



# Department of Justice

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ADDRESS OF

THE HON. RICHARD G. KLEINDIENST

ATTORNEY GENERAL OF THE UNITED STATES

BEFORE THE

LOS ANGELES AREA CHAMBER OF COMMERCE

LOS ANGELES, CALIFORNIA

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Today I would like to talk about the war on crime in the United States. As the nation's chief law enforcement officer, I not only have this among my principal duties, but I also feel responsible for reporting on it publicly from time to time.

While the United States Department of Justice has no jurisdiction in State and local enforcement, we do cooperate closely with all agencies across the country in providing information, training, financial aid, and overall leadership. So I am pleased to bring you a message on this general subject today, the more so since I feel we can now begin to report affirmatively on a story which for so many years has been negative.

Not only that, but there are few subjects in American life that have been more confused by fiction and fancy, fable and fairy tale. Crime is, of course, a disturbing but morbidly fascinating subject, and the field is filled with instant experts who seem to have been schooled in the environment of hobgoblins

and elves, giants and dragons, wicked witches and animals that talk. So I would also like to take up some of these bedtime stories and bring us into the land of reality.

First, let's look at the status of crime which comes under Federal jurisdiction, beginning with the organized crime which heads the hierarchy of lawlessness in this country. For years many people believed that the underworld was pretty much the creation of Hollywood, that it had little to do with crime in general, and that anyway, if left alone its members were doing a good job of killing themselves off.

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Ramsey Clark, the last Attorney General of the previous Administration, said that organized crime was a "tiny" part of the overall crime in this country.

I put this particular myth in the category of the Beauty and the Beast, in which the Beast is not really a Beast at all, and everything will come out happily in the end.

The truth is that organized crime takes many billions of dollars out of the pockets of Americans every year in illegal bookmaking, loan sharking, theft of securities, cargo hijacking, extortion, and illicit drugs. It may not be directly engaged in street crime, but it spawns thousands of crooks by getting them hooked on drugs and by blackmailing those who have been caught in their web of gambling and loan sharking

debts.

From the beginning, this Administration believed that organized crime was alive and well and living off the fat of the land, and it was determined to make it sick, and if possible, dead. It was at this point that we heard another fable--namely, that organized crime is so deeply rooted in American society that you can never cut it out. We were told, in fact, that for every racketeer we put away, 10 more would take his place like the soldiers who sprang up from the dragon's teeth.

Still, the Nixon Administration mounted an all-out war against organized crime. We won from Congress a new and tougher law giving us better weapons against this menace. The President mobilized all the Federal enforcement agencies in this war and concentrated them in the major cities across the country. He greatly enlarged the budgets and the number of investigative agents in these services.

The result has been an enormous increase in indictments and convictions of racketeers. In 1971 we indicted three times more organized crime figures and convicted twice as many of them as in 1968, the last year of the previous Administration. For the first time, in major cities throughout the country, we have been able to put the arm of the

law on many of the top gangland bosses. Officials who have been in our Criminal Division for many years say they cannot remember a time when such inroads have been made into the underworld.

One of the most despicable fields of organized crime has been the narcotics traffic, in which the lives of thousands of Americans have been destroyed for profit. Here, too, a myth had been taking shape across the land. Some said that you couldn't enforce laws against narcotics, and that the only way to meet this menace was to legalize it. Others said that some drugs were, after all, no more harmful than alcohol. Still others claimed that drugs such as LSD were a positive benefit to humanity. It was a little like the story of the ugly duckling, who really wasn't so ugly at all, if we would only wait for it to grow into a swan.

The Nixon Administration did not buy that story. The President gave drug enforcement a top priority. Again, he enlisted all Federal enforcement agencies in the battle, and where necessary created new agencies to coordinate the total Federal effort. He secured from Congress a new drug law with real teeth in it. He was the first President to make this crusade an integral part of his foreign policy, and by determined pressure won the active cooperation of

foreign countries that were sources of drugs.

As a result, by 1971 Federal agents were removing five times more heroin and its equivalent opium derivatives from the world market than they had in 1968. So far in 1972, the seizures and arrests have been at a still greater rate, and there is no question that we have created a shortage of heroin in the major Eastern cities. The price of heroin has gone up, the quality has gone down, and addicts are lining up at the drug treatment centers.

