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BY

THE ATTORNEY GENERAL OF THE UNITED STATES

THE HONORABLE JANET RENO

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P R O C E E D I N G S

[1:31 p.m.]

MR. PERKINS: Good afternoon. Before introducing our special luncheon speaker today, I would like to recognize some people.

We have in the audience today a former Attorney General, Elliot Richardson, whom I would like to ask to stand.

[Applause.]

MR. PERKINS: And we have Webb Hubbell, the Associate Attorney General Designate sitting over here. Mr. Hubbell?

[Applause.]

MR. PERKINS: And because he's played a rather significant role in the life of both the Attorney General and myself, I'll ask Dean Erwin Griswold to stand.

[Applause.]

MR. PERKINS: While there are many more distinguished people in this audience, and I would love to name many more, but we want to get on.

Putting my summation first rather than last, I shall state that the first woman to hold the post of Attorney

General has had more impact on the American people in the first 100 days since her nomination on February 11 than many of her predecessors have had during their entire tenure.

[Applause.]

MR. PERKINS: Her integrity, humanity, courage, and inner strength have been vividly projected into the homes of America in a few tightly-packed weeks.

Now to state some of the facts that should have preceded my conclusion, Janet Reno was born in Miami, attended public schools in Dade County, and became a state debating champion while in high school.

She headed off for Cornell where she earned a degree in chemistry and became President of the Women's Student Government. At Harvard Law School, class of 1963, she was one of 16 women in a class of more than 500 men.

I was, at this point, going to repeat something that appeared in The Washington Post, but she has told me it never was true and only apocryphal, but I will say it anyway. Her mother was said to have sent her off to law school with a saying: "Good, better best. Don't ever rest until good is better, and better is best!"

[Laughter and applause.]

MR. PERKINS: So, Janet, even if it isn't true, I love it.

Having done best-best-best, or let's hope she did best-best-best, Ms. Reno returned to Miami and practiced for four years with the firm of Brigham & Dence and for four years with the firm of Lewis & Reno.

In 1971 she was named Staff Director for the Judiciary Committee of the Florida House of Representatives, and that was an appointment made by Sandy D'Alembert, who was supposed to be up here.

Sandy, are you in the room?

[No response.]

MR. PERKINS: I guess Sandy -- I know he's had a busy day here in Washington, and I'm sorry he isn't here now, but he is the former President of the ABA, as you know, and it was he who brought Janet Reno into public life in this capacity with the Judiciary Committee of the Florida House. It was the beginning of her career in public service.

The year in that post was followed by four years as Administrative Assistant State Attorney for Dade County. In 1976, she became a partner in the well-known Miami firm of Steel, Hector & Davis, but not for long. In January of '78,

Florida Governor Reuben Askew appointed Ms. Reno as State Attorney for Dade County. Her effective performance and the public's appreciation of her qualities earned her election to five consecutive terms as State Attorney, the position she held when President Clinton beckoned her to Washington.

The Administrative Assistant to the State Attorney who first brought Ms. Reno to that office in 1972 is now the Mayor of Miami Beach. On the day of President Clinton's announcement of the nomination, Mayor Gelber characterized Janet Reno for the New York Times as a truly experienced big-city prosecutor, a frontline warrior who has fought all the battles and faced all the slings and arrows. He added: She is a tough, tough lady. She has a genteel way about her, but she is an adversary of steel.

The extraordinary gain for the American people is that our new Attorney General combines these qualities with a well-demonstrated commitment to civil rights and to fighting crime on the positive side. She is a strong supporter of measures to help steer children out of poverty, to improve health care, and to create job opportunities.

She won praise in Miami for initiatives such as reforming the juvenile justice system and establishing a

special court for drug offenses.

Ms. Reno has carried these causes forward nationally through long service on various committees and commissions of the American Bar Association. The most recent of these ABA appointments was as a member of the Task Force on Minorities and the Justice System, a group formed last year in the wake of the first Rodney King trail in Los Angeles.

I have left out a lot of colorful information about Ms. Reno on the theory that you've read about it, such as her growing up among peacocks, alligators, snakes, and her very high standing with the Miccosukee Indians, her emergence as a committed outdoorswoman, her 30 to 40 mile canoe trips, camping, swimming, and abiding love of the environment.

One fact I will surely not leave out is that Janet Reno became a member of the American Law Institute in 1976. As a fellow member of 17 years, we are enormously proud of you, and you do us great honor by accepting our invitation.

Ladies and gentleman, I give you the Attorney General of the United States.

[Standing ovation.]

