



UNITED STATES DEPARTMENT OF JUSTICE

Press Conference

THE HONORABLE JANET RENO, ATTORNEY GENERAL

Thursday, March 26, 1998

9:30 a.m.

P R O C E E D I N G S

(9:30 a.m.)

ATTORNEY GENERAL RENO: Good morning.

QUESTION: Good morning.

ATTORNEY GENERAL RENO: Last week, an American Medical Association study contained troubling implications for everyone who is working to fight drug abuse in this country. It reported that there had been a decline in support for drug treatment programs that help people break away from the grip of drug abuse.

Most dangerous of all, it sets up the risk of a false choice, between treatment and punishment. If we are going to make real progress in fighting drugs, we need both.

We are paying for more prison cells, but we cannot tackle drug abuse with one arm tied behind our back. We have to do more to help break the cycle of crime and drugs by getting more people off drugs. It makes no sense to put someone in prison and not treat the drug problem while they are there. It makes no sense to fail to treat the drug problem, send them back to the streets, send them back to the community where they got into trouble in the first place, and not take effective action when we can.

Effective action means giving offenders a chance to stay clean, and a reason to live clean, and tough sanctions if they do not. It means treatment in prison, to help keep them off drugs when they are released. And it means more flexibility for States in using Federal aid to fight drug addiction.

So many prison officials have asked me for more resources for their drug testing and treatment programs, because they know they can work. But right now, millions of dollars in Federal funding can only be used for construction or limited in drug treatment programs. That is why we sent legislation to Congress this week to make these grants more flexible, by letting States use their prison construction and substance abuse treatment funds to provide a full range of drug testing, drug treatment, and sanction for offenders.

Today we are doing more. We are announcing \$59.3 million in grants to enable States to continue their testing and treatment programs. But without a change in the law, not one penny of this money can be used to help fund follow-up testing and treatment, known as after-care, that is so very vital in order to ensure that drug treatment can make a difference on the streets, and not just behind bars.

We are also providing \$84 million in grants to renovate prisons to incarcerate additional violent offenders. But without a change in the law, none of it can be used for drug testing, treatment or after-care programs.

If more people could see firsthand what a difference drug treatment can make, they would understand why it needs everyone's support. This morning I am joined by two people who have seen this issue firsthand and very clearly: Ron Angelone is Director of the Virginia Department of Corrections and Chairman of the National Substance Abuse Committee for Correctional Administrators; Nancy Van Horn is a former drug user and prisoner, whose life is an example to all of us

of how drug treatment can make a difference. She has been drug free since 1986, and she is now the Director of After-Care Programs for the Crest Program in Delaware.

Before they begin, I want to make a final point. According to the AMA study, most Americans rely on the mass media for information about drug abuse. I hope that everyone will carefully consider what they are hearing today. When someone's life is on a fast track to destruction, and when it is turned around with treatment, that is real news. And it is happening across this country and we should be reporting it, encouraging it and making people understand that treatment can, does and is working.

Commissioner.

MR. ANGELONE: Thank you, General.

I would like to echo Attorney General Reno's comments, and also endorse her request of Congress to allow funding to be used from the Violent Offender Initiative Act for drug testing and drug treatment inside the institutions, since 80 percent of inmates in State prisons have some form of alcohol or drug addiction or in the source of their crime, it was involved in drug transactions; and also for the residential substance abuse treatment to be extended to post-treatment.

Once we provide this type of in-house treatment program, it is only advantageous for us to add that into the community, to make it more successful for those going out to stay drug free, and hopefully stay crime free.

ATTORNEY GENERAL RENO: Thank you, Commissioner.

Ms. Van Horn.

MS. VAN HORN: From someone who has been on both sides -- I served a sentence of 5 years in the State of Delaware for drug charges -- and throughout that time, there was no drug treatment in prison. And thanks to my probation -- or my parole officer -- she found the need to help me. And after serving the sentence of 5 years and not using any drugs, once I reentered society, I went right back into my addictive behavior, and also my crime lifestyle.

And my parole officer allowed me to go to treatment. In Delaware there was none that was available for me, so they sent me to Philadelphia.

I know the importance, because I know that 90 percent of the prison

population is going to return back into society. And knowing what their problem is, it could only be advantageous for us to address this issue.

