



WEEKLY MEDIA BRIEFING WITH ATTORNEY GENERAL JANET RENO

U.S. DEPARTMENT OF JUSTICE

WASHINGTON, D.C.

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9:31 A.M. EST

Q Good morning.

ATTY GEN. RENO: How are you?

Q I have one of those dreaded two-parters for you.
(Laughter.)

Number one, has anyone from Justice or INS met with the Miami relatives of Elian Gonzalez since the ruling in Federal Court earlier this week?

ATTY GEN. RENO: Not to my knowledge.

Q There has been no contact by phone or any type of arrangement?

ATTY GEN. RENO: Not to my knowledge.

Q Number two, if Juan Miguel Gonzalez --

ATTY GEN. RENO: Has he been to law school? (Laughter.)

Q No. (Laughs.) (Laughter.)

Number two, if Juan Miguel Gonzalez does decide to come to Miami to visit his son, will the Justice Department provide protection, or will it arrange protection with Miami-Dade law enforcement, while he is there?

ATTY. GEN. RENO: We are involved in trying to work with everybody concerned to work out an orderly, prompt and fair process, and otherwise, I don't think we should speculate on what's going to happen.

Q But you can't say whether Elian's father is -- there is something more -- for Elian's father to visit his son in Miami, even if it doesn't mean he's going back with him to Havana?

ATTY. GEN. RENO: I don't think I should comment further, other than to say we're trying to work through all these issues in a way that's fair to all.

Q Ms. Reno, has the decision been made to go ahead and work on a way to send him back, independent of an appeal?

ATTY. GEN. RENO: I think nobody should jump to any conclusions, except that we are trying to work it out in a fair, prompt and very orderly way.

Q Did you seek an order from the judge to allow you to move him?

ATTY. GEN. RENO: Under the order of the judge, I have the authority to move him. I am trying to work it out so that this is done in a fair, orderly and prompt manner.

Q But would you add to that fair -- well, orderly and prompt -- I guess prompt -- that was one I was going to ask if it was in there, but it already is in there, isn't it? (Laughter.) What does "prompt" mean? (Laughter.)

ATTY. GEN. RENO: You're the wordsmith!

Q Well, within a few weeks, within a month, by next Christmas, in a matter of days?

ATTY. GEN. RENO: I don't think we can speculate. I think this is obviously a matter of great concern. As the judge pointed out, this family is very well-intentioned. They care a great deal. Elian's father cares a very great deal. This is a wonderful little boy, from all that I have heard, and it is just important that everybody work it out the right way.

Q I guess what we're trying to get through --

ATTY. GEN. RENO: You're just trying to pin me down, and that's not a good thing to do as you're trying to work something out.

Q In the normal course of things, a legalist view of things, many months, sometimes years, before all the avenues are exhausted, before the Supreme Court denies a petition. Is the Justice Department willing to wait that long for the resolution of this little boy's life?

ATTY. GEN. RENO: The Justice Department wants to follow the court's admonition that we not delay the opportunity for this little boy to be with his father. But I think it is important that the media, that the community, that everybody remember that we have a family here, different parts of the family, a wonderful little boy who has been through a horrible experience.

Let us -- instead of saying, "Are you going to do this, are you going to do that," let us work together.

And the media can oftentimes do wonderful things in terms of the way you phrase things and the way you express things. Let's do right by this situation.

Q Ms. Reno, the Miami relatives seem to believe that they -- that you will not move to return Elian to Cuba while the entire appeals process is proceeding. Are they right to believe that?

ATTY GEN. RENO: I have not heard from them, so I'm not sure

what their position is.

Q Ms. Reno, how important is it for Juan Miguel Gonzalez to come to this country to pick up his son? Is that important to move this process this process along?

ATTY GEN. RENO: We're going to consider all possible avenues as to how we work this out the right way.

Q Speaking of working with all concerned, what is the plan for getting in touch with the Miami relatives, since you've said this morning how important a part of this they are?

ATTY GEN. RENO: They are represented by counsel, and we will continue our discussion with counsel.

Q What sense did you get from Greg Craig yesterday about exactly when the father wants to come, whether he will come? And also, is he still seeking assurances from the department as far as his security here and --

ATTY GEN. RENO: He should have -- should comment on any matters that were discussed.

Q (Off mike) --

Q Is -- go ahead.

Q Will the department consider seeking an expedited hearing before the court of appeals?

ATTY GEN. RENO: We're going to consider all possible avenues of working it out.

Q Are you confident that if the time comes that this little boy will go back, that the relatives will cooperate in that process?

