



# Department of Justice

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STATEMENT BY ATTORNEY GENERAL NICHOLAS deB. KATZENBACH

BEFORE AN AD HOC SUBCOMMITTEE

OF THE SENATE JUDICIARY COMMITTEE ON

THE LAW ENFORCEMENT ASSISTANCE ACT OF 1965

Thursday, July 22, 1965

Mr. Chairman:

I appreciate the opportunity to discuss with the Committee a new concept of federal assistance to state and local law enforcement.

The alarming rise in crime throughout the nation is well known to all of us. The issue now before us is to devise specific measures to help all levels of government meet the problem more effectively.

Crime in the streets not only affects hundreds of thousands of victims each year. It forces millions of others to change the course of daily life for fear of becoming another criminal statistic. Not only must we reinforce the public's respect for law and order. We must restore the public's confidence that law enforcement agencies have the means and equipment to meet crime head-on. To accomplish this, we shall have to do more for the policemen who are on the front line of this battle.

We already ask much of them. We cannot merely state glibly that they must do more. Indeed, I believe they are performing their functions with admirable efficiency considering the limited resources now made available to them.

What is needed is an infusion of support, of new ideas and of leadership. For our part, I am convinced that the federal government must expand its assistance to local law enforcement.

Three months ago, President Johnson proposed an historic step in this direction. In his special message to Congress on law enforcement, he called for an enlargement of federal responsibility, assistance and leadership. He asked the Congress to pass the Law Enforcement Assistance Act of 1965. I want today to reaffirm the urgency and necessity of that proposal.

#### I.

Any effective approach to federal assistance for state and local communities must be broad. If we focused attention on only one aspect of criminal administration, we would accentuate needs in other areas. When detection and apprehension methods are improved, courts must be equipped to handle the increased flow of cases. If more convictions flow from the courts, our correctional systems must be prepared to cope with more prisoners.

And it would be a serious oversight to stop our planning at the correctional stage, without giving particular attention to the substantial problems caused by repeaters.

#### II.

S. 1792 (as well as S. 1825, an identical measure), the Law Enforcement Assistance Act of 1965, authorizes this necessarily broad range of activities.

The bill provides for federal aid to public or private non-profit organizations for projects and studies to promote the enforcement and administration of criminal laws, corrections, and the prevention or control of crime.

The bill also authorizes the Attorney General to collect, evaluate and disseminate significant information about such activities.

The Senate bills would establish this program for three years, to be administered by the Attorney General with advice from other federal agencies and from advisory committees. The program is designed to commence in fiscal 1966. We are requesting ten million dollars as an initial appropriation.

Obviously, ten million dollars will not furnish the day-to-day resources which local law enforcement agencies now lack. The full ten million dollars could easily be spent for this purpose in any large metropolitan area.

This program is not designed for that purpose. It is not designed to build police academies, raise police salaries or enable a city to double the size of its police force. A massive federal subsidy program is, in my judgment, undesirable. It would alter and undermine the traditional division of responsibility for law enforcement among federal, state and local jurisdictions.

The federal government can, however, provide selective support for model programs, programs to show what is possible. Just day-to-day efforts to deal with crime is sapping money and manpower from experiments and innovations which might make the difference in the fight on crime. Consequently, we have lagged in finding ways to do the job more effectively, more efficiently and with the imaginative utilization of existing scientific techniques. That is the role we see for the federal government under this measure.

### III.

Since projects will be developed largely in response to state and local proposals, it is impossible to detail specific proposals to which federal aid would be devoted. There are, however, several areas in which interest is most alive or which seem especially promising. Let me briefly outline some of them for you.

I foresee an emphasis on projects to aid police. We must lend tangible support to their constant quest for self-betterment.

One of the most pressing problems is how best to contain crime in the streets. For the most part, police face the twentieth-century criminal with nineteenth-century methods and weapons. Funds are required to determine which of many ideas for improvement are most likely to prove effective. Among the promising projects and ideas already under consideration in various places are the following:

-- St. Louis uses a computer to determine police deployment. Statistics fed into the machine show where and when particular types of crime are likely to occur and help police decide where patrols should be concentrated.

-- A tremendous amount of police time is wasted shuttling back and forth from the station and typing out reports. In Portland, Oregon, Tulsa,

Oklahoma, and some other cities, police are saving time by dictating reports from the street by telephone.

-- Kansas City, Missouri and Kansas City, Kansas have formed a "metro squad", a good illustration of cooperation by police of different jurisdictions. The squad goes into action on major crimes when there is an indication that the culprit may move from one jurisdiction to another.

-- The state of California has contracts with private concerns to study how systems analysis might be put to work in law enforcement. The same sophisticated and intensive method of attack that has successfully developed rockets is being used in analyzing law enforcement techniques.

