



JUSTICE DEPARTMENT WEEKLY MEDIA AVAILABILITY

WITH ATTORNEY GENERAL JANET RENO

JUSTICE DEPARTMENT

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ATTY GEN. RENO: Last month the Senate came together in a spirit of bipartisanship and passed serious gun legislation that will help keep dangerous weapons out of the hands of

fugitives, felons and of children. At the time, I expressed my hope that the House would follow suit. There are a number of other important gun safety measures that I would support and the Justice Department stands ready to encourage this country to adopt, but for now, the sensible measures in the Senate-passed legislation deserve to be enacted into law.

This week we had the first glimpse of the House juvenile justice bill that will be taken up Wednesday. While I'm pleased that it contains many promising proposals to address violence in our nation, I was very disappointed to see that it has undermined the common-sense measures passed by the Senate to close the gun show loophole.

There are a number of problems with the House version of the gun show bill. Let me give you two examples. The Senate bill defined "gun show" to cover all events where a large number of guns are for sale, but the current House bill will not require background checks at lots of events where large numbers of guns are sold, such as flea markets.

It doesn't matter to criminals if the event is called a gun show or a flea market; if they can buy guns without a Brady check, they will come.

The Senate bill also extended the current Brady law to gun shows. This law has worked so well to stop more than 250,000 criminals and other prohibited people from buying guns, without hurting legitimate gun purchasers. Unfortunately, the House bill changes the Brady law by cutting down the time limit by which law enforcement has to complete background checks at gun shows.

Cutting the amount of time won't really benefit law-abiding buyers. The vast majority, the great majority, are already able to buy their guns almost immediately. But the House bill is sure going to make it easier for criminals to buy guns on weekends, when their state court records are inaccessible.

Last month the American people spoke, and the Senate

listened. They heard the American people say they wanted to keep guns out of the hands of criminals and kids, and the Senate acted to do just that. I'm hopeful that the House will also listen to the people of this country and pass a bill that makes all Americans -- and particularly our children -- safer.

Before I take your question, I would like to address another issue of concern to me, one which is currently before the Senate. Yesterday the Senate Budget Committee completely defunded President Clinton's 21st Century Community Policing Initiative. I don't understand it. Less than a month ago we learned that crime had gone down for the seventh year in a row. A factor in that extraordinary success has been due to dedicated local police departments working diligently with their community to protect their community and to build trust. We have watched police departments across the country transform as they have adopted community-oriented policing principles, supported by additional officers provided by the COPS program.

Just two days ago, at our conference on improving police-community relations, I heard from law enforcement, civil rights, and community leaders, who all told me that community-oriented policing, done in a way which builds trust and involves the community, has improved the quality of policing across America.

We must continue to do everything in our power to bring the crime rate down, to build trust and to help every person feel safer in his neighborhood. That, I think, it is essential that we continue the COPS program. I hope the Senate will take the opportunity to correct this mistake before the 2000 budget is finalized.

Q Ms. Reno, some of the provisions in the House were apparently written by NRA lobbyists. Is it time for the NRA to take a look at what it's doing and to approach a reasonable -- or take a reasonable approach to this whole issue?

ATTY GEN. RENO: Well, as I've said before, I don't think

even the NRA wants somebody to have a gun if they don't know how to safely and lawfully use it and if they've indicated that they have neither the capacity nor the willingness to safely and lawfully use it. And I think most people in the NRA would support legislation that would be directed at that. I think most people in the NRA, if they were able to express themselves, would say: Why should we make a difference between a flea market and a gun show? Why should we limit the time that they have to make a Brady check because it's a weekend? I think people of good will who belong to the NRA and who want to make gun usage safe are probably in favor of reasonable regulation.

Q Do you feel that -- you say most people in the NRA. Is the NRA leadership out of touch with the rank and file members?

ATTY GEN. RENO: My experience with the NRA is that there are two factions to it, one who say don't do any regulation, because if you do, it will start you down the slippery slope, and the others say, yes, reasonable regulation makes sense.

Q Ms. Reno, why is it important to have the time to conduct a background check -- as I gather, what many people are objecting to in the Senate provision is that for collectors who want to exchange guns at gun shows, this 72 or more background check time requirement would muck up their ability to travel, meet at a gun show, exchange guns and go home.

ATTY GEN. RENO: As I've indicated in my statement, most of these legitimate gun buyers can have the check done almost immediately. It's going to be the person who is problematic, who may have a prior arrest but we can't -- the courthouse clerk's files are not open for us to check to see what the disposition of the arrest was.

Q So it's not that -- in some states, it's not that there's nobody on the other end of the phone; it's that if there's a question, it takes time to get to the records.