ATTY GEN. RENO: I want to work it out so that everybody is on board in trying to solve a very difficult situation.

Q So Elian is not yet cleared, legally cleared, to go back to Cuba? Is that correct?

ATTY GEN. RENO: Yes, he is legally cleared to go back to Cuba.

Q He is?

ATTY GEN. RENO: Yes.

Q Okay.

Q Attorney General Reno, I'm Mark Plotkin from WAMU Radio. I make an annual visit.

Q (Laughs.)

Q The last time I was here, I asked you your position and the Justice Department's position on the D.C. voting rights. As you full well know, residents of the District of Columbia cannot -- do not have representation in either the House or the Senate. A three-judge panel on Monday, a vote of 2 to 1, ruled that we still do not have rights to vote in the House -- representation in the House and the Senate.

My question to you is -- Congresswoman Norton, a non-voting delegate, said that she called your office. My first question is -- this is a two-part question -- did you speak to Congresswoman Norton after the decision?

ATTY GEN. RENO: No, I haven't.

Q She said that she had requested of your office and of you that -- the Justice Department, as you know, was a defendant - defended Secretary of Commerce Daley and the president, and residents of the District of Columbia perceive the Justice Department as being against the wishes and aspirations of the residents of the District of Columbia, because you were on the wrong side of the suit. And she has asked you -- or the Justice Department -- to get out of the suit. Will the Justice Department get out of the suit when it is appealed to the Supreme Court?

ATTY GEN. RENO: First of all, the president and I both -- and these are -- on my part, a strongly held feeling -- believe that the people of the District of Columbia ought to have the right to vote. And our position in the court was based on the Constitution.

I think the political solution -- there is a political solution, and I would hope that we could work towards a solution that --

Q Well, let me just follow with this --

ATTY GEN. RENO: -- a solution that gives the people of the District the right to vote.

Q Let me follow with this: There has been instances which a high-level official, even in your department, has said of the Justice Department, even though being statutorily obligated to defend the government, has not. One was the black farmers' dispute, and the second one was, of all things, the federal judges' asking for increase in their salaries. That's where they sued the federal government, and the federal government did not act as defending the federal government; they receded from the case. That's what Congresswoman Norton wants you to do. Why should not the rights of D.C. voting residents create the same precedent that those other two situations have?

ATTY GEN. RENO: I'm not familiar with her position with respect to the black farmers' case or the other case, and would be happy to review it with her and see why she thinks it would apply here.

Q So it is the intention of the Justice Department to continue to be opposed in court to -- even though -- notwithstanding your personal views and the president's personal view, but it's the Justice Department's position to be against the aspirations of the residents in court?

ATTY GEN. RENO: No, it is not the Department of Justice's position or desire to be against the aspirations of people

in the court. It is the desire to try to enforce the law in the right way. And if the matter is appealed, we will consider any instance of action that we should take.

Q Oh, so you will consider not having the same position that you had in the three-judge panel? I am sorry; I don't understand.

ATTY GEN. RENO: What you asked me about, for example, were two cases. I don't know how the congresswoman is suggesting that they apply. But what I said to you is I would be happy just to look at it to see if it applies.

Q Turning to -- (inaudible) -- a two-part question in Plotkin tradition.

What was your reaction to the decision of the three-judge panel? And why has the administration not done more to push the cause of full congressional representation for a half-million D.C. residents?

ATTY GEN. RENO: We are reviewing the decision. I have not had a chance to read it yet, so I can't comment in terms of what my legal analysis is.

With respect to the position of the government, I think -- of the administration -- one of the things that interested me. I am amazed at the press availability after you asked me the question; a year ago, everybody said, "Thank you, Janet, for supporting the District."

We are having to address issues based on our legal responsibilities and then to work together to achieve appropriate solutions.

Q I mean, you're for -- just to get it on the record again because I am still so pleased what you personally say -- you're for full congressional representation, is that right? because the --

ATTY GEN. RENO: I don't know what you mean by "full," but I am for the --

Q Well, "full" means representation in the House and the Senate.

ATTY GEN. RENO: I want the people of the District -- my personal opinion is that they should have the right to vote.

Q In both the House and the Senate?

ATTY GEN. RENO: I think they should have the right to vote. And I think we should work towards a political solution that gives them that.

Q Are you in favor of D.C. statehood rather than D.C. -- a constitutional amendment that will require some kind of congressional representation?

ATTY GEN. RENO: The president has long been in favor of D. C. statehood.

Q Are you for D.C. statehood?

ATTY GEN. RENO: I haven't work through the issues, but so far as I know, I am.

