

HEINONLINE

Citation: 1998 Ann. Surv. Am. L. ix 1998

Provided by:

University of Memphis Cecil C. Humphreys School of Law



Content downloaded/printed from [HeinOnline](#)

Mon Nov 7 12:05:10 2016

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <http://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.
- To obtain permission to use this article beyond the scope of your HeinOnline license, please use:

[Copyright Information](#)

A TRIBUTE TO ATTORNEY GENERAL JANET RENO

Janet Reno has been called the "star" of President Clinton's Cabinet.¹ Her tenure will be remembered for much more than the fact that she is the first woman to serve as Attorney General. Of far more significance is the stamp of integrity and competence she has placed on the office. Her office wall is graced with the portrait of one of her heroes—Robert Kennedy—but this is ironic because Janet Reno has not been in the White House inner circle. She has steadfastly remained above and apart from political activities. Her agenda is only the agenda of justice.

Given her background, Janet's successful tenure as Attorney General was entirely predictable. She was raised in a family which values individuality, literature, and adventure. The Renos all know who they are, and pomposity does not fit into their active, outdoor lifestyle. Janet's parents were both reporters. Her mother took time off to build a house on the acreage they bought far west of Miami,² learning how to build the house by using her reporter's skills—going to other construction sites and asking the workers about their work.

After graduating from Cornell, and then Harvard Law School as one of only sixteen women in a class of more than 500 men,³ Janet returned to Miami to practice law. Typical of female lawyers of her day, she was unable to find employment with the larger firms which were not hiring women.⁴ In this respect, her experience was similar to that of another great female lawyer—Supreme Court Justice Sandra Day O'Connor.

Janet first worked in private practice and then as a Florida legislative committee staff director, drafting and passing a major reform of the state's court system. Her love of the outdoors aided her in this effort. Janet was the Staff Director for the House Judiciary Committee and her work brought her into contact with Dempsey

1. See Heather Mactavish, *Profile: Janet Reno's Approach to Criminal Justice*, 4 UCLA WOMEN'S L.J. 113 (1993), quoting R. Keith Stroup, *Defending Reno: Criminal Defense Lawyers See New Attorney General as 'Breath of Fresh Air' After Harsh Winds of Hard-Line GOP Era*, CONN. L. TRIB., Aug. 23, 1993, at 19.

2. That acreage was sold off piece by piece to pay college tuition for the children.

3. See Mactavish, *supra* note 1, at 113.

4. She later joined a large corporate law firm, Steel Hector & Davis, where she became the firm's first female partner.

Barron, the powerful Senator who chaired the Senate Judiciary Committee. Happily, Senator Barron was also an avid outdoorsman. He and Janet swapped books about explorers, pioneers and other rugged individualists, and Janet became the de facto staff director for the Senate committee as well as for the House. She was invited to the Senate floor to answer questions during debate, a totally unprecedented honor.

She next worked for the State Attorney and then returned to private practice. Governor Reubin Askew, with whom she had worked closely on court reform, asked her to become the first female State Attorney in Florida in 1977. For fifteen eventful years, Janet managed the major state prosecutor's office in Dade County, Florida. Her tenure was marked with a number of major prosecutions, particularly of public officials and police officers. She broke new ground by challenging traditional anti-crime measures and by emphasizing the need for more prevention and rehabilitation in the criminal justice system.⁵ Janet served as president of the Florida Prosecutor's Association and has received the Medal of Honor Award from the Florida Bar and the Justice Award from the American Judicature Society. She has served on the American Bar Association's Committee on Criminal Justice and the Task Force on Minorities and the Justice System.⁶

One commentator described Reno's innovative approach and willingness to experiment as follows:

As a Florida state attorney for fifteen years, Janet built a reputation for venturing beyond the traditional emphasis on law enforcement by turning much of her attention to attacking the root causes of crime. She initiated an unusual grand jury investigation of high-school truancy and sent her chief prosecutor to a crime-infested neighborhood to set up preschool programs, to look at violations of housing codes and to begin baseball leagues. She had a police officer, social worker and public health nurse work as a team to reduce delinquency in a public housing development.⁷

While she headed the State Attorney's office in Dade County, she was characterized as being "part crime fighter, part social worker." She worked to give first offenders second chances, organized her overloaded staff to file lawsuits against owners of run-down

5. See Mactavish, *supra* note 1, at 114.

6. See Janet Reno, *Transcripts: Gender Equity in America*, 25 U. TOL. L. REV. 869, 869 n.aal (1995).

7. Camille Peri, *Reno Talks About Kids and Crimes*, CAL. LAW., Oct. 1993, at 60.

apartments to break crime cycles of poor neighborhoods, created a victim's advocacy program, and strongly supported community policing.⁸ She initiated an aggressive program to collect child support payments from non-paying fathers, successfully lobbied for a drug court that allowed drug treatment and job training to replace jail time for first-time drug offenders, and established a special task force to address domestic violence.⁹ Janet Reno has been an innovator and a reformer, yet her greatest legacy will be serving as a role model for future generations of lawyers who desire to bring new perspectives to our justice system.

There is probably no prosecutor's office in the country that experienced the high pressure of the Dade County State Attorney's office during Janet Reno's tenure there. The waves of immigration, the tensions resulting from that immigration, the rash of drug cases, and the problems with corruption were unbelievable. It is remarkable that Janet was able to simply cope with the work load and extraordinary that she was able to think past the daily work and look at the more basic problems.

But she did develop a clear sense of what a system of justice ought to mean. I believe that these years prepared her for the incredible problems she faced from her very first days at the Department of Justice—Waco, the New York World Trade Tower bombing, and the congressional investigations. She has continued to face difficult problems, including a historic number of decisions relating to special prosecutions. Her ability to steer a steady course and to avoid being blown around by political winds comes from the hard decisions she had to make when she was a prosecutor in the most difficult of environments.

