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INTERVIEW  
OF  
THE HONORABLE WILLIAM B. SAXBE  
ATTORNEY GENERAL OF THE UNITED STATES

WITH  
DICK STARNES  
OF  
SCRIPPS-HOWARD NEWSPAPERS

Wednesday, August 21, 1974

Washington, D. C.

The Attorney General responded to questions on the following topics:

<u>TOPICS</u>	<u>PAGE</u>
His background as a sportsman	2, 3, 4, 5, 6, 7
His view of conservation	4
Gun control	8
Ineffective methods to stop crime	8, 9, 10, 15
Step-up of prosecution efforts needed	9, 10
Dyer Act prosecutions	10, 13
Program needed to identify and prosecute the major violator	10, 11, 12
The psychology of the criminal	11, 12, 15
The need for new ways to combat criminals	14, 15
The number of draft evaders and deserters and reasons for desertion	16, 17
The amnesty report to President Ford	17, 18

P R O C E E D I N G S

ATTORNEY GENERAL SAXBE: \* \* because I  
voted for the --

MR. STARNES: I'll claim a plea of not guilty,  
because I'm with Field and Stream.

ATTORNEY GENERAL SAXBE: You're with Field and  
Stream.

MR. STARNES: Yes. I don't feel that --

ATTORNEY GENERAL SAXBE: No, it was Field and  
Stream, where they gave congressional ratings --

MR. STARNES: Well, they may have done it, but I  
didn't.

ATTORNEY GENERAL SAXBE: Yeah. And I got a bad rap  
because I had voted for the SST on an environment thing.  
Well, really what disturbed me was the fact that I was the  
only active sportsman in all of Congress -- a lot of them  
play at it, but none of them really know anything about it.  
My first job was working for the Ohio Conservation  
Department. My high school oration was on conservation  
and -- remember when you used to give orations? And I've  
been closely involved in it ever since.

I suppose I've taken an active part in Ohio  
Legislature and everything else, more than most people; and  
I think I'm a pretty practical kind of a sportsman. I operate  
a shooting place on my farm right now, and have for fifteen

1 years.

2 MR. STARNES: I've got a place down in Northern  
3 Neck, and I guarantee you I'm going to do some duck shooting  
4 down there this fall.

5 ATTORNEY GENERAL SAXBE: Well, we operate a  
6 pheasant shooting club, and I've run this for fifteen years:  
7 it's kind of a hobby, it doesn't make any money, it's a non-  
8  
9 profit deal. I was president of the Ohio Trapshooters for  
10 ten years -- or not ten years, I was on their board for  
11 ten years; president for five. I served as a vice president  
12 of ATA, and a delegate on the ATA for a long time and  
13 carried a 96 or better average for quite a few years. And  
14 I have one this year, for what little shooting I've done.  
15 I shot a hundred targets in the last six months. They  
16 had a shoot for me out in Ohio. I hadn't shot, I just  
17 can't do it down there, and I went in and broke a 98. I  
18 missed two out of the first ten, and broke the rest of  
19  
20 them.

21 But, you know, I think I'm pretty close to the  
22 thing, and this Wetlands was right down my alley, because  
23 I feel strongly about that.

24 MR. STARNES: I'll tell you a funny thing about  
25 Field and Stream, in rating people on conservation, they got

1 in trouble over that because a lot of the people they rated  
2 high turned out to be fire-eating anti-gun crusaders.

3 ATTORNEY GENERAL SAXBE: No, it was --

4 MR. STARNES: They just caught hell about that.

5 ATTORNEY GENERAL SAXBE: -- it was the stupidest  
6 thing, and bringing the SST into a conservation rating, and  
7 kind of goofy things like that. Maybe I take a narrow view  
8 of conservation, but it seems to me that the preservation of  
9 our wildlife resources and their habitat is the kind of  
10 conservation that I talk about -- maybe because that's the  
11 reason I was involved in it so closely for such a number of  
12 years.

13 And I've fished and hunted all over the world.

14 MR. STARNES: Tell me some of the places you've  
15 fished and hunted.

16 ATTORNEY GENERAL SAXBE: Well, I fished tarpon down  
17 in Costa Rica, and I've hunted duck in Holland, Cuba, and  
18 too numerous to mention in this -- hunted in India.

