

11. ENFORCING THE LAW

At last we have begun to find the way to reduce crime, forming community partnerships with local police forces to catch criminals and prevent crime.

President Clinton
January 1996

The budget continues the Administration's aggressive efforts to make the streets safer for all Americans and to secure the Nation's borders. It:

- empowers communities to fight crime locally by hiring more police, provides innovative programs to prevent non-violent offenders from becoming hardened criminals, and stresses drug treatment and prevention;
- commits resources to ensure that violent criminals and serious drug traffickers remain behind bars, and proposes that violent juvenile offenders be prosecuted as adults; and
- targets resources to combat illegal immigration—at the border, at worksites, and in prisons—through deterrence, enforcement, and swift deportation.

TAKING BACK OUR STREETS

The Administration's continuing efforts to work with communities and local police forces are paying off. In 1994, America's violent crime rate dropped by four percent from 1993, to its lowest level since 1989. Preliminary figures for the first six months of 1995 indicate a further drop in violent crime. While this trend is encouraging, violent crime, especially among juveniles, remains at an intolerable level.

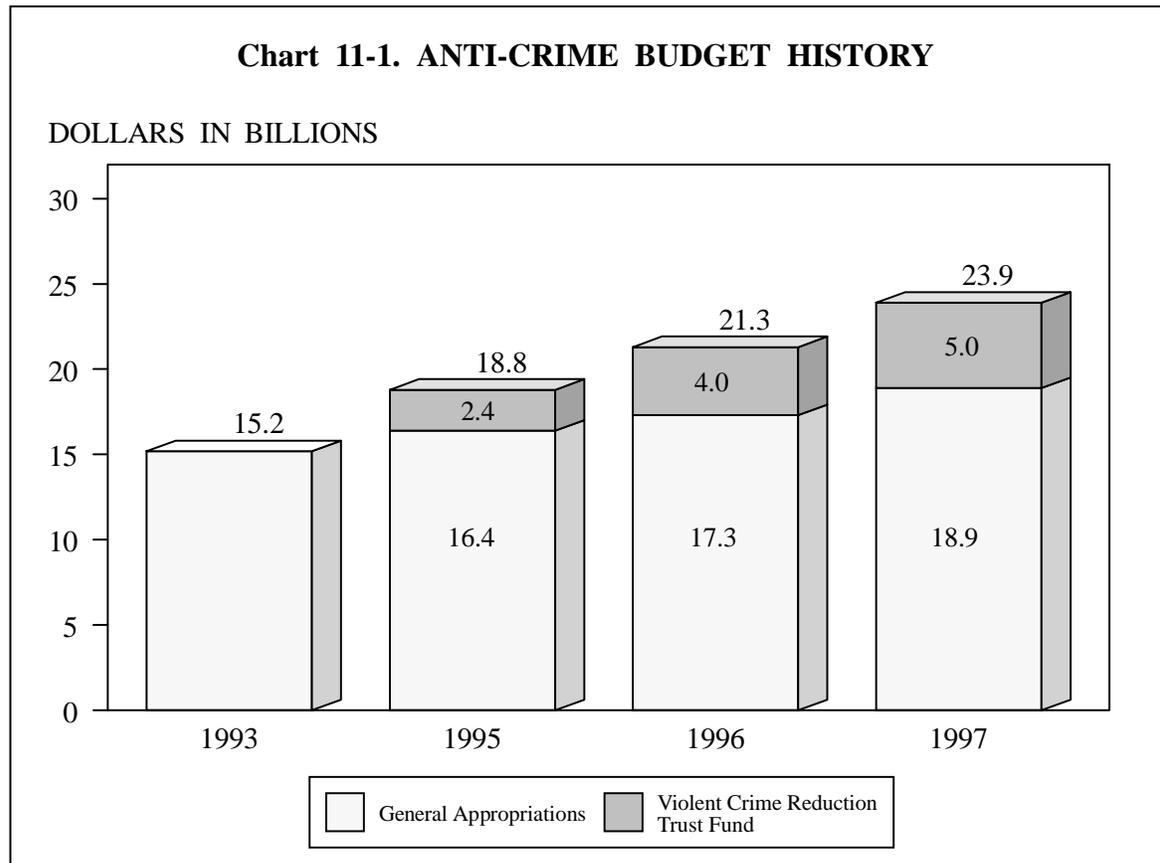
The budget proposes \$23.9 billion to control crime, an increase of \$2.6 billion over 1996. Chart 11-1 shows law enforcement spending by year. To help make our streets safe and free people from fear, the budget continues initiatives to hire more police in communities

of all sizes, enhance State and local law enforcement and crime prevention assistance, and confront gangs, including juvenile gangs, involved in violent crimes.