Also, working with after-care, I really see the need to follow up. And our statistics show us that with this after-care treatment, it is possible for them to reenter society crime free and drug free, with just a little assistance from someone redirecting them.

Many of our inmates, they really know no other way. And we can educate them at a prison facility, with treatment, and then we have to follow them through with a continuum of care.

ATTORNEY GENERAL RENO: Thank you very much.

Yes.

QUESTION: Commissioner Angelone, is there indication that the percentage of inmates are voluntarily agreeing to treatment while in prison? It is a volunteer thing, where treatment is offered in prison, right? Is the percentage going up?

MR. ANGELONE: Correct. Drug therapeutic communities obviously have to -- and only can -- work if the individual wants it to work. So, in that term, it is like a volunteer program. I mean, inmates get involved in programs for many reasons, but we see that in our therapeutic drug communities, they get involved in order to get off drugs. Which is what their main addiction in their short life has been. Because we see younger and younger offenders coming in now, with deeper and deeper drug addictions.

QUESTION: Part of the confusion over the AMA study may be that many people think that if you are in prison, you are not taking drugs, so what do you need the treatment for. What does the treatment add that merely abstention or deprivation from drugs does not do?

MR. ANGELONE: Well, I think two things. One, we would all like to say that prisons are drug-free work environments. They are not. So, obviously, someone can get drugs.

Second, I think like any addiction, just because you take away the stimulus from the individual, that does not take away the craving or the want for the individual. And learning about what drug dependency is all about in your own life is what stops the cycle of the individual from going back to drugs when they get

on the outside.

QUESTION: And what about the 12-step recovery-type programs, such as Narcotics Anonymous, are they in the prisons presently? And have you been in that yourself?

MS. VAN HORN: Yes, I am a member of Narcotics Anonymous. And they are all -- all 12-step programs are basically in the prison system today, and we do encourage all of our residents to go through the 12-step process, AA, NA or any of the 12-step groups.

QUESTION: Ms. Reno, have you -- (off microphone) -- assistance or cooperation from -- (off microphone) -- congressional committees -- (off microphone)?

ATTORNEY GENERAL RENO: I think, as always, we want to work together. Some question, does it work. And we are going to make sure that we try to provide as much information as possible about the fact that it is working and that it is essential, as the Commissioner has pointed out, not just to put somebody in prison and say you cannot use drugs -- because there are -- some prisons are more drug-free than others -- and the real problem is that unless you come to grips with what addiction is, unless you learn how to deal with it when you come out, you are going to be right back there, except in very rare cases.

And I think, when I first became a prosecutor in 1978, everybody said treatment does not work. There was no course work in addictionology in American medical schools. People did not understand the problem. They thought you could lock people up and that would be the end of it; they would come out reformed. And that has not been the case.

We have learned an awful lot about how to treat addiction, both alcoholism and drugs. And we have got to carry forward on that effort. And I think, as Congress comes to understand the fact that these programs work, it will accept them.

QUESTION: But have you talked to the Speaker or --

ATTORNEY GENERAL RENO: I have not talked to the Speaker about it.

QUESTION: Have you talked to any of the chairmen or has anybody talked to anybody in the Department about getting some assistance in doing what you are asking them to do?

ATTORNEY GENERAL RENO: It was interesting, because Senator Hatch, last summer, asked us to come to a crime summit in Salt Lake City. There were representatives -- he really put together a splendid group of people from Utah. There were police officers, police chiefs, people in law enforcement, probation officers, there were correctional officials and there were officials who described with real eloquence the impact of drugs in the criminal justice system and how important it was to address those issues.

I had an opportunity then to discuss it with Senator Hatch. And I think we can continue to work together to address this issue, with the voice of people like we heard that day being a critical factor in it.

QUESTION: Ms. Reno, this past week -- on a related portion of this -- this past week, there was a se hearing on the issue of parity in insurance for coverage that deals with treatment for substance abuse problems. The bill is proposed by Congressman Ramstad and Senator Wellstone. I forget if the administration has taken a position on that idea, on that principle, and what your feelings are on the subject.

ATTORNEY GENERAL RENO: I will ask Bert to give you our up-to-date position as it is evolving. Again, it is very important that we work through the issues, work with people like Congressman Ramstad and Senator Wellstone to address these issues.

QUESTION: How do you determine whether drug treatment funds are effective? What I am really asking is, what percentage of people who go through drug treatment do you hope to succeed for a program to be successful? Is there some target?

