

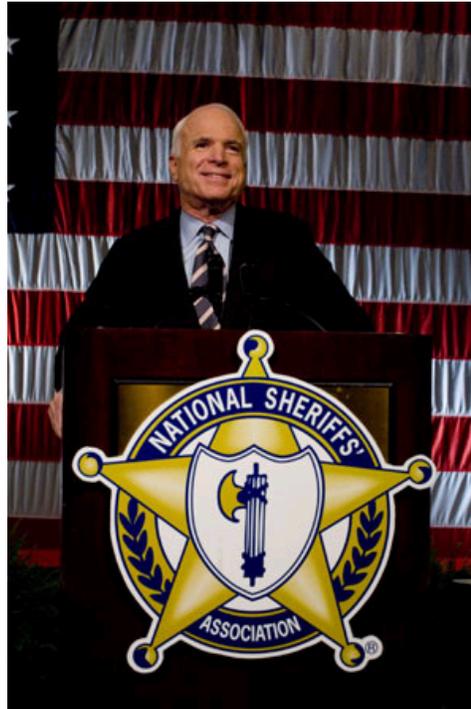


Remarks By John McCain At The National Sheriffs' Association

July 1, 2008

ARLINGTON, VA -- U.S. Senator John McCain will deliver the following remarks as prepared for delivery at the National Sheriffs' Association's 68th Annual Conference in Indianapolis, IN, today at 11:00 a.m. EDT:

Thank you, Sheriff Webre, for the kind introduction, and thank you all very much. I appreciate the warm welcome to Indianapolis, and I am proud to be in the company of more than two thousand sheriffs and deputy sheriffs. I'm very honored, and have never felt safer.



There is a small fraternity of occupations that deserve every citizen's gratitude, every day. And sheriffs and deputy sheriffs are charter members. Some functions of government take place far from public view, and success and failure can be hard to measure. But that is never true in your calling. In law enforcement, the standard is always 100 percent success, and there is no such thing as "close enough" for government work. Protecting innocent citizens from those who would do them harm is the most elementary responsibility of government. Law enforcement work is often hard, sometimes heroic, and always necessary. We are all in your debt, and I thank you for your service.

When President Ronald Reagan came before this organization in 1984, he spoke of a "new mandate from the American people." He described some of the social theories of the preceding decades, and how these fashionable ideas had fostered a permanent criminal class of violent repeat offenders. In the 1960's and 70's, violent crime had increased throughout most of our country. In some cities, people felt as if their neighborhoods were under hostile occupation. At the federal level, President Reagan offered a different approach to criminal justice, focused on vigorous enforcement and stricter sentencing. Criminal justice reform is a part of the Reagan revolution that is often forgotten today. But over time, America became a better, safer, and more just country because of those reforms. And you're the ones who helped to make it happen.

We still hear some academics and politicians speaking as if a rising rate of incarceration and a reduction in crime were unrelated facts. But, of course, when the most violent and persistent criminals are in prison, crime rates will go down. And this is exactly what happened through the 1990's and most of this decade. The progress our country made against crime was the result of smart policies, bipartisan cooperation, and, above all, high-quality work by the men and women of law enforcement.

Many of our cities became safer during the 1990's, thanks to the resolute action of city and county leaders such as my friend Rudy Giuliani and his police commissioner Bill Bratton. During both Republican and Democratic administrations, Congress continued to supply states and localities with new resources. Under legislation I've supported, we have also sought to increase penalties for repeat felons who commit crimes with a firearm, or commit violent crimes on behalf of a criminal gang. We have worked to improve the National Instant Criminal Background Check System for

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firearms purchases. And we have sought to increase the fines criminals must pay into the Federal Crime Victims Fund and bar all criminals from profiting from their crimes.

We also expanded public registry requirements for convicted sex offenders -- because to prevent and punish the exploitation of children, the surest policy is zero-tolerance. When anyone is convicted of a sexual assault on a child, they should stay in prison for a long time, and their names should stay forever on the National Sex Offender Public Registry. When they are released -- if they are released -- they should be tracked both in their physical movements and in their Internet usage. And under a bill I have authored as a senator, and intend to sign into law as president, we're going to get serious against Internet predators: Anyone who uses the Internet in the commission of a crime of child exploitation is going offline and into prison for an additional ten years.