Q Ms. Reno, when you say that the solution should be a political one, that means it would take a constitutional amendment?

ATTY GEN. RENO: I think this is important. I think we have got to work through it and see whether there is a change to the District's constitutional status.

Q The president has been -- (inaudible) -- on this for seven years, has he not?

ATTY GEN. RENO: I don't think he has.

Q Attorney General, can I change the subject to predatory lending?

The Justice Department here has been investigating several major sub-prime lenders for the past two years, and I was wondering if you could tell us anything that you've learned from these investigations, and whether you've concluded that the current lending laws are inadequate to stop predatory lending.

ATTY GEN. RENO: I don't know what would be appropriate to comment on at this point. What I will do is ask Myron Marlin to give you whatever information that would be publicly available.

Q Well, Chairman Greenspan said that he has called a panel together to look at this issue. I believe Justice Department is part of it. Is there anything that you plan on recommending or contributing to this panel on predatory lending?

ATTY GEN. RENO: Again, I think it would be important for me to have Myron talk with the people who are involved in the Justice Department and see what would be appropriate to say publicly at this point.

Q Ms. Reno, on the Waco reconstruction last weekend, can you tell us what briefings you've had on the preliminary analysis of the FLIR data, and whether you think that supports the government's position as to what actually went on that day?

ATTY GEN. RENO: Since Senator Danforth is the special counsel, as you know, I've tried not to comment so as to ensure his independence.

Q Ms. Reno, there are now Justice Department investigators down in Chile investigating the matter of the deaths of Orlando Letelier and Ronni Moffitt back in the 1970s. Is there anything you can tell us about that Grand Jury investigation, not technical information that may be privileged, but the status of that investigation right now, whether it has changed at all in the last few months and what the impetus for that might be?

ATTY GEN. RENO: I cannot comment on a pending matter.

Q Ms. Reno, there is a police controversy going on in Louisville, Kentucky, right now, after the mayor fired the police chief because he awarded two officers medals of valor within a year of those officers fatally shooting an unarmed African American suspect. I understand that you met with the mayor yesterday for about an hour.

Number one, did you speak to the mayor about that controversy? And number two, will you -- will the Justice Department be investigating the issue of potential racial profiling by the Louisville Police Department?

ATTY GEN. RENO: The mayor was here to discuss a gun task force initiative that he had undertaken and to discuss what can be done with respect to prosecutions -- the U.S. attorney for the district was here as well -- and how we could cooperate together in terms of gun prosecutions, how they should be done, what could be done in terms of mapping and the development of information concerning recidivists and other instances with respect to guns.

Q Did this subject arise at all?

ATTY GEN. RENO: I think the mayor alluded to the fact that the city was -- had addressed these issues, but that was just a passing comment.

Q (Off mike) -- police department on issues of racial profiling?

ATTY. GEN. RENO: I will ask Myron to have the Civil Rights Division say whatever it can with respect to the matter.

Q Ms. Reno, just recently, NRA Executive Director Wayne LaPierre charged that (Calvert ?) County authorities in 1995 called up to the Justice Department and asked for a federal prosecution on a gun charge against the activist formerly known as H. Rap Brown, and that they would not risk an answer of no. And given Mr. LaPierre's mischaracterization of a previous incident, I was just

wondering if you had been briefed on what the facts were in that case?

ATTY. GEN. RENO: My understanding is that the indictment committee in the United States Attorney's Office declined to prosecute him on the evidence that they had, their conclusions about the likelihood of a successful prosecution, and that the agent was so advised.

Q Ms. Reno, why did the government settle the Voice of America/USIA discrimination case after 23 years?

ATTY. GEN. RENO: After what?

Q Twenty-three years.

ATTY. GEN. RENO: It seemed a good thing to do. (Laughter.)

Q Ms. Reno -- (off mike) -- profiling, can you give us your comments regarding racial profiling? I know that Reverend Jackson was here meeting with the Civil Rights Division yesterday on it, and what do you think the Justice Department's role will be in that?

ATTY. GEN. RENO: We have been working on this issue for a year, trying to, with components of the Justice Department, develop means of collecting data to address the issue of racial profiling, and we are working with state and local law enforcement to address it as well.

Racial profiling, done for any irrelevant reason, is wrong.

Q Attorney General Reno, let me ask you another District question; the Starbucks murder case. There were reports that Wilma Lewis, the U.S. attorney, did not want to have this as a federal case and use the death penalty. As you know, the death penalty locally is not allowed; has to have a federal law. Was Wilma Lewis overruled by you? And second, why was this case different than other cases of heinous homicide?

