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NATIONAL DISTRICT ATTORNEYS ASSOCIATION
1997 AMERICA'S PROSECUTORS ANNUAL CONFERENCE
TRANSCRIPT OF KEYNOTE ADDRESS
U. S. ATTORNEY GENERAL JANET RENO, SPEAKER
Norfolk, Virginia
July 15, 1997

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MR. KAYE: Ladies and gentlemen, there's an old joke in the public speaking business where the master of ceremonies is about to introduce the guest and stands up and says, "The following guest needs no introduction," and he immediately sits down. That's close to what I'm about to do here, because I'm not going to get into a long recitation of an extraordinarily long and distinguished resume. I'm going to say a few short words. They are true, and they are from my heart.

Our guest was a local prosecutor. She was

12 the District Attorney of Miami. She is the best friend
 13 for state prosecutors in Washington ever, and she has
 14 been more helpful to district attorneys and DAs in this
 15 country than anyone in my memory.

16 I present to you the Attorney General of
 17 the United States of America, Janet Reno.

18 (Applause.)

19 ATTORNEY GENERAL RENO: Thank you very
 20 much, John.

21 I am very, very happy to be with you today
 22 and to see familiar faces that go back to my time as a
 23 state prosecutor, and also to see faces that I have met
 24 in my travels across this country.

25 This has been an extraordinary experience

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1 in these last four years, one of great challenge and one
 2 of marvelous opportunity. But one of the things I like
 3 best is to go into a new community where I've not
 4 visited before and have someone come up and say, hi, I'm
 5 so-and-so, the local prosecutor. And I look at that
 6 person and I think, you know what it's like; you've run
 7 for office, you've had something go wrong and end up in
 8 a headline, you've had to get elected, you've had to go
 9 to the legislature or the county and get totally
 10 inadequate funding for your prosecutors who have
 11 tremendous case loads. And while you do all this you're
 12 doing the right thing day in and day out, you're seeking
 13 justice, you're building community, and I think you're
 14 some of the great public servants in this country.

15 The assistant state attorneys and the
 16 assistant district attorneys who are here, I'm very
 17 proud of the Justice Department prosecutors, but when
 18 they tell me about something they're talking in terms of
 19 one or two or maybe fifteen cases, and I look at them
 20 and I say, you want to try two hundred felony cases at
 21 any one time? And they kind of gulp.

22 I just think that you do such a great job
 23 for your jurisdictions, but for all of the country, and
 24 I say, thank you.

25 John, it's been a real pleasure to work

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1 with you this year. I've enjoyed our working
 2 relationship, and I think we have continued to work
 3 together to build a partnership of which I'm very proud.

4 And Bill Murphy, I look forward to working
5 with you in this year to come. I think we can continue
6 to move forward and build an even stronger foundation
7 and partnership, and I look forward to that.

8 MR. BILL MURPHY: So do I.

9 ATTORNEY GENERAL RENO: And Newman and
10 Jennifer, thank you so very much for your
11 day-in-and-day-out cooperation with the Justice
12 Department.

13 Over these four years we have built, I
14 think, an important solid partnership based on
15 principles of federalism, based not on turf, not on who
16 gets the credit, but what's in the best interests of the
17 community, what is in the best interests of the case.

18 We want to try even harder, though, because
19 I sometimes hear from prosecutors who say, well, there's
20 a good working relationship, but we're still not getting
21 information from the federal government that we need to
22 prosecute certain offenders, and we want to make sure
23 that there is a two-way street in every way possible.

24 But I'd like to give you a report on where
25 I think we stand now and the challenges that we face and

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1 that Bill Murphy and I will face in this year to come.

2 First of all, violence is down in most
3 American communities, and it's down because prosecutors
4 have been doing such a good job prosecuting but also in
5 community building. But I think all of us still face an
6 extraordinary challenge in terms of youth violence. It
7 is down for the first time in a number of years, but we
8 don't want that to be a blip on the screen. And what
9 concerns me most is that the number of young people is
10 going to increase significantly in these next ten years,
11 and we must be prepared.

12 Now, in 1994 President Clinton's Crime Bill
13 provided for one hundred thousand new police officers.
14 You told us that that was a great idea, but what about
15 prosecutors? A hundred thousand new police officers
16 would mean increased pressures on the courts and on
17 prosecutors, and we've listened. And it's for that
18 reason that at the center of President Clinton's
19 Anti-Gang and Youth Violence Act of 1997 is a grant
20 program for prosecutors; two hundred million over two
21 years to let you start prosecuting initiatives in your
22 community focused on youth violence.