During these intense years as State Attorney, Janet relaxed by reading, entertaining at "Reno's Ranch," the house her mother built, and organizing great outdoor expeditions—sailing, hiking, boating and exploring, weekends in the Ocala National Forest, a weekend canoe trip in the Okefenokee Swamp, as well as numerous trips to the Florida Keys and Everglades. Evenings at the Ranch were wild with intergenerational energy—a Reno version of hide and seek, group readings of Shakespeare and Shaw, poetry recitals by all Renos who did not balk at interrupting one another and taking over the center stage if there was a slight pause or falter in the recitation. The explorations were serious work and well-planned. In one series of trips, Janet and her mother, Jane, went from the

8. See 68-DEC FLA. B.J. 76.

9. See Mactavish, *supra* note 1, at 114.

mouth of every major Florida River and navigated as close to its source as their nineteen foot boat would take them.

When Jane became ill and weak, Janet took time to care for her; and the two of them went off in an RV to see places Jane wanted to visit before she died. When Bill Clinton was elected President, a number of Janet's friends wanted to put her name forward for various federal offices but she refused, knowing that her ill mother needed her. Jane died in December 1992 and Bill Clinton was still trying to identify the person to serve as Attorney General. His early indication was that he would name a woman. He had never met Janet Reno and, had he asked her to serve while Jane was still alive, I doubt that she would have agreed.

Janet has been particularly sensitive to diversity. In her own words:

Mentoring people, giving them that helping hand, giving them advice, giving them that pat on the back, giving them that push. I never dreamed that I would be Attorney General of the United States. I never dreamed that I would be part of an administration that so prized diversity and so prized the differences, but so respected America as one. I am now one of thirteen top officials in the Department of Justice. Seven are women. I have participated in recommending to the President the nomination of a wonderful Justice of the Supreme Court, Ruth Bader Ginsburg. I have been at a U.S. attorney's conference for this last week, for three days, in which I saw more women U.S. attorneys than we ever dreamed would be possible.¹⁰

But Janet Reno's vision goes far beyond the placement of competent women in office. She says:

If we are going to really focus on gender equity, we have to focus a little bit more than on gender equity. We have to focus on women and their families, and make sure that we have equity for the families and the women of America If we are to have gender equity, we must frame a world in which the women of America can achieve their professional goals, achieve their inner strength, and achieve the framework in which they can fulfill their obligations to their families in a straightforward manner.¹¹

One commentator reflects on Janet Reno in the following passage:

10. Reno, *supra* note 6, at 869.

11. *Id.* at 870.

Shortly after taking office, Janet was asked what she hoped her greatest accomplishment would be. She answered simply: "Equal opportunity for all the children of America." Since then, she has campaigned for a renewed national commitment to children nearly everywhere she goes.

She started at her own front door. Soon after she was appointed, she addressed her employees at Justice: "I want to do everything I can in this department to put the family first. If somebody has a problem with a 6 p.m. meeting, they can meet me at 7:30 in the morning." At an American Bar Association convention, she exhorted her colleagues to "adopt" a family or a classroom. And she told members of the Women's Bar Association of Washington to scale down their workdays and spend more time with their children. . . .

"A child should understand that there is a sanction for conduct that hurts other people, and that poverty and broken families are no excuse," she says. "At the same time, I think we can do far more in terms of education and prevention and treatment for violence."¹²

In fall of 1997, Janet learned she faces a new, and personal, challenge: Parkinson's disease, an incurable and degenerative syndrome that can lead to a loss of reflexes. Janet's reaction to it all has been little different than her reaction to the unmitigated praise she received when she became the nation's first female Attorney General—a shrug and her trademark "let's-get-on-with-it" smile.¹³

Much has been written about the pressure placed on Janet since she became Attorney General and, surely, the list of challenges she has faced is long. It is interesting to think about how she has dealt with that pressure other than the obvious return to outdoor life—venturing out in her kayak—much to the concern of the FBI agents who are supposed to protect her. My theory is that Janet Reno never bought into the idea that Washington has so much pressure. I doubt that the pressure in Washington has ever seemed so great as that placed on her as a front line prosecutor. I doubt that the temptation—of office and to take herself very seriously—have ever weighed heavier than her family tradition where any hint of a self-centered attitude was a sure invitation to ridicule. I doubt that she will ever change; our system of justice is much the richer for that fact.

12. Peri, *supra* note 7, at 60.

13. See 82-FEB A.B.A. J. 16.

Janet Reno will be remembered as the Attorney General who made her mark not by being in the first circle of presidential advisers but rather as a person who has set a standard for objectivity and integrity. She is, like everyone in her family, her own person; and she cannot be bullied by United States Senators, the White House staff, or the editorial writers for leading newspapers. She believes in justice not just as an abstraction, but as a principle which guides her daily life. And her vision of justice reaches far beyond that of the "law-and-order" attorneys-general whose idea of justice focused only on the body count—the number of people who are sent to prison.

Janet's greatest contribution may have been her unwillingness to play the game of the Washington insider. She has shaped her own agenda, she has made her own decisions. She does not "spin" and she does not campaign for elected officials. She does not attempt to take political advantage of tragic events. She does not seek applause from the press or Congress, or even the executive branch. Janet has the wisdom to know that she has a hard job and one which, if she does it properly, will probably bring her into conflict with others. She knows that the best course to steer is to follow the law and the facts.

Janet Reno has made her mark on the office of Attorney General and future attorneys-general will be judged by the standard of integrity and adherence to the law set by her.