19 MR. STARNES: Did you ever hit a tiger?

20 ATTORNEY GENERAL SAXBE: No.

21 MR. STARNES: I wouldn't do it now, because they  
22 are --

23 ATTORNEY GENERAL SAXBE: I'm not really much of  
24 a big-game hunter. Now, I've got a team in the one-shot  
25 antelope hunt this year. Some people you know: Tom Bass

1 is on my team -- you know Tom? with Colt.

2  
3 MR. STARNES: Yeah, I've met him.

4 ATTORNEY GENERAL SAXBE: And Paul Thayer, president  
5 of LTV.

6 MR. STARNES: Where is that antelope hunt?

7 ATTORNEY GENERAL SAXBE: Wyoming. Lander, Wyoming.  
8 But I shot grouse in Scotland, partridge  
9 in Spain. I qualified for the Olympic International Target  
10 team in 1964.

11 MR. STARNES: Was that for trap?

12 ATTORNEY GENERAL SAXBE: That's at trap. I fished  
13 salmon in New Brunswick and Quebec every year.

14 MR. STARNES: Well, it sounds to me like your  
15 credentials are pretty good.

16 ATTORNEY GENERAL SAXBE: Yeah. I've fished bass  
17 in Florida and Georgia and Louisiana. I have a lake at home,  
18 and --

19 MR. STARNES: Where is that?

20 ATTORNEY GENERAL SAXBE: Mechanicsburg, Ohio.

21 MR. STARNES: Mechanicsburg, right.

22 Well, you're buddies with my next-door desk mate,  
23 Bob Crater, aren't you?

24 ATTORNEY GENERAL SAXBE: Yeah.

25 MR. STARNES: Bob's from that area.

1           ATTORNEY GENERAL SAXBE:   Well, I've known Bob  
2 since 1954.

3           MR. STARNES:   Bob and I have been together with  
4 Scripps-Howard longer than either one of us wants to think  
5 about.

6           ATTORNEY GENERAL SAXBE:   Yeah. Well, I had a lot  
7 of friends with Scripps-Howard. Dixon, do you remember him?

8           MR. STARNES:   No, he was in --

9           ATTORNEY GENERAL SAXBE:   He was down here in  
10 Washington.

11          MR. STARNES:   Must have been when I was in New York.

12          ATTORNEY GENERAL SAXBE:   Back in '54.

13          MR. STARNES:   Yeah.

14          ATTORNEY GENERAL SAXBE:   Yeah. And --

15          MR. STARNES:   Hagerty.

16          ATTORNEY GENERAL SAXBE:   Well, all of them back in  
17 Columbus, of course, then Ohio and Louis Seltzer and Dick  
18 Thornburg, and Don Weaver and --

19          MR. STARNES:   Yes, that's all the crowd down there.  
20 A lot of them have retired or died.

21          ATTORNEY GENERAL SAXBE:   Yeah.

22               I go up in Saskatchewan -- I used to, I won't be  
23 able to go this year -- grayling fishing; I think I'm a  
24 pretty good dry-fly fisherman.

25               It seems to me I never had a picture taken, until

1 I got into politics, that I didn't have a fish or something  
2 in my hand and looking at the old records, because,  
3 my dad was a great sportsman, and shooter; he worked at it.  
4 I mean, he went to Canada or Michigan every summer for two  
5 months; he went to Florida and hunted quail.

6 I'm going to shoot in that Oklahoma quail shoot  
7 this year. And I shoot quail around here in Virginia, and  
8 shoot duck over on the Eastern Shore, and geese. I have been  
9 going to the Eastern Shore for fifteen years, before I ever came  
10 out here. In fact, I used to get out there more when I was  
11 back in Ohio than I do from here, because you'd lay out a  
12 trip and you'd go.

13 MR. STARNES: It's a little difficult now.

14 ATTORNEY GENERAL SAXBE: And I'm quite a gun  
15 collector. I've got a lot of good guns, I think. I've got  
16 some Parkers and, I suppose I own altogether forty guns.

17 Mrs. Saxbe is down in Quantico shooting skeet this  
18 morning.

19 And since we've been here, since I've been at  
20 Justice, she comes in and shoots a pistol every week down  
21 here.

22 MR. STARNES: Have you ever shot down here?

23 ATTORNEY GENERAL SAXBE: Never have. I just never  
24 have time.

25 She used to shoot at Camp Perry in the old days:



1 small bore.

