



Department of Justice

ADDRESS

OF

THE HONORABLE EDWIN MEESE III
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

THE SAN DIEGO CRIME COMMISSION

SAN DIEGO, CALIFORNIA

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Thank you very much, Attorney General Van De Kamp and thank you ladies and gentlemen for that very warm welcome. I was a little worried a while ago because I had the feeling that Judge Fleming had stolen my speech, but I was relieved to hear Jim Lorenze say to his wife, "you know he makes more sense than a lot of judges I've practiced before."

But I am very pleased to be with you this evening and to participate in this gathering. San Diego has been very good to Ursula and me on our return home. The weather matched the usual quality of the San Diego welcome and it's been great to see so many friends here tonight. And I am particularly honored that John Van de Kamp, the Attorney General of California, took the time to be here and particularly for his most kind and generous introduction. I want you to know how much we in the Department of Justice welcome and appreciate the fine work that he has contributed to the Executive Working Group that he described, as well as his leadership in law enforcement here in California. And, if we are working closer together these days and, indeed we are, it's because of the fine cooperation of law enforcement leaders like John Van de Kamp.

I am very proud to be here tonight with the San Diego Crime Commission. I am tremendously impressed by the people who are on the Board of Directors, people who are supporting this activity. It reads literally like a Who's Who of San Diego. I think all of you who have been part of the founding of this organization and continue to sustain it deserve a great deal of credit and I would

only echo what John van de Kamp has already said about Roger Young. I had the privilege of meeting him when he was a Special Agent in Charge of the FBI office here, and then of course knew of his fine work in Washington, D.C. when he was the Assistant Director in charge of the Congressional Relations and Public Information Office of the Bureau, where he did such a fine job in marshalling the resources of that Bureau to make the public and Congress aware of what was going on and to be sure that an effective law enforcement effort was being supported in the Congress and among the public.

Roger mentioned that this week or this weekend, the State Bar is having its convention here in San Diego. You people should all be very gratified to know that representatives of the 84,000 lawyers in California will be invading our midst.

Well, I consider it a great honor to have been invited here tonight to address this second annual banquet. My good friend and an outstanding law enforcement official, Bill Webster, was with you a year ago. And I feel that the creation of the San Diego Crime Commission some eighteen months ago and the work you have done since then gives me a great deal of pride as a San Diegan. The direction and leadership which the San Diego Crime Commission gives to citizen involvement in crime prevention and criminal justice activities is an example which not only many other California cities, but cities across our country, could well emulate. Citizen participation and cooperation with law enforcement officials is absolutely indispensable to the proper

functioning of an effective criminal justice system. Your efforts here tonight and your efforts in this organization are showing the way for a lot of other Americans.

Some years ago James Q. Wilson, a professor at Harvard who has done some of the best work in the field of government and particularly involving the criminal justice system, wrote a book entitled "Thinking About Crime". In this book he gave some very novel ideas about why crimes are committed and how they might be prevented. One of the things about his book, which has recently been revised and updated, was that it pierced through a lot of the sociological mumbo-jumbo and really got to the heart of the matter. He said there are a lot of things we don't know about what causes crime, but why don't we concentrate on what we do know. And then he went on in that vein in the course of the book. You're going to hear me refer a lot to James Q. Wilson tonight because I think he's one of the best thinkers in this country on this subject. He even had the good judgment to spend half of his year by moving out to UCLA so he can be here half the time in California. He spends his summers and a good part of the fall here. He spends some of the other time in the east when he goes skiing.

In any event, tonight I'd like to share some thoughts with you about crime, how it affects society and what we might do about it which would be novel as we approach a time in which we have had some cessation in the continual increase in crime but where we have to take extra efforts to make sure that crime doesn't bounce back again.

As a matter of fact, if we look back just 20 years or so, during the 1960s and 1970s, high crime rates became an unfortunate fact of American life. This alone is deplorable, but I'd suggest that the greater tragedy is that many Americans came to accept this situation as somehow being normal. Certainly there has been crime since throughout man's history, and frontier America saw its share of lawless and violent acts, but the high crime rates to which we now accomodate ourselves are essentially a post-World War II phenomenon, with the greatest surge coming since 1965.

