 DAVID NICPONSKI: Thank you, Senator  
 20 Bennett.

21 David Nicponski, here on behalf of business  
 22 and industry in Utah. I'm representing the Salt  
 23 Lake Chamber of Commerce and OY Tech Systems  
 24 Aerospace Company.

25 A question for the federal

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1 representatives: Sometimes the best solution is  
 2 something that happens outside of the box. Is  
 3 there any exploration, Attorney General Janet Reno,  
 4 to the concept of contracting if -- through treaty,  
 5 with the country of Mexico relative to  
 6 incarceration of the illegals that we send back  
 7 rather than incarcerating them here in the United  
 8 States, whereby we pay them to house? I have to  
 9 think \$70,000 per unit per bed is -- is not the  
 10 range in the country of Mexico. Could you answer  
 11 that.

12 JANET RENO: We have been exploring.  
 13 There is a transfer treaty with Mexico, and Mexico  
 14 does take back a certain number of offenders, and  
 15 we're trying to expand on that. And thought has  
 16 been given to your suggestion, but part of it just  
 17 has to do with Mexican prison space, so it is -- it  
 18 is a very interesting issue and it is something  
 19 that we're pursuing.

20 Senator, if I might also --

21 ROBERT BENNETT: Yes. You're up.

22 JANET RENO: -- might also -- much of the

23 credit goes not to the Department of Justice but we  
 24 pass the money through -- but a lot of the credit  
 25 goes to Senator Bennett and Senator Hatch in

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1 Congress for the Violence Against Women Act, the  
 2 Victims of Crime efforts and -- and the like, so  
 3 that we want to make sure that we -- we share the  
 4 credit.

5 But you've put your finger on what I think  
 6 is going to be one of the great issues that we face  
 7 in the next ten to 15 years. We are going to have  
 8 sophisticated equipment and we're going to have the  
 9 requirement of expertise in cybercrime that  
 10 staggers the imagination. It is going to be  
 11 essential that the federal government keep pace  
 12 with it, that state and locals keep base with it,  
 13 and I don't think we're going to be able to do it  
 14 each operating separately.

15 What we're trying to do in the Department  
 16 of Justice, both through the Office of Justice  
 17 programs, the Criminal Division of the U.S.  
 18 Attorney Office, and the FBI, is form a  
 19 partnership, again, with state and local law  
 20 enforcement across the land to make sure that the  
 21 sophisticated equipment that may be too expensive  
 22 for one state or too expensive for one reason --  
 23 reading is appropriately shared.

24 We're also going to have another factor,  
 25 and that is that very sophisticated equipment is

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1 going to become obsolete in no time flat. How do  
 2 we keep up with that? Those are the challenges  
 3 that we face. Dwight Eisenhower, when he left  
 4 office, warned of the industrial military complex.  
 5 I think we're going to have concerns about the  
 6 industrial law enforcement complex and how we buy  
 7 smart and wise and use it to the effective -- for  
 8 all of law enforcement, while at the same time  
 9 paying appropriate attention to constitutional  
 10 protections.

11 So thank you so much for raising that.  
 12 ORRIN HATCH: Let me just ask a question  
 13 on --  
 14 Chief Ortega.

15 RUBEN ORTEGA: My question is for Janet --  
16 General Janet Reno.

17 We have noticed a number of undocumented  
18 Mexican nationals that have come up here as hit  
19 squads. They have murdered some local drug dealers  
20 that ripped them off for as a little as \$500. And  
21 in addition to that we have had some illegals that  
22 have committed other murders and have escaped to  
23 Mexico. There's a number of them that we have  
24 warrants out for. Do you foresee any possibility,  
25 because we did not designate Mexico as not one of

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1 our favorite countries that we would do business  
2 with, but we are asking them to be partners with  
3 the United States in many of these problems, that  
4 we could perhaps encourage them to be more  
5 aggressive in allowing their nationals that have  
6 committed heinous crimes like murder to be  
7 transferred back over here to be held for trial?

8 JANET RENO: We have seen some significant  
9 progress in the last year. Foreign Minister Gorla,  
10 Attorney General Midrazo (phonetic) have been very  
11 thoughtful in trying to cooperate with us. Again,  
12 as you know, there is a strong feeling in Mexico  
13 and in a number of the other Latin American  
14 countries about sovereignty. I've tried to make  
15 this a major issue not just in Mexico but  
16 throughout the continent, saying, "Look, we're  
17 trying to build a spirit of trust." Every  
18 government but one in this hemisphere now is a  
19 democratic government, which is unheard of in  
20 history, as I recall. We are building trust  
21 through NAFTA through other initiatives. If we  
22 have that trust, then let us operate as a criminal  
23 justice system would operate.

24 And all the prosecutors in his room will  
25 tell you that if a crime's committed here in Salt

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1 Lake City it should be prosecuted here except in  
2 very extreme circumstances. The witnesses are  
3 here, the feeling is hear, let's do it here. And I  
4 explain it to them: I said, "It's not a matter of  
5 national sovereignty, it's a matter of where it's  
6 in the best interests of the case that it be

7 prosecuted."