2 And I was a lecturer for the Ohio Division of  
3 Conservation for two years, back in '39 and '40.

4 MR. STARNES: What's your idea of a rational  
5 attitude on gun control?

6 ATTORNEY GENERAL SAXBE: Well, I try to be practical  
7 about it. If I thought there was an effective way that we  
8 could have gun control, especially on handguns, I'd support  
9 it. My reluctance to support it is based on my -- well,  
10 maybe it's just the inability to control it.

11 And also my realization, since I've been in this  
12 job, that we've had one gimmick after another that's  
13 supposed to control crime, and I take the attitude there's  
14 no more rabbits in the hat; I think that gun control is  
15 one of the rabbits in the hat that they keep pulling out and  
16 saying, "Well, this would stop crime."

17 Three years ago everybody said if we could  
18 control the heroin we could stop crime. Well, that didn't  
19 work either. And then we had the great influx of money;  
20 by getting enough hardware into the police departments we  
21 could stop crime. Well, that didn't work.

22 Then we're going to send them to school and  
23 educate them, and that's going to stop crime. And then  
24 we're going to get communications, and that's going to stop  
25 crime.

1 Crime has been with us as long as two men  
2 got together. It's a matter of controlling it, and the  
3 best way that I know to control criminals is to catch them and  
4 put them in jail. And this idea that we put a man in a  
5 penitentiary and then he comes out and he commits another  
6 crime, instead of realizing he's a criminal, why, we want to  
7 do away with the penitentiary.

8 But there's no question in my mind that  
9 crime would continue if a man had nothing to beat another guy  
10 over the head with but his truss, and --

11 MR. STARNES: His truss?

12 ATTORNEY GENERAL SAXBE: Yeah. It's --

13 MR. STARNES: Is that what you're going to say  
14 to the police chiefs out in Chicago?

15 ATTORNEY GENERAL SAXBE: A lot of this, I  
16 talk about things we can do, not mistakes we've made so  
17 much. It's a really concentrated effort to step up our  
18 prosecution and other things that we can do, that we have  
19 within our power to do, and are not doing.

20 In New York there's 25 murders for every prosecutor.  
21 Well, that's ridiculous, to think that we can prosecute that  
22 many cases. I want to do away with plea bargaining and  
23 immunities, and copping pleas, and trade-offs. But we just  
24 can't do it, unless we gear-up our courts and our prosecutor-  
25 ial staff to handle the mass of violations that we have.

1 MR. STARNES: One of the things that I ran into  
2 on doing a series on automobile theft a while back was that  
3 if the Department could prosecute all the Dyer Act cases  
4 except the ring cases -- a hell of a lot of automobile theft  
5 just isn't getting prosecuted.

6 ATTORNEY GENERAL SAXBE: That's true. I've talked  
7 to the prosecutors about this, and I've got some pledges of  
8 support. I've talked to the Attorneys General about it.  
9 And the problem of course is that you arrest a guy in  
10 Indianapolis with a car from Kentucky, they say, "We haven't  
11 got any money to bring a witness in here." So they get  
12 them on a misdemeanor, driving without permission, or some-  
13 thing like this.

14 We've got the same thing on marijuana. As we back  
15 off on marijuana, we've got a North Dakota county  
16 where they're picking up ten guys a day. We turn them over  
17 to the local prosecutor, a part-time prosecutor making six  
18 thousand dollars a year -- what the hell, he'd be in court  
19 constantly, trying to prosecute marijuana people.

20 So we've got to divert some money into these  
21 channels to give relief.

22 Now, one of my ideas -- and this goes back to the  
23 fact that society doesn't cause crime, the criminal does --  
24 is to realize that there are bad people. And we're being  
25 terrorized in many of our major cities by less than one-tenth

1 of one percent of the population. One of the things that  
2 I hope to do is to identify these people and to concentrate  
3 on this major violator. The concentration is not to  
4 rehabilitate him, because that's been tried in most cases:  
5 these are three and four-time serious offenders. It's to get  
6 him into jail, where we can watch him. And it may take a  
7 one-on-one effort to do it, but we're going to do it.

8 The people who want to get him in and train  
9 him to be a skilled craftsman in the penitentiary just don't  
10 understand that the adventure and the thrill of crime is the  
11 most attractive thing to some people.

