



Department of Justice

REMARKS

BY

DICK THORNBURGH
ATTORNEY GENERAL OF THE UNITED STATES

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This month, our hearts lifted as joint military operations won a great victory over violence and aggression in the Persian Gulf. That victory -- a textbook example of military might brought implacably to bear upon a ruthless enemy -- is remarkable in two respects. First, it was achieved by a unified coalition of the forces of twenty-seven nations, and second, it brought renewed respect, worldwide -- as the President has said -- "for the rule of law over the rule of the jungle."

I believe there are strong lessons here for us today -- lessons and goals. I would like to talk to you today about an Administration and Department of Justice priority designed to bring the rule of law to our nation's communities -- the President's Violent Crime Bill. To secure its passage during the next one hundred days -- as the President last Tuesday challenged Congress -- I hope to see the American people fashion a similar coalition of forces -- to convince their Congressmen and Senators to enact this Violent Crime Bill so that we will at last have the proper tools to combat lawless violence here at home. And I greatly hope that together -- by building just such a coalition of American citizens against crime -- we can preserve the rule of law to our threatened neighborhoods and the communal life in this country.

Much discussion of violent crime today focuses on a search for the roots of crime, and dwells upon diverse sociological theory. But the American people demand action now to stop

criminal violence whatever its causes. The debate over the root causes of crime will go on for decades, but the carnage in our own mean streets must be halted now. Those streets where violent crime last year claimed some 6 million American citizens as victims, where the odds of becoming a victim of violent crime are now greater than becoming involved in an automobile accident.

Indeed, unless violent crime is checked -- and checked soon -- we may well jeopardize what I have always called the first civil right of every American -- the right to be free from fear in our homes, on our streets, and in our communities.

True enough that each of us would hope for a future that solves all the problems of inadequate housing, substandard health care, marginal education, and a lack of opportunity for meaningful employment -- those familiar causal grounds for potential criminal enterprise. And, recently, the President proposed a comprehensive program to enhance opportunity for all Americans, to aid in reaching just such goals for this nation. But unless and until that day comes, those of us involved in the criminal justice system must provide strong leadership in protecting our citizens from the ravages of violent crime.

I.

Toward that very goal, I last week convened an unprecedented Summit on violent crime here in Washington to determine which law enforcement responses to violent crime could make public safety in the 90s a reality. We brought together some 650 experts in law enforcement from across the nation in an effort to form an "anti-crime coalition" for America's communities: police, prosecutors, judges, correctional officials, and involved citizens -- to work through the task of making our criminal justice system function so that our citizens are safer, and know they are safer. Only then will their quality of life match their legitimate expectations in a country so blessed with freedom, so rich in opportunity, and therefore, so dedicated to democracy.

We know that it will take more than just money to solve these problems, although the President has proposed this year a record level of expenditures on criminal justice efforts. What we really need is more innovation, more coordination, more action and involvement, more concentration on "what works."

Let me give you an example. One of the ways we in the Department of Justice have chosen respond to the wanton violence on our streets is to set up violent crime task forces within

several urban communities, where the local infrastructure has been blighted, and human capital bled dry by drugs and crime.

These task forces operate on two levels.

Phase one: a coordinated attack on drug-dealers, gangs, and criminal predators -- to free the target area -- by combined federal, state, and local law enforcement, led by the U.S. Attorney's Office in the target area. These task forces will employ modern, anti-crime techniques such as clean sweeps, street cameras and top-gun arrests.

Phase two: a coordinated redevelopment program in conjunction with an augmented state and local police presence -- to keep the target area free of crime. The idea is to strip the streets of violent criminal elements so that legitimate enterprise can rehabilitate such barren ground.

First, we pull the weeds, then we plant the seeds.

And we are allotting \$12 million to the model task forces in these blighted urban areas -- along with accompanying federal grants -- in hopes of a real harvest of human dignity. If we succeed, we will "weed and seed" elsewhere -- anywhere that criminal violence can be plucked out and human decency take root and grow.

II.

On another, perhaps more controversial subject, I realize that any discussion about violent crime is inevitably going to turn to the question of what do we do about firearms? Various proposals to deal with this problem are on the agenda of the Congress and various state legislatures and city and county councils. These matters will continue to be debated, I am sure, but let me offer a couple of common sense observations.

I first think back to my days as a governor when we adopted a statute that imposed minimum mandatory five-year sentences -- no probation, no parole -- whenever a firearm was used to commit a crime. We put out menacing billboards across the state: "Commit a crime with a gun in Pennsylvania and you've shot five years of your life!" That message was very potent, and so was our courts' strict imposition of sentences. We saw the number of firearm offenses go down. People didn't want to shoot five years of their lives, and they knew they would be held accountable.