23 There is also a separate pot of money
24 authorized, \$50 million, for courts, for we all know
25 that without judges, the probation officers, the clerks

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1 and other infrastructure, new prosecutors and new
2 initiatives won't be as effective. Here's where we
3 stand with that legislation:

4 There are competing bills in Congress. The
5 House has passed a bill which we don't like. It
6 contains a block grant to the governors of the states.
7 They will be authorized to dole out funds to local
8 officials, state police and other state agencies,
9 mayors, sheriffs, police chiefs, prevention programs and
10 you, as well. Our experience has been that when this
11 happens prevention and prosecuting programs are
12 oftentimes the ultimate loser.

13 Now, the Senate Judiciary Committee is in
14 the process of marking up yet another Juvenile Justice
15 Bill. We're concerned, once again, that it contains
16 block grants to the governors of the states without any
17 money actually set aside for prosecutors.

18 Now, we're talking about judiciary
19 committees. We still have to focus on the
20 Appropriations Committee, because one thing I -- it took
21 me a long time to learn. I used to see big headlines in
22 the Miami Herald saying, "Congress appropriates \$50
23 million for drug initiative," and I would turn -- or
24 authorized \$50 million for drug initiative -- and I'd
25 turn around, and six months later I'd see my senator,

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1 and I'd say, "Senator, where is that \$50 million?" And
2 he said, "That was authorized; that wasn't
3 appropriated." And it is very important that we focus
4 on the appropriations process as well.

5 House appropriators last week marked up a
6 bill which underfunds the Juvenile Justice Grant Program
7 by 60 percent of the amount authorized. So, we have
8 work to do. If the legislation becomes law as it is
9 currently drafted, not only will you be pitted against a
10 host of other programs, but you'll be fighting for a
11 share of a smaller pot. It means that there won't be
12 enough money to go around, but it means that the very
13 people who should be collaborating with each other will
14 be fighting over the dollars, and the end result is a

15 process that, rather than create working relationships,
16 pits one against the other.

17 I would like to work with you in these
18 coming weeks. We have been fighting hard, and we will
19 continue to do so to make sure that prosecution
20 interests are reflected in the ultimate legislation.

21 I know that the NDAA and Newman, Jennifer,
22 Mr. Polley, all have been working very, very hard. And,
23 John Kaye, you have been wonderful. But let us continue
24 to work together to make sure that we give you the tools
25 to do the job.

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1 Turning now to another issue we can all
2 focus on for we all care about, I'm particularly pleased
3 with the results we have jointly achieved in asset
4 forfeiture. This is an extremely important law
5 enforcement device, and I know that equitably shared
6 funds are important to both local prosecutors and
7 police.

8 We have successfully, for the moment,
9 fought off attempts to really gut the federal asset
10 forfeiture laws. We've reached a compromise with which
11 we can live. We did that only after we consulted with
12 you and other important law enforcement advocacy groups.
13 Indeed, I think our success to date is in no small
14 measure due to the efforts of the NDAA. And, Bill, we
15 look forward to working with you hand in hand to try to
16 get this important piece of legislation passed. There
17 will be attempts to weaken this bill further as it moves
18 to the House floor and then to the Senate, but we're
19 going to remain vigilant, and we count on you.

20 Now, one of the concerns that has been
21 raised with me -- and indeed I experienced it when I was
22 a state prosecutor -- are the problems that you'll face
23 in the international arena. I used to wonder where to
24 go in Washington, who to talk to. Somebody would refer
25 me to the State Department, they would refer me to the

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1 Justice Department, and I would get totally confused.

2 I know that these cases can be frustrating,
3 whether you're attempting to prosecute a case where you
4 have the defendant in custody but you need witnesses
5 from other countries or whether you're trying to
6 extradite someone from another country where you run

7 into red tape, delays and sometimes recalcitrance.

8 But I think we've made some progress. When
9 I came to Washington there was not a very good working
10 relationship between the State Department and the
11 Justice Department. Quite frankly, here's how the
12 meetings would go:

13 We would go into a meeting, and the State
14 Department would say, "That's not a law enforcement
15 issue, that's a diplomatic issue; State Department will
16 handle that." At the same time from across the table a
17 career Justice Department person would say, "I beg your
18 pardon. This is a law enforcement initiative, and we
19 cannot discuss the details of the case with the State
20 Department." And I said, "Time out."

21 This world has become so enmeshed in the
22 implications of crime. Crime is global in its
23 consequences. With borders shrinking, with technology
24 developing, we are going to have to work together as
25 partners in this effort, and we have tried the very best

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1 we can in these last four years to forge a good working
2 relationship.

3 There's still some elbows to that
4 relationship, but I think we've improved it
5 significantly. And one of the efforts I think that we
6 have benefitted from this undertaking is with respect to
7 extradition. It has been one of my major focuses.

8 I met last December with ministers of
9 justice from throughout the hemisphere in Caracas. Each
10 time I meet with a minister of justice, anytime I visit
11 another country I try to stress the issue, but
12 particularly in this hemisphere we now are a hemisphere
13 where there is only one non-democratic form of
14 government in one country. It is a hemisphere in which
15 we are building trust in so many different areas.

