

REMARKS OF THE ATTORNEY GENERAL
THE ADVERTISING COUNCIL
INTERNATIONAL VISTA HOTEL
WASHINGTON, D. C.
MAY 23, 1984

Today I would like to talk with you about a most important trend -- the decline in the rate of crime -- and about what can be done to make sure that the rate continues to decrease.

First, some facts on that decline -- facts that many of you have heard but which merit brief review.

On April 19 the FBI released its preliminary figures for crimes reported to law enforcement in 1983. Those figures show a 7 percent decrease. It was the second straight year in which a decrease was recorded -- in 1982 we saw a drop of three percent.

In no year since the FBI began keeping these statistics back in 1960 has there been a decrease as great as the one last year. And this is the first time since comparable statistics have been kept that the serious-crime index has shown a decline two years in a row.

As you perhaps know, the FBI reports -- they are called the Uniform Crime Reports -- count crimes reported to police. There are other ways of figuring the rate of crime, and the Bureau of Justice Statistics within the Department of Justice puts out the National Crime Survey, which surveys households in an effort to determine the number of victims of crime -- whether or not the crimes have been reported to police.

The National Crime Survey also reported a decline of 4.1% in overall victimization for 1982, and it will soon report a further, and more substantial, decline in overall victimization for 1983. Already, the National Crime Survey has reported for 1983 the largest drop ever in the percentage of households touched by crime. Also according to the Survey, the number of households hit by robbery in 1983 went down by 19 percent.

Whichever standard is chosen, then, rates of crime are going down, and they have been going down for the past two years.

This surely is good news -- to everyone but criminals. It is a fact needing no elaboration that the Sixties and Seventies marked a period of dramatic increases in crime, especially violent crime. Today that trend has reversed, and Americans can live their lives in greater safety, and with a greater feeling of safety.

Why has the rate of crime been going down? There are several explanations, and I will discuss some of them in a moment. But at a most basic level the law-abiding public deserves credit for the decline in crime.

Some years ago Americans reached a point where they were sick and tired of the rising rate of crime, and were simply not going to take it anymore.

Community by community, state by state, citizens began to ask for more effective criminal laws and also for more promising strategies against crime. In addition, citizens also began assuming responsibility themselves, taking pains to watch their neighborhoods, to report suspicious behavior to the police, and to ensure the safety of their own homes.

The Advertising Council is one group that has been energetically encouraging citizens to increase their private guard against crime. In conducting the media portion of the National Citizen's Crime Prevention Campaign, launched in late 1979, the Council has been performing a public service of immeasurable benefit.

Thanks to you -- and to "McGruff" -- "Take a bite out of crime" is a message heard daily throughout the country. And "McGruff" has proved an excellent crime prevention expert: A study of the McGruff campaign shows that nearly a quarter of those reached by the ads said they had learned new information about crime-prevention techniques, and that almost half said the ads had reminded them of information they had forgotten.

Moreover, about a fourth of those reached by the ads said they had taken preventive actions as a result. Some said they took steps to improve household security. Others indicated they were now cooperating more with their neighbors to prevent crime.

It is encouraging to know that the number and kinds of crime prevention programs are growing. The Gallup Poll reports that one in six Americans now lives in a community with an organized crime prevention

program. And there is little doubt that such programs can be effective in reducing both crime and the fear of crime.

In Seattle, for example, a program relying on civilians and involving property marking, household security inspections, and block watch activities, is credited with contributing to a significant reduction in burglary.

In Fairfax County, Virginia, on a typical day, more than 1,000 citizens ride in their cars serving as the "eyes and ears" of the police department. Crime in Fairfax County has gone down by almost 25 percent since 1980 -- with a 44 percent decline in burglaries.

In Dade County, Florida, the county school system, rife with vandalism and violence, initiated a comprehensive crime prevention program featuring close cooperation among parents, students, law enforcement officials, and human service agencies. Dade County officials report that over a two-year period the rate of crime in the schools declined by 25 percent.

In Ft. Hood, Texas, a total crime prevention program was instituted. This program features Neighborhood Watch, vehicle identification, home security surveys, rape prevention strategies, crime prevention classes, and child abuse initiatives. Ft. Hood reported a 26 percent decline in crimes against property in 1982 and a 60 percent decline in crime against persons, as compared to 1981.

These are just several examples of what citizens are doing on their own, often in cooperation with local police.

The importance of the role of private citizens working in a responsible way to make our communities safer cannot be underestimated. Indeed, all of us in law enforcement should bear in mind that police forces and penitentiaries are, for the most part, inventions of the 19th Century.

