

FOR IMMEDIATE RELEASE
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**STATEMENT OF SENATOR BOB DOLE
COMPREHENSIVE VIOLENT CRIME CONTROL ACT OF 1989
"AMERICANS...LIVING AS HOSTAGES TO THUGS ON THE STREETS"**

MR. PRESIDENT, TODAY I AM JOINING SENATORS THURMOND, SPECTER, McCLURE, DeCONCINI, AND D'AMATO, IN INTRODUCING THE COMPREHENSIVE VIOLENT CRIME CONTROL ACT OF 1989, WHICH HAS BEEN SENT TO THE CONGRESS BY PRESIDENT BUSH.

PROTECTING THE CONSTITUTION

MAKE NO MISTAKE ABOUT IT, MANY AMERICANS -- AND NOT JUST THOSE IN LOW INCOME NEIGHBORHOODS OF OUR LARGE CITIES -- ARE LIVING IN FEAR. THEY ARE LIVING AS HOSTAGES TO THE THUGS WHO ROAM OUR STREETS AND TERRORIZE OUR COMMUNITIES.

THE PREAMBLE OF OUR CONSTITUTION, WHICH LAYS THE GROUNDWORK UPON WHICH ALL OF OUR CONSTITUTIONAL RIGHTS REST, STATES THAT WE ARE JOINING TOGETHER TO FORM THIS UNION TO:

"ESTABLISH JUSTICE, INSURE DOMESTIC TRANQUILITY, ...
PROMOTE THE GENERAL WELFARE AND SECURE THE BLESSINGS OF LIBERTY
..."

MR. PRESIDENT, IT IS TIME THAT WE START TAKING THESE WORDS SERIOUSLY. IT IS TIME FOR US TO STRIKE A FAIR BALANCE BETWEEN THE RIGHTS OF THE INNOCENT VICTIMS OF CRIME AND THE RIGHTS OF THE CRIMINALLY ACCUSED. AND IT IS TIME FOR US TO FOCUS OUR ATTENTION ON THE GREAT VALUE UNDERLYING OUR CONSTITUTION -- PROTECTING THE GUARANTEE OF JUSTICE AND LIBERTY FOR ALL AMERICANS.

THE PRESIDENT'S BILL ACCOMPLISHES THESE IMPORTANT OBJECTIVES. IT TAKES AIM AT THE DOMESTIC TERRORISTS. AND IT TAKES AIM AT THOSE WHO WOULD EXPLOIT THE LOOPHOLES IN OUR CRIMINAL JUSTICE SYSTEM.

PROVISIONS OF THE BILL

NOW, WE MAY NEED TO MAKE A FEW TECHNICAL CHANGES TO SOME OF THE FIREARMS PROVISIONS CONTAINED IN THE PRESIDENT'S BILL. I AM PERSONALLY COMMITTED TO WORKING TOGETHER WITH THE WHITE HOUSE TO MAKE SURE THAT THESE TECHNICAL CHANGES ARE WRITTEN INTO THE PRESIDENT'S BILL.

BUT LET'S TAKE A LOOK AT WHAT THE BILL SAYS NOW.

THE BILL SAYS THAT WE WILL PLACE IN PRETRIAL DETENTION THOSE ARRESTED FOR USING FIREARMS IN THE COMMISSION OF A VIOLENT CRIME. FROM NOW ON, WE AREN'T GOING TO LET MURDERERS OUT OF JAIL TO KILL AGAIN SIMPLY BECAUSE THEY WERE ABLE TO MEET BAIL.

WE HAVE ALL SEEN SOME OF THE TRAGIC PRESS ACCOUNTS OF CRIMINALS SWITCHING TO SEMI-AUTOMATIC WEAPONS IN ORDER TO DISCHARGE GREATER NUMBERS OF BULLETS IN THEIR GUN BATTLES. THE PRESIDENT'S BILL SAYS "USE A SEMI-AUTOMATIC AND YOU GET 10 YEARS." QUITE FRANKLY, WE MIGHT WANT TO INCREASE THIS PENALTY FOR ALL CRIMINAL USES OF FIREARMS.

THERE IS ALSO A SMALL BUT GROWING PROBLEM OF DRUG SMUGGLERS GETTING INTO THE GUN RUNNING BUSINESS. THE BILL SEEKS TO NIP THIS PROBLEM IN THE BUD -- IT CREATES A NEW CRIMINAL SANCTION AGAINST THOSE TRYING TO DOUBLE THEIR ILLICIT PROFITS.