Many reasons have been given for this shocking new American reality, and no doubt the reasons are complex. But one tenacious myth that we have been pretty well able to discard, thanks to the efforts of a few clear-headed researchers, like James Q. Wilson, has been the view urged on us by some traditional liberals that rising unemployment was the primary cause of soaring crime rates in the United States over the past two decades. In fact, a Joint Economic Committee Report of Congress in 1976 went so far as to state that "a 1.4 percent rise in unemployment in 1970 is directly responsible for 1,740 additional homicides." Well, recently Professors James Q. Wilson of Harvard and and Philip J. Cook of Duke took a look at the evidence and found that the facts, when looked at carefully, do not support any such linkage, and that actually any linkage between crime and unemployment is just the opposite. The evidence in fact indicates that there has actually been during period of high

unemployment an actual decrease in crime. But it seems there are some people in our country today who would like to blame crime on anything but the failure of our society to punish it.

Well, I would suggest to you that crime is too serious a problem to be left to the conventional wisdom of sociologists, or to the well-meaning but misguided paliatives of sentimentalists. Social engineers of the Great Society were absolutely opposed to many of the things that today we are doing and going well to make a change in the crime picture. They couldn't bring themselves to do things like holding criminals accountable for their acts and punishing them for their crimes. But that's a growing trend in the criminal justice system today. And law-abiding Americans, as the crime rates are showing, are better off because of it. The Justice Department's best data indicates that the increase in the prison population during the past decade is preventing as many as one million crimes a year from being committed by career criminals.

It is time again for all Americans to start thinking of high crime rates as an intolerable scourge of our society -- it is also time for us to be less accepting and more demanding when it comes to crime. It is time to reject any accomodation with criminals. We must be less willing to excuse and more willing to punish. Less willing to lock ourselves in and more willing to police our neighborhoods. Less willing to concede whole blocks of our cities to criminals, drug dealing, and vagrants and more

willing to pay the price personally and fiscally to take back what should belong to the decent law-abiding citizens of our land.

Tonight I would like to talk to you a little about the fear of crime and the profound effect that it has had on American life. As distressing as the high crime rates have been over the past two decades, the incidence of crime itself is far outstripped by the fear of crime which pervades too many of our people, too many of our neighborhoods and too many of our communities. This discrepancy between actual crime and the fear of crime and the reasons for it were the subject of an important study that was released just a few years ago. It was called the Figgie Report, named after Harry Figgie, Jr., whose company sponsored the research reflected in this report as a public service. Your presence here tonight tells me that you already know something about the fear of crime, and the fact that you're supporting the San Diego Crime Commission indicates that you're willing to do something about it. So I will only briefly summarize the findings of that report:

But what it said was that four out of ten Americans, forty percent of all Americans, harbor concrete fears that they personally will become victims of violent crimes, such as murder, rape, robbery or assault. Four out of ten Americans also have formless fears about safety in their everyday environments.

The fear of crime literally crosses all demographic boundaries, and the report that I've referred to has shown that it is all pervasive. There is no group in society which is free

from this fear. Nevertheless, even among this large percentage of the population, certain groups--including those who are living in large cities, women, minority groups --experience particularly high degrees of fear; which type of fear varies somewhat from group to group.

Well, because of this widespread fear accompanied by increasing crime over two decades we have had the behavior patterns of Americans severely altered. It has affected where we choose to live, where we choose to work, where we choose to shop, where to send our children to school, or even to relax. It has affected our recreation. It even affects investment decisions--according to a recent survey, it affects investment decisions, business decisions, more than either high taxes or labor costs.

The fear of crime disrupts a downtown's economic situation primarily by altering the way people behave when they get there. This was the finding of a report released in April of this year by the Citizens' Crime Commission of New York City. They found that crime:

- reduces the number of pedestrians and the distances they are willing to walk;

- it encourages people to remain within self-contained complexes and to use indoor walkways instead of going outdoors;

- it decreases the level of face-to-face communication between downtown users;

- it promotes the desertion of the downtown area after five o'clock;

--it increases auto use and thus the demand for nearby parking.

Well, it's clear to see that this type of altered behavior caused by the fear of crime represents losses not only in quality of life but also in terms of hard cash.