ATTY GEN. RENO: There's somebody on the other end of the phone, and in the case of most legitimate gun owners, there's going to be an immediate answer. But I think you've heard me talk before about the fact that criminal records still are not complete, in terms of the information on them, to indicate what the disposition is, and we've got to get to the courthouse to be able to do that.

Q And one other question: Why is it -- why are gun shows of such concern to law enforcement?

ATTY GEN. RENO: Gun shows are of considerable concern because so many guns are bought and sold at these gun shows. And it provides an escape if you don't go buy it here -- if you think, "Well, I'm not going to be able to buy it here because I'm not eligible under Brady, so I'll go to the gun show and buy it there." And now, with what's proposed in the House, "Well, I can't buy it at the gun shop, I can't buy it at the gun show, but I'll go to the flea market and buy it." And the next thing we know, they'll have something in lieu of the flea market.

Q Ms. Reno, what do you say to the NRA's mantra of, you know, law-abiding citizens who want to buy guns are being inconvenienced and -- for -- you know, for criminals? What do you say to that argument?

ATTY GEN. RENO: I say that there is much to be said for making sure that people who buy guns and purchase them -- that they are eligible to purchase them under the law. And it's not much trouble for most people to have the check made; almost, in many -- I think most of the instances, but I will ask Myron to give you the figures, if they're available -- the response comes back immediately: "Fine. Go ahead. Buy it."

This country is about balancing interests, and most Americans -- the great, great number of Americans -- are willing to participate in a process that ensures safety without unduly limiting civil liberties.

Q Ms. Reno, it's much easier for me to buy a Mini-14 than

it is to get a driver's license.

Is it time to at least start thinking about registration of assault weapons or pistols?

ATTY GEN. RENO: I'm not -- I haven't talked about registration. What I'm most interested in, and I've been talking about it ever since I first confronted the issue in Miami, if you have got to get a license, if you've got to take a driving test to show that you can drive an automobile, then I think you ought to take a written and manual test in the safe and lawful operation of every weapon that you possess, and that you ought to be able to demonstrate that you know how to use a weapon like you demonstrate that you know how to safely and lawfully use an automobile.

Q Have you directed your staff to begin drawing up a program?

ATTY GEN. RENO: No, I've been talking about it and trying to get people to think about it and trying to get people to support it.

Q On the other issue of community policing that you mentioned this morning, if local communities did effective community policing, why would the federal government need any funding on that issue?

ATTY GEN. RENO: What has happened is really exciting. I think we've shown that with community policing done right, with other initiatives under way, with people coming together to develop better prevention programs, such as I saw in New York City yesterday, that we are making a difference with respect to crime. We can at this point declare victory and become complacent and turn our attention to other issues, and if so, crime is going to start back up; or we can continue to do what's been proven successful and make a substantial effort to end the culture of violence in this country. Community policing, I think, has been a very effective tool, not just at making communities safer, but building trust and understanding

within neighborhoods and within cities. It has oftentimes been the glue that brings people back together again. Why stop a good thing?

Q The Supreme Court yesterday threw out a Chicago ordinance that involved gangs, and I was wondering if -- well, first of all, what your reaction to that was, and also if the department intends to work with Chicago and other cities to perhaps recraft ordinance that might meet some of the standards set out by the Justice Department.

ATTY GEN. RENO: I just got the opinion on my desk this morning, and I haven't had a chance to read it to comment really in depth on it.

Q May I come back to guns for a moment? Is part of the department's concerns about guns used in crimes -- do they disproportionately tend to come from gun shows? Are gun shows, where there are no background checks, a big source of guns used in crime?

ATTY GEN. RENO: I don't want to cite the figures off the top of my head. Let me ask Myron to give you whatever we can that's accurate and helpful.

Q Ms. Reno, Chairman Burton has requested to interview Charlie Trie, John Huang, and some other people. Have you decided how you are going to respond to his subpoena request and, secondly, concerns that an initial search warrant or request for a search warrant for Charlie Trie was stalled, if you could respond to those two questions?

ATTY GEN. RENO: We are in the process of working out all those details and producing the documents and doing everything possible to honor the oversight interests of the committee.

Q Attorney General, at your Senate confirmation hearings a little while ago, you promised to apply the federal death penalty in a fair and reasoned way, and to try to prevent disparate treatment, particularly as it regards race. Do you feel like you've kept that promise?

ATTY GEN. RENO: What we have tried to do from the beginning is to review everything that we do objectively, to make sure that race or other inappropriate factor is never considered. And then we try to review the data afterwards to see whether there is any disparity that is unexplained, based on the appropriate evidence and the law.

We have reviewed it. I had some initial concerns. I asked Eric Holder, the Deputy Attorney General, to review it. And he has advised me that at this point, there does not seem to be any basis for concluding that there is disparate treatment based on race.