Community Policing: Community policing is integral to fighting crime and improving the quality of life in the Nation's cities, towns, and rural areas. That's why the President has pledged to put 100,000 new police officers on the street by the year 2000. By the end of 1996, the Community Oriented Policing Services (COPS) initiative will have funded almost 49,000 officers. The budget proposes almost \$2 billion to put 19,000 more officers on the street in local communities. COPS provides flexibility to communities, giving local law enforcement agencies the funds to buy sophisticated crime equipment, hire support personnel that allow the deployment of more officers, and implement community policing techniques.

The budget also proposes \$25 million to give police officers advanced education and training. The Police Corps grant program would give educational assistance to students with a sincere interest in law enforcement—scholarship recipients would have to make a four-year law enforcement service obligation. The Police Scholarship program would give scholarships to individuals now working as police officers. These two programs would help enhance State and local law enforcement recruitment, retention, and education.

State and Local Assistance: The Violent Crime Control and Law Enforcement Act of 1994 was designed to provide a balance between enforcement and prevention programs. The Violent Crime Reduction Trust Fund (VCRTF) provides \$5 billion in 1997 toward programs authorized in the 1994 crime law.



The President's VCRTF request includes \$3.6 billion for State and local law enforcement and \$0.5 billion for prevention programs (see Table 11-1). Along with COPS, the VCRTF funds grants for new prisons and prevention programs for violence against women and handgun violence.

Violent Offenders: The Administration seeks to ensure that convicted violent offenders serve at least 85 percent of their sentences behind bars. For this purpose, the budget proposes \$630 million in State grants to build new prisons and jail cells under two programs—the Violent Offender Incarceration and Truth in Sentencing programs. The funding includes \$170 million to reimburse States for the costs of incarcerating criminal aliens.

Violence Against Women: The budget proposes \$250 million to combat gender-based crime. About \$180 million would go for programs to investigate, prosecute, and convict those who commit violent crimes against

women. The other \$70 million would fund programs that prevent rape and the sexual exploitation of runaway, homeless, and street youth.

Brady Handgun Violence Prevention: To date, the 1993 Brady bill, which provides for a waiting period before a gun purchase, already has stopped 60,000 people who are prohibited purchasers from buying guns. To further prevent the sale of firearms to ineligible purchasers, the budget proposes \$50 million to help States upgrade their criminal history record-keeping systems and \$20 million to create a national instant handgun check system.

Gangs: Clearly, criminal gang violence is among the most difficult challenges facing law enforcement. As gangs become an increasingly powerful and deadly force, the Administration is pursuing a coordinated national strategy to help combat them. The budget proposes a variety of programs to stem violence on the street and in public housing.

Table 11-1. VIOLENT CRIME REDUCTION TRUST FUND SPENDING BY FUNCTION

(Budget authority, in millions of dollars)

	1995 Actual	1996 Estimate ¹	1997 Proposed	Dollar Change: 1995 to 1997	Percent Change: 1995 to 1997
Prevention:					
Violence Against Women	27	180	254	+227	+841%
Drug Courts	12	100	100	+88	+733%
Prison Drug Treatment		41	61	+61	NA
Other Prevention Programs	21	19	42	+21	+100%
Subtotal, Prevention	60	340	457	+397	+662%
State and Local Assistance:					
Community Policing (COPS)	1,300	1,803	1,950	+650	+50%
Incarceration of Violent Offenders	25	618	630	+605	+2,420%
Incarceration of Undocumented Criminal Aliens	130	300	330	+200	+154%
Other State and Local Assistance	550	187	659	+109	+20%
Subtotal, State and Local Assistance	2,005	2,908	3,569	+1,564	+78%
Federal Law Enforcement Assistance:					
Department of Justice:					
Immigration	284	381	505	+221	+78%
Other Department of Justice		321	344	+344	NA
Department of the Treasury	30	69	90	+60	+200%
Judiciary		30	35	+35	NA
Subtotal, Federal Law Enforcement Assistance	314	801	974	+660	+210%
Total, Violent Crime Reduction Trust Fund					
	2,379	4,049	5,000	+2,621	+110%

NA = Not applicable.