Historically, communities themselves solved crimes, and they went to great lengths to prevent crime by watching their neighborhoods and maintaining some degree of public cleanliness and order. There was a widespread understanding that eyes should be kept peeled for suspicious behavior. There was recognition that a broken window left unrepaired is an invitation to a

further broken window, and then another, and another, and so on until a once orderly neighborhood takes on a run-down look, and offers opportunities not just for vandalism but for more serious crime.

Many of the crime-prevention initiatives undertaken in recent years reflect this older wisdom about the value of private efforts to maintain and watch communities. In my judgment, the public has a very good sense about what it can do to help control crime. The citizen patrols, the neighborhood watches, the increased security measures -- all of this private activity, which has occurred as a result of the general alarm over crime, has contributed to the downward trend in the rate of crime.

There are, of course, other ways of looking at this decline. One way is through demographics. For many, especially in the media, it seems that demography is not just one perspective but the only perspective for understanding movements in the rate of crime.

Thus, we are now informed, the baby boom generation is growing older, and older people commit fewer crimes. The Chicago Tribune told its readers: "Criminal behavior is decreasing because . . . the society is growing up." The Arizona Republic noted that the "realistic" explanation for the decline in crime rates is "the aging of the crime-prone 'baby-boom' generation." And NBC News reported that the decline in crime was "bound to happen as baby boomers grew up and out of trouble."

Now, it is true that during the Sixties and Seventies the cohort of young people aged 14 to 24 increased in size, and that the crime rate also increased. In 1978 the number of people aged 14 to 24 finally began to decrease. That is, we started to grow older as a society, and now, in the Eighties, we are seeing some significant declines in the crime rates.

Demographic forces are a factor in the crime rates. But it is only one factor, and its role should not be overstated.

During the Sixties and Seventies, the number of those aged 14 to 24 per 100,000 population increased at a much slower pace than the rate of crime.

Between 1960 and 1977 -- the year the "baby-boom" population reached its peak -- the number of

those 14 to 24 per 100,000 population increased 40.2%. During the same period the index crime rate went up 170.3%.

Or consider the period from 1970 to 1982. During those years, the number of persons 14 to 24 per 100,000 population declined slightly, by .93%. The index crime rate, meanwhile, rose 40.6%.

Some other facts are worth noting.

Here in the District of Columbia, for example, the number of persons between the ages of 16 and 21 increased by 32 percent between 1960 and 1970, and yet the rate of serious crime during those years went up by more than 400 percent.

Meanwhile, Detroit had about 100 murders in 1960 but more than 500 in 1971, and yet the increase in the number of young persons living in Detroit from 1960 to 1971 was far less in percentage terms.

Furthermore, a study of murder rates in various cities shows that the increase in the murder rate during the 1960s was more than ten times greater than what one would have expected from the changing age structure of the population alone.

These facts and studies suggest that even if there had been no "baby boom," the rate of crime still would have risen markedly during the Sixties. Demographics thus cannot account for much of the crime experienced during that time. Demographics also cannot account for another important fact about the Sixties -- the dramatic variations in crime rates that occurred from year to year.

The demographic explanation favored by so many is a curious one. The assumption of those who attribute so much to demographics seems to be that government is relatively impotent when it comes to fighting crime. Accordingly, a decline cannot be due to law enforcement efforts, although the assumption seems to be different when the crime rate is increasing. Similar assumptions are not made about government efforts in other areas. Indeed, the assumptions are often precisely the opposite.

It is time that the media and others who invoke the demographic explanation of crime understand it for what it is. Over time crime rates do tend to respond, to some degree, to broad demographic and cultural trends.

But this does not mean that efforts to control crime are pointless. There are factors outside our control, but there are also factors within our control. It is surely our responsibility to respond to what we can affect, not to dwell upon what is beyond our control.

If the nation were experiencing severe amounts of flooding, I doubt that efforts to control the flooding would draw the commentary that the level of flooding is a function of rain. As a society, we expect those in charge of flood control to concentrate on what is within their power to control, and we judge them accordingly. It is time that a similar attitude -- a similar realism -- prevailed in commentary on the subject of crime rates.

Whether this change of perspective occurs or not, I am confident that few people -- including few in the media -- would want policemen, investigators, and prosecutors to quit their jobs and go into some other line of work. Most of us know, intuitively, that the kind of law enforcement we have does make an important difference in the amount of crime the nation experiences. And in the past several years, in response to the growing public concern about crime, governments at all levels have become tougher on crime.

Some suggestive trends are worth relating. During the 1960s, the probability of being arrested for committing one of the crimes listed in the "part one" index of the Uniform Crime Report -- such as robbery or rape -- declined. So, during the 1960s, did the probability of going to prison following arrest. Most interestingly, in 1970 the probability of being incarcerated following arrest was exactly one-third what it had been in 1960; and in 1970 the UCR index crime rate was more than twice what it had been in 1960.