ATTY. GEN. RENO: When a matter is pending in the courts,

particularly something like this, it would be inappropriate for me to comment on why we do something. Those comments should be made in court. And Ms. Lewis should -- any comment that she chose to make would, I think, be the best way to pursue --

Q Well, maybe I could ask it in sort of a jurisdictional question, if the U.S. attorney, I think with 92 U.S. attorneys, wants to prosecute, and the Justice Department, the attorney general, has a difference of opinion about a particular case, what usually happens?

ATTY. GEN. RENO: We usually discuss it.

Q Ms. Reno, may I go back to Gonzalez for a second?

Given that the outcome that you got out of the judge's ruling is the one that you asked for, should it be surprising that there isn't a, for want of a better term, a plan already in place for returning him, that it has to be kind of engineered as the days go by?

ATTY GEN. RENO: No.

Q Why not?

ATTY GEN. RENO: Because you take each day and try to figure out, based on new developments, how the matter can be resolved promptly, fairly and in an orderly way.

Q Wasn't this a decision that they could have anticipated weeks ago? I think that may be where the question is coming from. I mean, certainly many people were predicting that we would reach this point a month, two months ago, or more. Couldn't --

ATTY GEN. RENO: One of the things that anybody who has watched this very tragic situation would have to agree is that it changes from moment to moment.

Q Ms. Reno, many -- we know because we've talked to them -- many people in Miami believe that Elian Gonzalez will be

shaving before he's reunited with his father. Can you assure us -- or can you assure Juan Miguel Gonzalez and his grandparents in Cuba that this is not going to happen?

ATTY GEN. RENO: All I can do is assure everybody that this case has occupied a great deal of my attention. That there is a little boy's life at stake that all of us have come to care a great deal about. That there are different parts of a family that have strongly held feelings. That the court has spoken. And that there is something more at stake. A father ought to be able to speak for his child. And there is a matter of family. And in our law and in our practice and in our tradition, it is the parent that speaks for the child, except where you can show that they have not been a good parent.

It is a very difficult situation. And I -- the only thing I can assure you is that I'm going to try to do my best to work this out, to fulfill my responsibility and to do it the right way with the best interest of all concerned, looking towards how we give Elian the opportunity to be with his father.

Q Ms. Reno, there's talk on Capitol Hill of removing the gun control provisions from the juvenile justice bill. Does the department have a position on that?

ATTY GEN. RENO: I think it would be inappropriate to discuss. I think we just need to work together to get both bills passed -- I mean both provisions passed, the gun provision. If you go to a federally licensed firearms dealer and have to have a background check done, why shouldn't the same thing happen at a gun show?

If child safety locks can save some children's lives, why don't -- why aren't they required? We require seat belts for children, to save their lives. I just think we should work together for common-sense saving of life.

And there are some that say, "Oh, no, the important thing to do is prosecute." We're prosecuting. State and federal prosecutions have increased over these last years. But

nobody wants to see a child die in the streets because somebody else got a gun, or because they were able to get a gun. They'd much rather prevent it.

Let's just use common sense and try to prevent crime wherever we can.

Q On the Smith & Wesson agreement, the folks at Glock this week refused to sign on to that because, they said, the oversight board was too stringent a provision. Do you see other manufacturers agreeing to that package of reforms?

ATTY GEN. RENO: I would hope that they would, because I think it's a great step forward, and I think what was done by Smith & Wesson is corporate responsibility at its best.

Q Ms. Reno, last week --

ATTY GEN. RENO: Wait --

Q On the Elian Gonzalez case, have you given up hope or are you still hopeful that you can negotiate an agreement, like a private agreement, between the family in Cuba and in Miami for the return of the child? And if not, are you concerned at all about the repercussions in the community of a forceful intervention by the law?

ATTY GEN. RENO: You all just keep trying to push the forceful intervention to the forefront. What I want to do is try to work it out, and we're going to try to do that in the right way.

Q Attorney General Reno, as you know, the local criminal justice system in the District -- there really isn't a local criminal justice system. We have the U.S. attorney that has the local -- we don't have our own judges. Do you think this is a permanent state, that we will not have an elected attorney general and a locally elected or appointed judiciary?

ATTY GEN. RENO: I don't know.

Q Do you have a point of view on that? I'm trying to ask you a question short of voting rights, to get the fact that this is also an aspiration of the District -- that they have their local criminal justice system -- right now it's federally controlled -- and that they at one point have a judiciary which they select, either by appointed or elective manner. Right now we're sort of a ward of the federal government permanently in the criminal justice area, and I've never had the opportunity to ask an attorney general: Do you think that's the right system, and is that system permanent?