8 And I'm beginning to see a change. Slowly  
9 the Mexican government has taken some steps. It's  
10 not going to be perfect. I'm going to get  
11 frustrated at points along the line. But we are  
12 seeing some action taken that is really very, very  
13 gratifying, and I'd like to follow up with you and  
14 make sure before I leave today that I get a list of  
15 the -- the key people so we see what can do.  
16 We're -- it's -- I've told somebody earlier today  
17 in all of this, and certainly in this area,  
18 sometimes it's two steps forward and four steps  
19 back, but I think we're making progress.

20 ORRIN HATCH: Yes. Lorena and then Mike.

21 LORENA RIFFO: I was just going to say the  
22 constable of Mexico is here in the audience  
23 somewhere, maybe wanting to elaborate on some of  
24 the statements just made by the chief, our Chamber  
25 of Commerce representative.

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1 ORRIN HATCH: Well, we are happy to have  
2 you here. Thank you for coming. (Applause)

3 Let me turn -- does the Constable -- does  
4 the Constable want to speak? Do you want to say  
5 something?

6 CONSTABLE: Thanks, Lorena, but most of all  
7 thank you, Senator Hatch for calling this  
8 conference and for inviting us to be here.

9 The first of all that I want to say is that  
10 we share all the concerns that have been expressed  
11 here. We are also a very important part of the  
12 community, and particularly as we have been brought  
13 we are the biggest parts of the problem. So I  
14 believe that there is a -- important just to say  
15 that as well as has been done in a national level,  
16 as Attorney General Janet Reno and Doris -- the  
17 commissioner of the INS Doris Meissner has said, we  
18 have to be doing it also in the state and the local  
19 level, everywhere where we are represented. We  
20 want to work with the local authorities to finish  
21 with the problems of drug abuse and drug  
22 trafficking. That affects not only the community  
23 of youth but this affects everybody.

24 And, in fact, if it effects youth it  
25 affects also our community, because even if there

1 is very high the 80 percent of undocumented Mexican  
2 people that have committed the crimes in a -- that  
3 are here in this Wasatch Front, I have to mention  
4 that this big number that appears in the statistics  
5 does not represent even the two percent of the  
6 whole Hispanic community that lives here. And I  
7 think that has to be pointed out because our  
8 community is also suffering. And we don't have to  
9 punish them for that. Let's punish the guilty  
10 ones. Let's try and deport them and do whatever  
11 they are -- whatever they have to receive, but  
12 let's point out that the Hispanic community is  
13 working with all of you, also, to finish this  
14 problem.

15 And thank you very much.

16 ORRIN HATCH: Thank you. Appreciate having  
17 you with us. (Applause)

18 Mike. Senator Waddoups.

19 MICHAEL WADDOUPS: Thank you, Senator. I  
20 had a question for you. In meeting with my  
21 colleagues and other state legislators I've noticed  
22 that legislators from Arizona and New Mexico, for  
23 example, are very supportive and almost embarrassed  
24 that that many illegal aliens are making it through  
25 their state and getting to ours. I'm wondering

1 about your colleagues, and if -- if they're good to  
2 work with. The reason I say that is when I dealt  
3 with some of the ones from Texas, Florida, and New  
4 Mexico, perhaps they were a little less -- or not  
5 New Mexico, Nevada, they were perhaps a little less  
6 in tune to that, the problem of getting through,  
7 they were so concerned about their own state. And  
8 then when I spoke to the ones from California they  
9 almost seemed received that they were getting  
10 through to get them out of their own state.

11 ORRIN HATCH: Well, I think they're also  
12 working quite well in this area, and, you know, we  
13 did the Immigration Bill last year. It was -- the  
14 Illegal Immigration Bill. It was a very difficult  
15 bill and there are things that need to be changed  
16 there, and as we -- as we have some experience  
17 we'll make those changes. But I found the

18 colleagues worked very closely with us in these  
19 areas. And we -- actually, we had the widest  
20 disparity of viewpoints on the Judiciary Committee  
21 last year that you could possibly have had on the  
22 subject of illegal immigration, and we worried  
23 would it bring most everybody together. And there  
24 was a lot of cooperation, but we need to do a lot  
25 more.

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1 On that issue, though, let me just ask  
2 Doris Meissner this question: On illegal  
3 immigration, the IDENT fingerprint communication  
4 system is being brought on line along the border to  
5 ensure identification of, you know, aggravated  
6 reentries. Now, on Page 46 of our book here that  
7 we passed out here today we suggest implementing  
8 IDENT in Utah. Would you -- could you comment on  
9 that. Is it possible we could do that?

10 DORIS MEISSNER: This suggestion was made  
11 in the book and it was also made by the Mayor in  
12 her remarks this morning. IDENT is one of our most  
13 promising technologies, and we are doing a great  
14 deal with technology across the board in the  
15 Immigration Service. We had installed it on the  
16 border first because I think everybody would agree  
17 that the most effective response to illegal  
18 immigration is to prevent it and to deter it from  
19 occurring as much as possible, and the IDENT system  
20 has been invaluable there in letting us know who  
21 may be a second- or third- or fourth-time process  
22 so that we can target our prosecution to punish  
23 those who are the habitual offenders and typically  
24 are the smugglers and the guides and so forth.

