



Department of Justice

"AN ANTI-CRIME COALITION
FOR AMERICA'S COMMUNITIES"

KEYNOTE ADDRESS

BY

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TO THE OPENING ASSEMBLY

OF

THE ATTORNEY GENERAL'S SUMMIT
ON LAW ENFORCEMENT RESPONSES TO VIOLENT CRIME:
PUBLIC SAFETY IN THE NINETIES

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Last week, our hearts lifted as joint military operations won a great victory over violence and aggression in the Persian Gulf. That victory -- a textbook example of military might brought implacably to bear upon a ruthless enemy -- is remarkable in two respects. First, it was achieved by a unified coalition of the forces of twenty-seven nations, and second, it brought renewed respect, worldwide -- as the President has said -- "for the rule of law over the rule of the jungle."

I believe there are strong lessons here for us today -- even goals -- as we embark upon this joint effort to respond to violent crime in America. I fully trust that we can, by engaging in this dialogue, fashion a similar coalition of forces -- at all levels of our government -- to combat lawless violence here at home. And I greatly hope that together -- by building this coalition against crime -- we can preserve the rule of law to our threatened neighborhoods and the communal life in this country.

Let it then be understood, we are here in the name of the law and for the furtherance of justice. We are not here to search for the roots of crime, or to discuss sociological theory. The American people demand action to stop criminal violence whatever its causes. The debate over the root causes of crime will go on for decades, but the carnage in our own mean streets must be halted now. Those streets where violent crime last year claimed some 6 million American citizens as victims, where the

odds of becoming a victim of violent crime are now greater than becoming involved in an automobile accident.

Indeed, unless violent crime is checked -- and checked soon -- we may well jeopardize what I have always called the first civil right of every American -- the right to be free from fear in our homes, on our streets, and in our communities.

President Bush has said that he always remembers this freedom from fear as the last, but often forgotten, of President Franklin D. Roosevelt's original Four Freedoms. And the President rightly reminds us all: "When we ask what kind of society the American people deserve -- what kind of society we hope to pass on to our children -- it's clear that our goal must be a nation in which law-abiding citizens are safe and feel safe."

True enough that all of us here this week would hope for a future that solves all the problems of inadequate housing, substandard health care, marginal education, and a lack of opportunity for meaningful employment -- those familiar causal grounds for potential criminal enterprise. Last week, the President proposed a comprehensive program to enhance opportunity for all Americans, and raise just such chances of crime-free life becoming the order of the day. But unless and until that day comes, we who are involved in the criminal justice system will be

looked to for leadership in protecting our citizens from the ravages of violent crime. Police, prosecutors, judges, correctional officials, involved citizens -- all who are represented here today -- must bend to the task of making our system work better so that our citizens are safer, and know they are safer. Only then will their quality of life match their legitimate expectations in a country so blessed with freedom, so rich in opportunity, and therefore, so dedicated to democracy.

I mentioned that this week's Summit is to be a dialogue. There will be very few speeches. Most of what we can accomplish will come from exchange, from what we learn from each other. And that means police interacting with prosecutors, sheriffs with judges, citizens with correctional officials -- federal, state and local -- so that the whole outcome of our discussions -- our coalition against crime -- will truly exceed the sum of your valued and individual contributions.

I.

In that spirit, since we are here to learn from each other, let me offer some observations. One is a caution, another is a call to cooperative action, and a third, a call for innovation in policing while sticking to the rule of law.

First let me caution you about money. There are some, who, even in these days of tight budgets, see additional federal financing as the only answer to more effective law enforcement.

Now, don't get me wrong. This Administration believes in federal, state, and local law enforcement. Indeed, over the past two years, while our federal crime-fighting budget has gone up 39 per cent, our formula grant program, now called the Edward Byrne Memorial State and Local Law Enforcement Program -- in honor of the New York City policeman slain in the line of drug-fighting duty -- has seen appropriations increase by over 200 per cent. This is President Bush's major initiative, and it has allowed each state's law enforcement cadres the flexibility and discretion needed to confront the local virulence of drug-related violent crime in all fifty states.

This fiscal round, expenditures for your innovative anti-crime and anti-drug programs will rise to nearly a half billion dollars. And additional funding will be forthcoming from our asset forfeiture program which recycles the assets and profits of the drug kingpins back into more effective law enforcement. Many of the police forces here today have participated in the equitable sharing of nearly half a billion dollars seized in joint drug investigations over the past five years. And there will be more to come, thanks to our mutual efforts to preserve this program in Congress last year.

And I know that many cities and states have already responded by reordering their priorities to provide more support for effective law enforcement. It is heartening, for example, that Mayor Dinkins and Police Commissioner Lee Brown are seeking to add 5000 policemen to New York City, even in the face of a fiscal crunch.

Let me move then to my second point, "working together." Increased cooperation among all agencies of law enforcement -- federal, state, and local -- has consistently proven to be the best answer to stopping violent crime.