ATTY GEN. RENO: I think you have got to look at statehood and see what's best. There is one state, for example, that has an appointed attorney general. That might in some situations, be better. I think the people of the District ought to be able to have some say in that.

And with respect to appointed prosecutors versus elected prosecutors, I think most local prosecutors are elected. I had to run for office a number of times. There is something to be said for an elected prosecutor, and there is something to be said for an appointed prosecutor. And I think these are decisions that should be made in the process of building a government.

Q Well, that's really my point. Right now the federal government -- as you full well know, the president selects the U.S. attorney, which is our local prosecuting attorney, and selects all our judges, our D.C. Superior Court judges and D.C. Court of Appeals judges.

Is this a permanent -- do you have point of view that this shouldn't be the situation, that the local citizenry pick their own prosecutor and pick their own judges?

ATTY. GEN. RENO: I think we have got to look at it and made decisions as to how it should be done.

Q But you don't have a personal --

ATTY. GEN. RENO: I have not sat down and planned for

statehood in the District of Columbia. I think I have worked on a judicial article of a constitution once before. And there are many, many questions that have got to be addressed, and I think it should be done in a thoughtful way --

Q My final point is that --

ATTY. GEN. RENO: -- not at a press availability where I haven't thought out the issues.

Q -- judicial and prosecutorial autonomy is something short of statehood. And there are people who want that to be way station; that is, it wouldn't require statehood to get these things. There is a bill in the D.C. City Council that asks for it. It would have to be an amendment to the Home Rule Charter, to elect the attorney general.

If there were other positions, that the local judiciary be appointed or elected by the local citizenry, what would be your position on that?

ATTY. GEN. RENO: I'd look at it when I saw it, and make a decision when I had to --

Q Ms. Reno?

ATTY. GEN. RENO: -- to do it in something other than a press availability.

Q You said that the Gonzalez case was occupying a good bit of your time. How much time has it occupied? And do you think it's an appropriate use of your time, so much of your time going to that case?

ATTY. GEN. RENO: I don't know how much time it has taken because one of the things I don't do is total up time. I try to spend the time addressing substantive issues. And no, I don't think it's taken too much time.

Q Ms. Reno, in the Civil Rights Division's pattern and practice investigation of New York City's police

department, have you authorized U.S. Attorney Loretta Lynch (sp) to file a lawsuit?

ATTY GEN. RENO: We are in conversation with the U.S. attorneys in the Southern District and the Eastern District, and appropriate announcements will be made.

Q When?

ATTY GEN. RENO: I don't know.

Q Last week I brought the issue of an incident in Santa Teresa, New Mexico, involving the Mexican Army shooting on U.S. sovereign land, and the Border Patrol. The Border Patrol is saying that it could well be that they were being shot at by the Mexican Army as they fled -- well, at least one of the vehicles fled. Can you give me your assessments? You said you would look into that matter.

ATTY GEN. RENO: I have not received a report. I'll ask Myron to give you whatever we can say publicly.

Q Ms. Reno, as you well know, the case of Elian Gonzalez is not isolated. There are many parents who are not able to see their children because -- over some international border or there's some political issue involved. Catherine (sp) Meyer, the wife of the British ambassador to the United States, has not been able to see her two young sons for something like three years. Is our national law, or our international agreements, are they strong enough? Do we need to take a new look at this issue? Do we need to get more signatories on these international agreements?

ATTY GEN. RENO: These are hard issues because when you -- and I think they're issues that forecast other issues with respect to the rule of law around the world. A custody situation is difficult enough if both parents are in the same community and disagree. If you have one parent halfway around the world and another one here, that becomes a very difficult proposition for the person here to deal with the child halfway around the world. There are questions of cost, how do you get a lawyer. And I think all of --

(interrupted by sound of beeper) --

Q That's okay. Keep going. (Laughter.)

ATTY GEN. RENO: Big Brother is watching you. (Laughter.)

Q But -- (laughter) --

Q Now that's going to -- (off mike). (Laughter.)

ATTY GEN. RENO: How do you have all these beeps and moans this morning?

I think it's -- one of the issues that has got to be addressed is how we enforce the law and provide for people's rights when it is very difficult, in terms of cost and obtaining lawyers, to get access to the courts.

That is really indicative of a larger issue. How do we make the law real for all Americans? How do we give them access to the law if they can't afford a lawyer or if they can't afford a lawyer halfway around the world? What is the responsibility of government, and what is the responsibility of the private sector? These are very difficult issues, and I don't have all the answers.

Thank you.

Q Thank you very much. Good day to you.

END.

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