But one of my major concerns is that whenever we seek the death penalty, whenever we make these decisions, we do it as thoroughly and as thoughtfully as we possibly can, and that we continue to review efforts along the way in order to ensure that justice is being done and that there is no disparity based on race or other inappropriate factor.

Q Earlier this week you testified in closed session at the Senate Judiciary Committee about the allegations of Chinese espionage. But afterwards, the chairman of the committee, Senator Hatch, said that there was still bipartisan skepticism about your explanations regarding the application for the FISA warrant in 1997. And Hatch himself stated categorically that he believes there was in fact probable cause in 1997. What's going on here that you can't persuade them of your position? Why are they so adamant?

ATTY GEN. RENO: You'd have to ask them.

Q Well, can you explain a little bit about what's going on there behind the scenes? Why is it that --

ATTY GEN. RENO: One of the points that I have made with respect to this matter is that the FISA application contains classified information that cannot be discussed and that goes to very sensitive sources. For that reason, I have not discussed it, except in these closed sessions. At some point down the road, it may be possible to do it, and I would like very much to. But you have to ask the people

that have concluded, as they have, why they reached those decisions. I can't speak for them.

Q He also said that he believed that you had not previously shown enough interest or concern about this matter, and he said that you now understand that this FISA process is serious and important and needs your full attention. Do you accept the description that you did not earlier appreciate the significance of the process?

ATTY GEN. RENO: I think I have the greatest respect for the chairman, but he's just simply wrong. I spend an awful lot of time on the FISA process. We have tried to review it and make sure that the process is careful, that it's done accurately, that it's done based on the evidence and the law. His conclusion just simply doesn't square with what the actual practice has been. And that does not mean, however, that by giving it attention, I then have to conclude that every FISA application presented states a sufficient case of probable cause. I have a duty to enforce the law based on the evidence and the law, and I'm going to continue to try to do that.

Q And finally on that subject, he said he wants to declassify and release publicly the transcript of that hearing earlier this week. Are you going to be able to work with him to do that? Is that something you think is doable?

ATTY GEN. RENO: I told them that it would be very important that they take extraordinary care to make sure that nothing was declassified that would reveal sensitive sources or materials, and I hope that they will take that caution into account.

Q Can you tell us what the status is, please, of any discussions you're having about the FBI's entry into Kosovo to help with forensic investigations for war crimes trials? Is that getting any closer?

ATTY GEN. RENO: The FBI is prepared to do that, and we will continue those discussions.

Q Does it look like it's going to happen?

ATTY GEN. RENO: I would leave my answer at that.

Q Ms. Reno, a question about the president's announcement earlier this week that federal law enforcement officials would begin gathering data on people stopped to make sure -- well, to begin to collect data to get a picture of whether there's racial profiling. To what extent do federal law enforcement officials -- for example, those in the Justice Department -- ever stop people? Will this tell us much about -- isn't the problem mostly a local one?

ATTY GEN. RENO: I think it is important, before we talk about state and locals, that we talk about ourselves and make sure that we're doing things right. And what we're going to do is to review the sensitive actions taken by federal law enforcement and make sure that we try to develop a fair system based on appropriate standards that will allow us to measure.

Q But who stops people? There really isn't a federal traffic function like there is the highway patrol or police. Border patrol? Customs? I mean, who are these -- who are the federal law enforcement officials that make routine stops?

ATTY GEN. RENO: We'll just have to look at it and see. But I think it is, again, an effort on the part of the federal government to say we can't go around criticizing other people without making sure that we're doing it right.

Q Attorney General, if I could just renew a death penalty question. The Legal Times reported last week that better than two out of three death-eligible cases that have been brought to you, you've declined to prosecute -- excuse me, to seek the death penalty.

Does this ratio reflect your personal opposition to the death penalty? And if not, what does it reflect?

ATTY GEN. RENO: It reflects the evidence and the law. Not

every case in which the death penalty may, on its face, be available is available under the law. The death penalty act requires that we identify aggravating circumstances, spelled out in the statute, and mitigating circumstances, and that we make a judgment whether the death penalty can be sought based on the law, based on whether there are equally culpable defendants. And what we have tried to do is to make sure that the law is used in connection and consistent with legislative intent and with the evidence.

Q Ms. Reno, what can you tell us about --

ATTY GEN. RENO: There will also be other instances where -- for evidentiary reasons, where the prosecutor feels that it will be necessary to waive the death penalty in order to ensure a conviction.

Q I was just going to change the topic a little bit here. What can you tell us about the status of the investigation at Los Alamos and whether the investigation goes beyond Wen Ho Lee, and if so, how far?

ATTY GEN. RENO: As I have said on a number of occasions, I can't comment on pending investigations, because they really should be conducted in an appropriate way, in order to make sure that we pursue all leads and that we don't tip our hands. So it would not be appropriate for me to comment.