16 And I point out to them, "Look, you tell me
17 that you don't want to extradite our nationals because
18 of principles of sovereignty, but let's look at the real
19 issue. If I have a little girl raped in this country
20 and the defendant flees, you as prosecutors, you as
21 ministers of justice, know as well as I do that it is
22 far better to prosecute the case here in the United
23 States. We're both interested in securing justice,
24 we're both interested in seeing that both the victim and
25 the defendant are treated fairly; with the evidence

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1 here, with the small child here, it is far better to
2 prosecute the case here. Let us talk in terms of what
3 is in the best interest of justice and build on trust.
4 If you're going to trust us in other arenas, then trust
5 us to secure justice."

6 And to that end we have begun to have
7 successes. One country after another is beginning to
8 extradite nationals on a more frequent basis. But we
9 need to work together to make it even more effective,
10 because one of the principal problems that I run into is
11 a call from the Minister of Justice. "Madam Attorney
12 General, you asked us to look at this case, but we don't
13 have the correct paperwork on it." And I check into it,
14 and somebody hasn't known what kind of paperwork was
15 necessary because somebody from the Department of
16 Justice didn't advise the local prosecutor, and there's
17 frustration.

18 So, we have tried our best to develop an
19 Office of International Affairs that can be responsive
20 to you, that can let you know what is needed in terms of
21 paperwork, in terms of what's needed to interview
22 witnesses abroad, how to secure cooperation with foreign
23 governments, what to do to minimize problems so that I
24 don't get a call, as I did once, saying, "Your former
25 prosecutor is about ready to be thrown in jail because

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1 he went to X country without getting appropriate
2 clearance."

3 To help you address these issues the
4 Criminal Division at the Justice Department has agreed
5 to pay for a local prosecutor to be detailed at the
6 Office of International Affairs on an annual basis.
7 This is an agreement which we reached jointly with the
8 National Association of Attorneys General and NDAA. The
9 first detailee will come from an attorney general's
10 office; the next one will be a local district attorney.

11 I want to know how I can make that detailee
12 as effective a part of our operation as possible. And,
13 Bill, I look forward to hearing from you, Newman and
14 others what we can do to make this the smoothest
15 possible working relationship possible and that we
16 respond quickly, promptly and accurately to you to let
17 you know what is needed.

18 At the same time, one of the problems that
19 I dealt with -- Joe D'Alessandro shortly after I came to
20 Washington told me again of the problems that he was
21 experiencing, and many have particular concerns about
22 international parental kidnapping. Many of us have
23 found it hard to extradite these cases because of
24 international confusion on whether the term "kidnapping"
25 includes parental kidnapping. We worked with the State

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1 Department and now with Congress to make sure that it
2 does and that Congress accepts our interpretation, and
3 we can report that we are on our way to making this
4 issue one of the past and something that I think will
5 make your job much easier.

6 Finally I would like to talk to you about
7 the challenges and the opportunities that science and
8 technology present to all of us in law enforcement.

9 I was a chemistry major at Cornell, and I
10 have forgotten every bit of chemistry I ever learned.

11 (Laughter.)

12 But it makes me aware when I see the
13 strides that have been taken in chemistry since I
14 graduated in 1960. At least I know how much I don't
15 know and how much we all have to learn.

16 Let me first suggest the challenge
17 presented by the information infrastructure that has
18 developed worldwide, but particularly in this country,
19 an infrastructure that controls power grids, financial
20 systems, emergency systems, the whole commercial
21 delivery system of this country.

22 That information infrastructure gives us
23 opportunities to benefit Americans that stagger the
24 imagination and convert vanity to prayer, but the same
25 thing occurs when we consider the challenge. That a

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1 thief in St. Petersburg Russia can sit in his kitchen
2 and, on his computer, steal from a bank in New York City
3 or a bank in North Dakota makes us understand how we've
4 got to develop the expertise and the equipment to
5 prevent it but, if it occurs, to detect it and apprehend
6 the person responsible.

7 The mischievous hacker in Sweden can bring
8 down an emergency system here. Trade secrets, credit
9 card information are not immune. Sabotage is a real and

10 present danger. And can you imagine if somebody
11 decided, rather than to blow up something, to take down
12 three power grids across this country? You think that
13 you're in a rural area and it won't happen? What about
14 the dairy man whose machines can't operate because there
15 is no power? What about a whole region of the country
16 out because somebody has decided to exhibit the forms of
17 terrorism in a new way?

18 I'm proud of the steps that the government
19 has taken to be prepared to prevent, to do everything we
20 can to respond to the technological challenges that we
21 face, but it is very important that you and I work
22 together building on our partnership so that the federal
23 government, as it develops expertise, as it develops
24 equipment, shares that expertise and equipment with
25 local prosecutors; that we come together to address

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1 constitutional issues of what this new technology means,
2 how can we use it while at the same time preserving the
3 sacred document that we're sworn to uphold, our mighty
4 and magnificent Constitution.

