



# Department of Justice

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REMARKS BY

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to the

NATIONAL COMMISSION ON CAUSES AND PREVENTION OF VIOLENCE

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Rarely has it been more important to accurately analyze an aspect of human nature than it is to now focus the bright light of truth on violence in America. An awesome assignment, you can make a lasting contribution at a critical time. As your principal tools in this quest, I would urge liberty, curiosity and doubt. Be free to seek everywhere, know everything, fear no answer. Motivate through curiosity a determination to ask the hard question; pry into the innermost places. Test every answer through solid skepticism. Facts can be the enemy of truth and in our time their sheer number overwhelms.

What are the causes of violence? What are its forms? How much violence is there? What part is deliberate; what part uncontrolled emotion? Where does violence occur? Who commits it? Who are its victims? How is it controlled? What are the roles of police, courts, corrections, medicine, behavioral sciences, social sciences, family, school, church?

OVER

Violence is only a part of all the conduct we call crime. It is antihuman crime directed at life, intended to injure or kill. Violent crime has many causes: fear, anger, hatred, avarice; and many consequences: lust, murder, rape, assault. It means of those who commit<sup>it</sup>/that they have the capability and sometimes the desire to injure others.

Of 3.8 million serious crimes reported to the police in 1967, 494,500, 12% of the total, are classified crimes of violence. Included in the nearly half million violent crimes are murder, rape, aggravated assault and robbery. Of these, robbery, accounting for 200,000--40% of all violent crime--is a crime of violent potential rather than of violence as an end in itself. Its purpose is to secure property through force and violence if necessary.

To the extent the statistics are accurate, the individual's chance of being the victim of a crime of violence in the United States is once in four hundred years; the odds are one in 146,800 per day.

Not all crime, not even most crime, is reported. Violent crime is usually reported but only a minor fraction of property crimes are reported.

Our statistics are far from reliable: our ignorance greater than our knowledge. There may be less violence today than in 1900, or 1800. We don't know. The murder rate per 100,000 is 14% less than in 1933: robbery 7% less than 1932. The real issue is not whether there is some great increase, but how we reduce violence to the minimum.

Violent crime is solved in most instances. Thus in 1967, clearance for murder was 88%, aggravated assault 69%, rape 61%, robbery 30%. This compares to an overall rate of clearance for serious crime of 20%.

Negroes, 12% of the total population, were involved in 59% of the arrests for murder: 54% of the victims were Negro. Nearly one-half of all persons arrested for aggravated assault were Negro and the Negro was the primary victim of assault. Forty-seven percent of those arrested for rape were Negro and again studies show the Negro is the primary victim. Sixty-one percent of all arrested for robbery were Negro. Less than one-third of the persons arrested for property crime are Negroes.

It has been estimated that 85% of all murders occur within families or among acquaintances. Thus the greatest fear, murder by a stranger, accounts for less than 15% of all murders. Most aggravated assaults occur within a family or

among neighbors or acquaintances. The major threat of violent crime is from family, neighbor or friend.

While the increase in arrests for commission of serious crime during this decade is accounted for entirely by minors, violent crime remains predominantly adult crime. In 1967, nine percent of those arrested for murder were under 18, and 37% under 25. Persons under 21 accounted for 30% of all arrested for aggravated assault, but they accounted for 54% of those arrested for robbery. More than half of all persons arrested for property crime are under 18 years of age.

Crime occurs in all places, among all ages and races. Its heavy concentration among the poor, and particularly among the poor minority ghetto dweller, is evident. Take a map of any city. Mark its areas of lowest per capita income, highest unemployment, lowest level of average educational attainment, poorest housing, highest infant mortality, lowest life expectancy and highest rate of disease. Then mark on that map the areas of high crime. You've marked the same place each time.

A recent survey in Chicago indicates that in 1967 for the Negro ghetto dweller the risk of physical assault was one in 77. For the white middle class citizens in the same city the odds were one in 2,000. Upper middle class and rich suburbanites fared odds of one in 10,000.

In the 45 square-mile area of south central Los Angeles included within the curfew during the Watts riots live 15% of the people in the city. In 1964, 60% of all arrests occurred in this area.

The most ironic and profound tragedy threatened by the prevailing fear of violent crime is that those who suffer least would deprive those who suffer most from the very programs that would attack underlying causes of crime. Thus it is with fear which crushes hope and opportunity.

It is well to be concerned about crime among affluent suburban youth and the use of dangerous drugs by college students. Effective action is required. To the segregated country club set, this is the horror of crime. But beyond this narrow experience is the real world of crime and violence that comprises the overwhelming part of the total. It is here the major effort must be made. It is here the clear connection between crime and poverty, ignorance, disease, poor housing, lack of opportunity, segregation, injustice, despair, is manifest to any who would see.