MR. ANGELONE: It is hard to put a percentage on the target of success, because of course you would want everyone that went through an in-depth therapeutic program to be successful in it. We are doing all the research in Virginia right now in reference to our therapeutic communities. We have currently 1,800 beds dedicated to therapeutic communities, but only for the past 4 years.

Now, 2 of those years have been involved in the individual being in in-depth therapeutic drug therapy in the therapeutic community, and now they are just getting out into the community -- their free society community now. And we are doing the follow-up on them. So we do not have it in Virginia, per se, as to where the success rate is.

QUESTION: Can you give us any type of ball park number?

ATTORNEY GENERAL RENO: Let me -- when you talk about ball park number, one of the things that I think we all learn as we have had exposure to substance abuse treatment is that people will start using again. And some people will write that off as failure. You get them back into treatment. You continue to take precautions. You provide for the support. It may have been that they lost their job. You help them get another job. You get them back on track.

And what happens in many instances in the next case is that the length of time before a relapse occurs is longer. And then suddenly, you look up, and they have not been back in a long time.

There are different measurements. And what we are trying to do in the Department of Justice is make sure that we evaluate programs in a sound, scientific way. One of the questions that I have raised is: What is statistically significant? And I have discovered that the scientists tell me that there are different measures of it, depending on the pool that you are testing.

But I will ask Bert to get you the latest information that we have from the Department of Justice on measures of success. Frankly, from my experience, my measure of success is how long I can keep people out of prison, how long I can keep people crime free, how long I can keep people drug free, with the hope that at some point I just will not see them back in the system again.

I think our tendency to say, They used again, it is all over, we are not going to try anymore, is one of the reasons that people conclude that drug treatment does not work. Sometimes with the treatment of cancer it does not work. You try again. And you keep on trying. You do not back off. Sometimes you fail permanently, but it does not mean that you stop trying with other people similarly afflicted.

I think it is clear, from medical research, that drug treatment can be effective. And we have got to expand on our knowledge and do everything we can to make it effective.

QUESTION: Can I ask a totally unrelated question?

ATTORNEY GENERAL RENO: Yes.

QUESTION: You are the Department official who has been in consultation with U.S. Attorney Paula Casey about whether you could charge the suspects in

the Jonesboro, Arkansas shootings with a Federal crime that would allow them to be tried as adults?

ATTORNEY GENERAL RENO: Representatives of the Criminal Division, as I understand it, have been in discussion with Ms. Casey, or her office, concerning jurisdictional issues.

QUESTION: Have they come to a conclusion on that?

ATTORNEY GENERAL RENO: Not to my knowledge.

QUESTION: Is there any conceivable Federal role that -- wouldn't the only Federal role be to charge them as juvenile delinquents?

ATTORNEY GENERAL RENO: What we are doing is going through all the various Federal statutes to see what might be effective. At this point, with respect to both, they could be charged under certain Federal crimes as juveniles. The question remains about how long the jurisdiction might be continued and whether they could be charged as adults.

QUESTION: Is there any way that the jurisdiction or their detention -- I guess is the term they use in the juvenile context -- could continue into the Federal rules beyond their 18th birthday?

ATTORNEY GENERAL RENO: That is what we are looking at.

QUESTION: S. 10, the Senate's juvenile violence bill is running into a lot of trouble even before it gets to the Senate floor. Would the Jonesboro thing have any effect on what might come out of that?

ATTORNEY GENERAL RENO: I am sure that that tragedy will have a great deal to do with how we approach youth violence. And I think it is very important that we pursue the information we develop very carefully. We are going to be working with the Department of Education to look at that situation, the situation that arose in Kentucky, and in Mississippi, to make the most informed judgment we can, to try to do everything possible to prevent such terrible tragedies for the future.

QUESTION: Does the administration support S. 10 and the H.R. 3, but do you support allowing the Federal authorities to come in, in cases of juveniles who are arrested for what are State crimes, and would you favor lowering the age at which juveniles could be tried as adults, too -- (off microphone)?

ATTORNEY GENERAL RENO: One of the most important things is we want to work with Congress to fashion juvenile justice legislation that is smart and wise, that is tough in the sense that the punishment will fit the crime, but also provides for dedicated prevention monies that can make a difference. We want to resist efforts to change some fundamental protections for children that have been important in these last 20 years, to ensure the protection of our children who are incarcerated or in custody as juvenile delinquents.