5 These are going to be legal issues and
6 technological issues that are extraordinary, but if we
7 work together, if we share rather than duplicate, if we
8 develop a system of technology across this country which
9 is shared and is comprehensive, I think we can make a
10 difference.

11 But as the information infrastructure
12 presents challenges it also presents some extraordinary
13 opportunities for law enforcement. I used to get real
14 fed up when I would discover, months after the fact,
15 that there had been five convenience store robberies in
16 Dade County in one night; that in three of those
17 convenience store robberies a green Oldsmobile with a
18 battered right fender was used but nobody knew about it
19 because nobody could communicate, much less by computer,
20 but even their radio frequencies were different.

21 We are now in the process of developing a
22 global information network for the criminal justice
23 system that can mean so much in terms of solution of
24 cases, in terms of prevention of further crimes, in
25 terms of apprehension of offenders. We have got to work

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1 together.

2 Police have oftentimes taken the lead, but
3 you as the leaders in your community, as the leaders who
4 can so often be heard by the state legislature, you have
5 a special role in helping us build an information system
6 that is interoperable, that is cost effective, that
7 doesn't duplicate, that ties in the regional information
8 systems with national information systems, that provides
9 for the security of sensitive information, that provides
10 for accurate information.

11 Now, what I see sometimes develop is that
12 police and the sheriffs -- but police more so -- are
13 funded at the local level, usually by city commissions
14 or town councils. The IACP has a strong group that
15 speaks out nationally, but oftentimes their presence
16 isn't felt as much at the state legislative level where
17 there are systems that are developing. The prosecutor
18 is more often the voice of local law enforcement at
19 those points.

20 Let us make sure that whether it be at the
21 city or county commission, at the state legislative
22 level or in Congress, that we have come together, using
23 the appropriate efforts of our prosecutors, the
24 technological efforts that we have developed, to build
25 an information system that can do far more than match

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1 the battered Oldsmobile's right fender.

2 Instead, in five years we are going to have
3 a system not in place everywhere, but we're going to
4 have the capacity to send crime scene techs to the scene
5 of a crime, take DNA samples at the scene of the crime,
6 flash them across the information infrastructure and
7 make an immediate match which will sometimes target an
8 offender and sometimes exclude three leads that you in
9 local law enforcement would have to follow that would be
10 of great cost and time and expense to you. We've got to
11 make sure those crime scene techs are doing it the right
12 way and that we build it together, not through trial and
13 error, but through planning and thoughtfulness and
14 working together.

15 And, finally, when we see what DNA has done
16 in terms of investigative tools it is just
17 extraordinary, but we have much to do at the federal
18 government in terms of building lab capacity that is
19 accredited, that is respected, that is accurate and
20 that, as Mike Barnes points out to me, is prompt and

21 responsive.

22 (Laughter.)

23 I, too, have waited a long time, upon
24 occasion, for results from the FBI lab. And I mentioned
25 as I talked to Mike at the last DWG meeting, I told

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1 Director Freeh exactly what you said, and we are trying
2 to develop some time lines so that we can do appropriate
3 turnarounds. But we need, again, to work together to
4 find out what you need to do the job the right way. We
5 need, again, to take the few and precious resources we
6 have and spend them wisely for our constituents.

7 We have so many challenges, but never have
8 I had such confidence in the criminal justice system's
9 ability to respond to these challenges. When I came
10 into office violent crime was at a staggering level. It
11 is still at an unacceptable level, but because of you
12 who are on the front lines, because of U.S. Attorneys
13 working together with you and FBI agents and local
14 police working together, because of prevention
15 initiatives that are underway, oftentimes with the
16 leadership of state and district attorneys across the
17 country, we are bringing the crime rate down. We are
18 bringing juvenile violence down. We have proven that if
19 we work together, if we approach these problems from
20 what is the problem, how do we solve it, we can truly
21 make a difference. And I look forward to working with
22 you in this coming year to continue to build on that
23 effort.

24 Now, one of the things I like to do is not
25 just talk, but I've got some time left, and I would like

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1 to hear from you.

2 If you were the Attorney General of the
3 United States, what would you do to improve the federal
4 government's efforts at fighting crime in this country,
5 at building prevention programs, at supporting you who
6 are on the front lines?

7 I'd love to hear the answer to that
8 question or any questions you may have of me, so why
9 don't you fire away.

10 SPEAKER FROM THE FLOOR: A lot of shy DA's
11 here.

12 ATTORNEY GENERAL RENO: I've got a pencil

13 and piece of paper now.