¹ Includes Administration's proposed adjustments to 1996 continuing resolution levels.

- *Safe Streets*: The budget proposes \$117 million, an increase of \$2.9 million over 1996, for the Safe Streets program, which blends the efforts of the FBI, other Federal law enforcement agencies, and State and local police departments to investigate street crime and violence.
- *Mobile Enforcement Teams (METs)*: The Drug Enforcement Administration provides guidance and other assistance to local police agencies and State and local police departments to disrupt and dismantle the most violent gangs involved in drug trafficking. The budget proposes \$20 million for this program, an increase of \$5.9 million over 1996.
- *Juveniles*: Juvenile arrests for serious offenses rose 68 percent from 1984 to 1993, partly due to gang violence as groups fought for turf. As a result, the President pledged in his State of the Union address, "I'm directing the FBI and other investigative agencies to target gangs that involve juveniles and violent crime, and to seek authority to prosecute as adults teenagers who maim and kill like adults."

- *One Strike and You're Out:* The President believes that public housing is a privilege, not a right, and that residents who commit crimes and peddle drugs should be immediately evicted. The budget provides \$290 million to support anti-drug and anti-crime activities in public housing, including \$10 million to implement the President's "one strike and you're out" initiative.

Domestic Terrorism: Though few in number, domestic terrorist groups are a serious threat to the security and safety of the Government and public. The budget provides about \$100 million to help Federal law enforcement agencies prevent domestic terrorism, and investigate and prosecute domestic terrorists who commit violent and illegal acts.

Digital Telephony: The Communications Assistance for Law Enforcement Act ensures that law enforcement agencies can conduct court-authorized wiretaps as the Nation converts from analog to digital communications technology. In 1996, the President proposed \$100 million to reimburse telecommunications carriers for modifying equipment and services in order to maintain the ability to conduct wiretaps. Congress did not fund the program but, due to its importance, the budget again proposes \$100 million.

COMBATING DRUG ABUSE AND DRUG-RELATED CRIME

Drug abuse and drug-related crime cost our society an estimated \$67 billion a year¹ and destroy the lives and futures of a major portion of our most precious resource—our youth. Illicit drug trafficking breeds crime and corruption, drug use helps to spread AIDS and other deadly diseases, and addiction erodes our productivity. The effects of drugs and drug-related crime are felt acutely in our communities and on our urban street corners.

The budget proposes \$15.1 billion for drug control, an increase of \$1.3 billion over 1996. The budget would build on initiatives that began in 1996 by renewing the emphasis on drug law enforcement, interdiction, international programs, and drug treatment and prevention. Table 11-2 shows the funding according to drug control functions.

Drug Law Enforcement: The budget proposes \$8.3 billion for domestic drug law enforcement, an increase of \$0.7 billion over 1996. The budget boosts Federal law enforcement efforts while targeting new resources to community-based law enforcement and to stopping the flow of illegal drugs at the border.

Table 11-2. DRUG CONTROL FUNDING

(Budget authority, dollar amounts in millions)

	1995 Actual	1996 Estimate ¹	1997 Proposed	Dollar Change: 1995 to 1997	Percent Change: 1995 to 1997
Domestic Law Enforcement	6,983	7,553	8,255	+1,272	+18%
Demand Reduction	4,692	4,572	4,971	+279	+6%
Interdiction	1,280	1,339	1,437	+157	+12%
International	296	320	401	+105	+35%
Total, Drug Control Funding	13,251	13,784	15,064	+1,813	+14%

¹ Includes Administration's proposed adjustments to 1996 continuing resolution levels.

¹ "Substance Abuse: The Nation's Number One Health Problem," *Key Indicators for Policy*, Institute for Health Policy, Brandeis University (1993).

The Federal role continues to focus on providing leadership and training, fostering inter-governmental cooperation, and providing incentives to States and localities to adopt successful drug control methods.

Interdiction and International Programs: The Administration has an integrated international strategy that has made it harder for traffickers to get their product into the United States for sale. The budget proposes \$1.8 billion, \$100 million more than in 1996, for these programs.

