

For Release on Delivery

"PROGRESS IN DEALING WITH CRIME"

RADIO ADDRESS

by

HONORABLE HOMER CUMMINGS

ATTORNEY GENERAL OF THE UNITED STATES

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Ladies and Gentlemen of the radio audience:

On the eighth of October last I issued a call for a Conference on Crime to be held in Washington from the tenth to the thirteenth of December. Tonight, through the courtesy of the National Radio Forum, there is presented an appropriate occasion to report some of the results of that Conference and to outline, from the viewpoint of the Department of Justice, what lies ahead. I venture to make this report because of my firm conviction that our people have awakened from their indifference to the menace of crime and are eager to learn what our law enforcement authorities, each in their respective jurisdictions, propose to do about it.

The recent Conference on Crime was based upon a well-defined theory, or, at least, upon a new method of approach. Theretofore, the public, expressing itself through conferences or otherwise, had appealed to the Government for aid in dealing with the menace of lawlessness. But now the process was about to be reversed - the Government was to appeal to the public for its thoughtful advice, for its sustained interest, and for its active help in a national movement to meet the common peril.

In attendance there were the representatives of Federal, State, Territorial and local Governments, as well as of more than 75 quasi-public and private agencies the interests and activities of which bear upon this problem. In all there were about 600 delegates present from all parts of the United States, who heard from the lips of practical experts a discussion of crime in its four principal aspects, to wit, first, the causes of crime; second, detection, apprehension and punishment; third, reforms in procedure; and, fourth, rehabilitation including probation, parole and pardon. The

President of the United States opened the Conference with a ringing call for action; and the non-partisan character of the enterprise was evidenced in the public-spirited collaboration of two distinguished Cabinet officers of a preceding Administration. No element of partisanship or politics invaded any stage of the proceedings.

No more earnest or intelligent group has ever assembled to discuss the problem of crime. Ten sessions were held and every conceivable aspect of this matter was made the subject of well considered addresses, followed by informal but highly instructive debate. A committee on resolutions was appointed and its report was adopted by a unanimous vote. These resolutions called for continuing efforts and a permanent organization to work along well defined lines. A study of the situation is still going on in the Department of Justice and shortly I shall announce the names of the Committee to carry forward the work.

Not for one moment do we contemplate resting upon our oars. The pressure for progress will be constantly applied. This movement must go on and it must succeed.

What the Conference sought was to approach the question in as dispassionate, as objective and as practical a manner as possible; to consider crime in the light of the experience of the participating groups without, at the same time, getting into the field of particular crimes, specialized suggestions and minute professional preoccupation. The Conference was not long in reaching a common ground. The Committee on Arrangements had prepared a somewhat rigorous routine of addresses and discussions, but owing to the reputation and character of the speakers and the challenging issues presented,

interest was maintained to the end, an interest that those of us in the Department have since seen spreading out into ever widening circles, as a broader realization comes to our people that what is involved is the administration of justice in its largest sense, affecting both Federal and State enforcement and the proper coordination of the two.

It seemed to be the unanimous opinion of the participants, as it must be of all persons who have studied this problem, that no sustained movement to deal with crime can be initiated with real hope of success unless there is an informed and aggressive public opinion supporting our law enforcement authorities in their different fields. The Conference, I believe, elicited such an exposition of basic facts as would encourage the public to see the problem of crime in its broader aspects and to see it whole. There can be no doubt that crime, in its modern phases in the United States, presents a most sweeping challenge - a challenge to our economic and our social life, a challenge to our national pride, a challenge to the prestige of government itself. Moreover, it is a challenge that cannot be met unless our people are determined that it shall be met.

When one speaks of public opinion, one speaks of a vague, intangible force, the operations of which sometimes seem to be based upon no fixed principle or upon no universal formula of expression. Yet once in operation, public opinion becomes the mightiest of all forces, which it requires no particular sensitiveness to apprehend. Public opinion has at last begun to express itself in the field of crime. It is not an opinion that impinges alone upon the Federal Government. If I mistake not the signs, it is beginning to affect all Governmental authorities throughout

the nation, whether their jurisdiction be great or small. There is a demand for action in each particular jurisdiction, for the most expert coordination of which the authorities are capable. These large public expectations should find an unreserved welcome on the part of law enforcement officials, for there is thus provided an encouragement and a stimulation to such an administration of justice as will meet the needs of modern American life.

As far as concerns the Department of Justice, the widening public interest in the problem of crime exhibits itself in numerous and most varied manifestations. Since the Conference on Crime adjourned, the Department has received thousands of communications on this subject. Hundreds of students have written to request information; dozens of organizations have asked for speakers; universities propose to consider crime in their courses on political science; public libraries in some of our largest cities have asked for assistance in setting up special sections on criminological topics; and sociologists, civic associations, prison and probation officers have approached us with offers of collaboration. Police organizations have asked to be kept informed concerning public or private activities in this field throughout the United States. Governors have called, or have announced their intention of calling, State Conferences on Crime. State Attorneys General have summoned officers within their jurisdiction for consultation on broad programs for better law enforcement, and there are numerous indications that State Legislatures meeting in 1935 are preparing to consider recommendations for legislation to improve the administration of criminal justice.