TALBOT D'ALEMBERTE

President, Florida State University, 1994-present

President, American Bar Association, 1991-1992

President, American Judicature Society, 1982-1984

Dean, Florida State University College of Law, 1984-1989.

ATTORNEY GENERAL JANET RENO: OUR CITIES' PARTNER-IN-CHIEF

Attorney General Janet Reno has led a movement in America to ensure justice and safety for every citizen. In so doing, she has established an unprecedented partnership between the federal government and the cities, contributing to dramatic decreases in crime across the United States. Indeed, Ms. Reno is partner-in-chief to Americans dedicated to restoring safety and civility in our cities.

Attorney General Reno has served the nation's cities as the leader in restoring safety and justice to our streets. At her direction, the fiscal resources and substantive power of the U.S. Department of Justice (DOJ) have been deployed against the problems of crime and disorder in urban America. Yet she has not proceeded with a "Washington knows best" approach. Ms. Reno pioneered the idea of the federal government as a partner to cities. This message has been heeded by Massachusetts U.S. Attorney Donald Stern and U.S. Attorneys across the country. The question has changed from asking what Washington can or cannot do for us, to the question of what we can do together.

Ms. Reno also has taught us the strategic lesson that crime prevention is a goal and not a set of activities. Through personal interventions and by leading a complete overhaul of DOJ's grant-making programs, she has pushed us to be comprehensive in our thinking and practice. We have learned that to be credible on enforcement we must be credible on intervention and prevention. All three must be administered in a balanced way, in partnership with our communities. Since the point is to improve the quality of life in the community, we have to involve members of the community as partners at the beginning. This was a lesson lost on law enforcement for decades.

For most of this century, police departments functioned as isolated professional organizations pursuing the narrow mission of law enforcement. Borrowing our most basic metaphors from the military, we viewed police departments as organizations of "crime fighters" waging a single-handed "war on crime." By the 1970s and the introduction of the 911 system nationwide, police became almost completely detached from community life. Officers were strangers in the communities in which they worked, patrolling in cars with the windows rolled up, reacting to radio call after radio call. Police and other criminal justice entities looked inward, measuring suc-

cess or failure by self-nominated criteria such as response times and conviction rates.

The futility of this fragmented approach to justice and crime prevention was finally becoming plain to all at about the time President Clinton named Ms. Reno to her post. Our communities and criminal-justice agencies were searching for a new approach. Ms. Reno seized the opportunity. Presented by the President and Congress with an important new tool—the 1994 Crime Act¹—she overhauled DOJ grant-making to require comprehension and inclusiveness in local projects.

Even before enactment of the Crime Act, the Attorney General brought together all DOJ funding units in early 1994, and asked them to take the existing categories of federal funding and bring them together as comprehensive programs. She directed the various DOJ offices to work together to model the collaboration the grant programs would require on the part of prospective grantees. One of the earliest expressions of this approach was the Comprehensive Communities Program (CCP), jointly funded by the Bureau of Justice Assistance and the new Office of Community Oriented Policing Services. Boston was one of the sixteen jurisdictions selected to participate in CCP, and we benefited tremendously. Taking up the banner of collaboration, we were able to use these funds to launch a massive, decentralized strategic planning project, which brought together 400 people—half police and half other community stakeholders—to create a new direction for public-safety strategy in the city.

To support local efforts, Ms. Reno directed the enforcement and prosecutorial entities under her jurisdiction to work with local and state agencies in order to address urban crime problems. Boston was fortunate yet again. Federal prosecutions of some of the city's most notorious gang leaders—the people who serve as the catalysts for violent crime—have been critical to our progress in bringing down the numbers of youthful victims of homicide and firearms assaults. As a result of these two initiatives, the Reno-led DOJ can rightly claim credit as a major partner in crime-reduction efforts across the United States.

Ms. Reno also has led by example to remind us that in addressing crime in troubled urban settings, we must do so in a just and civil way if we seek genuinely, as she does, to restore justice and

1. See Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, 108 Stat. 1796 (codified in scattered sections of 2, 8, 12, 16, 20, 21, 26, 28, 31, 42, and 49 U.S.C.).

civility. She has realized her vision of successful public-safety strategies carried out in an ethical manner and with respect for those whom we serve. The national and regional conferences on police integrity in 1996 and 1997—under the theme “Public Service with Honor”—were direct products of her laser focus on ethics. Co-sponsored by the Office of Community Oriented Policing Services and the National Institute of Justice, these ongoing forums are helping to rebuild the ethical foundation of American policing.

As our strategy shifts, so does our rhetoric. We find that the less we thunder about “law and order,” the more we achieve these ends and enhance the meaning of the law. We have found that when the law becomes a means to an end, and that end is real justice, we enhance the dignity and the rule of the law, as conceived in the Constitution.

For that fraction of the community that is lawless, it promises and *delivers* swift justice.

For the vast majority of law-abiding citizens, the law again is seen increasingly as a credible means for achieving community safety.

Those of us in the profession can say with conviction that we are acting like a system, like a “regularly interacting or interdependent group of items forming a unified whole.”² Under Ms. Reno’s leadership we are no longer the fragmented arrangement of agencies, carrying out missions that were unconnected and at times in conflict with one another.

Cities that have taken up the Attorney General’s challenge and her aid have dramatic reductions in crime, injury and fear to show for it. As crime decreases, we have a growing sense that citizens and government can work in partnership to get things done.

Most Americans have come to know Attorney General Reno’s tough side by watching her dignified appearances before congressional committees, or her unflappable, lincolnesque style at news conferences. In Boston, we have been privileged to come to know an entirely different dimension of our highest-ranking law-enforcement officer.