This battle is not yet won, but we are on the offensive and the enemy is on the defensive. Again, long-time narcotics officials say there has never been a time when Federal efforts have been so effective against the drug traffickers. What is more, we do not hear so much anymore from those who say that you can't enforce the drug distributors out of business, or that dope such as LSD is really harmless. What we are hearing, far more than ever before, are phone calls from people in the inner cities to put the finger on drug peddlers who might once have been heroes but are now public enemies.

One of the weapons that proved especially useful against organized crime and the narcotics traffic was court-authorized wiretapping which Congress had provided in 1968. It was here that we bumped into another

myth--that you can't use any type of wiretapping against criminal suspects because this is an "unreasonable search and seizure" prohibited by the Fourth Amendment. One of those who stuck to this story was former Attorney General Ramsay Clark, who refused to use this weapon in the last Administration. He also claimed it wouldn't be very effective in getting evidence anyway--about like the tale of Mother Hubbard who found her cupboard bare.

Such mythology flew in the face of several important realities. The United States Supreme Court had previously indicated that wiretapping with proper judicial supervision would be Constitutional. The Fourth Amendment had recognized the use of judicial warrants to guard against "unreasonable searches and seizures," and this provision was included in the 1968 law passed by Congress. In fact, that law contains more judicial supervision over wiretapping than the traditional warrant procedure. One of President Nixon's first steps when he took office was to direct Attorney General Mitchell to use court-authorized wiretapping where appropriate in organized crime cases. The result has been that we have been able to get evidence against higher gangland bosses, and more of them, than would have been possible in any other way. We have smashed a number

of narcotics rings with such evidence. We have secured a total of some 1600 indictments on evidence from court-authorized wiretaps. We have been able to make an average of four arrests for every such wiretap, and in the special field of narcotics five arrests per wiretap. And we have had almost no complaints that an innocent party's privacy has been invaded.

I could go on with some other myths about Federal enforcement.

I could talk about those who said that you can't crack down on pornography, because that would be violating freedom of speech. Besides, pornography was a matter of personal opinion, and who was to say whether it was objectionable? They were like those who could see with their own eyes that the Emperor's new clothes were really no clothes at all, but were afraid to speak up and say so.

I could tell you how we have won many indictments and many convictions against pornographers where there were almost none before, how the Supreme Court has pointed the way to legislation in this area that will not violate the First Amendment, how we secured one such piece of legislation from Congress, and how we are promoting two other such laws that need the vocal support of the American public before they will ever get through Congress.



And again, I could also tell you about another scare story that was rampant when President Nixon came to office in 1969. I could tell you about the violence, rioting, vandalism and arson that were being staged across this country in the name of political progress. I could tell you about the fear in many quarters that the very stability of our Government was tottering, and how some even felt that, like Humpty-Dumpty, it was already so cracked that it couldn't be put together again. I could tell you what I think you already know--that mob violence has retreated very dramatically in this country. The revolutionary leaders who boasted they would stop the government and pull down the system simply cannot muster the kind of lawless crowds that they previously manipulated. There is a rebirth of an old idea in quarters that were once skeptical of it --the idea that we have an electoral process ready-made to create change in this country, and that we had better use it faithfully or we will destroy the very freedom that all of us cherish.

Now, of all the myths and fairy tales that have made the rounds on the subject of crime, the most imaginative have been in the whole area of general crimes that come under State and local laws. As I have said, the Federal Government does have a vital interest

in this, if it does not have actual jurisdiction, and we have had our Federal apologists and our Federal critics. Several years ago, about the time President Nixon was elected, and after crime had risen by over 120 percent from 1960 to 1968, we had our Federal apologists. It was said that the way to reduce crime in the United States was not so much through enforcement as through social programs to eliminate disadvantage and discrimination. This particular story somehow reminds me of the shoemaker who went to bed and woke up the next morning to find that the elves had done all his work for him. We in the Nixon Administration fully agree that alleviating these human ills that especially exist in our inner cities can have a permanent effect, not only in reducing crime but in improving the quality of American life. We have substantially increased the Federal commitment to human resources. But we also believe that this long-term approach is not much comfort to the victims of robberies and assaults on the streets today. We believe the shoemaker has to finish some of his own work before he goes to bed, and we believe we have been doing just that.

No President has ever given such forceful public leadership to the peace officers of this country in their battle against crime.

