



# Department of Justice

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ADDRESS

BY

ATTORNEY GENERAL JOHN N. MITCHELL

BEFORE THE

FEDERAL BAR ASSOCIATION

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## INTRODUCTION

I am pleased to make these remarks before the Federal Bar Association. I understand that you represent, through your 14,000 members, the federal career lawyer and lawyer alumni of federal legal service. I am pleased to be a part of this outstanding group.

The greatest asset of our federal government is the tremendous reservoir of talent of its dedicated employees. Their expertise is unequalled by any organization in the world. Career federal attorneys are an invaluable part of this asset, and this Administration will be utilizing your talents to the fullest extent possible. As new ideas develop for the most effective administration of our laws, there may be some changes in policy-making legal positions. But I can assure you that we will not be making any changes which would depreciate or detract from the fine legal profession we have developed in the Justice Department.

In your membership information brochure of the Federal Bar Association there is this quotation of President Theodore Roosevelt:

"Every man owes some of his time to the up-building of the profession to which he belongs."

I agree with this sentiment, and believe it should also apply to those members of the legal profession who serve the federal government. Federal lawyers have a meaningful opportunity to contribute to their profession, and to their own individual professional development, through the activities of the Federal Bar Association. The maintenance of high standards for government attorneys and the sponsorship of continuing legal education have been hallmarks of the Association for nearly half a century.

OVER

Among your Associations' many outstanding accomplishments, I would like to mention with approval the Bill of Rights Project of your Council on Younger Lawyers. I understand that 75,000 copies of your Bill of Rights handbook and a teachers' guide have been distributed since the project started four years ago; and that during this school year 200 members of your Association will spend a full day in sixteen District of Columbia high schools focusing on better understanding of our Nation's greatest heritage -- the law. Projects like this add immeasurably to the betterment of our society.

THE PRESIDENT'S CRIME MESSAGE -  
COMMITMENT TO OBTAIN NECESSARY FUNDS

My theme today is the problem of crime in the City of Washington --- a topic about which you have heard a great deal. I hope that the mere frequency of its mention does not in any way decrease your commitment to the necessity of a solution.

As you know, on January 31, President Nixon proposed some solutions to the crime problem in the District of Columbia. It is a landmark proposal for this city, and, if I had the time, I would comment at length on every detail.

It is of course tailored to the particular problems of Washington.

But the District of Columbia crime control program --- both in its philosophical approach and in some of its specific recommendations--- has a national significance far broader than the federal city lines laid out by Congress. Perhaps the overriding significance of the President's message is a firm underlying commitment that this Administration will do everything in its power to obtain all the money necessary to implement our proposals.

We are tired --- and we think that the nation is tired--- of being promised grand schemes without the concurring commitment to adequately finance them.

Therefore, our first efforts have been directed to securing adequate budgets for all components of the criminal justice processes mentioned by the President.

As you read this morning, supplemental budget requests for crime control for possibly as much as \$15 million dollars for fiscal 1969 and revised 1970 have been drawn up. Later in my remarks, I will mention some of the financial components.

Some cynics have said that much of the President's crime control message is based on old ideas. I say to those cynics that we have a new idea --- implementation not promises.

#### STATE-CITY COOPERATION

Another aspect of national importance in the District of Columbia crime message is cooperation. While we have repeatedly said that crime is a local matter, we are also aware that, in relation to Washington, the federal government cannot overlook its share of responsibilities for the conditions of life in this city.

For as the federal government has marshaled its resources to help the federal city, so the states must marshal their resources to concentrate on their urban centers.

You know the basic problem. Today, 70 per cent of our nation's population lives in metropolitan areas. This high concentration of money and people has led to a concentration of social and economic problems.

There are, according to the Bureau of the Census, 228 standard metropolitan areas. Almost all of them are starved for money and other aids, some of which could be supplied by the state governments.

All too often, needed cooperation and help has stumbled on political rivalries and bureaucratic parochialism which divide the urban centers and the state governments.

While I understand the basis for much city-state government rivalry, political parochialism must be put aside in the name of our citizens who live in our cities.

We cannot afford to wait any longer. We have not waited in Washington. The Mayor, the City Council and the federal government are working together on the District of Columbia crime control program in a way which should be a model guide for cities and states.

We are most optimistic today that crime here will be substantially reduced because the channels of communication, cooperation and help have been opened. The Mayor is now considering the establishment of a District of Columbia Crime Control Council which will assure continued cooperation based on some federal representation.