- *Source Country Efforts:* Internationally, the United States is focusing on not just interdiction, but also on disrupting the drug leadership and its production, marketing, and money-laundering infrastructure. This requires that we closely cooperate with narcotics source and transit countries, and hold our allies to a high standard of action.

Drug Treatment: The budget proposes \$2.9 billion from all sources to treat drug abuse, \$200 million more than in 1996.

To rid America of drug addiction, the Administration's top priority is treating hard-core users. The following programs reflect the Administration's commitment to address drug abuse where the battle is toughest—in the streets, jails, and urban and rural drug markets of America.

- *Drug Testing:* To break the cycle of crime and drugs, the budget proposes \$42 million for the Administration's criminal justice drug testing initiative. Under it, all those arrested for Federal crimes would be drug tested before being released back into the community.
- *Drug Courts:* Drug courts, for which the budget proposes \$100 million, offer an alternative for non-violent offenders who are willing to participate in, and would benefit from, rehabilitative drug treatment. Drug court programs rely on sanctions, such as incarceration and increased drug-testing and supervision, to encourage treatment.
- *Substance Abuse Treatment:* The budget proposes \$1.2 billion, a \$67 million increase over 1996, to support State substance abuse activities, which help target

resources to local hard-core user populations. In addition, the budget helps restore funding for substance abuse demonstration programs to \$352 million, a \$140 million increase over 1996, providing treatment and prevention services for pregnant women, high-risk youth, and other under-served Americans.

Community-Based Prevention: The budget proposes \$1.6 billion for drug prevention programs, an increase of \$200 million over 1996. After significant and steady declines through the 1980s, teenage drug use is rising and anti-drug attitudes are softening. Drug glamorization in popular culture, especially rock music, and the highly publicized debate about drug legalization have fueled these reversals. To help stem these trends, the budget puts a major focus on keeping America's youth drug-free.

- *The Safe and Drug Free Schools and Communities Program:* The Safe and Drug Free Schools and Communities program provides an important foundation for the Nation's drug and violence prevention efforts, helping school districts implement anti-drug and anti-violence programs in the schools. The program now serves 39 million students in 97 percent of school districts. The budget proposes \$540 million, an increase of \$74 million over 1995.

SECURING OUR BORDERS AND ENFORCING THE LAW

The President has placed a high priority on controlling our Nation's borders. For too long, insufficient staff, inadequate facilities, and outmoded equipment and technology have permitted uncontrolled movement across the border—over 3.5 million aliens now reside in this country illegally. As a Nation of immigrants, we must welcome those who seek legal entry or refugees who seek protection from harm. As a Nation of laws, however, we must maintain our borders and deter and remove those who enter illegally.

The President has worked with Congress over the last three years to boost funds for the Immigration and Naturalization Service (INS) by 74 percent. The President's Immigration Initiative is a strategic plan

to secure the borders as we work with State and local governments to reduce the effects of illegal immigration. The budget proposes \$3.1 billion for INS, \$441 million more than in 1996 (see Table 11-3).

Securing the Border: Controlling illegal entry at the border with limited resources has been a continuing challenge for INS—one that the Administration has addressed. Under its plan, Border Patrol staffing would rise by over 85 percent from 1993 to 1998 (to over 7,000 agents). Since 1993, the Administration and Congress have provided funds to hire 1,850 more patrol agents to meet staffing needs at the Nation's busiest Southwest border crossing points. The budget builds on this foundation, adding resources to support 700 more Border Patrol agents, 150 INS inspectors, and 657 Customs personnel to strengthen land ports-of-entry and stem the flow of illegal aliens and drugs (see Chart 11-2).

- **Enforcement Strategy Along the Border:** Since 1993, the Administration has focused on deterrence at the border. This multiyear plan has targeted border en-