In protecting children and in all criminal justice policy, at both the state and federal level, we have shown how much can be achieved when consistent principles are applied and both parties work together. And this spirit will be needed in meeting the challenges of our own time. The overall trends in crime are small comfort to the more than six million victims of violent crime in America each year, or to the more than 18 million victims of property crime. In an enterprise measured by the standard of 100 percent success, there is no time to linger on the progress of the past. We need to stay on the offensive against crime, and especially crimes of violence.

The federal government has its own well defined set of law-enforcement concerns, such as multi-state criminal syndicates, terrorist cells, government corruption, and the protection of America's borders. And from the standpoint of state and local law enforcement, often the best service our federal government can render is to do these things and do them right. Presidential leadership is essential in all of these responsibilities. But nowhere is the influence of a president more critical to law enforcement than in the power of judicial nominations.

It will fall to the next president to nominate hundreds of men and women to the federal courts. These choices will have far-reaching consequences for all Americans, and perhaps especially for law enforcement. When a serious crime is investigated, prosecuted, and punished, it takes many hours and the best efforts of police, trial courts, and juries. Yet one badly reasoned opinion, by one overreaching judge, can undo it all. Just like that, evidence of guilt can be suppressed, or a dangerous predator released because of judge-made laws having little or nothing to do with the requirements of the Constitution. Even worse, when such opinions issue from the highest court, they set a precedent for many more injustices, and they add one more obstacle to the work of law enforcement.

We saw such presumption again just last week in a matter before the Supreme Court. In the considered judgment of the people of Louisiana and their elected representatives, the violent rape of a small child is a capital offense. There is nothing in our Constitution to contradict that view. But five justices decided the people's judgment didn't take into account "evolving standards of decency," and so they substituted their judgment for that of the people of Louisiana, their legislators, their governor, the trial judge, the jury, the appellate judge, and the other four justices of the Supreme Court.

It's a peculiar kind of moral evolution that disregards the democratic process, and inures solely to the benefit of child rapists. It was such a jarring decision from the Court that my opponent, Senator Obama, immediately and to his credit expressed his disagreement. I'd like to think this signals a change of heart on his part about his votes against the confirmation of two of the four dissenters in the case, Justice Samuel Alito and Chief Justice John Roberts. More to the point, why is it that the majority includes the same justices he usually holds out as the models for future nominations? My opponent may not care for this particular decision, but it was exactly the kind of opinion we could expect from an Obama Court.

Should I be elected president, I will look for accomplished men and women with a proven record of excellence in the law, and a proven commitment to judicial restraint. They will be the kind of judges who believe in giving everyone in a criminal court their due: justice for the guilty and the innocent, compassion for the victims, and respect for the men and women of law enforcement.

In all of criminal justice policy, we must put the interests of law-abiding citizens first - and above all the rights of victims. And when we formulate criminal justice policy, words of praise for the good work of local law enforcement are not enough. We must give active support to officers of the peace across America, by providing the tools you need to meet new dangers. Even as crime has diminished in some areas, including New York and other major cities, crime is spreading in many small and mid-sized jurisdictions. And the general numbers in crime reduction conceal one of the most disturbing facts of all -- the rise of new, better organized, and more widely dispersed gang violence and transnational gangs. Once largely confined to major cities, the threat of gang violence is now well known to sheriffs and corrections officers across America. And in all cases of violent crime, in both urban and rural areas, it's the poorest among us who are most vulnerable.

To meet all of these challenges, and others, you will need assistance, critical resources, and new technologies that often only the federal government can provide. And one of the most critical of these resources concerns the radio spectrum. So that police, fire-fighters, and other public safety agencies can freely communicate with one another, we will build a long overdue national, interoperable public safety broadband network. You and all your colleagues in law enforcement need seamless communication across every agency and jurisdiction for emergency response. For more than a decade now, I have tried to persuade the Congress to provide dedicated radio spectrum and funding for communications equipment to local, state, and federal law enforcement officers. Just last year, I introduced a bill that provided for more than twice the capacity that the FCC has currently set aside for public safety. Special interests in Washington want the FCC to auction off more of that spectrum than I do. But no matter what price it might fetch at auction, it should be available for fighting crime and saving lives.