We urge that similar councils be established in the states. Specifically, we urge the creation of effective State Law Enforcement Coordinating Councils which must have substantial representation from the metropolitan areas.

These state councils should draw up master plans for crime control. Under the Law Enforcement Assistance Administration Act, these councils will have the final word on the distribution of about \$250 million in fiscal 1970 in block grants to the states.

#### URBAN-SUBURBAN COOPERATION

But the problem of cooperation and help is not merely one of city-state relations. It is also one of urban-suburban coordination. The suburban areas are, in many parts of our nation, larger than the cities they surround.

While the Washington metropolitan area will soon be about 3 million persons, barely 800 thousand live in the city itself.

The District of Columbia crime program envisions regional coordination through the Metropolitan Washington Council of Governments. This Council has representation from the city and all the surrounding areas in Maryland and Virginia;

and we understand, that it is now drawing up meaningful anti-crime plans.

For example, the Council of Governments has already consulted with the Department of Justice to coordinate planning for any possible civil disorders in the metropolitan area.

We strongly support projects of this nature as the only effective solution to metropolitan crime. In reality there is no such thing as urban crime and suburban crime.

For as the residents in the metropolitan area flow from the city to the suburbs and back again without regard to geographical boundaries, so crime flows with them. Here, as in other cities, the ghetto auto thief peddles his goods in the suburban auto shop. The suburban bank robber strikes at the Washington financial institution. Illegal narcotics flow from the core city to the suburbs and the illegal money for the sales flows back to the city.

The problem is similar in Chicago, Los Angeles, and other metropolitan centers. It is a plain fact that those who have fled the inner-cities have not escaped crime. The juvenile crime rate in the suburbs is rising as fast as the juvenile crime rate in the cities and some predict that the suburban juvenile rate will even grow faster.

Under the circumstances, the only effective solution is metropolitan crime control coordinating councils to pool resources, to coordinate planning and to select common priorities for joint action.

The smug suburbanite who remains unwilling to help the core city solve its crime problem will soon find the problem on his own doorstep. The ghetto leader who rejects offers of cooperation and guidance --- because these offers conflict with his ideas of separatism --- may soon find that crime has left him with nothing separate to protect.

#### THE POLICE

One of the specific proposals in the District of Columbia crime message was a program to increase the size and efficiency

of the police. Our preliminary study in the Department of Justice indicates that for fiscal 1969 and 1970 alone we may ask as much as \$4.4 million in added funds for the police department. While some of the money is slated to fill 1,000 additional police positions, the majority of the funds will be used for educational, scientific and other supporting services. Here too, President Nixon has offered a guide for the nation.

There is no question that effective law enforcement depends upon an adequately staffed, well-supported police department. The policeman is the first-line of defense. It is he who must chase the teenage gang into dark alleys. It is he who must handle incidents which could touch off racial disorders. It is he who must adjust instantly to cope with a family dispute or a fleeing bandit.

While our police face increasing crime, the nation frequently has been less than willing to help them. In many cities the policeman is underpaid and undertrained. He is deprived of sufficient supporting services to do the kind of job we expect in our complex and sophisticated society. He has been denied the educational and scientific tools he needs on the frontline.

For example, while we insist that physicians have 5,000 hours of training before they prescribe even an aspirin tablet, we are willing, in some cities, to send a young, untrained patrolman into a racially tense neighborhood where his actions could lead to death and destruction.

Even though Watts, Detroit and Newark were touched off by police - ghetto confrontations, many cities still have no community relations programs or, at best, offer pro forma shams. It is not enough to lecture a policeman for an hour or so on racial relations and then expect him to have sufficient knowledge to handle the multiplicity of problems which he may face in a racially tense neighborhood.

It is not enough for a few minority leaders to visit a precinct house to learn about police problems and then to expect that an entire minority neighborhood will be more cooperative to law enforcement.

One tragic result in those cities which have no intensive police community relations programs is a serious corrosion of confidence between the police and the community. The police, with much justification, believe that City Hall politics and not justice will determine whether they receive governmental support in a controversial situation. The community, with some justification, believes that the police may ignore or attempt to evade regulations.

The solution is not for the police to seek refuge behind a small pro-police establishment; nor for political leaders to undermine the police under pressure from large numbers of voters.

While we welcome the new dignity of many ghetto residents, this dignity should not be established by derogating the dignity of law enforcement; nor should the police defend their own position by derogating the dignity of residents in high crime areas.