It has succeeded with our Organized Crime Drug Enforcement Task Forces -- OCDEFT (for want of better acronym). These task forces bring together eleven federal agencies with their state and local counterparts to gather the street intelligence, make the arrests, and then bring the prosecutions that finger the major drug enterprises dominating the streets of thirteen major metropolitan areas.

Working together has succeeded as well in our DEA-funded state and local anti-drug task-forces -- now 52 in number. These joint efforts often produce cases against violent drug traffickers which can be developed at the local level and then tried in the federal courts, where far stiffer penalties are available. And finally, working together succeeds on a day-by-

day basis in a variety of ad hoc cooperative arrangements such as the Philadelphia Violent Traffickers Project, about which you will hear tomorrow, where innovative law enforcement leaders find their own path to more effective and efficient use of existing resources.

That is the call to cooperative crime-fighting I am issuing today. We will look to you for insights, ideas, suggestions, backing, and good faith, so that communal police work -- determined to take back our streets from violent criminals -- will have the full support of the whole justice community.

But we also want you to know that we have designed this Summit to demonstrate some of the innovations in policing which appear to be working around the nation. You will hear about a community policing program in Charleston, South Carolina; another community involvement effort in Kansas City, Missouri; a street-gang program in Los Angeles; anti-organized-crime efforts in New York and New Jersey; new and helpful laboratory technologies at the FBI; and alternative sentencing programs in Wisconsin. These deserve, indeed command, your close attention.

We also have an innovation of our own to offer -- largely based on some of your past efforts -- an initiative by this Department to set up violent crime task forces within several

urban communities, where the local infrastructure has been blighted, and human capital bled dry by drugs and crime.

Phase one: a coordinated attack on drug-dealers, gangs, and criminal predators -- to free the target area of crime -- by combined federal, state, and local law enforcement, led by the U.S. Attorney's Office in the target area. These task forces will employ modern, anti-crime techniques such as clean sweeps, street cameras, and top-gun arrests, all of which you can learn about at this Summit.

Phase two: a coordinated redevelopment program in conjunction with an augmented state and local police presence -- to keep the target area free of crime. The idea is to strip the streets of violent criminal elements so that legitimate enterprise can rehabilitate such barren ground. First, we pull the weeds, then we plant the seeds. And we are allotting \$12 million to the model task forces in these blighted urban areas -- along with accompanying federal grants -- in hopes of a real harvest of human dignity. If we succeed, we will weed and seed elsewhere -- anywhere that criminal violence can be plucked out and human decency take root and grow.

II.

On another, perhaps more controversial subject, I realize that any discussion about the armed career criminal is inevitably going to turn to the question of what do we do about his firearms? A panel discussion is scheduled for tomorrow afternoon on "Targeting the Armed Violent Offender." But I have no doubt this subject will come up during other discussions as well.

Various proposals to deal with this problem have been on the agenda of the Congress and various state legislatures and city and county councils. We won't resolve these political differences here this week, to be sure, but let me offer a couple of common sense observations.

I first think back to my days as a governor when we adopted a statute that imposed a minimum mandatory five-year sentence -- no probation, no parole -- whenever a firearm was used to commit a crime. We put out menacing billboards across the state: "You commit a crime with a gun in Pennsylvania and you've shot five years of your life!" That message was very potent, and so was our courts' strict imposition of sentences. We saw the number of firearm offenses go down. People didn't want to shoot five year of their lives, and they knew they would be held accountable.

That is the key to me. Accountability under the rule of law -- I'm sure you believe along with me -- is our only real assurance of public safety. And that is what the President has sought to guarantee by his support of federal firearms statutes to hold violent criminals accountable for use, and even for possession, of a firearm. For example, a first federal offense today for using a firearm in the course of a violent crime or drug-trafficking offense carries a minimum mandatory sentence of five years -- no parole or probation, and, I might add, no plea bargaining under orders I issued in 1989. A second conviction carries a minimum twenty-year sentence.

Over the past two years, more than 2,500 such offenders have been charged under this statute, and the vast majority -- some of America's most dangerous felons -- have been convicted. Another thousand such cases are pending. Some of the more habitual offenders, whose sordid careers fall within sanctions under the Armed Career Criminal Act, presently receive a minimum sentence of fifteen years for merely possessing a firearm after three violent crime or drug trafficking offenses, again no probation, no parole, and no plea bargaining. Through Project Achilles, over three hundred of these violent and armed criminals have already been put very far away.

Under soon to be proposed legislation, accountability would be further enhanced. Possession of a gun after only one such

conviction would bring a five-year mandatory sentence. This is right in line with increased penalties that we are proposing across the board with regard to the use -- or now the possession -- of semi-automatics or other dangerous weaponry, in connection with any crime. And these sanctions extend to smuggling firearms, even to lying to a license bureau when acquiring a firearm.

Some critics have complained that we're becoming too tough, that we're locking up too many of these violent offenders. Not me and, I think, not you.