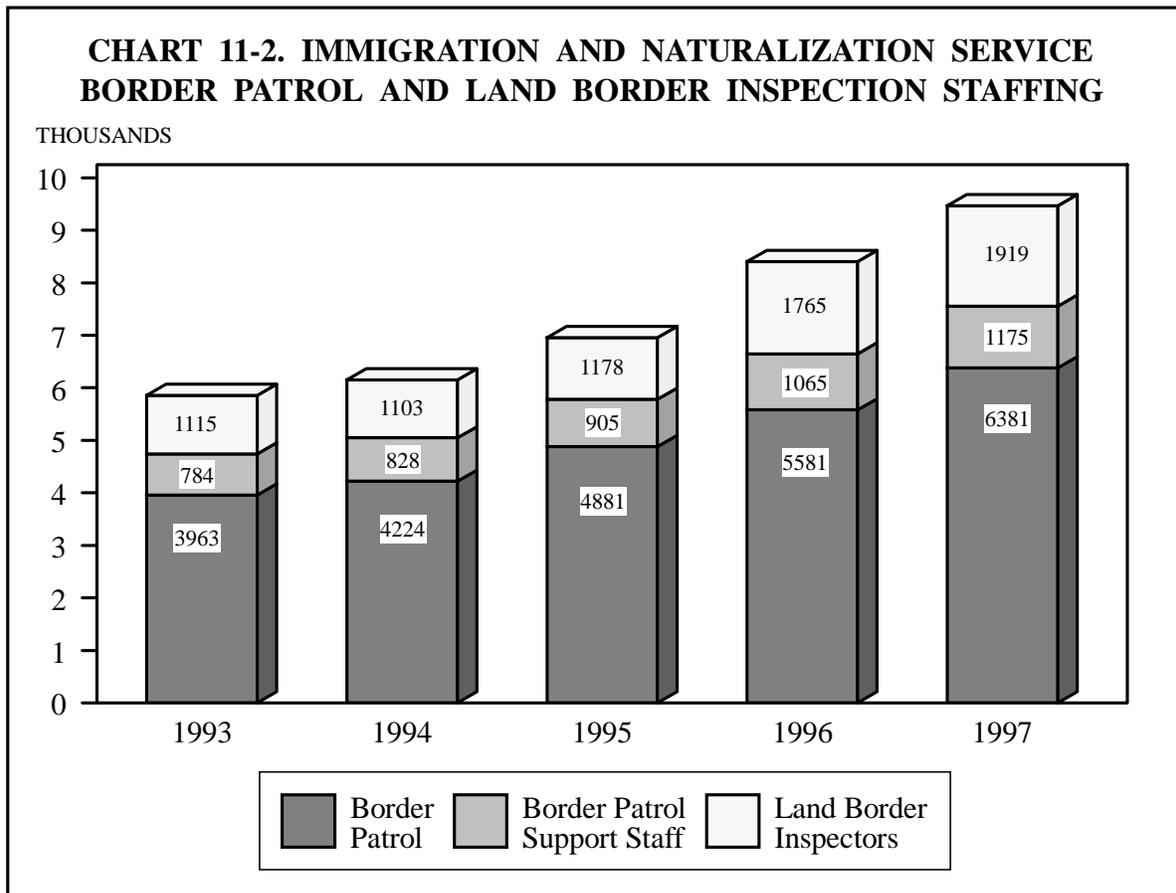
forcement along the Southwest border, starting with the largest illegal crossing areas. Projects such as "Operation Gatekeeper" in San Diego and "Operation Hold-the-Line" in El Paso have helped deter illegal crossing. Local law enforcement officials cite these projects as important factors that helped to reduce crime significantly—upwards of 60 percent—in affected border communities. The budget expands these initiatives to cover the full Southwest border. It adds 850 INS agents and inspectors; proposes \$33 million to replace outmoded equipment; and funds new weapons and electronic detection technology.

- **Use of Technology:** INS is using advanced biometric technology along the Southwest border to identify and control alien crossings. Its IDENT system uses stored fingerprints and photographs to form a unique identifier with information on aliens, for use in law enforcement. The IDENT system has allowed INS to tap "lookout" and law enforcement criminal data bases and

Table 11-3. IMMIGRATION AND NATURALIZATION SERVICE PROGRAM FUNDING

(Budget authority, dollar amounts in millions)

	1993 Actual	1995 Actual	1996 Estimate	1997 Proposed	Dollar Change: 1993 to 1997	Percent Change: 1993 to 1997
Appropriated Funds:						
Border Patrol	354	442	583	716	+362	+102%
Investigations and Intelligence .	142	169	229	279	+136	+96%
Land Border Inspections	83	88	122	152	+69	+83%
Detention and Deportation	161	194	309	401	+240	+149%
Program Support and Construc- tion	227	437	493	599	+373	+164%
Subtotal	967	1,330	1,736	2,147	+1,180	+122%
Fee Collections and Reimbursements:						
Citizenship and Benefits	308	359	539	511	+203	+66%
Air/Sea Inspections and Support	255	362	381	439	+184	+72%
Subtotal	563	721	920	950	+387	+69%
Total, INS	1,530	2,051	2,656	3,097	+1,567	+102%



provide real-time evaluation of illegal crossing trends, enabling INS to quickly redeploy Border Patrol resources. The budget provides \$7.8 million to expand and operate the IDENT pilot along the entire Southwest border, and includes another \$16.8 million for technology to strengthen Southwest border enforcement.