12 They aren't criminals because their daddy  
13 didn't take them to see the Redskins play, they're criminals  
14 because they are attracted to this kind of life.

15 To teach him how to become a TV repairman has  
16 no attraction to him -- humph!

17 MR. STARNES: [Laughing] There are a lot of crooks  
18 in TV repair!

19 ATTORNEY GENERAL SAXBE: Well -- or a tinsmith or  
20 an auto mechanic, or a librarian. God, all he wants to do is  
21 get back on that corner; that's the thrill, that's the  
22 challenge.

23 And the sociologists have struck out in dealing  
24 with this guy, because they started in with the perfectability  
25 of man idea, that every man can be changed by good treatment

1 and a change of environment. Well, some can't. And these  
2 some are the major violators who are causing the major  
3 part of serious crime. We know that once they go down  
4 this road, they stay on it until they can't run so fast,  
5 and that usually comes about in their thirties, when they  
6 settle down and --

7 MR. STARNES: They burn out.

8 ATTORNEY GENERAL SAXBE: -- they burn out. And  
9 they aren't the hell-raisers that they were.

10 I mean, if they do this just for necessity, you  
11 know, they steal because they're poor, how does that account  
12 for the vandalism and the general hell raising?

13 MR. STARNES: Well, it's the cliché now that in the  
14 "good" neighborhoods, the kids raise as much hell and  
15 steal as many cars, and they're not deprived --

16 ATTORNEY GENERAL SAXBE: Well, that's --

17 MR. STARNES: -- like the poor are.

18 ATTORNEY GENERAL SAXBE: I know, but just think,  
19 though, we've been twenty years outliving this concept that  
20 if we can keep the people out of the jails, they're going  
21 to be good. Divert them, any way, to keep them out of jail.  
22 Because they blame the jail for not rehabilitating them.

23 They don't realize that the only thing you can do  
24 with this guy for a while is to keep him off the street.

25 And one of the things that we've done in

1 reaction to this is take the sentencing away from the judge  
2 and put it in the prison authorities.

3 MR. STARNES: Just to get back to the Dyer Act.  
4 Your idea there is to assist the local authorities and not  
5 get the Department of Justice back into the business of  
6 prosecuting one-time offenders.

7 ATTORNEY GENERAL SAXBE: We can't afford to fill the  
8 federal penitentiaries with 17, 18-year-old car thieves,  
9 just because it's good statistics.

10 Frankly, law enforcement is a local function.  
11 And always has been. We've got less law enforcement people  
12 on the total federal payroll than they've got in the City of  
13 New York.

14 And I for one resist a national police force,  
15 because we lose local control. And, my God, if people can't  
16 keep the peace and run the streets in their own locality,  
17 what can they do? They've lost the schools to federal control.

18 If we want a police state, the easiest and best  
19 way to get it is to turn all this over to the -- when are  
20 you going to use this?

21 MR. STARNES: Oh, I'm going to write it this  
22 afternoon, and I don't know what they will do about it --  
23 they move in mysterious ways sometimes.

24 ATTORNEY GENERAL SAXBE: Well, I don't want to tramp  
25 on all my lines on this speech next week, that's the only --

1 because I'm going to lay it out pretty cold to them  
2 then. That's next Tuesday.

3 MR. STARNES: Well, they either -- what time of  
4 day is this speech?

5 ATTORNEY GENERAL SAXBE: Noon.

6 MR. STARNES: Well, let me put it this way, if I  
7 -- I won't -- I haven't got ahold of your speech yet -- this  
8 guy's incorruptible; I've tried to con him out of it, with  
9 a promise --

10 ATTORNEY GENERAL SAXBE: Well, he's corruptible --  
11 you just don't know how to --

12 [Laughter.]

13 MR. STARNES: He knows you, doesn't he!

14 [Laughter.]

15 I won't go beyond what we're saying here, unless  
16 I can hold it till Tuesday, in which case I might like your  
17 consent to do it all at once.

18 ATTORNEY GENERAL SAXBE: Well, I mean, you don't  
19 write daily news pieces, I know you're writing a feature,  
20 because I see your stuff. Hell, a few days won't make a  
21 lot of difference.