25 But we are moving IDENT throughout the

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1 country as quickly as we possibly can, and we are  
2 moving it at the present time from the border to  
3 our major detention centers, so that, again, we can  
4 record and identify those who are being returned,  
5 so that we are beginning to build a record of  
6 habitual offenders, and we will eventually be  
7 installing in all of our offices. I did not check  
8 before I came where -- where we are on that  
9 continuum, but I certainly will do so as a

10 follow-up to this meeting, and you will at some  
11 point be receiving IDENT.

12 ORRIN HATCH: Well, thank you.

13 DORIS MEISSNER: It's very much in our  
14 plan.

15 ORRIN HATCH: If you can -- if you can move  
16 it into Utah we'd appreciate it, because I think  
17 it's a good program and I think we -- we'll gain  
18 from it.

19 I think we're going to make you the last  
20 one, okay, and then we'll break for lunch. Thank  
21 you.

22 Thank you. I represent the U.S. Small  
23 Business Administration, and wanted to address the  
24 issue of federal agencies working together to  
25 achieve goals that impact our communities on the

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1 local level. The Small Business Administration has  
2 been involved with the state in economic  
3 development and with our local communities in some  
4 of our Weed and Seed programs.

5 My role particularly is to head up and work  
6 with minority enterprise development, and it's to  
7 that issue that I want to speak to. I have been  
8 involved with working and strengthening the  
9 business growth in our various ethnic communities  
10 in the state of Utah. And we in the ethnic  
11 community are very concerned about the growing  
12 crime rate, particularly -- particularly as it  
13 impacts on our ethnic families. We're concerned  
14 about the negative influences of drugs and gangs  
15 and violence. In our Asian, Hispanic, African  
16 American, and Native American children we are most  
17 concerned about how illegal aliens engaging in  
18 illegal activities are negatively affecting our  
19 multiethnic children.

20 We are particularly concerned that the  
21 perception that the rising crime is directly  
22 related to the rise of numbers of illegal aliens in  
23 Utah, and how that affects the perception of the  
24 rest of us who have been long-term Utahns living in  
25 Utah for many years and those of us who are native

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1 Utahns -- Utah, we are concerned about how our

2 ethnic youth may be persuaded to engage in easy  
3 money instead of having to work at jobs for their  
4 money. And there is something that we haven't  
5 talked about in today's summit as it relates to  
6 federal, state, county, and community organizations  
7 working together, and that is that a great  
8 percentage of our inmates that are in  
9 our -- our facilities are ethnic minorities of our  
10 various groups.

11 We have talked about the need to look at  
12 prevention and not to just look at how we're going  
13 to prevent -- incarcerate and -- and take care of  
14 the crime that is happening, but how can we prevent  
15 some of the crime that is happening, particularly  
16 as it impacts on our ethnic families. And I think  
17 that one of the things that is happening today as  
18 you look around the table is that we bring everyone  
19 to the table. It is said that decisions are made  
20 by those who sit at the table. And because if you  
21 look at our crime institutions here in the state of  
22 Utah and you do see a lot of Hispanics, a lot of  
23 Asian Americans, a lot of ethnic -- multiethnic  
24 cultural ethnic people there are there, that you  
25 continue to call us to the table so that we can

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1 bring our perspective to some of the solutions.

2 One of the things that I need to look at as  
3 a federal representative is economic development.  
4 I would like to point out that one of the issues  
5 we're looking at is the rate of employment in our  
6 ethnic communities. Right now in Utah there is a  
7 lot of bragging about the fact of unemployment in  
8 the state of Utah is at three percent, about three  
9 percent, and that it's at its lowest rate ever in  
10 the state of Utah. However, in our ethnic  
11 community that unemployment rate is at nine  
12 percent, and I think that it's an item of  
13 prevention that we can look at in terms of what can  
14 we do in the area of employment as it relates to  
15 our ethnic communities and ethnic families so that  
16 we can not be worried about the fact that you our  
17 kids are going to want to be engaged in illegal  
18 activities for earning money instead of working  
19 building at a job. And as we look at these things  
20 if we work together and bring us to the table to

21 help identify some of these solutions.

22 We suggest, therefore, that as part of the  
23 crime prevention part of today's summit that the  
24 State of Utah, the cities of Salt Lake, Ogden, and  
25 other cities of high concentrations of ethnic

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1 minorities look at plans and ways to focus in on  
2 the issue of employment in their communities as  
3 that it relates to their ethnic families: What can  
4 we do to work together and what can we do to solve  
5 that problem and how does that impact on crime? If  
6 we can give our ethnic families, the heads of  
7 families, jobs and give their kids jobs, maybe that  
8 is one way that we can address an issue of crime  
9 and crime prevention.

10 ORRIN HATCH: Well, thank you. I thought  
11 those were particularly good comments. (Applause)  
12 Thank you.

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