The Congress, too, needs to get its priorities straight, and that begins by supporting the priorities of front-line law-enforcement personnel. As it is, funds distributed by the Department of Justice are too often earmarked according to their value to the reelection of members of Congress instead of their value to police. This is especially true in the case of grants allocated under the Byrne program -- many of which are urgently needed to interdict drugs and track the movement of violent gangs. The result is that millions of dollars are wasted every year, and a lot of good ideas and programs in local law enforcement never get funded.

Earmark spending bills are the broken windows of the federal budget process, and by ending these abuses we set a new tone and we set much greater reforms in motion. Earmark spending runs against the public interest in many ways, and especially when public safety is in the balance. And that's why, as president, I will veto every bill with earmarks, until the Congress stops sending bills with earmarks. It may take a while for Congress to adjust, but sooner or later they'll figure out that there's a new sheriff in town.

Law enforcement professionals know best what they need in the field. And today, what's often needed most are more personnel and better technologies for tracking criminals, gathering data, and sharing vital information. We need to make certain that every agency is working with others where necessary, so that the miscommunications and missed opportunities before 9/11 are never repeated. To protect our energy supply, air and rail transport, banking and financial services, we need to invest far more in the federal task of cyber security. In this new century, and especially with the threat of terrorist attacks, every state, local, and federal agency concerned with public safety should have access a shared repository of information. In the case of any suspected terrorist, we must make certain that law enforcement knows who they are, where they are, and what they're up to.

We know as well that tens of thousands of felons -- in custody and at large -- entered our country illegally. Why has it has fallen to sheriffs and other local officials to protect their citizens from these foreign-born felons? Because our federal government failed to protect our borders from their entry, and this serious dereliction of duty must end.

Our compassion for laborers who entered this country unlawfully -- our understanding of their struggles, even as we act to secure the border -- speaks well of America. But this respect does not extend to criminals who came here to break our laws and do harm to people. Through the Criminal Alien Program, we have made some progress in recent years. Too often, however, states are left to deal with the high costs and excessive regulation involved in deportation proceedings, and many local officers are left waiting for immigration agents to show up on site. So, as president, I will expand the Criminal Alien Program. We will require that the federal government assume more of the costs to deport and detain criminal aliens -- because this is a problem of the federal government's own making.

As if all of these challenges were not enough, another has arisen because of your own hard work and success these past 25 years in sending serious offenders to prison. Many are due for release, and just last year some 750,000 inmates reentered society. Unless we change our approach over the next four years, these released prisoners are likely to reoffend in very high numbers, committing millions of new crimes and finding millions of new victims. And we need to be as committed in preparing them for freedom as we were in taking that freedom away.

Maybe you have heard the story of an ex-inmate named Don Cox, who received a sentence of 90 years for being an accomplice to a murder right here in Indianapolis in 1978. Mr. Cox would likely have spent the rest of his life in prison, had it not been for the efforts of another man named Tim Streett. In the short version of a powerful story, Mr. Streett is the son of the victim, and had even been a witness to his father's murder. He is also a witness to the possibilities of redemption. After years of bitterness, Mr. Streett sought out the prisoner. In time, he even became his friend. And it was he who asked prosecutors to seek parole for Mr. Cox. As Tim Streett explains his change of heart, "Anger and bitterness -- that can build up. But true forgiveness says, 'I forgive you, and it's over.'"

Across a prison and jail population of 2.3 million souls, there may be some who will

never find or even seek this path. But the way should be open to all. This was the spirit of the Second Chance Act of 2007, a law designed to make the walk out of prison, past the gates and razor wire, a one-way journey. Ex-convicts need more than a few bucks and a bus ticket out of town. Many will need job training, a place to live, mentors, family counseling, and much more. Beyond government, there are churches and community groups all across our country that stand ready to help even more. And these groups will have the committed support of my administration.

With so many sentences about to expire, and so many second chances about to be offered, the stakes are high for our country. And nobody understands that better than sheriffs, their deputies, and other officers of the peace. Great challenges lie ahead of you, and you will meet them as those who carry the badge of law enforcement always have -- with courage and with honor. I thank each one of you for the dedication you bring to a hard job. I thank all of you for your commitment to the cause of justice. And I thank you for your kind attention here today.

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