



Department of Justice

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FOR IMMEDIATE RELEASE
TUESDAY, OCTOBER 21, 1969

Attorney General John N. Mitchell declared today that pretrial detention of dangerous defendants is an important weapon in the Administration's program to reduce the present crime wave.

"I believe that the pre-trial release of potentially dangerous defendants constitutes one of the most serious factors in the present crime wave," Mr. Mitchell said. "I believe that danger to the community must be made a significant consideration in the ultimate decision to release a suspect."

Testifying before the House Judiciary Subcommittee No. 4, the Attorney General called for prompt passage of the Justice Department's proposed amendments to the Bail Reform Act of 1966 (H. R. 12806).

"Pretrial detention is the heart of H. R. 12806 -- the single measure in the proposal that can most effectively reduce crime on bail," Mr. Mitchell said.

The Attorney General said the proposed amendments will apply to all federal jurisdictions, but their primary impact will be on Washington, D. C., where, he said, the crime picture is "frightening."

"There is no doubt at all that a significant number of serious crimes are being committed by those released on bail, although the exact number of these offenders is subject to wide divergence

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of opinion, depending on the studies undertaken," Mr. Mitchell said.

Citing Washington crime statistics, the Attorney General said, "In view of such an enormous increase in reported crime, the limitation of pre-trial detention to capital offenses makes no sense at all. The addict-robber, the professional burglar, the confirmed rapist are all far more dangerous to the community than the husband charged with first degree murder of his wife."

"Under the proposal a judge in setting nonfinancial release conditions will be able to consider danger to the community, ending the present anomaly in the law that requires a judicial officer to forget society and consider risk to flight in making a release decision," the Attorney General said.

"We have carefully limited this proposal in scope and effect so that only the truly dangerous will be held, and we have afforded these defendants ample safeguards for protection of their rights."