We would be mistaken to think that fear of crime is generated only by sudden, violent attacks, or for that matter only by crime itself. The studies that were done by James Q. Wilson have been very interesting as to what it is that causes people to be either afraid of crime or to feel that crime is an all-encompassing aspect of their lives. In his ground-breaking research and his clear thinking, he pointed out another source of the fear of crime that we often tend to overlook or forget. That is the fear of being bothered by what he described as disorderly people. "Not violent people," he says, "nor, necessarily, criminals, but disreputable or obstreperous or unpredictable people: such as panhandlers, drunks, narcotic addicts, rowdy teenagers, prostitutes, loiterers, even the mentally disturbed."

Well back in 1968, when liberal academics and social commentators were losing their heads over "the urban crisis," and naming the usual collection of suspects--such as poverty, unemployment, declining industries--as the culprit, Wilson asked city-dwellers -- he went out and talked to people and asked them what it was that really concerned them the most. And he found that the number one concern of people in cities was what they described the "improper behavior in public places." In other

words, disorderly conduct. It was interesting that he found that this concern was shared by all racial groups and by various economic segments in our society.

The problem was, as these city-dwellers saw it, a failure of their feeling of safety in a community. Standards of proper conduct weren't being kept up. And of course, keeping up standards begins at home. How we behave affects the behavior of others. That includes what we say, how we present ourselves, how we dress, how we keep our homes, and how we control our children.

As Wilson writes, along with George Kelling, who helped him in the research, "at the community level, disorder and crime are inextricably linked." Take, for example, a window in a building where the window is broken and the owner of the building or the person responsible for the building leaves it unattended. Soon all the rest of the windows are broken. This is true in so-called nice neighborhoods as well as in those that are more decrepit.

Untended property becomes a target of vandalism--frequently committed by people, particularly young people, who would otherwise be law-abiding. As Wilson puts it, "Vandalism can occur anywhere once communal barriers--the sense of mutual regard and the obligations of civility--are lowered by actions that seem to signal that 'nobody cares'."

Graffiti is another example. Nathan Glazer has written about the young vandals in New York City who cover every square inch of the subway cars with their names written in spray paint and black ink. Some of you have probably been to New York and

seen this. There was even one time when it got so bad that the New York Subway system was pre-graffitiing the cars because they'd rather have their graffiti than the obscene graffiti put on by the kids. In any event, the message that the subway rider gets, says Glazer, is "that the environment that he or she must endure for an hour or more a day is uncontrolled and uncontrollable, and that anyone can invade it to do whatever damage and mischief the mind suggests." Can anyone doubt then why people in large cities have this fear of crime? The hapless attempts of the city to clean up and prevent the mess become further signs of official failure. The rider soon believes--correctly or not--that he or she is in a dangerous place. Many New Yorkers stop riding. They pay an unseen tax that never gets added into the IRS bill--or the city tax, and that's the 'tax of fear.' They pay for more expensive transportation, like taxicabs. Or worse they stop going into the city at all if they can avoid it.

"Untended" behavior, like untended property, has its consequences, too. Think about this scenario which Wilson has also described:

"A stable neighborhood of families who care for their homes, mind each other's children, and confidently frown on unwanted intruders can change, in a few years or even a few months, to an inhospitable and frightening jungle. A piece of property is abandoned, weeds grow up, a window is smashed. Adults stop scolding rowdy children, or controlling them; the children, who are emboldened, then become even more rowdy. Families move out,

unattached adults move in. Teenagers gather in front of the corner store. The merchants asks them to move; they refuse. Fights occur. Litter accumulates. People start drinking in front of the grocery; in time, a drunk slumps to the sidewalk and is allowed to sleep it off. Pedestrians are approached by panhandlers."

Well, as we would know, at this point the fear of crime sets in even without a crime being actually committed. The situation, however, is not irreversible. It is not inevitable that serious crime will take hold or that violent attacks will occur. But many residents will think that crime is increasing and they will modify their behavior. They will use the streets less often; they will cross to the other side when they see a stranger in their path; they will keep moving and talk to no one.

A community in this condition--you've probably seen it--is highly vulnerable to crime. Unless something is done to turn the community around, the downward spiral continues. Next drugs are peddled; drunks are robbed; muggings follow and, as the saying goes, there goes the neighborhood. Another bite out of the city because too few people cared enough to do something about it.