ATTORNEY GENERAL RENO: Thank you very, very much. I haven't had such a nice introduction, and I've had an awful

lot of nice introductions in the last three months.

I would like to share with you something that I think is very important, and I say this to the younger lawyers in this room: Reach out and touch somebody, because in 1960, in the fall of 1960, a man and his wife invited 16 women to dinner at their home in Belmont. And the reason he invited us to dinner was we were the only women at Harvard Law School. And he told us that he had been instrumental in admitting women to Harvard Law School because he didn't want to discriminate. But he didn't know what we were going to do with our legal education.

[Laughter and applause.]

ATTORNEY GENERAL RENO: Dean and Mrs. Griswold gave us all such great encouragement in those days. When I brought up my grades my second year in law school, I got a handwritten note from the Dean that made me try harder, and all I can say, Dean, is thank you; I hope to do you proud.

[Applause.]

ATTORNEY GENERAL RENO: And Chesterfield Smith. So you Deans and law professors remember that.

And Sandy D'Alembert told me that since I beat him on a motion, that I should come be his Staff Director, and he

introduced me to this fellow named Chesterfield Smith. And he sent me off to be on a commission, and I met Pat Wald, and I opened my mouth, and I didn't think I sounded so stupid after she agreed with me.

[Laughter and applause.]

ATTORNEY GENERAL RENO: And there's Mr. D'Alembert, and I've already given you credit for all of this.

When one's life is compressed in front of their eyes in three months before the Senate Judiciary Committee and in FBI background checks and in explaining to newspaper reporters that your mother really did wrestle alligators, you give special feeling and you have a special feeling for the people that have touched your life. And remember that. There are young lawyers in your firm; there are young students in your law school and in whose life you will make a tremendous difference.

I'd like to talk to you a little bit today about what we hope to do in the Department of Justice and challenge the Institute, and if not the Institute, your members, to do something about the issues.

First of all, the Department of Justice is committed to asking one central question of everything we do: What is

the right thing to do?

Now that can produce debate, and I want it to be spirited debate. I want the lawyers of America to be able to call me and tell me: Janet, have you lost your mind? I want them to disagree. But I want us to disagree in principled, thoughtful discussion, because the problems that are faced in America today are inordinately complex, and most of them are basically non-political. Most of the problems we face today can be solved if we start talking together, reasoning together, and come up with solutions together.

And so many of the problems are intertwined. I start from the perspective of the criminal justice system. And what I hope we can do there is say: We can have an impact on crime in America. We can make a difference, if we realize that crime is not a partisan issue, if we realize that Republicans and Democrats together can discuss this problem and come up with some reasoned solutions where dollars are matched with our promises.

And to do that, we need to engage in a principled analysis of what should be a Federal crime and what should be a State crime. And if Congress doesn't want to do something about it, then we should develop guidelines in the Department

of Justice, working with the National Association of Attorneys General and the National District Attorneys Association to come up with some principled, thoughtful analyses of how we use our precious limited resources as wisely as possible, consistent with the principles of Federalism.

And then we have got to look at our charging policies and understand that there has got to be some discretion in charging and that we have got to file charges based on the crime, and based on the crime and its relationship to what's happening in State Courts and Federal Courts throughout the nation.

We have got to carefully consider sentencing practices and understand first of all that the goal of any sentencing system should be to prevent further crime. For some, the truly dangerous recidivist, incapacitation is the only way to prevent further crime. But we have got to realize in reasoned discussion that most of the people in our prisons are going to be out on our streets sooner rather than later, and better that we do it in a gradual, ordered, systematic way that includes addressing the problems that caused the crime in the first place, job training and placement, and an orderly reintegration into society as soon

as we can get them back into society.

We can do this if we work together, if we consider alternative sanctions. But what I have learned more clearly than I can tell you in 15 years on the streets and in the courts of Dade County is that we will never have enough dollars, and the criminal justice system will never be able to prevent crime as well as prevention programs can up front.

I started 15 years ago in the juvenile justice system of Dade County, hoping to stabilize that system and build it as a forceful and creative effort, and I quickly learned that we would never have enough dollars in America to change the lives of all the 16 and 17-year-olds that I saw coming into the system as first and second-time offenders, if we waited until they were 16 or 17.

So we started focusing on dropouts in the middle school, and I quickly learned that a kid who was already reading three grades below his age level, it's going to be real difficult to change him in middle school unless we started a lot earlier.

And then the doctors at our large public hospital, at the beginning of the crack epidemic in Miami in 1985, took me to the public hospital, to the neonatal unit, to look at

crack babies. And I began to understand what we need to do.