No other Administration since the 1950's has been able to bring about a reduction in crime in the nation's capital. President Nixon found the District of Columbia with a dangerous crime rate-- the worst in the nation. Through Court reforms, a strengthened police department, and other measures, that crime rate has been dramatically reversed. In the first quarter of 1972, crime in Washington was nearly 31 percent less than in the first quarter of 1971. And on a monthly basis, we have already reached the point where crime has been cut in half from the high month in 1969.

Much of what was accomplished in Washington was supported by grants from the Law Enforcement Assistance Administration. In fact, the Washington success story has helped LEAA to direct its funds into the best enforcement programs across the nation. And in this connection, no Administration has provided anywhere near the financial assistance to State and local enforcement agencies. The previous Administration provided \$33 million of such funds. From 1969 to 1972 we provided a total of one-and-a-half billion dollars in such funds, and our current 1973 budget is more than \$800 million.

To those who have tried to spread the fable that this financial aid through LEAA is ineffectual, I would like to read part of a letter from Chief of Police Davis of Los Angeles.

With this Federal assistance, he wrote, "law enforcement in the City of Los Angeles has been able to progress to a level of service otherwise unobtainable." We have had similar statements from police chiefs and commissioners across the nation.

The truth is that these Federally funded programs are working, along with the dedicated efforts of police agencies and peace officers around the country. The crime wave that was mounting higher and at an ever-faster rate in the 1960's is now being turned around. It had reached an increase of 17 percent in 1968 alone. That increase has been slowed every year since then, down to an increase of only seven percent in 1971.

It is at this point that many of the same people who, a few years ago, were saying that crime reduction depended on social programs, are telling us that crime is still going up, and that law enforcement must be strengthened. They are not talking about the shoemaker and the elves anymore. Instead, like Henny-Penny and her friends, they are telling everybody that the sky is falling.

But the story-tellers are not quite up to date. In the first quarter of 1972, serious crime in the United States increased by only one percent over the first quarter of 1971. This may still seem to be

a slight increase, but it is pertinent to note that in the same time-span represented by these two quarters--that is, from April 1, 1971 to April 1, 1972--the population of the United States also increased by one percent. In fact, more than half of the cities of over 100,000 population showed an actual decrease in crime in the first quarter. And there was a six percent reduction of total crime in the first quarter of 1972 among the largest cities in the United States--those of over one million population.

Moreover, the figures for the entire first half of 1972, which are being released to the press this evening, bear out the first quarter trend. Right now I have the figures for the first six months of 1972, compared to the first half of 1971, for both Los Angeles city and county.

In both cases, crime has gone down by four percent.

We are at the point of stopping the crime increase that began in the early 1960's and crossing the line to a crime decrease.

Naturally the fable-makers will not let that go by. They say, "Yes, but violent crime has still been increasing." They do not say that violent crime is a small proportion of total crime. And they also say, "Yes, but crime is increasing in urban and rural areas." They do not say that this is still a small part of total crime and that it was the lawlessness in the big cities which was the cause of such alarm.

In fact, they remind me of the fable of the blindmen and the elephant --each of them describing him by touching one part of his anatomy, and none of them describing the animal as a whole.

And finally, the myth-makers have decided that since the figures just do not bear out their point-of-view anymore, they will tell us that the figures are mistaken. They tell us that a lot of crimes are not reported to the police, and the answer to that is that this is nothing new--some crimes have always gone unreported. They tell us that the police are trying to whittle down their figures in order to win more Federal financial help, whereas if anybody were going to tinker with the figures they would be more apt to inflate them to show more need for help. They tell us that the police are not reporting all the crimes they encounter, and the answer to that is that the spreading use of data processing is actually increasing the reporting of crimes.

For ourselves, we are vitally interested in improving the quality of the statistics, and our Law Enforcement Assistance Administration is supporting a project to do just that.

As for the tellers of fairy tales, I have to put their final effort to discredit the statistics in the same class as the most famous of Aesop's fables, "the Fox and the Sour Grapes."

I do not want to close with the impression that the war on crime has been won and that Americans can now rest secure. Crime is far higher than it should be, and this Administration--working with State and local authorities--will continue to do everything possible to reduce it. But at the same time it is a pleasure to report that the crime wave is no longer rising any faster than the population, and that if the present trend continues, we are heading toward a safer and more lawful American society.