America must be stimulated to understand the nature and causes of crime in its midst and to address them boldly. Our ability to control violence and crime is clear if we have the will to do so. The subject is too broad to permit more than a brief reference to areas of action I deem most urgent. Professionalization

of police, juvenile delinquency control, effective correctional action, improved mental health, alcoholism and addiction control, offer a safe, non-violent America.

Any serious study of violence must delve deeply into mental health, brain injury, alcoholism, narcotics and drug addiction. Combined, these may account for most violent crime.

A survey indicates three out of four persons arrested for serious offenses in 1967 had prior arrest records. The crime career of these people averaged 10 years and included 6 arrests, 3 convictions and two prison sentences. It is estimated that 80% of all felonies are committed by people who have been convicted of crime before. Effective correctional effort is the major area within the criminal justice process where our opportunity to significantly reduce crime and violence is clear. Today, 95% of the grossly inadequate national budget for all prisons, jails, probation and parole effort is spent for custody. Effective action to improve mental health and guidance, education and vocational training, community services and supervision could cut recidivism at least by half. Intelligent effort in corrections is important to our safety and our self-respect.

The increase in serious crime, the first crimes that lead to lives of crime, the minor crimes that lead to major crimes all involve youth. If crime is remediable, young people must be

worked with before they fall into habits of delinquency and crime. Any long range hope for significantly and permanently reducing violence and crime must depend on efforts to guide the young from antisocial conduct before its commission and when this fails to redouble efforts to rehabilitate.

We know generally where the need is and how to meet it. If we haven't this concern, we will never reduce violence.

Research can doubtless tell us more about violence, its causes and its cures. We would hope comprehensive and continuous efforts would be made through the National Institute for Criminal Justice, hospitals, universities, industry, research centers, and elsewhere.

Nothing raises so serious a doubt as to our desire to control violent crime as our failure to control guns. Guns are the principal and most deadly weapon of the criminal. They are used in more than 25% of all violent crimes: 63% of all murders; 21% of all aggravated assaults; 63% of all robberies. We pay a heavy price for our legacy of guns: death, fear, an environment of violence, the risk of holocaust. Anyone concerned about crime and knowledgeable about its occurrence realizes effective gun control will save thousands of lives, eliminate tens of thousands of serious crimes, aid law enforcement in apprehending dangerous persons and moderate the climate of violence in which we live.

We have witnessed confrontations between police and citizens fraught with violent potential in many parts of the nation. Some have been preceded by skillful psychological build-ups designed to create apprehension. Wild rumors, promising immense crowds, traffic paralysis, rioting and looting have flourished for weeks and even months before a number of such demonstrations. Crowds of tens of thousands have assembled and protested. Among them have been individuals intent on creating trouble; violence if possible.

Experience to date shows such crowds can be controlled without significant violence. They can be controlled without denying rights of speech and assembly. It is well to remember President Kennedy's observation that those who make peaceful change impossible, make violent revolution inevitable. Above all, such crowds can be controlled without excessive force and violence by police.

Of all violence, police violence in excess of authority is the most dangerous. For who will protect the public when the police violate the law?

The need is constant communication. Careful sifting of rumors can eliminate the 99% that are obviously unfounded without escalating public apprehension by giving them credibility. The clear offer of a fair and reasonable accommodation of requests to assemble and speak reduces the risk of violence. Careful distinction

between non-violent demonstrators acting within the law and those who commit violence, protecting one, arresting the other, is essential to avoid the involvement of the non-violent in violence. An express mandate to the entire police complement to use the minimum force necessary to execute lawful orders, to refrain from use of excessive force must be understood by every officer. A constant turnover of men at critical or sensitive duty stations will relieve tensions and cool tempers. Constant presence by high Departmental officials will better assure a professional discipline. Firm, appropriate action is necessary when police themselves violate the law.

Crowd control under such circumstances is far from an easy task. It has been accomplished under great provocation without excessive force by the police.

It is the duty of leadership and law enforcement to control violence, not cause it. To seek ways of relieving tension, not to look for a fight. A professional police department, properly instructed, well-trained, well paid, adequately staffed can do this. Balance, firm effective enforcement of the law, neither overaction, nor underaction, these are the needs. Professionals can succeed. Our liberty and our security depend on them.

We must face the presence of violence wisely and courageously. We must know its causes and its cures are complex.

We must recognize the tensions and loneliness arising from mass population, urbanization, technological advance, change and uncertainty. We must measure the effect of the infinite numbers in our lives, the elusiveness of privacy, the steady drone of noise pollution, and the perils of water and air pollution. While we glorify violence in truth and fiction, in war and TV, in a turbulent environment, we will generate it in the individual.

An educated, informed and energetic young generation we have raised is intolerant of injustice they see all too clearly, of racial discrimination, of the rich man's rights secure, the poor without remedy, of a society that celebrates the power of violence and ignores the pity of it.

We must be gentle and humane. From youth we must create a reverence for life, an inability to do injury to any person.