I saw just the opposite of this just the other day. I had the privilege of being in New York City with the police commissioner there, Ben Ward, and he took me down into the lower East Side. First he showed me some videotapes that had been taken from inside undercover police surveillance vehicles which showed in broad daylight drug transactions going down. Then he took me down to the scene today. The drug transactions that had

taken place some months ago were no longer being carried on -- in fact, the streets were clean and clear of either narcotic traffickers and peddlers or of narcotic addicts. There were no drunks lying around the street. And he told me that in a dedicated effort called "Operation Pressurepoint" the police and the citizens of that particular area of New York decided that they were going to take the streets back -- and so they did. They came down and they made arrests of the narcotic traffickers and anyone else who was committing a crime and pretty soon the word got around. The interesting thing though was that it was only a matter of months after this was done and those streets were cleaned up that people started painting their houses and their stores, better businesses moved in, property values went up and a neighborhood was reclaimed by the society that ought to live there, the society of law-abiding people.

So in other words the point of James Q. Wilson, about what happens as a neighborhood goes down, was actually illustrated-- not only that it can go down but also illustrated in reverse, by the fact that it can be brought back up.

Well we in the Department of Justice and this administration are very much concerned and care a great deal about communities; we care about the state of our cities; and we care about the level of public order. We also know that massive federal intervention is not the solution to the breakdown of law and order in communities. Instead, we are committed to making federalism--the distribution of power among the federal, state and local governments--a working reality. As I have said on

several occasions, and as John mentioned this evening, one of the hallmarks of our law enforcement policy is the recognition that the primary responsibility for the prevention and control of crime rests at the state and local level, that level of government which is closest to the people.

At the same time we want to improve the working relationship with the federal government and we want to do our part, which is the role of supporting and assisting local law enforcement in those areas where there's either specialized resources at the federal level or in those areas which state and local government cannot reach because of geographic or jurisdictional limitations.

And so for that reason of course the federal government has a major role in handling international and interstate crime. We provide policy leadership as the President personally has done and as other federal officials have done to get the attention of the public on things that ought to be done even at the local level. Such as this business of reclaiming neighborhoods and communities for the law-abiding citizen. We try to provide training, technical assistance and specialized support in those areas where centralized collection of research or training techniques can be of assistance to local law enforcement.

And we try to work with local police, sheriff departments, district attorneys, attorneys general offices, and so on, in coordinating and cooperating with them. We have law enforcement coordinating councils which Pete Nunez heads here in San Diego, bringing together the federal law enforcement agencies to meet

regularly with the local police sheriffs and district attorneys so that we can coordinate our efforts within each judicial district.

In addition to that we have the numerous joint operations with local law enforcement where we can work together against common criminal problems. This is part of the background of how a total law enforcement picture at all levels of government can work together effectively.

But in analyzing the kinds of problems I've been talking tonight, I am sure that we can say to ourselves how can we do a better job in this battle against crime and how can we do more to preserve our neighborhoods and our communities.

Past and present law enforcement efforts alone are not enough to stem the tide of lawlessness and to keep our society free from threats to our lives and our property. So tonight I'd like to suggest a few things that might just make a little bit of a difference.

First of all, just as we have had the leadership--from John van de Kamp and others, Bill Kolender, John Duffy, Ed Miller in California and in this county--to do a better job with the limited resources that they have, our management of the criminal justice system must be improved. We have to mark out clearly what our priorities are, we have to mobilize and allocate our resources better and we have to use the systems approach.

We have to recognize that when something happens in one part of the criminal justice system, it affects the rest. If we have a major drive to clean up a community and we cause more arrests

for drug trafficking, that's going to have an impact on the district attorney's office, and that's going to have an impact on the courts. And ultimately, as we convict more criminals, that's going to have an impact on the prisons and the correctional system.

One of the things we haven't done very well in this country over the years -- at a time when the crime rate caused the public to demand stronger sentences from the judges -- we have not as a country, until very recently, been willing to put our money where our mouths are in terms of increase in the prison capacity. In the last twenty-five years we have had an increase of over four hundred percent in major crimes. We've had an increase of over four hundred percent in people arrested for those crimes. But in the same period of time we only increased our prison capacity in the United States by about seventy-one percent, and most of that has been in the last few years.