22 But I foresee a turnaround in attitudes in this  
23 country, that we can really get down to some effective  
24 measures in law enforcement. I think that we've risen to  
25 every damn fly we've thrown on the pond so far, and, you know:

1 "Gee, this is the way we're going to do it: we're going  
2 to do it by gun control, we're going to do it by drug  
3 suppression, we're going to do it by education, we're going  
4 to do it by hardware, we're going to do it by diversion, and  
5 we're going to do it by rehabilitation"; and every person  
6 that's in law enforcement has risen to this kind of an  
7 answer, because we've been grasping at a key.

8 Well, I think it's time that we realize that there  
9 isn't any touchstone that is going to answer these problems.  
10 I think the basis of a reconsideration is that we have bad  
11 people, who are attracted to crime for reasons that most  
12 sociologists just don't want to acknowledge:

13 That they like it! And crime pays!

14 And the hard cases, and jailhouse lawyers know, or  
15 have learned how to get in and out of prison, or never go  
16 there, even when they're caught. And the 18-year-old casual  
17 car thief is usually the one who can be rehabilitated by  
18 peer pressure in many cases.

19 You see, that's one of the things that we have lost  
20 in this country, that is the most important factor in some  
21 of these countries that we point to with low crime rates:  
22 it's the effect of the community, and the censure of their  
23 peers.

24 Now, the temptation is to overcome this by a great  
25 mass of police and by really oppressive measures, a cop on



1 every corner, and the "get tough." Well, sure we can do it,  
2 but history doesn't deal very kindly with those who have.

3 MR. STARNES: I was interested to note that the  
4 President put you on the spot, along with Mr. Schlesinger,  
5 on the question of amnesty --

6 [Interruption: phone call.]

7 MR. STARNES: I'll hold off on the crime stuff  
8 until I do get your speech, and not put it out until Tuesday,  
9 and I'll have the proper --

10 ATTORNEY GENERAL SAXBE: Good.

11 MR. STARNES: And you've given me enough on the  
12 outdoorsy business to top your Wetlands speech, so that's  
13 money in the bank for me.

14 Now, if I've got five more minutes' credit, I'd  
15 like to get some kind of a realistic idea on what's going to  
16 happen on this amnesty thing: how far you're going to take  
17 it, and where it goes from there.

18 ATTORNEY GENERAL SAXBE: Well, of course, there's a  
19 lot of misconceptions about the number of people involved in  
20 this. In March, before the Kastenmeier committee up in the  
21 House -- and that testimony is available -- the Selective  
22 Service testified that to their knowledge there were 4500  
23 out of the country, and approximately 1500 underground in  
24 this country. Which means a total of 6,000 people, which is  
25 not a significant number.

1           Now, there are supposed to be 15, 20,000 deserters.  
2 I don't know where they are. And we're not getting into this.  
3 But of those deserters, the ones who deserted because of  
4 conscientious objections or because of emotional problems  
5 over the war, is maybe one in ten; they went over the hill  
6 for a whole lot of other reasons -- were you in the Army?

7           MR. STARNES: I was in the Navy.

8           ATTORNEY GENERAL SAXBE: Well, you know, people  
9 go over the hill for a lot of reasons. They overstay their  
10 leave, and then they're afraid to come back. There is  
11 cowardice. And there's -- they shot the cook, they are  
12 under some company punishment, or, in other words, there's  
13 a small percentage who went over the hill because of  
14 philosophical reasons.

15           So the number is not as great as you would be led  
16 to believe.

17           MR. STARNES: Well, you know, they kick around  
18 50,000; but this doesn't add up to 50,000.

19           ATTORNEY GENERAL SAXBE: It doesn't add up to  
20 50,000. And then there's the pardons for those who have  
21 served their term, too, either in the brig or in a federal  
22 prison.

23           So it's an emotional problem, really, in a degree.

24           What we're going to do is come back and suggest  
25 mechanical means that these can be handled, and what they're

1 going to have to do to re-establish themselves will have to  
2 come later. We're going to have to determine whether it's  
3 cosmetic or genuine, this "earning their right."

4 And we will have something for him by the first of  
5 September. We won't have the whole thing, we'll just have  
6 the -- how we suggest it might be done.

7 MR. STARNES: He had a lot of guts floating this  
8 thing before the VFW, didn't he? It was a very good stroke,  
9 I think.

10 ATTORNEY GENERAL SAXBE: Yes.

11 MR. STARNES: Okay. I appreciate it.

12 ATTORNEY GENERAL SAXBE: Yes.

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