But what we need to do here is, again, look at the whole picture. Jonesboro will, I think, cause people to really consider what must be done. If you have a young child -- and I prosecuted someone as a 12-year-old for a tragic -- two tragic homicides -- the experts suggested to us that jurisdiction would be necessary beyond the time the juvenile court had jurisdiction. And so we charged the child -- the child was charged as an adult.

But what was important there was he was charged as an adult, punishment was fashioned to fit the crime, but it was recognized that one of the reasons was the necessity for continuing jurisdiction of the court. And the last I heard before I left Miami, that case had produced some good results. I really cannot go into it otherwise.

We need to work with State and local government, make sure that in Federal jurisdictions, such as Indian country, there is appropriate jurisdiction, and that the juvenile justice legislation of this country provide the firm, fair punishment that fits the crime, with prevention programs balancing it, to keep children out of trouble in the first place. And I think it is important that we not let a case cause us to go to one extreme or the other. We have got to continue to work through these issues in a very balanced way.

QUESTION: (Off microphone) -- there are reports that the two young boys got three pistols from one of their family that were just left out, and then also had earlier tried to break into a gun cabinet, where there were others that were locked up. Have you thought about any kind of parental or grandparental liability in cases such as these? Are there any laws now that would provide for that? Or should this be a consideration?

ATTORNEY GENERAL RENO: What we are trying to do is to make sure that people who give guns to youngsters face a consequence. We will continue to review what should apply. And that will be one of the issues that we address as we address what further needs to be done to protect against such violence in the schools and in the community.

QUESTION: Well, it is not exactly giving guns, it is either being sloppy about --

ATTORNEY GENERAL RENO: One of the points that is very important in this matter as we deal with the tragedy is that we make sure we understand all the facts that can become available to us, and that we make informed decisions rather than jumping to conclusions based on what we read in the headlines or what you get over the wire service.

QUESTION: What exactly are you doing to meet the President's directive of yesterday -- (off microphone) -- about these three cases?

ATTORNEY GENERAL RENO: I have asked our office to identify experts who can be helpful and provide relevant and thoughtful information on this subject. And we will be working with the Department of Education, through a working group that has been established previously, to consider this issue, what specifically we can learn from these three incidents, that can help us craft appropriate legislation or appropriate initiatives that can avoid it for the future.

QUESTION: Ms. Reno, exactly what is the lowest age that a juvenile can be charged under Federal law?

ATTORNEY GENERAL RENO: It depends on a combination of factors. Let me ask Bert to clarify for you. I do not want to misstate the nuances of the law. But Bert will give you the --

QUESTION: And just one follow-up on that. Relatively few juveniles are prosecuted at the Federal level. Do you have a sense on what the numbers are?

ATTORNEY GENERAL RENO: There are few, because I think that the clear understanding is that juvenile justice is basically a State and local issue. The child is a part of the community; he has usually not been mobile in his growing up. And it is important that the community fashion programs that can bring the child back to the community, with a chance of success.

Clearly, however, there are some areas where the Federal Government has particular responsibility, such as, for example, in Indian country. And so there are issues there that are addressed more as if the Federal Government was the local government involved.

What we are trying to do with State and local governments is, again, build on the partnership that we have, and say, if you can do it better, then fine. If the

best interests of the case and the interests of Federalism dictate that we do it, then let us work together to do it.

QUESTION: On Tuesday, a Portland woman was the first person to take her own life under Oregon's physician-assisted suicide law. Can you tell us whether a crime was committed?

ATTORNEY GENERAL RENO: One of the points that one learns as a prosecutor is never to conclude whether a crime has been committed until one investigates.

But with respect to another issue that this Department is considering, we are considering the DEA's response, and we should have some response shortly.

QUESTION: Any idea about when?

ATTORNEY GENERAL RENO: Shortly.

QUESTION: There is another event next week, the 30th anniversary of the slaying of Dr. Martin Luther King. And there have been some interesting developments this week. One, the existence of a tape in which Jerry Ray told a lawyer in Louisiana that yes, his brother was part of the conspiracy, but it would not do him any good to talk about it.

We had an FBI agent -- a former FBI agent -- who claims that he found slips of paper in Ray's car with the name "Raul" on it. There is a dispute about that.