Ms. Reno has visited Boston several times and has met with police officers, community residents, and clergy from our neighborhoods. Usually, these are closed-door, working sessions in which she takes copious notes and permits no publicity. At these sessions, hundreds of dedicated residents have come to know Ms. Reno, not as a Washington VIP, but as their friend. It is no small inspiration

2. WEBSTER’S NINTH NEW COLLEGIATE DICTIONARY 1199 (1990).

to those working at the line level to get a telephone call, at work, from the Attorney General of the United States, as has happened to our police officers and probation officers, following-up on a point made during one of these dialogues. Ms. Reno follows up because she genuinely cares about the issues. But you can imagine the spring it puts into the step of a beat cop or a line probation officer for days after such a call.

Perhaps most remarkable, however, is Ms. Reno's particular ability to connect with children. I believe it is born of her capacity to respect the dignity of every individual, regardless of race, station or age. Out of the glare of the spotlight, in those church halls and neighborhood community centers, Ms. Reno has captivated youngsters in Boston with insightful questions, good-humored comments on the shortcomings of adults, and heart-felt exhortations to continue to do well. She "walks the walk" of believing that our children are our future. I suspect the impact of these encounters will never fade for the many thousands of children she has touched here and across the United States.

Ms. Reno has remarked on the broad spectrum of stakeholders she sees in the room when she visits us. She sees community residents, police, judges, clergy, public-health professionals, probation officers, merchants, and more. She has saluted Boston's willingness to break new ground in the area of collaboration. Yet, when Ms. Reno looks at all these faces, she is really looking in the mirror. Those faces represent the vision she champions. The grant programs she re-directed, the resources she re-oriented and the values she promotes have led us to put aside old turf barriers, in the interest of reducing harm and fear.

Attorney General Reno came to her office as a powerful wave of hope, in the face of desperation that had become all too prevalent in America, from the halls of Congress to popular culture. She has achieved great things, on our behalf. In the cities, millions are proud to know Ms. Reno as a visionary and loyal partner.

PAUL F. EVANS

Boston Police Commissioner

A TRIBUTE TO ATTORNEY GENERAL JANET RENO

Janet Reno joined the Dade County State Attorney's Office at a time when women received only grudging acceptance in the practice of law and none at all as prosecutors. Coming from an old-line downtown law firm with her Harvard pedigree, an idealist with a practical streak, we weren't quite sure how she would fit into our organization. As the office's Chief Assistant, I gave Reno her first assignment: restructure the Dade County Juvenile Court. The recent U.S. Supreme Court's *Gault* decision mandating new rights and procedural safeguards for juvenile defendants¹ was the most significant change of this century for juvenile courts. In view of this decision, it was a truly important assignment except that, to any of our hot shot prosecutors bent on putting real criminals in jail, it would have been death by a thousand paper clips.

Janet didn't complain. She disappeared for thirty days, never asked for directions or advice, and returned with a detailed operational plan that ordinarily would have taken six consultants six months to theorize and years to implement. Never ever, thereafter, did we hear her take credit for completing this important task. Just a job she had to do. That was Janet's way. No showmanship, no flash, and definitely no spin. Results would speak for themselves.

Upon succeeding Richard Gerstein as State Attorney, Janet Reno immediately advanced her deeply held beliefs that fighting crime began at the earliest developmental stage of children. Her struggle for treatment for cocaine babies and AIDS infants and prenatal care were forerunners of what many now view as the true battlefield for combating delinquency in children. The social-minded folk applauded, but the lock-em-up types were aghast. It was the fighting D.A., in the mold of New York's legendary Tom Dewey and the more current Rudy Giuliani, that brought people to the polls. Reno, an elected official, seemed unmindful of political realities and just moved forward.

Child-savers had hardly begun to applaud her early-intervention approach when she began prosecuting hard-core juveniles as adults—not a popular position among supporters of the doctrine that the ills of society bear full responsibility for a child's heinous behavior. Reno saw no inconsistency in her positions. She never took polls, never placated potential political adversaries, and

1. See Application of *Gault*, 387 U.S. 1 (1967).

treated the press with a studied reserve. A stubborn lady, always ready to take on thorny issues, Janet Reno never hesitated going the road, alone.

Whether by design or by chance, Janet Reno never quite caught up with causes when they were at a favorable apex. Politically, the stars and planets never seemed to configure in her favor. She came out for gun control when the NRA was at its height in Florida. She supported rights for victims when most prosecutors barely recognized their existence. She instituted a special Drug Court when treatment for offenders had few supporters in drug-ridden Miami. She campaigned for a county-wide tax to institute new juvenile programs and took a two-to-one beating at the polls. She opposed the death penalty when violent crime was rising. Janet Reno never looked for the easy ones, taking each battle as it came.

She had strong views on how the Juvenile Court, of which I was the Chief Judge, should operate and didn't mind speaking out. Our offices, located about ten miles apart, offered the setting for some monumental shouting matches via the telephone. I often told her to open the window and just scream. Always respectful, nonetheless she'd try micromanaging the court and often, while decrying the lack of resources available to the court, would question the resolve of some of the judges. Agreeing with her wasn't enough: she wanted change . . . yesterday.

The national press labeled new Attorney General Janet Reno a Washington D.C. neophyte, but she already had survived several baptisms of fire upon becoming Dade County's chief prosecutor. The over 100,000 Mariel refugees that rafted in from Cuba brought a sharp rise in crime that the State Attorney was held accountable for. The influx made Miami a crime-ridden locale, for which Reno paid the price.

Another catastrophe was the McDuffie case arising from the fatal beating of a black man by Miami police officers. Riots in the streets and burning buildings had Reno struggling for political survival. In both instances, national television featured a community suffering and a State Attorney struggling to stay afloat.