Well planned community relations programs --- with in-depth analysis of ghetto problems, with broad personal contact between police and ghetto residents, with frank discussion and understanding, are absolute requirements but this type of program costs money. The President and the Mayor are committed to obtaining this money and we urge other urban communities to follow our example.

#### COURTS, PROSECUTORS AND DEFENSE COUNSEL

As you well know, however, law enforcement is not merely a police matter. Efficient police work is of little value if the administration of justice is not just and prompt.

If our courts are slow, the guilty proudly walk the streets month after month, flouting their contempt for the law. Thus, I believe that President Nixon's policy for the District of Columbia --- in asking for more judges and for a reorganization of the court system --- should be a guide for other over-crowded urban court jurisdictions.

But more judges alone are not enough. What is also required is long hours on the bench, efficient scheduling of cases, the utilization of every modern management aid and a very serious reexamination of how our judicial system is going to accommodate the proliferation of motions, hearings and post conviction remedies within the framework of our Constitution.

During recent years, backlog and delay in our courts have grown to unprecedented proportions. In the District of Columbia, the time between indictment and trial has more than doubled in the past 5 years. In fiscal 1963 the time between indictment and disposition was a median of 3.6 months. Now it is approaching 10 months. In the same period, the backlog of pending cases has nearly trebled. Preliminary figures for the first half of fiscal year 1969 show a 46 per cent increase in indictments in the United States District Court and a decrease in dispositions.

But the President's message also recognizes that justice is a tri-partite procedure in our adversary system. Not only do we need more judges, but we need more prosecutors and more defense counsel.

From our supplemental appropriation for fiscal 1969 we shall request 20 more Assistant U. S. Attorneys for the District of Columbia and in 1970 we may ask for about \$900 thousand for 20 more Assistant U. S. Attorneys, as well as investigators and supporting personnel to prosecute suspected criminals.

Also, the President has pledged to support the Legal Aid Agency's 1970 budget request for \$700 thousand to increase its staff by more than one-third. In addition we will support the Bail Agency request of \$150 thousand to provide first-class investigation of persons who come before the courts for release, and in addition we are considering another \$250,000 appropriation to provide first-class legal representation for indigents.

I believe that prosecutors should not be so over-worked that the guilty go free. I believe that defense counsel should not be over-worked so that the innocent are convicted.

I am sure that our proposals for the courts, for the prosecutors and for defense counsel will insure the type of equal justice we need and I hope it will be a model for other cities.

### NARCOTICS CONTROL

One last word on another aspect of the President's message which should be of significance to the nation and that is on narcotics. We recognize that the control of narcotics and drug abuse is virtually a pre-requisite to the reduction of crime.

In order to stop the flow of narcotics, we have already substantially increased the personnel in Washington through the Bureau of Narcotics and Dangerous Drugs. A crucial part of this program will be to concentrate on long-term deep agents who can work their way into the narcotics distribution syndicate and can identify the major sources of supply.

Too often in the past, narcotics control has consisted primarily of arresting street addicts who sell a minimal amount of heroin to maintain their daily habits. While street addiction is a problem which our increased personnel will work on, our real emphasis will be the wholesaler.

We also will have operational by April 1 a narcotics testing laboratory. It will be available to all the local governments in the Washington metropolitan area.

Our preliminary survey shows that we will support a supplementary request for about \$1.6 million for juvenile facilities, narcotics treatment facilities and narcotics prevention program in the health and welfare departments of Washington.

In addition, we expect that some of the \$4.4 million which I mentioned previously as a supplementary request for the District Police Department will be earmarked for an increase in narcotics forces in the Metropolitan Police.

I hope that other cities and states will follow our attempt to crush narcotics addiction by a fundamental attack utilizing education, scientific coordination, intelligent law enforcement and first-class rehabilitation.

#### CONCLUSION

What I have talked about today are just parts of the District of Columbia crime control program --- the necessity for adequate funding of all plans; the necessity of city-state cooperation and urban-suburban cooperation; the necessity of a well-staffed and well-trained police force with special emphasis on police-community relations; the necessity of an efficient court system supplemented by adequate prosecutors and defense counsel and the necessity of an effective narcotics control program.

On behalf of President Nixon, I ask you to familiarize yourselves with the District of Columbia crime control program and some of its important philosophical and pragmatic suggestions. We hope we will have your support and involvement to make Washington a model for the rest of the nation.