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Address by

ATTORNEY GENERAL NICHOLAS deB. KATZENBACH

at the

25th ANNUAL HEYWOOD BROUN AWARD PRESENTATION

Mayflower Hotel, Washington, D. C.

Monday, February 14, 1966

My assignment tonight is to talk in the tradition of Heywood Broun, a tradition of concern for the poor, the weak, and the oppressed. Whatever I might say is pallid by comparison with the contribution made by the reporter you honor tonight, but it concerns the same subject.

For crime is, if anything, an oppressor, and perhaps never before has its cruelty afflicted so many with injury, cost, tragedy, and fear.

This toll is a problem of local jurisdiction but of national urgency. And as we learn more surely every day in the work of the President's National Crime Commission, both the local and national tasks are enormously tangled and complex.

Our difficulties begin with the very word. To the public, "crime" is an umbrella that covers every aspect of anti-social behavior.

The woman may be frail and 60, but she embezzled a hundred thousand dollars from the bank and that is crime. The youth may still be in high school, but he stole a car and that is crime. The man may be gray and ragged, but he was drunk on the street and that is crime.

Whether we speak of a professional racketeer or an amateur shop-lifter, a cheap prostitute or a million-dollar swindler, we label them

all uniformly, relegate concern about them to police exclusively, and then forget all about them inevitably--all in the comforting ubiquity of the word "crime."

We talk of "crime waves" as certainly as though we were measuring snowfalls and we discuss the "crime problem" as though it were as palpable as the parking problem. It is as though we lumped all medical problems under the single label of "sickness"--without differentiation between colds and cancer--and having so labeled them, dismissed them.

My point is not simply semantic. Our indiscriminate use of the word "crime" symbolizes a fundamental problem of dealing with the real and increasing presence of crime in the nation.

The oversimplification which leads us to dismiss so many forms of anti-social behavior with a single label reflects the same public indifference and ignorance which have bred such remarkably obsolete attitudes about crime and law enforcement.

Indeed, in this age of progress, there are few subjects toward which public attitudes are more obsolete. What words do we associate with present-day police operations? Revolvers? Billy clubs? Handcuffs? What words would we have used a century ago? Revolvers, billy clubs, and handcuffs.

There may be no other aspect of society to which we would make a similarly stagnant response. In communications, do we still talk of the wonder of the telegraph? In education, haven't language laboratories and New Math superseded the slate and the one-room schoolhouse? Take even shoemaking; the local cobbler sticking to his last has been overtaken by Corfam.

But in law enforcement, perhaps the only intrusions of the 20th century which the public understands--and thus supports--are cars and radios. In penology and corrections, there may be even fewer modern advances understood and accepted. I would imagine that for most Americans, corrections means the same thing it did a century ago--jail (and very possibly the same jail).

Public indifference and ignorance, in short, exact a price--and that price, as devoted law enforcement officials everywhere attest, is the toleration of a system which is overburdened, underpaid, and out of date.

If we are truly concerned about the rising crime rate; if we are honestly troubled by the number of people whose daily activities are curtailed by fear of crime; if we candidly recognize the importance of sophisticated and alert public attention, then the starting point is to generate that attention.

This is a need many reporters and newspapers recognize and act on. This very audience demonstrates the tenacity and willingness of the press to pursue it as a high responsibility.

I come tonight, however, to share with you the very strong feeling I have developed from our work on the Crime Commission--that coverage of crime, just like the public's attitude to crime generally, is a subject ripe for progress.

From my vantage point as a devoted reader of newspapers and magazines, it is apparent that American journalism has entered a new generation. Newspapers are broadening their scope almost daily.

From ridicule, interpretive reporting has come to a place of honor. Education writers are now so numerous and so expert they meet in their own association. So do science writers, appearing in a growing number of papers.

Television and movie reviewing in newspapers has gone from pasting of handouts to a highly valued craft. Political reporting, long a major concern, is becoming more sophisticated and more significant by the day. Indeed, to judge by a recent article in Esquire, even obituary writing has risen to a level of expertise and respect.

Such growth and development appear to be flowering on almost every newspaper, in almost every area of public concern, and on every beat; except one: the police beat.

On the average newspaper today, who covers the police beat? I do not know and can find no studies to say. But I would strongly suspect that in a number of cases it is the greenest rookie on the staff, lacking training in his own profession let alone that of the policemen, lawyers, and judges he covers.

Other than common sense, he has no standard for knowing whether they are performing ably or corruptly.

Often, he is little more than a typist, learning the difference between a misdemeanor and a felony on company time.

He has no basis for analyzing crime statistics: for example, does an increase mean that there are more criminals, and that police are laggard? Or, on the contrary, does it mean that the police are in fact efficient and are ferreting out more criminals?

And even if the reporter is not a cub; even if he is a knowledgeable veteran, how does his newspaper regard him? From my limited observation, the police beat is thought of as a necessary evil. The police reporter is thought of not as an expert craftsman, but as a colorful fellow who talks in underworld slang and fixes parking tickets for the staff.

And his stories are regarded either as filler or as an occasional gesture with which to patronize what is thought to be the public's taste for sensation.