Reducing the “Job Magnet” for Illegal Entry: Each year, a powerful “job magnet” draws hundreds of thousands of illegal aliens to this country. The Administration has put muscle into the employer sanctions enforcement provisions of the 1986 Immigration Reform and Control Act. Since 1993, the Government has taken over 15,000 enforcement actions, leading to over 25,000 apprehensions and \$10.5 million in employer fines. The budget proposes to make it easier for employers to verify employment eligibility, and to expand enforcement efforts against traditional employers of unauthorized labor. In addition, the

President signed a path-breaking Executive Order on February 13, 1996 to deny Federal contracts, for up to a year, to firms that employ illegal aliens.

- *Employment Verification:* Over half of the illegal aliens in this country never crossed our borders illegally; rather, they overstayed the terms of their visas. Many of them use fraudulent documents to get jobs. To address this problem, INS developed several pilot employment verification systems to help employers determine the eligibility of potential employees. A telephone verification system in Orange County, California has enlisted over 200 employers—expected to grow to over 1,000 in 1996—who use a quick, effective, and non-discriminatory system to verify the employment eligibility of new employees. The budget proposes \$10 million to expand verification and fraud detection and prevention programs.

- *Worksite Enforcement:* Worksite enforcement and employer sanctions are keys to dampening the lure of illegal employment. The Administration's vigorous enforcement of employment standards denies employers the advantages of hiring highly vulnerable and exploitable illegal immigrants to work at substandard wages and in poor working conditions. Employers who knowingly hire illegal aliens should be held accountable. INS has launched a concentrated enforcement effort, centered in the Midwest and titled "Operation JOBS," that targets employers who routinely flout the law and hire illegal aliens. The joint exercise, drawing on the expertise of INS, the State and Labor Departments, and local officials, has generated 5,555 alien apprehensions and 4,453 removals since it began in January 1995. In addition, it has placed over 3,000 citizens in jobs that illegal aliens previously held. The budget proposes to add 106 investigators and deportation officials to strengthen INS' worksite enforcement efforts.

Swiftly Removing Illegal and Criminal Aliens: The budget expands another part of the President's Immigration Initiative—removing criminal and undocumented aliens. It proposes to enhance INS' ability to identify, locate, and remove criminals and other deportable aliens. With these and other resources, INS would be able to remove 93,000 aliens in 1997, a 50 percent increase over projections for 1996.

- *Port Courts and Deportation:* The budget proposes \$4.2 million to expand efforts by INS and the Executive Office of Immigration Review (EOIR) to expand the innova-

tive "port court" concept that began in California. INS has established a port court at the Otay Mesa land border crossing port to expedite immigration hearings for aliens who try to enter the country using counterfeit documents or falsely claiming U.S. citizenship. The budget expands the courts to additional ports of entry in 1997.

- *Institutional Hearing Program:* The criminal alien inmate population represents a growing portion of all inmates in Federal, State, and local prisons and correctional facilities. To expedite deportation and expulsions, INS, in conjunction with EOIR and State correction officials, has launched an innovative, on-site prison hearing program to conduct criminal alien deportation hearings while inmates serve their sentences. The program led to the removal of over 9,500 criminal aliens in 1995. The budget proposes \$9.2 million to add courtrooms and staff, and \$11.1 million to expand the same concept to aliens incarcerated in local jails.
- *Deportation:* The budget proposes funds to activate 700 new detention beds in Texas and Florida, and to enhance the INS alien transportation system.

Assisting States and Localities with the Costs of Illegal Aliens: Through the State Criminal Alien Assistance Program, the President has provided unprecedented help to reimburse State and local governments for the costs of incarcerating illegal aliens. In 1995, the Federal Government provided \$130 million to reimburse 41 States. The budget recommends \$500 million to expand reimbursements to State and local governments.