14 Don't be shy.

15 Yes, sir.

16 SPEAKER FROM THE FLOOR: Good morning.

17 On a local level there's a lot of pressure
18 on the elected prosecutor to move individuals through
19 the system faster. The sheriff wants us to empty out
20 the jail of people that aren't necessarily going to get
21 sentenced to time, and we're very often negotiating
22 settlements long before we get the FBI rap sheet, which
23 is the only way we know about an out-of-state
24 conviction. And I know there's a lot of pressure on the
25 FBI in that area, but are there any steps being taken to

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1 assist the locals in getting that type of information
2 quicker?

3 ATTORNEY GENERAL RENO: Yes. When I came
4 to Washington I said that one of the greatest
5 frustrations the local prosecutor has -- and I'll give
6 you one even more painful.

7 A two-time armed robber is booked into the
8 county jail. Because of the pressures -- for a
9 relatively minor offense. Because of the pressures on
10 the sheriff -- and there's a federal court order on the
11 jail and a population cap on the jail -- they let him
12 go, and ten hours later we learn that he's a two-time
13 armed robber wanted in another state. That is pure and
14 simple frustration.

15 Congress has authorized the National
16 Criminal History Improvement Program, which is trying to
17 develop, through grants to states, a system whereby we
18 can be assured of complete criminal history programs,
19 accurate criminal history records. They also funded
20 moneys for the National Instant Check System which will
21 provide for a network designed to address the issue of
22 the Brady Bill and the Brady Act but which will also
23 help to build our capacity to respond on an immediate
24 level.

25 One of the problems is that some states are

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1 far ahead of others, and what we have tried to do is
2 work with the individual states that perhaps have not
3 moved far enough along the process to encourage them, to
4 encourage their governor, their state legislature, to

5 understand just how vitally important these records are
6 for prosecutors, for local law enforcement, not just in
7 terms of sentencing issues or detention issues, but that
8 officer who stops somebody would really like to know
9 what his criminal history is right in that dark moment
10 when there are some life-and-death issues that he faces.
11 So, this is one of our high priorities.

12 The other thing it would be important to
13 consider -- so often this is an issue that state and
14 local police or sheriffs address with us, and we would
15 welcome the National District Attorneys Association's
16 involvement in our whole record initiative to ensure a
17 complete and very prompt response to you.

18 Yes.

19 SPEAKER FROM THE FLOOR: Madam Attorney
20 General, I'm from Arizona, and we just heard a
21 presentation here from Arizona and California about the
22 well-financed initiatives to legalize marijuana and
23 other drugs. And, in response to your question, I would
24 like to know how the federal government can assist the
25 states, local prosecutors and local law enforcement to

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1 overcome the incredibly well-financed, well-planned
2 assault in -- and the plan to legalize drugs.

3 What is it that the federal government can
4 do to help us combat that?

5 ATTORNEY GENERAL RENO: I think the most
6 important thing, again -- and it varies from state to
7 state as to some of the initiatives and to how it's done
8 and as to the issues that are raised, but one of the
9 areas that they start with is marijuana. And I think it
10 is important to convey to people that at this point
11 there is very little research that shows that for
12 medicinal purposes, for example, that marijuana is
13 appropriate, and our response is that should not be
14 decided by referendum. That should not be decided based
15 on pressures and persuasions. That should be decided on
16 sound, hard technological evidence and medical evidence,
17 and there is now research underway.

18 But I would invite you to give us a call.
19 Nick Gess is someplace around here -- there's Nick --
20 and if any of you have any initiatives underway in your
21 state, if you would contact Nick we would be happy to
22 try to work with you to try to make sure that you have
23 the information you need to properly respond.

24 SPEAKER FROM THE FLOOR: Is there any
25 funding, though, available to combat this problem?

23

1 Because from what we heard from California and Arizona,
2 I think one state raised only \$25,000. They were facing
3 a million dollars from the proponents.

4 Is there any funding going to be available
5 from the federal government or otherwise to combat this
6 problem?

7 ATTORNEY GENERAL RENO: I don't think
8 you're going to see the federal government involved in
9 local election issues or local initiative issues. I'm
10 not sure that that is an appropriate way to effect the
11 issues of federalism.

12 I think where we can best be involved is in
13 terms of providing solid information. And, as with all
14 electoral processes or initiative processes or political
15 processes, you know as well as I do that the funding of
16 the process and the funding of the information campaign
17 is one of the keys.

18 One of the things that I've seen in
19 gambling initiatives across the country is oftentimes
20 the local prosecutor is the person who takes the lead in
21 forging a coalition, both of in-kind donation and money
22 donations, that address these issues, and I think that's
23 where the funding will have to be derived, in most part.

24 SPEAKER FROM THE FLOOR: One of the things
25 you alluded to which I think all of us have experience

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1 with, and while we have a relationship with our local
2 federal prosecutor, we have a problem we call cherry
3 picking where the federal government takes the really
4 easy cases to prosecute and then give us cases that may
5 be more difficult and time consuming. And we feel we
6 already have a lot of cases, and in relatively balancing
7 the case loads we're doing more than the federales.