We will never be able to deal with the problem of crack babies and crack addiction unless we start early on. They will live with it for the rest of their lives.

And the doctors started teaching me about the importance of prenatal care, about the fact that 50 percent of all learned human response is learned in the first year of life, that the most formative years of a person's life are the ages of zero to three, where you learn the concept of reward and punishment and develop a conscience.

And I came to realize that lawyers and doctors and teachers and social workers and all of us who do good or try to do good have gotten far too specialized, and we have got to look at the continuum of life. We have got to develop a national agenda for children that says we're going to do something about teen pregnancy, so the parents will be old enough, wise enough, and financially able enough to take care of their children. We're going to have to assure every mother, pregnant mother in America, prenatal care. We're going to have to provide preventive medical for children. Something is terribly wrong with a nation that says to a 70-year-old person, you can have an operation that extends your

life expectancy by three years, but to a child whose mother earns too much to be eligible for Medicaid, but whose employer does not have insurance benefits: Sorry, you can't get preventive medical care.

We have got to focus on the issue of education as we see more and more of our parents working or single parents struggling to work. We have got to develop conflict resolution programs in our schools. We have got to develop a new notion of high school and job training and say to the seventh grade teachers: Let's get an analysis of the aptitudes and interests of every student and then match summer job experience with school experience and school work experience, so that we make sure that every high school graduate has a skill that can enable them to earn a living wage.

And we have got to challenge our youngsters to service. I remember my mother's stories of the depression, and I look at the monuments built by those who participated in the Civilian Conservation Corps that are scattered throughout the nation. I think of my aunts that went off to World War II, one as an Army nurse behind Patton's army in North Africa and the other as a Women's Army service pilot.

And those ladies were heroines, and they were going out to save the world from a tyrant.

And I look at John F. Kennedy who sent our youngsters halfway around the world to help others. And now we have a President who is challenging our youngsters to go to our streets to contribute through public service in America, and we have got to build that in every single community of America.

But then I turn in the Department of Justice from the criminal justice system to the issue of civil rights, and as I try to focus on the issue of civil rights and try to make that one of the highest priorities of the Department of Justice, I suddenly begin to realize again what the problem is all about and that it is interrelated.

I can fight as hard as I know how to end discrimination in education, employment, housing, against those with disabilities, but it is not going to make any difference to too many people unless we focus on the early years.

Martin Luther King said: What good is eating at the lunch counter if you can't buy a hamburger? What good is it to end discrimination against somebody getting a good

education, but have them killed in street violence at 13? What good is it to provide job opportunities for 18-year-olds, if you drop out of school when you're 13 because your mother was a crack addict and you've never seen your father, and the fabric of society has become unwoven around you?

We go back to the same issues that I face when I look at what we can do to improve the criminal justice system of America.

And then I start going back to civil law, something I haven't touched on for a while. And I remember my days in private practice, and I look at it now, and it cost even more to litigate a lawsuit, and the delay is even greater, and the courts are overwhelmed by criminal cases, so it takes even longer to achieve justice in our courts, and only those who are richer can work out a deal on contingent fees, have access to our courts, and the American Bar Association tells me that 80 percent of the working poor and the poor in America do not have access to legal assistance.

And we come up with what is the fundamental issue in America today. We've got a wonderful Constitution. We have a wonderful set of laws. But we don't have the dollars to match what we're talking about. And in too many instances,

our wonderful legal system and our wonderful system of jurisprudence has become a hollow promise to too many Americans.

Let me just share a few startling figures with you. Nearly one million children were thrown into poverty in 1991, raising the total number of poor children in America to 14.3 million. The child poverty rate jumped from 26.6 percent in 1990 to 21.8 percent of all children in America in 1991 living in poverty, a far greater percentage than any other age group. Then number of poor children represent only 26 percent of the population, but they made up 43 percent of the increase in poor persons from 1990 to 1991.

In 1973, the median annual earnings of heads of young families with children was $22,981. In 1990, it was $12,832 or a decrease of 44 percent.

Lawyers are going to have to do more than pass legislation. They are going to have to do more than refine the law. We're going to have to look at new institutions and new ways of doing things that can make a difference.

I am very proud of the Institute's efforts in terms of family law and in terms of addressing the issue of child support, something that I've cared about for a very long

time. But we have got to do more.