Q Ms. Reno, you've also said on a number of occasions that you wish you could speak freely about a variety of topics. You told us this during the Starr investigation, for Chinese espionage, the whole --

ATTY GEN. RENO: You can come sit on my front porch in 20 years and we can talk about it all -- (chuckles) --

(Soft laughter.)

Q Are you going to write a book once you're out of office? And if you are, is it going to be dynamite? (Laughter.)

ATTY GEN. RENO: I haven't thought about what I'm going to do when I leave office, except to say that I'm going to first of all sail off to the Caribbean in my brother's boat. And then when I've been gone long enough so that people won't generally recognize me, I'm going to come back and get in my truck and explore the country.

Q So you aren't going to take a laptop with you -- (laughter) -- and start the first few chapters or --

ATTY GEN. RENO: If I'm going to really enjoy this truck trip, I'm going to leave the laptop home!

Q Ms. Reno, Eric Holder said at this police conference that there was going to be a review of the use of force policy in the federal government. Why is that necessary, and what form will that process take?

ATTY GEN. RENO: We are in conversation now about that. But one of the things that I have learned is that you sometimes get a policy in place and then nobody goes back, because they've put so much time and attention into developing the policy and they think it works, they don't go back and look at it to see how it has worked once you've put it into place. And I think it's important in those instances to continually, where it goes to issues so critical as whether force is justified or not, that we review it, and I think it would be helpful to us.

Q Ms. Reno, in terms of the conference earlier this week, how do you bridge the gap between the perceptions of some in the minority community that police are biased in the way that they deal with African Americans and other minority groups?

ATTY GEN. RENO: I think one of the first things that we do is for us to try to identify what is perception, because we have got to deal with that, and what is fact. And where fact occurs, we have got to take steps to hold people accountable. But we've got to make clear what we're holding them accountable for, and the standards have got to be carefully spelled out.

But beyond that, I think it's important -- in those communities where I think trust exists, it exists because a police officer has explained why he stopped somebody instead of coming up and saying, "Let me see your license. Well, all right, you can go on." And saying nothing more of, "Look, I stopped you because, and this is the reason, and I'm sorry to have bothered you, and you can go on." A police officer who explains why he's done something and does it courteously oftentimes solves a lot of the problems.

But I think -- and I heard it yesterday in Brooklyn as I visited a remarkable initiative by the Pfizer Chemical Company that had chosen to remain in the inner city, had made a commitment to that community, and now employed some, I think, 1,200 people on an around the clock basis. They had taken one of their facilities and made it available for the establishment of a public school, to which two people, the Riches (sp), had made a major contribution. It was one of the best schools I have seen in a long time.

The kids were so interesting and excited. They had wonderful questions. But they were also in the process, they had worked with others to ensure the development of middle-income and low-income housing, oftentimes Pfizer not participating dollar-wise but participating in terms of initiatives with the state interest and others. They were working to establish a supermarket across the street that would employ additional people.

The police officers were there, and they were obviously highly respected in that community. And I wish people could have seen it. But it is because they went to the community, they were known there. It was not just a program where you go off and participate with an officer's initiative on a Saturday afternoon; it was a program where the officer was in the neighborhood, they knew him, they knew him well enough to call him by name, they looked forward to seeing him. And that officer was building the trust that can make such a difference. That's community policing at its best. But we've got to do more outreach like that.

And we've got to -- I summed it up the other day at the conference. We've got to look beyond what we label people as. We've got to remember that -- you take two people, two hypothetical people, one a 24-year old police officer who's a year out of the Academy, he's by himself in a crowded situation late at night, crowds are beginning to gather. He's scared, but he wants to do the right thing. He got into policing because he was interested in public service. The minister who comes out of the crowd and stands beside him and says, "Here, this is the way we can work through this"; and the civil rights leader who comes and stands on the other side and says, "Here, let's talk it out, and here's how we do it," can make such a difference. And on the other hand, the 24-year old minority who has been in trouble but who has always had dreams and aspirations of being a great lawyer, of contributing, of making a difference. He can't get a job now. He's 24 years old. He's scared. He wants to get off on the right foot. He wants to get his whole life with respect to drugs behind him, but he keeps having door after door closed because nobody wants to hire him because he's been in trouble before.

We can help a lot by looking behind that label of the ex-felon and doing what we can to bring that young man back into a positive future.

We've just got to look at people and realize -- and some people may say I'm -- got rose-colored glasses, but I think most people in this country want to make a difference; they want to contribute. There are some bad people, and we've got to go after them. There are other people that need our help, and we've got to develop prevention programs to get them off on the right foot. But if we look behind the person and see his spirit, his soul, his intelligence, his heart, his caring, we're going to do a lot more to bring this country together.

Q Thank you, Ms. Reno.

Q Thank you very much.

ATTY GEN. RENO: Thank you.

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