8 One of the suggestions I might have is to
9 see if there can be an exchange program where one of
10 your federal prosecutors would come and perhaps work as
11 a special assistant state's attorney or DA.

12 And if that couldn't work out, what about
13 the possibility of having an assistant state's attorney
14 or DA become a Special Assistant Attorney General for
15 purposes of using the Federal Sentencing Guidelines on

16 drug cases? That would make a big difference to all in
17 a lot of our states.

18 ATTORNEY GENERAL RENO: First of all, if
19 you find somebody cherry picking just for the credit of
20 it, I sure want to know about it.

21 Now, what people tell me is, well, I don't
22 want to rattle their cage because I've got a good
23 working relationship with them otherwise. Sit down with
24 them; talk it out.

25 One of the things I would give you an

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1 example for is if they have a good argument -- you may
2 disagree, you may really wish that you could take the
3 case, but they have a fairly good argument. Ask them if
4 the prosecutor who went out to the scene and has been
5 involved in the case from the beginning -- if your
6 prosecutor couldn't be cross-designated. Now, for a
7 while we were having some troubles in terms of
8 processing the backgrounds of those getting
9 cross-designated, and I know that was a real problem
10 because we had a large number of my prosecutors
11 cross-designated as AUSAs, but that's one good way to do
12 it.

13 Another way to do it is to sit down on a
14 regular basis with the U. S. Attorney and say, look -- I
15 don't know whether you've got an airport in your
16 district, but I had an airport in mine, and they gave me
17 all the little airport cases, and I used to get mad.
18 But then I realized that I could handle the volume far
19 better than they could. A U. S. Attorney's Office is
20 simply not equipped to handle volume, because, as I look
21 at a large number of their cases, they are major,
22 complex cases, white collar cases, crossing several
23 jurisdictions. And, so, I'd say, now, look, if I'm
24 going to take all these little airport cases I want you
25 to take these. And we'd do it on a -- we'd have regular

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1 meetings.

2 In other instances prosecutors, Assistant
3 U.S. Attorneys and Assistant DAs meet on a regular
4 basis. For example, in Boston, as I understand it, Don
5 Stern and Ralph Martin meet on a regular basis to decide
6 who prosecutes this gun case or this gun case based on
7 the fact that it may have cut across district lines, it

8 may cut across jurisdictional lines. Work on that.

9 But if you have somebody that's cherry
10 picking on you and continues to and defies your efforts,
11 then let me know.

12 SPEAKER FROM THE FLOOR: Along the
13 southwest border we have a great, I think, understanding
14 and relationship with federal prosecutors, but of recent
15 we've been trying to meet, trying to see if we could get
16 a better understanding of the share of responsibility
17 between the federal government and the state prosecutors
18 from San Diego to Brownsville.

19 Do you see, from your office, an
20 improvement in trying to understand the
21 responsibilities, especially in regards to drug cases,
22 because of the increased cost and burden on local
23 prosecutors, not just for prosecution and law
24 enforcement but for the indigent defense, the
25 jailhousing costs and all that comes because of our

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1 geographical location to the border, and knowing that
2 the drug corridor has shifted from Miami to the
3 Southwest border?

4 Do you see us improving the relationship
5 and understanding of the federal responsibility in that
6 area?

7 ATTORNEY GENERAL RENO: Could I ask where
8 you're from?

9 SPEAKER FROM THE FLOOR: El Paso, Texas.

10 ATTORNEY GENERAL RENO: First of all, you
11 all are doing such a good job all along the border that
12 it's beginning to shift back into the Carribean and into
13 South Florida.

14 And one of the things that we're trying to
15 do -- and I would look forward to working with everybody
16 along what I call the Southern Frontier -- is to develop
17 from Puerto Rico to the Pacific a more comprehensive
18 approach; that as we build pressure here we be prepared
19 to respond here. And we've really focused on that.

20 The border is extraordinary. I have now
21 gone from the Pacific to Brownsville, and it is
22 different at every step. San Diego, El Centro, Nogales,
23 Douglas, Las Cruces, El Paso, Del Rio, Laredo,
24 Brownsville -- it is just an extraordinary terrain and
25 an extraordinary world.

1 We have some areas where there has been a
2 really comprehensive and close working relationship; in
3 others, not so much so. And what I would like to do is
4 when you get back to your office let me call you and
5 chat with you about what more we can do.

6 We have developed a really good working
7 relationship with the responsibilities I think clearly
8 defined in the San Diego sector, but there everybody is
9 so much closer together; whereas, in El Paso you've got
10 long distances on either side and a more remote area
11 involved, and I think we need to focus with you on how
12 we can perfect a better working relationship.