There was no easy out in either of these situations. And just as in Waco, she didn't look for some facile explanation. It was all day-to-day, face-to-face with the issues and the people that needed to be addressed. Where once she had been unwelcome in the black churches and on Miami's mean streets, she made it her business to be there in the midst of the concerns. She literally won back the faith and trust of the community with her candor and earnestness.

A lot of politicians put in all those extra hours socializing with their constituents, but with Janet it was all business. She was an early morning-to-midnight operator, always taking notes on which she actually followed up. When Reno arrived at an event, people knew that something was about to happen. She initiated responses dealing with battered spouses and abused children. Neighborhood programs in ghetto areas became a reality. What began in Dade County became a model for the nation. At election time, Reno plastered her opponents, never once having a closely contested election.

When Waco befell Reno, immediately upon assuming office, the country applauded her stance, but no one in Miami was surprised. It was her internal compass that told her to take the blame. When she declined to appoint a special prosecutor for alleged campaign finance wrongdoing, the press reveled at the comeuppance due the Attorney General from the congressional committees. In Miami, we knew that Janet Reno would handle them like errant schoolboys. And she did.

I haven't seen much of Janet Reno since she became Attorney General. Some time back, sitting in a Washington D.C. restaurant with my family, I saw her walk by. Spotting us, she turned around and came to our table to say hello. As she moved past the bar, all the patrons halted, put their glasses down and spontaneously applauded. This was people and government at their best.

I saw Janet again a few months ago. We were sitting next to each other on the dais to honor a mutual friend retiring from the bench. We exchanged a few pleasantries but avoided any beltway conversation. I did not observe any ill effects of her Parkinson's. Not even a tremor. After a long stretch of silence, she turned to me, with a twinkle in her eye, asking the question she always poses to me: "Do you still touch up your hair to keep the gray away?" That's my Janet Reno. She left early and departing, reached over and kissed me on the brow. That was nice.

SEYMOUR GELBER

A TRIBUTE TO ATTORNEY GENERAL JANET RENO

Recently, I had an encounter with Janet Reno that captured for me the unique greatness of this Attorney General, public servant, woman, and friend.

It was mid-March. The Attorney General and I were meeting in her conference room at the Department of Justice. The issue was domestic violence. Our departments traditionally viewed and tackled this problem from two different perspectives—hers, as a criminal justice matter; mine, at the Department of Health and Human Services, as a family health matter. That spring day, Attorney General Reno and I decided to join forces in a renewed effort against domestic violence, share our data, and begin coordinating our resources and actions.

But it's not just what we did that day, or a particular thing she said. It wasn't even that I witnessed her trademark approach to national problems: her unique mix of care and common sense, her concern for children and families, her "just-the-facts-ma'am" approach to problem solving, her desire to prevent crime but also to fight crime by bringing justice that is just.

What I remember most is the way her presence and personality filled the conference room. She *was* the room. Picture the place: stately, grand, more of a great hall than a conference room. Walls of stone and oak echoed almost a century of weighty words of great consequence from the Attorneys General of all time—all men until Janet Reno filled the office. That conference room makes most people who enter it seem smaller. But when she enters the room, and you witness the size and strength of her character, solid like the stone and oak that surround her, she makes the room seem more human in scale—and humane in spirit.

Now, a lot of observations have been made about the Attorney General's imposing physical stature. Of all the members of President Clinton's cabinet, I literally look up to her the most, since she's a good foot-and-a-half taller than I. But it's her imposing personal stature that is most impressive.

Public servants look up to her dedication, which defies the cynicism that often defines experience in public life. Lawyers look up to her as a lawyer, how she uses the law to make the Constitution real. And everybody who knows Janet looks up to her unique blend of brains, heart and courage—and yes, honesty, both personal and professional.

At a commencement address last year, she offered some advice to the graduates that she would be too modest to describe as her own secret of success in Washington. She told them, "Say what you believe is right and then stick with it. If you know you're right, don't let polls or criticism turn you away. When you lose or when you err, know that that happens, pick yourself up, dust yourself off, and move ahead. Don't be afraid to try."

I can't imagine a better description of the Attorney General's own *modus operandi*. It helps to explain how, in a city where politics is a part of everything, she somehow manages to transcend the pejorative meaning of the word "politic" and embody Webster's definition: "sagacious in promoting a policy."¹

To harness politics for the common good—that's what politics is supposed to be all about. That's certainly what our Attorney General is all about. No wonder she has earned such a Gibraltar rock of respect in Washington, standing out as a model for personal and professional integrity, selfless service, humble eminence, and power employed for the powerless. One of our cabinet colleagues, the Secretary of Defense, William Cohen, captured her reputation in this way: "If the Greek philosopher Diogenes were to roam the streets of Washington with his lantern looking for that honest individual," he said, "there would be no better place for him to start than at 950 Pennsylvania Avenue, Room 5111, through a door that says 'Janet Reno.'"

Few would dispute that the woman behind that door has one of the toughest jobs in town. As the nation's top law-enforcement officer but also the guardian of the better angels of our nation, the Attorney General must summon both the compassion of Mother Theresa and the courage of Joan of Arc. With these qualities, Janet Reno has taken on some of the nation's toughest challenges. Thanks to her, there are fewer drugs flowing to fewer children, more police patrolling more streets, fewer crimes and fewer criminals at large, and greater civil rights, and fewer civil wrongs. Thanks to the work and leadership of our Attorney General, the nation is a safer, better place in which to live.