That is the key to me. Accountability under the rule of law is our only real assurance of public safety. And that is what the President has sought to guarantee by his support of federal firearms statutes to hold violent criminals accountable for illegal use, and even possession, of a firearm by imposing

minimum mandatory sentences of five years -- no parole or probation, and, I might add, no plea bargaining under orders I issued in 1989.

Some critics have complained that we're becoming too tough, that we're locking up too many of these violent offenders. Well, before coming to a final conclusion, let me suggest they visit housing projects ravaged by drugs and violent crime, speak to the mother who fears to send her child to school or waits in apprehension for that child's safe and drug-free return, ask those six million Americans victimized by violent crime last year: Are we being too tough on violent criminals? I think not.

But the scope of the present debate has broadened -- it raises the issue of what further limits should be set upon the availability of firearms to the general public. How far should such limits go -- if they threaten to curtail legitimate ownership of firearms? And should the states -- or even, as some propose, the federal government -- impose them?

Let me explain something that must be taken into realistic consideration in this debate. Whatever efforts are taken to deal with the illegal use of firearms by felons by imposing a so-called waiting period will be severely inhibited by a serious shortcoming in our present system. Today the records needed to

make the necessary match-up between a potential firearms purchaser and his possible criminal past do not adequately exist. To put it bluntly -- no matter what point of purchase or 48-hour delay or seven-day waiting period you might establish, you couldn't come up with the needed facts, on a consistent basis.

And that, I will say right here, is something I want corrected. Today only one out of six felons actually purchases his weapon at a sporting goods store instead of on the black market. But to aid in the implementation of any system designed to tackle these offenders, we are going to spend nearly \$40 million, seeing that the FBI criminal file backlogs and necessary state records are cleared up, so as to reflect the very latest arrest and conviction records. This represents a giant step forward in ensuring that we are in a position to track down some of those who pose the very greatest threat to our communities.

III.

Before closing, let me once again turn to the example of Desert Storm, and the great might that was brought to bear upon a threatening and violent enemy. Under brilliantly coordinated "command and control," the Gulf coalition forces made the best use of firepower guided by great ingenuity and relentless

certainty. We had the weapons to do the job -- "smart" weapons that worked with deadly effect against an enemy finally reduced to desperate encounter, ineffectual response and abject retreat.

Here at home, in the fight against violent crime, we should employ, to be sure, the same "command and control," the same ingenuity and certainty. Only here we battle not with the weapon of the military, but with the far stronger weapon of our laws.

We need to make certain that our laws are just as "smart" -- just as efficient and effective against criminals -- as those weapons that turned back the ruthless and violent intrusion by Saddam Hussein's forces.

In that regard, we have work still to do. We need new laws to provide this coalition against crime with the tools to drive crime from our streets with command and certainty. And the President proposed just such a package of new laws this week.

Some critics charge that the President's proposals are not really "new." These critics are half right and half wrong. It is indeed a crime that the Violent Crime Bill of 1991 contains portions which aren't new -- portions which passed one house or the other in Congress last year -- but which were ultimately

sabotaged in a congressional deadline flurry. This must not happen again.

* We need a workable death penalty for terrorist murderers, serial killers, and other heinous crimes.

* We need reform of habeas corpus proceedings that have fostered seven-to-eight year stays of the ultimate sanction, and all but nullified the death penalty in 36 states.

* We need reform of the exclusionary rule that keeps necessary and probative evidence from juries, often allowing the criminal to go free.

* We need new laws to protect women and children against violence and exploitation.

In a word, we need the legal weapons for the next decade to get the job done. And we are going to go to the Congress again so that they can deliver these weapons and others to all of us.

Let us not be misunderstood in this justified effort at legal reform. This year marks our observance of the 200th anniversary of the Bill of Rights, that bulwark of due process and the rule of law in our society. No one suggests that our law

enforcement efforts should in any way invade or invalidate the Constitutional rights of those charged with crime. But we do suggest that we advocate and utilize every Constitutional weapon to protect the rights of the law-abiding citizen as well.

In conclusion, let me return to my central message. We need to engage all of our citizenry in a domestic coalition against crime based on the rule of law, so that we will have the full forces needed to confront violent crime in our communities. We have a rare opportunity over the next 100 days. As President Bush declared Tuesday, "We must seize the day in fighting crime at home."

What is needed now -- what the President has given us and challenged the Congress to pass -- is a common sense approach to combating crime. If our military might has proven that American resolve and commitment can conquer the forces of Saddam Hussein in the Persian Gulf, surely as an encore Americans can set victory over violent crime as our objective for the 90s.