13 You raise some really important points:
14 One, the whole impact on local jails; two, the impact on
15 prosecutors.

16 One of the things when I was -- after
17 leaving El Paso last summer I went to Las Cruces, and
18 the U. S. Attorney and the local prosecutor were saying
19 the local prosecutor is having to do it because the U.S.
20 Attorney is totally underfunded, and we've tried to
21 respond with additional resources.

22 We need to look with you at how we can
23 really make it a seamless border, but I just want you to
24 know how much we appreciate what local prosecutors have
25 done all up and down that border.

1 And I think it's another example -- I
2 remember my time in Miami, and I worked for most of my
3 time as state attorney with Republican U.S. Attorneys,
4 and we never thought about our party designations during
5 that time as we addressed issues of drugs.

6 In San Diego a Republican local district
7 attorney and a Democratic U. S. Attorney and a
8 Republican sheriff all work together with no mention of
9 partisanship, and it really does make me proud, and we
10 want to try to continue to do that every way we can.

11 SPEAKER FROM THE FLOOR: Madam Attorney
12 General, one area that's beginning to impact local
13 prosecutors throughout the country more and more is the
14 issue of Indian country, particularly in Public Law 280
15 states and particularly in the Ninth Circuit, and many
16 of the issues are now arising because we see gambling
17 becoming a major issue on Indian lands.

18 My question to you is because at least

19 there appear to be some inconsistencies at the local
20 jurisdiction between those attorneys, is there any
21 comprehensive policy with regards to how we can deal
22 with this problem?

23 ATTORNEY GENERAL RENO: It's obviously
24 difficult to develop a comprehensive policy, because
25 there are different thrusts by different states.

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1 In California you have one particular
2 situation with the four U.S. Attorneys and one having
3 made a decision. I think now they are becoming more
4 aligned, and I think as we work through these issues and
5 as we address them they are at least becoming more
6 comprehensive with respect to states.

7 If you have any concerns, I would
8 appreciate your letting Nick know directly so that we
9 can follow up for you.

10 I think this is one of the difficult issues
11 we grapple with. All the issues of Indian country are a
12 top priority for me, because I think the federal
13 government has failed in its trust responsibility over
14 time and history to Indian country in terms of providing
15 adequate law enforcement capacity, providing adequate
16 detention capacity and developing prevention programs.

17 At the same time, the issue of Indian
18 gaming is a difficult issue in many, many jurisdictions,
19 but each seems to take a slightly different approach.
20 So, to develop a comprehensive approach nationwide is
21 difficult.

22 The other issue that I think we all have
23 got to participate in and be involved in is the work
24 with the National Commission on Gaming and what -- where
25 we're going on this issue. Every time I visit with your

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1 leadership they say, where are we going on this issue,
2 when I talk with the National Association of Attorneys
3 General they express similar views, and I think it's
4 going to be important for prosecutors at every level to
5 work with others to address where we're going on gaming.

6 SPEAKER FROM THE FLOOR: We met last week
7 with a representative of General McCaffrey's office, and
8 I was just wondering what was the rationale for the
9 Department of Justice's position on disparity or
10 different penalties for crack and powder cocaine under

11 Federal Sentencing Guidelines, and do your United States
 12 Attorneys have discretion to depart from those
 13 guidelines in their negotiations?

14 ATTORNEY GENERAL RENO: I didn't hear the
 15 last part of your question, but your question is what is
 16 our position on the ratio?

17 SPEAKER FROM THE FLOOR: Correct.

18 ATTORNEY GENERAL RENO: As you know now,
 19 the federal ratio is one hundred to one. When I came to
 20 Washington I had been used to a one-to-one ratio and
 21 was, quite frankly, very surprised to find a
 22 differentiation and such an extraordinary
 23 differentiation.

24 This is an issue that I have tried to
 25 pursue. Last year when the sentencing -- or how many

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1 years ago is it now? The Sentencing Commission came
 2 down recommending one to one. U.S. attorneys across the
 3 country looked at it and concluded that the
 4 hundred-to-one ratio was by far too extreme and did not
 5 reflect the disparity between crack and powder in terms
 6 of the damage that it's done to the community. At the
 7 same time, they felt that there should be some disparity
 8 because of the impact that crack cocaine had had on
 9 communities across the country.

10 General McCaffrey and I are in the process
 11 of working with the White House, and I think the White
 12 House will soon announce its position with respect to
 13 the Sentencing Commission's recommendation of what we
 14 call the "pinch" of bringing one up and the other down
 15 and reducing the ratio.

16 SPEAKER FROM THE FLOOR: Madam Attorney
 17 General, one of the issues that seems to be confusing
 18 for all the prosecutors -- at least what we're supposed
 19 to tell the people who are victims of domestic violence
 20 crimes relative to the prohibition against possession of
 21 firearms. It seems like the U. S. Attorney's Office was
 22 designed for massive case loads of DV defense, and I was
 23 wondering is there a national protocol or some standard
 24 of the Department of Justice that deals with the
 25 prosecution of those defendants in line with the Brady

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1 Bill prohibition?