From the Department of Justice's perspective, I think it is imperative that Federal agencies start forming partnerships in Washington. HUD is out there. The Department of Health and Human Services is over here. The Department of Education is here. The Department of Labor is here. And we are beginning to talk. But if we start talking together and form a real partnership that addresses how the American family can struggle to become self-sufficient, can struggle out of poverty, can bring its children out of poverty, can raise it's children as strong, healthy, constructive citizens in our society, we will have done a very great deal for this nation.

But I suggest to you that the issues will not be solved solely in Washington. I have met some wonderful people in these last three months who can describe New Deal Washington to me. It must have been one of the most exciting places anybody could ever live in the history of the human race.

I spent some exciting time in Tallahassee, the capital of our State, in the late '60s, early '70s, when State capitals were the laboratory of all that was happening.

But in this decade, it is the communities of America where bold and innovative programs are underway, where people are trying again, where they are not beaten down by old rejections or old failures, but they have the spirit of innovation and creativity.

And somehow or another, we have to build a new spirit of Federalism, where instead of Washington telling a community, this is what you've got to do, the community comes to Washington and says: This is what we want to build. Why don't you help us?

But we've got to do more than that. We've got to simplify the laws. We've talked in traditional terms. When I went to Harvard Law School, I didn't know about all these Federal programs. I've been practicing law for 30 years now, and I still can't tell a lady how to get off welfare if she earns the minimum wage and is worse off than if she hadn't gone to work in the first place.

Look at the programs we have. HUD has a program; the Department of Health and Human Services has another program; the Department of Labor has another program; the Private Industry Council has something from State government; the Department of Agriculture has foodstamps; there's a WIC

program.

I've never seen so many programs in all my life, trying to reach out to help people. But I went to Harvard Law School, and I couldn't get off welfare if I had four children, lived in public housing, and all I had was the ability or the skills that would enable me to earn just the minimum wage.

Look at what we do with Social Security. We have problems even complying with Social Security because it's so confused and so complicated. How many people do you know that have had health insurance problems where even lawyers or lawyers' wives or lawyers' husbands throw up their hands and say: I give up; I'm not even going to make a claim; I can't figure it out?

And how many of you have had elderly parents who you've had to go to the Social Security Administration and try to work through it, and you've had to go back three times and send them five different sets of documents, and still you can't get it worked out because we've made it too complicated?

One of the reasons I think we've made it too complicated is oftentimes lawyers haven't been involved.

But I think I saw it best at a time when people

should have been galvanized together to do something about it. To watch the people in South Dade County in the days following Hurricane Andrew last August, FEMA came in. There were all sorts of programs that came in to help people. But trying to help people work through that bureaucratic mess was the saddest thing I have ever seen.

I'd like to challenge the Institute -- or if it's not a program appropriate for the Institute -- I'd like to challenge the lawyers of America to let's look at Federal programs, how they relate to State and community programs, how we can make them simpler, better used, more effective, better able to serve Americans, so that Americans can become self-sufficient again, so that we can address all the problem that we have to deal with, that begin to overpower so many of the poor and the working poor of America.

As you consider legal governance, let's think of new ideas. I once told Sandy D'Alembert that I had concluded that we needed to have a new degree, a community advocate degree that you'd get after four years. You didn't have to go to law school, but you could study all these Federal programs, and you could study how to get people off poverty, and you could be a better lawyer than a Harvard lawyer about

at least these community programs.

And then you could get in the mobile van, and you wouldn't be making $100,000 a year; you'd be making $40,000 or $50,000 a year, and you'd drive around helping people and getting paid a small amount or a little bit more, a little bit more or a little bit less, and you'd be like the grocer who used to, three generations ago, give people credit when they needed it because they'd developed such a rapport and such a trust that they'd pay you back.

Somehow or another, lawyers have got to use the creativity that lawyers brought to this city in the '30s during the depression. And before we get into another depression, before we get into a nation where our children do not have a future and cannot see a light at the end of the tunnel, we have got to use the creativity, the spirit, the boldness that has always marked American lawyers during times of crisis and save America for our children.

Thank you.

[Standing ovation.]

MR. PERKINS: I think you have got a sense, Attorney General Reno, of the enthusiasm of this group and the desire to follow your leadership, and you've given us

much food for thought, many inspiring suggestions, and we hope to work with you in every conceivable way during your tenure, and we wish you all the success in your tenure in just the way you've started off.

Thank you so much for being here today.

[Applause.]

MR. PERKINS: We will go back to our business in the next room. We hope our 17-year member might join us, and we are adjourned. Thank you very much.

[Whereupon, at 2:03 p.m., the instant proceedings were concluded.]