(MORE)

THE SAME IS TRUE OF FIREARM THEFTS. WE MUST REMEMBER THAT 80% OF THE FIREARMS USED IN CRIMES ARE NOT OBTAINED THROUGH NORMAL CHANNELS -- MANY ARE STOLEN, SOLD BY ILLEGAL, UNLICENSED DEALERS OR BY SMUGGLERS. STEALING OR TRAFFICKING IN STOLEN GUNS IS ALSO MADE A SEPARATE FEDERAL CRIME.

THE BILL PUNISHES THOSE CONVICTS WHO ABUSE THE PRIVILEGE OF PROBATION AND PAROLE -- AUTOMATIC REVOCATION OF PROBATION AND PAROLE IF YOU FLUNK NEW, MANDATORY DRUG TESTS OR IF YOU ARE FOUND IN POSSESSION OF A FIREARM. PROBATION AND PAROLE ARE SUPPOSED TO BE A CONTRACT BETWEEN THE CONVICT AND THE PEOPLE. FROM NOW ON, BREAK THE CONTRACT AND WE WILL PUT YOU BEHIND BARS -- NO IFS, ANDS OR BUTS, JUST JAIL.

THE PRESIDENT HAS ALSO PROPOSED TO EXPAND THE FEDERAL DEATH PENALTY. IN THE 17 YEARS SINCE FURMAN V. GEORGIA -- THE SUPREME COURT DECISION RESTRICTING THE USE OF THE DEATH PENALTY -- 41 OF THE 50 STATES HAVE ACTED TO PERMIT THE IMPOSITION OF THE DEATH PENALTY FOR THE MOST HEINOUS OF CRIMES. AS I'VE SAID BEFORE, THE FEDERAL GOVERNMENT IS WAY BEHIND. WE NEED THIS ULTIMATE SANCTION FOR THE CRIMES OF HOMICIDE, ESPIONAGE, TREASON, AND ASSASSINATION OF THE PRESIDENT.

THERE ARE TWO OTHER VERY IMPORTANT PROVISIONS INCLUDED IN THE PRESIDENT'S CRIME PACKAGE -- THE CREATION OF A GENERAL GOOD FAITH EXCEPTION TO THE EXCLUSIONARY RULE AND REFORM OF HABEAS CORPUS PROCEDURE. THE FIRST PROVISION WOULD HELP BRING CRIMINALS TO JUSTICE BY ENSURING THAT EVIDENCE -- GATHERED BY POLICE OFFICERS WHO BELIEVE THEY ARE ACTING IN ACCORDANCE WITH CONSTITUTIONAL STANDARDS -- WILL NOT BE MINDLESSLY REJECTED BY THE COURTS. THE SECOND PROVISION WOULD REDUCE THE SEEMINGLY ENDLESS NUMBER OF APPEALS THAT CONVICTS NOW USE TO CLOG OUR COURT SYSTEMS.

FINALLY, THE BILL PROVIDES SOME SORELY-NEEDED FEDERAL FUNDING -- \$1 BILLION FOR THE CONSTRUCTION OF ADDITIONAL FEDERAL PRISON SPACE. \$50 MILLION TO HIRE MORE ASSISTANT U.S. ATTORNEYS. ANOTHER \$40 MILLION TO HIRE MORE AGENTS FOR THE BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS AND FOR THE FBI'S VIOLENT CRIME AND MAJOR OFFENDERS PROGRAM. AND AN ADDITIONAL \$12 MILLION TO BEEF-UP THE U.S MARSHAL'S PROGRAM. THIS MONEY WILL BE MONEY VERY WELL-SPENT.

CONCLUSION

IF WE ARE GOING TO FIGHT A WAR, WE HAD BETTER HAVE THE WEAPONS AND THE WILLPOWER TO WIN IT. THE WAR ON DRUGS AND VIOLENT CRIME IS NO DIFFERENT. HALF-MEASURES -- WELL-INTENTIONED AS THEY MAY BE -- WILL GET US NOWHERE.

THE PRESIDENT'S CRIME PACKAGE IS AN IMPORTANT STEP IN THE RIGHT DIRECTION. IT IS TOUGH -- VERY TOUGH -- ALTHOUGH I BELIEVE THAT WE CAN MAKE IT EVEN TOUGHER. BUT THE BOTTOM LINE IS THAT IT OUGHT TO PASS CONGRESS BY UNANIMOUS CONSENT.

MR. PRESIDENT, I ASK UNANIMOUS CONSENT THAT THE TEXT OF THE BILL AND A SECTION-BY-SECTION ANALYSIS BE PRINTED IN THE RECORD.

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