On the basis of our work at the Crime Commission, I would suggest to you that attitudes like these--and the resulting absence of experienced, sensitive, and informed reporting on law enforcement matters may be a basic obstacle to reforms so widely and critically required in our system of criminal justice.

The public--and the need to curtail and control rising crime--suffer from this absence in two ways.

The first is because of the kind of crime news that often is published. This is the "mad dog sex killer" kind of story. Typically, it involves reporting of particularly sensational crimes in encyclopedic detail. Its aim often is to shock. Should there happen to be two or three such crimes in a week, behold: a crime wave.

There may be some immediate harm as a result because of the fears needlessly fanned. But the more lasting damage stems from the fact that the public is able to respond only to so many cries of wolf concerning law enforcement.

I wonder how many "crime waves" most of us survived before we began to think of them as a kind of periodic newspaper feature like "Lucky Bucks" or the first baby of the new year. Our capacity to respond to the real and separable problems of crime is diluted by stimulated demands to worry about individual crimes.

That is the first level of loss to the public. I am even more troubled by the second level--the loss that occurs because of what is not published.

There is much in our system of criminal justice which calls out for modernization, for fresh analysis, and for reform. For example, consider the way drunks are handled in police courts in many jurisdictions. They are herded in every morning after a night in the tank and if their cases are not heard en masse, they are paraded past the judge, one a minute, to the tattoo of "guilty, 15 days;" "guilty, 15 days;" "guilty, 15 days."

Then consider the response of a young reporter, sent to the police station on his first beat. This kind of assembly-line justice may not seem like justice at all to him, but he has no other standard. He concludes this is the way the system has to be. He swallows what might be outrage. And he writes no story.

Even in areas of the law enforcement system where reform is already going on, it is, in large measure, unreported. An example we are closely familiar with is bail. For decades, we accepted the premise that posting money bail was the only safe way to insure that a defendant would show up for trial if he were released after arrest.

But now there is abundant evidence to show that we have made thousands of poor defendants--as unlikely to skip town as you or I--stay in jail for

weeks and months pending trial solely because they didn't have the \$50 or \$250 bail money.

Public and private efforts have now generated bail reform projects in some 90 cities. But could not police reporters, as well-trained as their colleagues who cover education or medicine or business, have speeded that process? And could they not impel similar projects in every city?

By contrast, I think of the series published last week in the Washington Post about criminal courts here, a series which laid bare the public indifference and ignorance that has forced judges, lawyers and police to work with a system so inadequate that it makes assembly-line justice virtually inevitable.

The ferment that can be aroused by articles like these could well result in the spirit of reform which only an exercised and informed public can impel. And it is that spirit, more than any specific reform, which is necessary and which cannot come alone from the President, or his Crime Commission. The press is an essential ally.

By now it must be plain that my purpose is not to impugn police reporters. The issue is not the reporters; it is the will of the American press to give the same kind of devoted, sophisticated, and intelligent attention to problems of crime and police that it has shown itself capable of in other areas of coverage.

For every newspaper like the Baltimore Sun, sending Richard Levine to probe deeply into the failings of the Baltimore police for the Sun, how many newspapers content themselves with a flow of items about traffic accidents and safe burglaries?

For every newspaper like the Washington Star, which seeks to explore the corrosive impact of organized crime, how many content themselves with announcing that every gangland murder victim was a police informer?

For every Life magazine article about the human and social impact of narcotics, how many publications are there which content themselves with printing the inevitably inflated valuations of narcotics seized in the latest local raid?

In short, newspapers across the country, which have sought out expert reporters to cover science, or urban affairs, or law, can do as much to cover the shortcomings and the significance of developments in law enforcement.

Some newspapers who wish to offer intelligent coverage of the Supreme Court send reporters off to law school for a year. Their wisdom is clear from the enhanced quality of their court coverage. Yet, in many cities, what happens at the local police station is at least as important to newspaper readers. Providing some level of training for police reporters might be at least as good an investment.

This may be a subject for the concern of more than individual editors. Indeed, it is not hard to conceive of systematic training for reporters who will cover crime and law enforcement, perhaps at regular national or regional institutes, or in existing law schools, journalism schools, or extension centers.

This is hardly a revolutionary thought in other fields. Business, labor unions, even other aspects of journalism acknowledge and capitalize on institutes and advanced training.

How much might newspapers benefit from having police reporters spend, say, a month learning the elements of criminal law, a month learning about police methods and technology, and a month on criminology, psychology and other related topics?

Indeed, such an undertaking might well be one in which the Guild could be in the forefront. The aims of Heywood Broun and the others who forged this organization were not limited to economic interest. Your constitution declares that it is your purpose, equally, "to raise the standards of journalism and ethics of the industry."

By applying this credo to the all-too-humble police beat, your profession can, as well, wisely serve an urgent public need.

It was thirty-six years ago that Heywood Broun wrote:

"News must be a deeper and more significant thing than a mere recital of names, addresses, and the doctor's diagnosis. Causes, however far beneath the surface they lie, are distinctly within the province of journalism. That is, if journalism is to be a kingdom and not a little parish."