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HOW THE GOVERNMENT BATTLES ORGANIZED LAWLESSNESS

RADIO ADDRESS

by

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Ladies and Gentlemen:

In its campaign against crime the Department of Justice is primarily concerned, of course, with the enforcement of the Federal criminal statutes. Most criminal activities do not constitute violations of the laws of the United States, but are infractions of State statutes. The desperado Dillinger, for example, whose deeds of bloodshed and violence have recently terrorized the Middle West, has, so far as we are able to ascertain, committed only one Federal offense - the transportation of a stolen automobile from one State to another. The explanation for this lies in the fact that in our political system the Federal Government possesses only those powers which are granted to it, expressly or impliedly, by the Constitution. The Congress is, therefore, limited in the enactment of criminal statutes, to those objects that are within the purview of the United States Government, as defined in the Constitution.

A few of these laws are the Dyer Act, prohibiting the interstate transportation of stolen automobiles; the Mann Act, designed to curb the white slave traffic; the so-called Lindbergh kidnaping statute, making it a Federal offense to transport a kidnaped person from one State to another; the anti-trust laws; the extortion statute, which makes it a crime against the United States for a person to send through the mail an anonymous or unsigned communication threatening death, kidnaping, or personal injury for the purpose of extortion; the mail fraud statutes; and the statute which makes the theft of goods from interstate shipments a Federal offense.

The efforts of the Department of Justice to apprehend and punish those who violate these statutes are meeting with heartening success. During

the fiscal year 1933, convictions were obtained in more than 95% of the cases in which persons were tried in the Federal courts for criminal offenses. A total of 3,896 convictions were obtained, and prison sentences were imposed which totaled 4,764 years, exclusive of probationary sentences totaling 2,659 years and suspended sentences of 1,149 years. The fines which were imposed aggregated \$326,177.07. In addition, 1,163 Federal fugitives from justice were located.

Since the passage of the Federal Kidnaping Statute, the Department has attempted, with the cooperation of State and local authorities, to bring to justice the participants in 27 kidnaping cases. In these 27 cases, 56 convictions have been secured; two death sentences, eleven life sentences and other prison sentences aggregating 924 years have been imposed; and seventeen persons are now in custody awaiting trial.

Recently we presented to the present Congress a so-called "twelve-point" legislative program, consisting of bills which the Department was anxious to have enacted into law. This twelve-point program deals with racketeering; transporting stolen property in interstate commerce; provisions strengthening the so-called Lindbergh kidnaping statute; fleeing from one State to another for the purpose of avoiding prosecution; burglarizing National banks; killing or assaulting a Federal officer while he is engaged in the performance of official duties; participation in a riot or escape at any Federal penal institution; the importation, manufacture or sale of machine guns and concealable firearms, and matters of procedure and authority.

I am greatly pleased to report that practically all of these bills are in a fair way to become laws in the very near future.

In addition to the "twelve-point program", the Department of Justice is now suggesting to the Bureau of the Budget an appropriation for the purpose of permitting the Department to increase its force and modernize its equipment. This appropriation, if made by the Congress, will enable the Department to employ 270 additional investigators, and to purchase the following equipment: 20 armored automobiles, 200 fast cars, 110 two-way automobile radio sets, 70 monitor automatic rifles, and 70 submachine guns. Both the men and the equipment are urgently needed. At the present time the Division of Investigation has only 419 investigators for a country that covers more than three and one-half million square miles and numbers more than 125,000,000 people.

The War Department has generously offered to the Department of Justice the use of army planes in emergency situations.

The campaign upon which we have embarked includes, as a cardinal feature, a program of complete and friendly cooperation with the law enforcement agencies of the several States and municipalities. Moreover, the facilities of the Department of Justice are always at the disposal of these agencies.

Especially useful is the Identification Unit of the Department of Justice. This unit has on file more than 4,000,000 fingerprint records of criminals, representing the largest and most complete collection of its kind in the world, and is receiving each day additional criminal identification data from more than 6400 contributors in the United States and foreign

countries. These records are available, without cost, to law enforcement officials throughout the country. Each inquiry addressed to the Identification Unit by any officer of the law is replied to within 36 hours after its receipt.

A uniform crime reporting system is also maintained for the collection, analysis and dissemination of data concerning the volume, nature and fluctuation of crime. The statistical section receives reports of crime conditions from the police departments of more than 1,600 cities and, after compiling these records, publishes the results in a quarterly bulletin entitled "Uniform Crime Reports." These bulletins are furnished to law enforcement agencies in all parts of the country.

A technical laboratory has been established for research work. Here experiments are conducted with advanced scientific equipment, and the results of the tests are made available to all law enforcement officials.

In a radio address several months ago, I stated that the Department of Justice was contemplating the organization of a national institute of criminology. Since that time further consideration has been given to the matter, and plans are now being made which look toward its establishment. The functions of the new organization will be: (a) to assemble, digest and translate into practical form reports of improvements in the various branches of the administration of criminal justice, such as police, prosecution, court organization and administration, probation, parole, peno-  
correctional institutions and experiments, and the pardoning function; (b) to educate civic organizations in different parts of the country as

to the nature of these materials, their availability, and how they may be used locally to improve the administration of criminal justice and to help in the prevention of delinquency and criminality; (c) to conduct a training school where specially qualified officers, Federal, State and municipal, may study scientific methods of crime repression and prevention. A primary concern of the proposed new unit of the Department of Justice will be the development of methods for dealing effectively with young pre-delinquents and delinquents, thereby tending to check crime at the source.

The Department of Justice and the law enforcement agencies of the several States must be supported by an informed public opinion if the efforts to repress and prevent crime are to succeed. Moreover, we must put an end to the day when public prosecutors and peace officers fraternize with known gangsters and killers; when jails and penitentiaries are like sieves from which the instructed criminal readily escapes; when a newsreel picture of a notorious desperado is applauded in a motion picture theatre; when a petition for the pardon of a vicious murderer, even before his capture, is circulated and signed by hundreds of citizens; when politicians ally themselves with kidnapers and extortioners and dispose of the "hot" money which these dastardly enemies of society obtain from their victims; and when physicians and lawyers lend aid and assistance to fugitives from justice. Moreover, it is imperative that we put an end to the maudlin glorification of the criminal. The gangster is not a romantic hero as he is too often depicted by the thoughtless or irresponsible. On the contrary he is usually a coward at heart and always a public enemy. The path to a better ordered and safer society is beset by many difficulties - but with a long pull and a strong pull and a pull altogether we shall not fail.