We sincerely hope these tough federal laws can serve as model statutes for state firearms codes. And we are encouraging that by formula grants, so that the armed and violent criminal will face severe sanctions at all levels of law enforcement.

But I am well aware that this is precisely where the debate begins -- over whether, and at what level, further limits should be set upon the availability of firearms to the general public. How far should such limits go -- if they threaten to curtail legitimate ownership of firearms? And should the states -- or even, as some propose, the federal government -- impose them?

As I have said, we will not resolve those questions here this week. But let me explain something that must be taken into

realistic consideration in this debate. Whatever efforts are taken to deal more effectively with the illegal use of firearms by felons will be severely inhibited by a serious shortcoming in our present system. Today the records needed to make the necessary match-up between a potential firearms purchaser and his possible criminal past do not adequately exist. To put it bluntly -- no matter what point of purchase or 48-hour delay or seven-day waiting period you might establish, you couldn't come up with the needed facts, on a consistent basis.

And that, I will say right here, is something I want corrected. Today only one out of six felons actually purchases his weapon at a sporting goods store instead of on the black market. But turning up even his prior record would be hit-or-miss because we are behind times in keeping modern, up-to-date conviction files at our electronic fingertips. This simply should not be, and we want to cooperate with you in doing something about it. Immediately.

First, we are going to spend over \$12 million this year, seeing that the FBI criminal file backlogs are cleared up, so as to include the very latest input from your own state criminal records. And we want to make doubly sure that your records are accurate too, so -- again through federal grants -- we are allotting \$27 million to state law enforcement agencies to improve their own criminal records. These represent giant steps

forward in ensuring that we are in a position to track down those who pose the very greatest threat to our communities.

III.

That is the present story on dangerous weapons in the hands of violent criminals. But let me once again turn to the example of Desert Storm, and the great might that was brought to bear upon a threatening and violent enemy. Under brilliantly coordinated "command and control," the Gulf coalition forces made the best use of firepower guided by great ingenuity and relentless certainty. We had the weapons to do the job -- "smart" weapons that worked with deadly effect against an enemy finally reduced to desperate encounter, ineffectual response and abject retreat.

Here at home, in the fight against violent crime, we should employ, to be sure, the same "command and control," the same ingenuity and certainty. Only here we battle not with the weapon of the military, but with the far stronger weapon of our laws.

We need to make certain that our laws are just as "smart" -- just as efficient and effective against criminals -- as those weapons that turned back the ruthless and violent intrusion by Saddam Hussein's forces.

In that regard, we have work still to do. We need new laws to provide this coalition against crime with the tools to drive crime from our streets with command and certainty.

- * We need a workable death penalty for terrorist murderers, serial killers, and other heinous crimes.

- * We need reform of habeas corpus proceedings that have fostered seven-to-eight year stays of the ultimate sanction, and all but nullified the death penalty in 36 states.

- * We need reform of the exclusionary rule that keeps necessary and probative evidence from juries, often allowing the criminal to go free.

- * We need new laws to protect women and children against violence and exploitation.

In a word, we need the legal weapons for the next decade to get the job done. And we are going to go to the Congress again so that they can deliver these weapons and others to all of us.

Let us not be misunderstood in this justified effort at legal reform. This year marks our observance of the 200th anniversary of the Bill of Rights, that bulwark of due process and the rule of law in our society. No one suggests that our law

enforcement efforts should in any way invade or invalidate the Constitutional rights of those charged with crime. But we do suggest that we advocate and utilize every Constitutional weapon to protect the rights of the law-abiding citizen as well.

IV.

In conclusion, let me return to my central message. We are here to fashion a domestic coalition against crime based on the rule of law, so that we will have the full forces needed to confront violent crime in our communities. We have a rare opportunity over the next two days to exchange views on "what works" in the criminal justice process -- the old and the new, the tried and the true, the innovative and the time-tested. Let us not fail to take full advantage of this unique chance to fine-tune our efforts.

I speak as one who has seen how law enforcement operates over the last twenty-two years as a working prosecutor at the local level, as the governor of a major state, and now as Attorney General of the United States. I feel strongly about the need for close cooperation in protecting our citizens. In my visits to many of you around this great nation, I have sensed the special commitment and dedication which you bring to your work -- and the deep gratitude our citizens feel for your professionalism in securing their safety and well-being.

Let us strive to see that each of us leaves this Summit Conference satisfied that we have given and partaken of the very best that this nation has to offer in law enforcement and the administration of justice. For that, our citizens will be eternally grateful, and we ourselves, eternally fulfilled.

Let me expand on this by an example. Last Friday in The Philadelphia Inquirer appeared the following:

When federal agents arrested Ruben Floyd Wednesday night at his North Philadelphia home for allegedly supplying an arsenal of weapons to drug dealers, neighbors showed exactly how they felt about it.

They applauded.

And so do we. For this is what it's all about.

I wish you Godspeed in our endeavors, now and hereafter.