It would be impossible for me to review in any detail the various suggestions and recommendations which came out of the Conference on Crime, but it seems to me that one of the most important matters stressed by the Conference, and the one which most needs our immediate action is that of securing a better coordination of all agencies, local, State and National.

At the present time in every State in the Union there are thousands of persons engaged in some phase of law enforcement, most of whom are working independently of each other or of any central coordinating head. Beginning at the bottom of the structure, we have a great number of inferior criminal magistrates of the type of the justice of the peace or the police judge, many of whom are part-time officers whose major interests are in other occupations, and who are without serious responsibility to any central authority, except as they are required to keep a docket or make an annual report of fees and generally conform to standardized rules of criminal procedure. In some places appointments of these magistrates are made by legislatures quite without regard to qualifications and to satisfy political obligations or to extend political favors. Connected with each of these courts are the inferior police officials frequently working on a part-time basis and equally relieved of any responsibility to any higher control. Parallel with this local structure, and usually quite independent of it, is found the county sheriff, the county prosecutor, and the agents of the county court. While these officials are a more experienced type of person, oftentimes they have no particular aptitude for their work. Usually they are elected upon the basis of personal popularity or speech-making ability, and the quality of their performances are far from uniformly

good. The inferior magistrate, in addition to being a trial judge of minor offenses, is also usually a committing magistrate in serious cases, and his officer is frequently the first official on the scene following the commission of a felony. This precious moment is the most important one of all. An untrained or incompetent police official can make effective prosecution impossible without intending to do so and with the most honest and sincere motives imaginable.

If the county contains a large city there is in addition a third law enforcement agency, consisting of the city police force, a city prosecuting agency, and frequently municipal courts of criminal jurisdiction. Thus it is not unusual to find in a single county three separate, uncoordinated agencies for criminal justice, including in each group a magistrate, a police officer, and the prosecutor. This situation frequently produces regrettable conflicts of authority and an overlapping jurisdiction with consequent confusion and loss of effort. It is amazing, when we consider the lack of coordination between these officials, that the administration of criminal justice is as successful as it is. It is idle to pretend that criminal law administration of this kind can be effective. Even under a carefully organized, well coordinated system of police administration, there are bound to be difficulties, misunderstandings, jealousies, and where, in addition to these defects, there is an absence of responsibility to a common head, as well as the lack of clear-cut jurisdiction and a failure to secure intelligent, trained officials, the result is bound to be, as it has been in many cases the local law enforcement, one of frightful confusion and pathetic ineffectiveness.

As between counties, even in the same state, there is complete independence, and if there be partial cooperation it is on a treaty basis which exists or not, according to the personal acquaintances and friendships of the different officials. If they wish to cooperate they do; if they do not wish to do so they do not; and if they happen to be jealous or fearful of each other there may be, not only failure to cooperate, but the actual placing of obstacles in the way of successful prosecution. In a number of states, there have been created during recent years various forms of State criminal law enforcement agencies such as State police, State traffic patrols, State bureaus of investigation and the like. Usually these are separately organized and independent of each other.

There are many other duplications of effort too numerous to mention. In some places, excellently functioning police departments or prosecuting officers or state parole departments, have been put in effective operation, but in no state so far has there been a complete, intelligent, effective coordination of the whole system of criminal law administration.

All of this is susceptible of easy remedy so far as the law is concerned. It is possible in each one of our States to establish a State department of justice, as has recently been proposed by the Attorney General's Conference and by the American Bar Association. In fact such efforts have been undertaken recently in a few of our States. The problem here involved is not one of constitutional limitations, but of securing a sufficient understanding upon the part of the people so that there shall be an insistence upon such coordination and an effective demand for the proper selection and training of officers of the law. The greatest obstacles which stand

in the way are the jealousies of office holders and the unwarranted privileges of political groups.

Under effective leadership, these obstacles can be swept aside when public interest is sufficiently aroused and maintained.

As the problem of crime has become one of larger territorial scope, and as a tendency has become apparent for criminals to organize in gangs operating from one State to another, new difficulties have developed which were practically unknown to the people of a few decades ago. This problem is one which has federal implications because of its interstate aspects.

Therefore, one of the most difficult phases of our problem has to do with the proper coordination of the State and Federal agencies.

In this work, by common consent, the Federal government must take the initiative. The hopes held out by the recent conference on crime look toward effective work in this direction. Already the Department of Justice is a clearing house for information available to all law enforcing agencies everywhere. Already we are cooperating with nearly 7000 contributing police groups in matters of identification, fingerprinting and statistical data.

But we must go much further than that. I have long visualized the day when the Department of Justice should be not only a cooperating agency, but an effective force, stimulating activity in many quarters. There is no reason why our existing School of Instruction should not be amplified so that intelligent and serious minded representatives from the various state and municipal law enforcement agencies may have an opportunity to come to Washington, at certain intervals, to study with us and to our

mutual advantage, these fascinating and important matters which are the common concern of all good citizens. Plans for this development are being formulated. The recent Crime Conference endorsed this idea. Time and experience will show how far it should be carried. The problems are difficult, but I am not in the least discouraged. Substantial progress has already been achieved, and the future is what we make it.