-- Police work is hampered by the lack of efficient means of communications between headquarters and the precincts. Valuable hours are lost in travel among them. Some cities are now experimenting with a closed circuit television system linking headquarters and the precincts. With closed circuit television police in the precincts could, for example, view suspects over the system rather than having to make a special trip to headquarters.

These are but a few samples of the kinds of techniques being worked on. Many other ideas need to be developed. Among them are:

- computer identification of fingerprints;
- personalized radio transmitters for patrolmen;
- better police weapons;
- faster transmission of citizens' complaints of crimes;
- electronic apprehension aids in business establishments.

More sophisticated equipment for the collection and dissemination of information is required. Better citizen participation in crime prevention must be explored. New insights on the fundamentals of police work and police administration must be developed.

Police chiefs need new answers to old problems -- How should police manpower be allocated? Where should patrols be concentrated? Should one man be assigned to scout cars or are two men needed? Where are the high crime areas in the city today? Where will they be tomorrow? How can the force attract more police recruits? What is the most effective promotion policy?

I do not mean to suggest that we limit ourselves to projects that might produce some immediate benefit. No sound system can be built upon flashes of instant direct action. Better police training and education is one goal mentioned by almost every knowledgeable official when discussing long range solutions to the crime problem. There is promising activity in this field of training and education -- but much more remains to be done.

The federal government has long been active in this area. The FBI National Academy has trained over 4500 selected state and local law

enforcement officers from all over the United States. We intend to expand this program substantially.

Special courses in various enforcement subjects were taught in the field by FBI Special Agents in over four thousand training sessions in fiscal 1964 alone. The Treasury Department for several years has conducted training schools for state and local narcotics enforcement officers.

Private organizations, such as the International Association of Chiefs of Police, have undertaken studies to determine educational needs and standards and have provided training services to their members.

Colleges and universities in every state should be encouraged to offer degree programs in police administration and criminology. The lack of a sufficient body of police educators and instructors and of modern curricula enhances our needs in this area.

#### IV.

I have so far stressed projects closely related to police work. Other parts of the criminal process also will receive close attention under the Law Enforcement Assistance Act.

We presently burden our entire law enforcement system with activities which quite possibly should be handled in other ways. For example, of the approximately six million arrests in the United States in 1964, fully one-third were for drunkenness. The resulting crowding in courts and prisons affects the efficiency of the entire criminal process. Better ways to handle drunks than tossing them in jail should be considered. Some foreign countries now use "sobering-up stations" instead of jails to handle drunks. Related social agencies might be used to keep them separate from the criminal process.

Similarly, drug addiction and the so-called invisible crimes, such as the large number of assaults and other offenses arising out of family disputes or landlord-tenant differences could be removed from the criminal process.

Far too many lower courts now operate on an assembly-line basis. Defendants are processed in a manner that does not remotely resemble our traditional notions of dignified, effective justice. We must give priority to finding ways to end the disgraceful meatgrinder character of these courts.

We must also recognize the importance of the prosecutorial function. Here too, funds for training and education can be appropriated. Standards for the exercise of police and prosecutorial discretion must be developed.

More attention must also be given to the correctional process. There is a need for a better training of correctional officials, through intensive seminars and workshops and through educational leaves of absence. Various theories of correctional programming now await field trials.

Methods through which the first offender may be helped to avoid future breaches of the law, as well as ways to reliably identify individuals who

are likely to continue their criminal careers unless confined in an institution must be found.

Whatever projects we adopt, however, if they are to serve as models, they must be "visible." For this reason we believe one of the primary functions of this bill is outlined in Section 6(b). This states that money may be allocated for making known that which is now lost for want of publication and dissemination.

Too many promising programs and ideas have remained dormant for want of practical trial. Identifying them and publicizing them can have substantial importance in carrying out the purposes of the bill.

We have good reason, in the Department of Justice, to know how true this is. Several years ago, the Vera Foundation of New York undertook to show, by field trial, that money bail was unnecessary to assure that many defendants would appear for trial.

Taken no further, the Vera experiment might well have concluded as only a local success. But the Foundation and the Department jointly sponsored a National Conference on Bail. The result has been dramatic. In the year since the conference, ninety bail reform projects have now sprung up in forty states.

V.

I have touched upon many of the specifics which I believe are integral to the proposed Law Enforcement Assistance Act. We intend to procure the best available talent to serve upon the advisory committees authorized by the bill.

We look forward to the work of the President's Commission on Law Enforcement and Administration of Justice. We will also draw upon existing studies like that of the American Bar Association concerning Minimum Standards of Justice. But most of all, we shall rely on the expertise and the needs of the states and local communities of the nation.

They bear the heaviest burden of law enforcement. Their future capabilities will determine the outcome of the war on crime. Their urgent needs make this bill one of the most important single pieces of legislation before the Congress.

I urge its prompt and full enactment.