The nation will be even better and safer in the future because of her unique approach to fighting crime in America. It is similar to our approach to protecting health in America. Both focus on prevention. And both emphasize children—helping families keep children away from tobacco, gangs, drugs, violence, and keep them on the road to a strong, healthy, self-sufficient life. And our ap-

1. WEBSTER'S NINTH NEW COLLEGIATE DICTIONARY 910 (1990).

proaches to health and public safety give us an opportunity to work together for American families and children.

We work together to fight domestic violence and violence against women, child-support enforcement, juvenile justice, keeping our kids drug- and gun-free, and giving our kids something more constructive to do after school. We also work together to fight fraud and abuse in Medicare and Medicaid, to make sure every possible dollar in these programs goes toward the health and well-being of seniors, struggling families, and people with disabilities.

But more important than the policies she advances for children is the person she represents for children, especially teenage girls. When you talk to children about what it takes to keep them on the right path in life, invariably it comes down to parents who listen, care and are always there, but also strong role models to emulate in life. Someone who stands for something, stands up for what is right, and stands out in life for something extraordinary, whether in sports, in entertainment, or—yes—even as national leaders.

Our AG is a wonderful role model for young people. As she stands up for children, she really stands out for them. Children can be good judges of character. When they see Janet Reno, they see more than the Attorney General of the United States. They see a big-hearted, no-nonsense woman who cares about them, who's fighting for what's right, and doesn't take any guff. They respect that. Young girls see how, with brains, heart, courage and honesty, there are no limits to what a woman can achieve in life. And they respect that.

We all respect that about the Attorney General.

DONNA E. SHALALA

Secretary,

United States Department of Health and
Human Services

A TRIBUTE TO ATTORNEY GENERAL JANET RENO

In July 1993, Janet Reno gave her inaugural address as Attorney General to the National Press Club and announced her intention to be available to the news media, on camera and on the record, every week.

As her public affairs adviser, I was roundly praised by reporters sitting near me in the audience for having persuaded Reno to provide unprecedented access. In truth, however, I was hearing about it for the first time, too!

Subordinates are supposed to make the boss look good. With Janet Reno, it was the other way around. Her instinct for openness and honest dealing made her one of the most admired women in America, and Justice Department employees basked in the glow of that affection.

"GUTS". That was the *New York Daily News* headline the day after she took responsibility for the tragedy at Waco.¹ In that case, too, it wasn't my advice that led to her hold a news conference only hours after the fatal fire. She said the Department needed to provide accurate information immediately, not excuses.

Explanations have been offered for her forthrightness. Her mother and father were journalists. So is her brother. She came from a state noted for its "government-in-the-sunshine" law. In Miami, her home telephone number was in the phone book, and she handled press calls herself. But, the reason for her directness may be simpler than that.

She doesn't like posturing. She sees it as an obstacle to getting the job done.

"I don't do spin." She told me that right from the beginning when she hired me—reluctantly. I say reluctantly because she had not employed a press officer before and wasn't keen on the idea.

The other "policy guidance" she gave me grew out of a luncheon she had with Don Johnson, the star of the television show "Miami Vice." She dined with him in the Justice Department cafeteria. After Johnson proposed to develop a "reality-based" TV series in which he would accompany U.S. Marshals as they hunted fugitives each week, Reno discovered how extensively some of her predecessors sought TV coverage to burnish the Department's image. She was horrified that law enforcement operations had become

1. *GUTS*, DAILY NEWS, Apr. 29, 1993, at 1.

fodder for public entertainment. "We are out of show business," she admonished.

Her childhood in a home full of journalists may have had another positive influence: an aversion to legal and governmental gobbledygook and empty words. I frequently received e-mail messages from her staff chief, John Hogan, relaying her reaction to drafts of answers to anticipated questions. Looking at just one e-mail (for June 16, 1994), it is peppered with Renoisms: "This answer is too blah"; "Explain the decision in terms that are more easily understood by the average citizen"; "Use short, simple words"; "What is the exact language of what is prohibited? This is too vague."

Reno wanted to be accessible to Justice Department employees, as well. She instituted an electronic suggestion box. She began a monthly newsletter, including an Attorney General's column, inserted in paycheck envelopes. She lunched with employees of the various divisions. Line lawyers, as well as supervisors, were encouraged to brief the Attorney General and to take part in news conferences.

I received a note from a long-time employee of the Department who said he had never been invited to join with an Attorney General before. He wrote: "I was quite surprised, flattered, and flustered to learn I would be answering questions. As a lowly trial attorney, I'm not accustomed to receiving so much praise or credit for simply doing my job."

Among those unaccustomed to working meetings with the Attorney General was the staff of the Office of Information and Privacy. That changed when Janet Reno became Attorney General. They became an integral part of the Justice Department's information revolution.

In October 1993, the President and the Attorney General announced an openness standard that made disclosure the norm when documents were requested under the Freedom of Information Act. The prior standard permitted the withholding of documents whenever there was "a substantial legal basis" for doing so.² The new regulations established a "presumption of disclosure" unless withholding was required by the Act or it was "reasonably fore-

2. See Jeffrey Norgle, *Revising the Freedom of Information Act for the Information Age: The Electronic Freedom of Information Act*, 14 J. MARSHALL J. COMPUTER & INFO. L. 817, 825 nn. 48-49 (citing *Administration Tells Agencies to Tilt Toward FOIA Disclosure*, 62 U.S.L.W. 15, 20 (Oct. 26, 1993)).

seeable that disclosure would be harmful" to enforcement of the law.³

That was followed by a Justice Department review of more than 500 cases and the release of thousands of pages of documents previously withheld. In one case, 1,550 pages had been withheld. All but twenty-four are now released. In another instance, 308 pages had been held back. Under the new policy, the Department concluded that 305 more could be turned over without foreseeable harm.