2 ATTORNEY GENERAL RENO: Your question is

3 what is the federal government doing in terms of
4 prosecuting those who have been convicted who are now in
5 the possession of a firearm?

6 SPEAKER FROM THE FLOOR: Yes, that's
7 correct.

8 ATTORNEY GENERAL RENO: We -- and I will
9 check to see whether the Office of Violence Against
10 Women has developed any specific guidelines and ask Nick
11 to get back to you, but I don't think we have any
12 specific guidelines, because what my message to the U.S.
13 Attorneys has been is, look, it's going to vary from
14 jurisdiction to jurisdiction. In some instances you're
15 going to have police and prosecutors at the local level
16 who want to be responsive; in others it may be something
17 that you can handle better.

18 But we should follow up on these cases so
19 that there is effective prosecution and an effective
20 enforcement based on what's in the best interest of the
21 case.

22 SPEAKER FROM THE FLOOR: Good morning. I'm
23 a local prosecutor here in Virginia, and listening this
24 morning to one of your U.S. Attorneys from Wisconsin
25 talk about the use of technology in litigation in the

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1 courtroom, one of our problems, at least in my office,
2 and I'm sure probably across the country in other
3 offices, is that we have a lot of problems getting
4 fronting from the locality and the state to enhance
5 technological advancements in the office or from laptops
6 or powerful computers for the software that's necessary
7 for us to do our jobs.

8 I know you mentioned earlier in your
9 presentation that there was, in a bill pending before
10 Congress, some money specifically earmarked for local
11 prosecutors. Is any of that money going to be
12 specifically earmarked and designated for equipment use
13 so that we can maintain some balance in terms of getting
14 the necessary equipment we need for computers and
15 laptops and a lot of the other advancements that are
16 necessary to prosecute some more complicated cases?

17 ATTORNEY GENERAL RENO: Under the
18 President's legislation there may be some moneys that
19 could be used for automation, but all of it would have
20 to be focused on youth violence. But it comes back to
21 the second point or one of the points that I raised with

22 respect to technology as a whole; how can we work
23 together to get the criminal justice system
24 appropriately automated? How can we work together to
25 make sure that there is communication between all the

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1 systems, that they work together?

2 I don't have all the answers, but what I've
3 asked John, Bill and Newman to do is to work with us and
4 see how we can develop a package that we can sell
5 Congress in the years to come that would provide this
6 specific equipment, that would provide tools necessary
7 to prevent against cyber attack, that can provide
8 up-to-date technology.

9 But let me tell you where the greatest
10 challenge is. First of all, it's extraordinarily
11 expensive.

12 Secondly, to install something it has to be
13 installed -- an information system or a case management
14 system has to be installed with your office and mine.
15 I've seen computer experts come charging into a local
16 prosecutor's office not knowing what an acquittal is as
17 opposed to a conviction and leave it in shambles and
18 waste a lot of the state's money. So, we have to do it
19 smart.

20 The third thing I'm discovering is
21 equipment that I bought six years ago while I was a
22 local prosecutor I'm now told is long ago obsolete, and
23 how do we all work together as a united front, whether
24 it be in information-sharing equipment, courtroom
25 forensic work, cyber crime detection and

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1 apprehension -- how do we work together to address the
2 problem that Dwight Eisenhower raised in his farewell
3 address as president? In that address he warned of the
4 industrial military complex that had taken over the
5 nation that controlled purchasing practices and forms of
6 Defense Department acquisitions, and I think it's
7 important that we learn the lessons that the military
8 community has learned in terms of procurement. How do
9 we provide for incentives to suppliers and to the
10 industry to give us equipment that can be updated and
11 made current on a regular basis rather than in very
12 expensive chunks in which we start and stop and start
13 again?

14 I forgot all the chemistry that I once
15 learned, and I never knew much about this technology,
16 but I know enough to understand the pitfalls and know
17 enough to suggest that we must all work together to
18 address them for the future.

19 Thank you all so very much.

20 (Applause.)

21 (The keynote address concluded.)

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1 COURT REPORTER'S CERTIFICATE

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3 I, Heidi L. Jeffreys, RMR, CRR, a
4 Registered Merit Reporter, certify that I recorded
5 verbatim by Stenotype the captioned proceeding in
6 Norfolk, Virginia, on July 15, 1997.

7 I further certify that, to the best of my
8 knowledge and belief, the foregoing transcript
9 constitutes a true and correct transcript of the said
10 proceeding.

11 Given under my hand this _____ day of
12 _____, 1997, at Norfolk, Virginia.

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Heidi L. Jeffreys, RMR, CRR