During the 1970s, the probability of being arrested for committing a crime continued to fall while the probability of being sent to prison began slowly to increase. During this decade crime rates continued to rise, although more slowly.

Now we are reaching the midpoint of the Eighties. During this decade, both the probability of arrest and the probability of incarceration have been increasing. And during this time the crime rates have been falling.

These trends reflect what has been happening in the area of public policy. The Sixties saw a general

relaxation of arrest and incarceration practices. The Seventies saw some change, in the direction of tougher sentencing practices. Now we are seeing both tougher arrest and incarceration practices, and the crime rates are declining. As a nation we have begun to think more maturely about crime, and there is general recognition of the need to increase the costs of crime to the would-be criminal -- costs that are within our control as a society.

As I said, public policy has been changing at all levels of government. Inasmuch as the principal responsibility for law enforcement rests on the shoulders of local and state officials, the changes at these levels of government have been especially important. Meanwhile, at the federal level, there has also been change -- dramatic change.

Today we have improved coordination both within federal law enforcement agencies and among federal, state, and local law enforcement agencies. We have strengthened the federal law enforcement effort. Since taking office in 1981, we have added 1,768 new investigators and prosecutors. We have also secured additional funds for our law enforcement budget -- it has increased by almost 50 percent over the past three years.

We have also developed a major program to combat organized crime and drug trafficking. Among other things, the FBI has been brought, for the first time ever, into the drug enforcement effort. Also, we have established twelve Organized Crime Drug Enforcement Task Forces -- teams of investigators and prosecutors drawn from all the relevant federal law enforcement agencies, who work in cooperation with local and state authorities. Since becoming fully operational last year, the task forces have initiated almost 600 cases and indicted more than 2,300 individuals, already convicting 572.

Our efforts against the drug cartels have brought to life an important, but for many years dormant federal criminal law. The Continuing Criminal Enterprise statute -- known simply as CCE -- is directed against those individuals engaged in organized criminal activity that persists over time. The statute carries a maximum penalty of life imprisonment without parole opportunity and provides for forfeiture of the proceeds connected with the enterprise -- stiff penalties indeed.

In the first ten years following passage of this potentially powerful statute in 1970, grand juries returned only 85 indictments charging CCE violations. In 1981, however, there were 29 indictments; in 1982, 56; and in 1983, 68 -- for a total, in the past three years, of 170. Thus, in three years, we managed to obtain twice as many indictments as were obtained by our predecessors in the previous 10 years.

The federal effort against organized crime and drug trafficking is essential. Because the activities of organized crime cross state lines and extend overseas, a federal -- indeed an international response -- is imperative. Because the drug trade is so lucrative -- the most lucrative of all underworld ventures -- and because so much street crime is drug-related, this response must be as strong and effective as possible. What we do in this area can have a substantial impact on the high rates of street crime experienced by so many communities. It is worth noting that the chief physician for the District of Columbia Department of Corrections recently announced that 70 to 76 percent of the prisoners entering the District's jail are either on drugs at the time of their arrest and incarceration or have used them recently.

As much as we have been able to accomplish in controlling crime, we could have an even greater impact if we were given the appropriate legal tools to do our job. The changes in federal policy over the past three years have been primarily administrative in character. Still needed are substantial changes in the federal criminal law. This, by the way, is very clearly one of those areas within society's control.

By the overwhelming vote of 91 to 1 the Senate already has approved the Comprehensive Crime Control Act of 1983. This legislation consists of major reforms affecting bail, sentencing, forfeiture, the insanity defense, drug trafficking and organized crime, and justice assistance to states and localities.

In addition, the Senate also has acted on three separate crime bills relating to habeas corpus, the exclusionary rule, and capital punishment. Substantial, bipartisan majorities in the Senate have passed each of these proposals. The urgency is for action in the House of Representatives, which has bottled up important crime legislation now for three years.

It is past time that the House did its part to take a bite out of crime. McGruff does not advise

Congress, but surely he would if he could. And if Congress didn't heed his bark, perhaps it would discover his bite is worse than his bark.

I appreciate the opportunity to visit with you today. The Advertising Council is making a vital contribution to the fight against crime, and its work deserves recognition and praise from all of us. I want all of you to know that you have the President's continued support.

Winston Churchill once said: "The mood and temper of the public with regard to the treatment of crime and criminals is one of the most unfailing tests of the civilization of any country."

Your crime-prevention activity is testimony to the changing mood and temper in our country that is helping to reduce the rate of crime. Through your efforts, and the efforts of so many others, we can expect to see a continuing decline in the rate of crime, and a progressively safer America.