Reno encouraged the opening of public access to Department documents through the Internet. She supported creation of a performance review laboratory to explore new ways of using technology to process information requests.

The Attorney General was disturbed by the number of complaints she got from news people that it took too long to get responses under the Freedom of Information Act. With 125,000 FOIA and Privacy Act requests coming in to the Department each year, and a backlog of 30,000, it seemed unrealistic to assume that much could be done to eliminate delays.

Nevertheless, Reno issued an order permitting expedited handling of media requests on matters of significant public interest. The order permitted the rapid release of numerous documents most needed by the press, including the complete transcript of the FBI's negotiations with the Branch Davidians at Waco and the Justice Department's command center logs of high level telephone traffic during the Ruby Ridge incident.

Under Reno's direction, policies were also created to handle simple requests informally and to assist requesters in narrowing what they asked for. The results were gratifying—to the Department as well as to the requesters.

For example, author Morton Mintz, whose request was expedited after he was assisted in reducing it from 87 boxes of material to five, wrote: "After all the tumult, it was a thin package but all I need."⁴

Investigative journalist Seymour Hersh wrote: "Just wanted you to know that you have single-handedly dismantled an American cliché: the notion of a bumbling government bureaucracy. . . . [G]etting it in one day? Twenty-four hours? How in the hell did you get [it] so fast?"⁵

3. *Id.*

4. Postcard from Morton Mintz to author (Sept. 22, 1994) (on file with author).

5. Letter from Seymour Hersh to author (May 13, 1996) (on file with author).

Reno announced an initiative under which all but eight of the Department's twenty-nine components eliminated their FOIA backlog, and the others were put on a reduction timetable. She said the Department would begin rating employees on the basis of how responsive they were to information requests from the public.

Reno established a practice under which results of internal investigations into alleged employee misconduct would be announced when they concluded, rather than awaiting an annual report. Specifics, rather than a summary, were to be given.

The Attorney General altered Department procedures to ensure that no subpoenas were issued to a news agency without considering the views of the Office of Public Affairs. Restraints were removed on direct reporter access to Justice Department attorneys.

Reno arranged to meet periodically with representatives of the Freedom of Information committee of the American Society of Newspaper Editors. She received their special commendation for her efforts, perhaps the first Attorney General to receive that kind of recognition.

Of course, she has been honored in many ways. She was on the cover of all the news magazines. She was *Glamour Magazine's* Woman of the Year (she had her brother pick up the award). The Lion Country Safari in West Palm Beach, Florida, named a newborn female bison after her ("Forty pounds of romping, stomping dynamite named Reno," said the press release.)⁶

But if you want to know what makes Reno tick, look at her own words. For the thousands of school children who wrote to her, she developed a reply, which read in part: "I encourage you to do the right thing; to say what you think to be right, not what you think others want to hear; to study hard and learn to read quickly and thoroughly; and to learn to write clearly and persuasively."

That's Janet Reno.

CARL STERN,

J.B. and Maurice Shapiro Professor of Media and Public Affairs

at The George Washington University in Washington, D.C.

Director of Public Affairs at the Justice Department,

April 1993 through July 1996

Reporter for NBC News

1959-1993

6. Sydney K. Smith, *Where the Buffaloes are Born*, LION COUNTY SAFARI NEWS, June 9, 1993, at 1 (press release).

A TRIBUTE TO ATTORNEY GENERAL JANET RENO

On March 12, 1993, Janet Reno was sworn in as the seventy-eighth Attorney General of the United States. Although I had never met our new Attorney General, like all Americans, I was delighted and proud that someone—especially a woman—of Janet Reno's character, independence, and depth of law enforcement experience had been appointed to serve as the nation's highest lawyer. I was soon to learn up close just what an exceptional public servant, and person of vision and broad-gauged ideas we had in our new Attorney General.

My first conversation with the Attorney General came about two weeks later in a telephone call she placed to me on March 31, 1993, the day after Senator Daniel Patrick Moynihan had publicly announced that he had recommended to the President that he nominate me as the United States Attorney for the Southern District of New York, and my colleagues Zachary Carter and Patrick Nemoier as the United States Attorneys for the Eastern and Western Districts of New York. The Attorney General called each of us with congratulations and to welcome us to her Department of Justice team. Her graciousness and enthusiasm came across loud and clear over the phone wires, without a trace of what must have been at least a twinge of annoyance that our recommended and publicly announced appointments—in typical New York fashion—had not first been made known to her.

But Janet Reno is not about ego or formality. She is about the business of justice and fairness and bettering the lives of all Americans. And she pursues those objectives, on behalf of all of us, with a sense of urgency, purpose, and creativity that makes possible solutions to the most intractable problems we face in law enforcement.

The Attorney General's first charge to me in that first phone call—several months before I was to take Office—was to make sure that I was satisfied with the way the investigation and prosecution of the World Trade Center bombing case was being handled by the Southern District United States Attorney's Office. Never mind that I was at the time the acting United States Attorney for the Eastern District of New York, and I could only imagine how thrilled the folks in the Southern District would be with my taking charge of their most important case. But without authority or portfolio, I turned my attention to the case that obviously, as the Attorney General correctly perceived, needed to be treated as the highest law

enforcement priority of my Office-To-Be—*immediately*, not months later after I was commissioned by the President and confirmed by the Senate. Those were to the Attorney General formalities and barriers that could not be allowed to hinder or slow down the important work that needed to be done. And she was right.

This same sense of urgency and “can do” philosophy have characterized the Attorney General’s approach to all of the nation’s most pressing criminal justice problems. Nowhere has this been more apparent—or the results more impressive—than in the area of the terrible street violence that five years ago was plaguing the country and literally imprisoning our citizens, including our children, in their own homes for fear of being injured or killed if they ventured out.