But let me just ask you, do you have any doubts about whether James Earl Ray killed Dr. King?

ATTORNEY GENERAL RENO: At this point, the FBI is examining the allegations with respect to the retired agent, to see what they bear out. And until that process is complete, I think it is premature to speculate about what his statements indicate.

QUESTION: Have you considered a broader review about whether the FBI really adequately pursued conspiracy possibilities after Ray's confession?

ATTORNEY GENERAL RENO: Since taking office 5 years ago, I have received numbers of ideas about whether there was a conspiracy. We have tried to pursue each one. And we would always continue if there was specific and

credible evidence to pursue it.

QUESTION: Ms. Reno, there is a New York Times article today about Mexican military involvement in drug trafficking, colluding with the cartels going much deeper than the Mexican Government will admit. Ma'am, one question, you reportedly received a report on February 6th from drug enforcement sources -- I presume DEA -- about this particular matter. Is that correct? And are you concerned that the Mexican military is involved?

ATTORNEY GENERAL RENO: I cannot discuss what I get at briefings on classified matters, so I cannot really go into that with you.

QUESTION: But are you concerned that corruption in the Mexican military is deeper than they might want to --

ATTORNEY GENERAL RENO: I really cannot discuss the classified briefings. I can say, and it has been public, that President Zedillo is focused on corruption, trying, I think, to identify it and ferret it out and take appropriate action. And we must work together on both sides of the border to address the issue of corruption, and to do it as effectively as possible, and to work together to address what President Zedillo has called the number one national security issue, which is drug trafficking in Mexico.

QUESTION: Ms. Reno, just to make sure I am clear -- (off microphone) -- about what the Department is considering with the Jonesboro juvenile suspects. You are looking at Federal laws and the statutes of limitations to see if they would apply -- if you can apply them --

ATTORNEY GENERAL RENO: Not statute of limitations. Juvenile justice statutes provide different time frames for the length of time that a juvenile court can retain jurisdiction of a child adjudicated delinquent. In some instances, it may be 18; in other instances, it may be 21.

We are looking to see how long, under Federal statutes, a child adjudicated delinquent might be held under the jurisdiction of the court, to see if that would add anything to the prosecution or to the situation in Jonesboro.

But it is not a statute of limitations. It is the length of time that the court can maintain jurisdiction.

QUESTION: Ms. Reno, is the Department going to insert itself into the matter between the White House and Ken Starr on executive privilege?

ATTORNEY GENERAL RENO: As you know -- and Bert can get you the letter -- the President's -- the people who are involved in this situation have retained private counsel. And we will continue to address the issue from an institutional point of view. But, at this point, it would be premature to say anything further.

QUESTION: Madam Secretary, this morning you are going to meet with the Latvian Justice Minister. Are you going to raise with him a question of recent demonstration of former members of the Latvian SS Legion in the downtown Riga, which was joined by several Latvian officials? Are you going to raise a question of prosecution of Nazi war criminals, formally extradited by the U.S.?

ATTORNEY GENERAL RENO: We have had a good law enforcement working relationship with the Government, and we look forward to discussing a number of issues. I do not know whether we -- what all the subject matters will be, but we look forward -- our hope is that we can discuss issues respecting organized crime and respecting those crimes that cut across borders and affect us all.

QUESTION: (Off microphone) -- the Baltic Republics prosecute Nazi war criminals extradited by this country?

ATTORNEY GENERAL RENO: We will be discussing a whole range of issues. I do not know whether that will come up or not.

QUESTION: Ms. Van Horn, what keeps you sober?

MS. VAN HORN: A combination of things. You know, God, my recovery process, working with 12 steps on a daily basis, and commitment -- commitment not to go back, not to be re-incarcerated.

QUESTION: (Off microphone) --

MS. VAN HORN: Yes.

ATTORNEY GENERAL RENO: As I noted earlier, most Americans rely on the media for information about drug abuse. This morning I wanted to take an additional 90 seconds to show you a new public service announcement, commissioned by Federal, State and local law enforcement agencies in the Midwest region. It is part of a series called "Life or Meth," and it is a wake-up call to everyone on the dangers of methamphetamine abuse.

(Whereupon, a videotape was shown.)

VOICE: Thank you.

QUESTION: Thank you.

(Whereupon, at 10:08 a.m., the press conference concluded.)