So thinking systematically about our system of criminal justice, it is important that we look at all aspects, including improving our prison capacity.

Well, a second thing that we need to do is to make sure that we have a better balance between the considerations of public safety on the one hand and the rights of the accused on the other. Judicial action and legislative action is needed in order to provide that balance. I think particularly of how the Supreme Court trends have finally turned around from a continual

escalation of the rights of criminal defendants, and how there is a sense of balance starting to peek through some of the judicial decisions from our nation's highest court.

As a matter of fact, in a recent case the court even said that it was necessary in determining the appellate case before it to balance the public safety on the one hand with the rights of criminals accused of crimes on the other.

A third thing that I think we need to do is to have society itself -- governments particularly at the local level--develop new strategies and direct more resources to reclaiming our neighborhoods and bringing them back and making sure that they are free. We've got to figure out how to handle drunks and vagrants. We've got to figure out how to handle unruly behavior. There's been a definite trend in recent years against strong law enforcement acts for the ordinary type of street disorderliness. As a matter of fact vagrancy laws have been struck down by the courts. And there's been a tendency to regard the kinds of things like public drunkenness, public begging, and those kinds of things as kind of harmless facts of life in the city.

But if as Wilson says, we're going to reclaim communities and have an appearance of orderly conduct and lawfulness, then society's got to figure out how we handle these problems as well.

And finally I would suggest to you that one necessary essential ingredient indeed is that more citizen involvement is very definitely necessary.

Police agencies, with their limited resources, cannot possibly be effective in controlling crime without the help of concerned citizens. More and more areas--like San Diego--have awakened to this fact. Californians generally have taken some very progressive steps in shoring up communities which have been battered by crime.

The Neighborhood Watch and Crime Stoppers programs, whose representatives are here tonight (there will soon be a conference on this subject here in San Diego)--these have become an important line of defense. More than 600 Crime Stoppers programs now exist nationwide. Since 1981, they are credited with solving over 75,000 crimes and the recovery of stolen property and narcotics worth more than \$450 million.

The creation of this crime commission to guide citizen involvement is an important new step. We can also take pride in the victim and witness assistance programs, of which San Diego County was a pioneer, and the victim compensation programs, in which California as a state took the lead.

In addition citizen volunteers in virtually every county in America are participating to support local police and sheriff's departments by serving on reserve and auxiliary programs.

Well, there's much to be done and some new approaches of citizen involvement may still be called for. Our Department of Justice is continuing to study new ways to build partnerships among law enforcement, the private sector and the community. One

of the newest ones that we have in mind is in this whole problem that was discussed earlier tonight -- the problem of how to prevent and educate people concerning the menace of drugs.

Well, in all of these ideas that I've talked about which I'm proposing as ways in which we can do a better job--better management of criminal justice system, better balance in terms of criminal defendants versus law abiding citizens, better societal approaches towards neighborhoods and more citizen involvement--in all of these ideas you and the San Diego Crime Commission have a role to play.

The purposes of this organization are virtually a catalogue of effective citizen efforts. Promoting constructive citizen involvement in the criminal justice system and your work in focusing that effort is a very important contribution. Likewise, the public information programs and your activities to stimulate awareness of crime such as the investment fraud seminar and the business crime seminars are equally important. So too, the support that is given by this commission to crime prevention efforts of all sorts, including reaching out the first time for any citizens program in the country to handle this problem of the theft of our technology, which is an important aspect of preserving the security of the nation, is innovative and timely.

Your encouragement of legislative activity, such as the testimony given by your executive director before the state legislature. And particularly your continuing close cooperation

with law enforcement is very vital to the administration of justice. Such things as the victim rescue vehicle which has received a great deal of attention tonight.

The awards that are being presented to outstanding citizens who have given their personal support to law enforcement. All of these things are the kind of activities which will help us ultimately reclaim our neighborhoods, rescue our cities and provide a climate throughout our society for law abiding citizens.

I congratulate and commend you on your fine work. I wish you continued success and I look forward to watching you in the future achievements that I'm sure will be there.