When Janet Reno became Attorney General in March 1993, violent crime rates in this country were at a thirty-year high.¹ With her long experience as the State’s Attorney of Dade County, Florida, Janet Reno brought tremendous experience and very special qualities to the Department of Justice’s effort to formulate an effective national strategy to combat violent crime.

First and foremost, the Attorney General added a new dimension to the concept of partnership. She meant it when she said it. She was among the first to recognize that the federal authorities, when combined with our local counterparts, could not be beaten in turning the tide of violent crime. Soon, cooperating with—not competing against or dictating to—our local authorities became the order of the day. The Attorney General worked hard to make sure that those words meant something, tirelessly traveling the country, speaking to local and federal authorities and citizens of cities and towns about a partnership between federal and local law enforcement. She made it happen.

In 1994, the Attorney General launched a nationwide Anti-Violent Crime Initiative that built on these fundamental principles. Her principles translated into dramatic successes: 1996 saw the largest drop in violent crime since 1961, when the FBI first began to publish statistics for the fifty states. Nineteen ninety-seven saw the fifth consecutive annual drop in serious crime, logging an eleven percent drop in homicides.² In New York, we were pleased to have

1. See *Crime Rate Reported at Lowest Level in 25 Years but Rape, Sex Assault Continue at Same Pace*, CHI. TRIB., Dec. 28, 1998, at 7 (citing a National Crime Victimization Survey which found that violent crimes had dropped 21% since its peak in 1993).

2. See Fox Butterfield, *Homicides Plunge 11 Percent in U.S., F.B.I. Report Says*, N.Y. TIMES, June 2, 1997, at A1 (referring to President Clinton and Attorney Gen-

contributed to this trend, with murder rates dropping forty-nine percent between 1993 and 1997,³ by blending innovative federal techniques such as the use of racketeering laws against murderous gangs with targeted local use of timely data to deploy police resources.

Janet Reno's strong and unquestioned support of law enforcement efforts also has made her the most powerful and credible advocate of a complementary and evolving effort to integrate traditional law enforcement methods of arrest, prosecution, and incarceration with the power of prevention and intervention. Informed by her experience in Florida, she shaped these concepts to a federal role. While always a very strong and articulate proponent of the important functions of law enforcement, she has also supported efforts by United States Attorneys to think beyond our traditional roles as prosecutors towards a strategic and comprehensive approach to crime prevention. Her unabashed support of prevention efforts, unusual in the nation's chief law enforcement officer, has spurred a rethinking of the deployment of law enforcement and community resources. We still aim to arrest the violent criminal, but now we also work with communities to put a light in the parking lot to prevent the crime from ever occurring. That is because of the Attorney General's vision.

The fundamental insight that it took Janet Reno to bring home to Washington is that fighting crime is about more than putting people in jail. Instead of simply reacting to crimes already committed, the Attorney General understands that we must work on conditions to ensure that they never happen in the first place: a child may not become a criminal at all if we pay attention to him at age five instead of locking him up at age thirteen. Cops may see their domestic violence complaints go down in an environment in which child support obligations are enforced. And while each of these issues engages components that have nothing to do with traditional law enforcement narrowly defined, Janet Reno's insight has been that to reduce the number of arrests we need to make, we need to

eral Janet Reno's description of the seven percent drop in violent crime from 1996 to 1997 as the largest decrease since 1961).

3. See Robert A. Jones, *The Puzzle Waiting for the New Chief*, L.A. TIMES, Aug. 10, 1997, at B1 (comparing Los Angeles's 34% drop in the murder rate from 1993 to 1997 to New York's 49% drop over the same period); Wally Knox, *Valley Perspective: Perspective on Community Policing: Quality of Life Affects Safety; All of Us, In Partnership with Police, Can Reduce Crime and Make our Surroundings More Livable*, L.A. TIMES, June 8, 1997, at B19 (describing how New York has reduced its murder rate by 49% from 1993 to 1997).

understand, engage and move our sister governmental organizations in welfare, child support, job opportunities, and recreation. Only then can there be permanent crime reduction and prevention.

The Attorney General has worked tirelessly and effectively to institute new programs to stop violence against women, to address the crying and too often badly neglected needs of the victims of crimes, to institute drug treatment programs, and to address the problems of family, youth and gun violence. Her voice has been heard, and will be a lasting legacy of immeasurable benefit to the safety and welfare of the American public.

My brief remarks have focused today primarily on the Attorney General's accomplishments in combating violent crime in this country. I could just as easily have emphasized her milestone achievements in civil rights, terrorism, espionage, the war on drugs, the environment, health care fraud, or antitrust—to name only a few of many others. But I hope the examples I have chosen convey at least a fraction of this Attorney General's contributions to the welfare of the American public.

Janet Reno's law enforcement efforts, in *all* areas, have been—and continue to be—inspired, effective and guided by unwavering humanitarian principles. In the face of criticism, she has unflinchingly stayed the course, looking not for the flashy answer or for personal credit, but for the hard work that will sustain the steady declines in crime that we have now come to expect. We should all be very grateful to be the beneficiaries of her unique and special brand of public service and commitment, and very proud of the Department of Justice she heads.

Many of you are already keenly interested, and active, in public service. In my view, there is no higher calling or any work in law more satisfying than public service. And there could be no higher tribute to this Attorney General than for you to continue in that commitment to the public interest throughout your careers. There also could not conceivably be a better role model for any public servant than Janet Reno.

I am deeply honored to have been asked to speak at this dedication ceremony today to join you in paying richly deserved tributes to an extraordinary public official.

Thank you.

MARY JO WHITE

United States Attorney for the
Southern District of New York