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PRESS CONFERENCE

ATTORNEY GENERAL JOHN N. MITCHELL

BILLINGS, MONTANA

OCTOBER 7, 1970

Mr. Mitchell: We have no statements to make in this beautiful city of Billings, so I will open it up for your questions.

Reporter: Mr. Mitchell, I am Bill Beechem with the AP. Are you privy to the information the President is supposed to speak about tonight on national television?

Mr. Mitchell: Yes sir.

Reporter: Do you have any statement on what he is suppose to say?

Mr. Mitchell: No sir.

Reporter: I wonder if you have any comments or information on how hard the Administration and the Republican National Committee is working to elect the senator here in Montana, in other words to unseat Mansfield?

Mr. Mitchell: Well, of course, I am not engaged in politics. I've got enough to do in the Attorney General's office, but I'm sure the Republican National Committee and the Administration are following through like they do in other states. They look upon Harold Wallace as

a very fine candidate. He is certainly a dedicated and courageous Republican and as far as I'm personally concerned, I can wish him well, and good luck.

Mr. Mitchell: It is the first time I've ever known the press to be bashful.

Reporter: What is your position on gun control, as the Attorney General and as a Republican?

Mr. Mitchell: Well, I only speak as the Attorney General. I left my politics in the campaign last year, and my position is that our federal legislation that is on the books now, that has only been there a short period of time, should be given a chance. As you gentlemen know, the legislation provides that the states do most of the regulation and we think it is an appropriate subject matter for the states to address themselves to, each in their own way.

Former Gov.  
Babcock:

You know, I made mention to John that we had a friendly press, but I didn't know they were going to be this friendly. Of course, it's early yet.

Reporter: How many congressional and senatorial seats do you feel the Republican Party will be gaining?

Mr. Mitchell: Well, I'll say this from being a newspaper reader and not involved in politics, I believe that the Administration has an excellent chance of capturing the Senate, and from what I know and hear, I think that there is a great possibility of making gains

in the House, running against the normal tide where the incumbent Administration, in off year elections, customarily loses seats. But this year I think we have an excellent opportunity to pick them up. It might be very difficult to anticipate capturing the House, but certainly gains should be made.

Reporter: John Kenneth of Cook News. Could you expand a little bit on the no knock clause of the D.C. Crime Bill?

Mr. Mitchell: Yes sir, I'd be delighted to because the subject matter is so misunderstood. Let me start out by saying that in the current jurisprudence in about 30 states, the no knock provision exists and has been accepted for many many years. Furthermore, no knock exists under court decision which permit the police officers in many states to make their own determination as to whether they will exercise no knock or not. This was the current posture in the District of Columbia before the enactment of the recent legislation dealing with the reorganization of our courts and clarifying some of our crime legislation, so that up until the time of the passage of that act, police officers could go in on their own authority and exercise the no knock provisions. Our legislation provides protection to the public in that a law enforcement officer must go to court and show probable cause before he gets a warrant, and only after getting that

warrant from the court, may he exercise the power of no knock. It will, of course, be used very judiciously by this Administration. We want it for special cases. We want it for cases where we know that there are dangerous individuals within the building and where we would be endangering the lives of the police officers if they were to knock on the door and announce their presence. Secondly, we have found in drug cases, and we have a no knock provision in the drug bill that's before the Congress, that if they do not have the power of no knock, or quick entry as we prefer to call it, all the evidence will be destroyed before they get inside and the raid will have been for no purpose or avail.

Reporter: Mr. Attorney General, I am Warren Kemper of KGHH News. Do you foresee any lessening of campus riots this year, disturbances on campuses?

Mr. Mitchell: Yes I do, and have said so in the past. I am very much of the opinion that the college students have looked on the past couple of years as being entirely non-productive. I'm talking about the great masses of students. I think we still have some of these militants and anarchists who will be acting as those did at the University of Wisconsin recently, but in my meetings with the student population, and particularly the leader the endeavor this year seems to be to cool all this civil disturbance on the campuses and get on with their

education and their other activities. I think a lot more concern is being evidenced this year, not only by the students, but by the college administrations.

Reporter: Mr. Mitchell, how do you react to the report by the Commission on Campus Unrest?

Mr. Mitchell: Well, it is a long report that covers many subject matters, some of which I agree with, others that I disagree with. So that I am not waffling, I will point out that the one I most violently disagree with is the concept that comes out of the report to the effect that government is the cause of the disturbances on the campuses and that government, particularly the federal administration, is the only one that can change it around and eliminate it. I think this is pure nonsense. As you all know, there were riots on the campuses in Berkeley and Columbia way back in the middle 60's, long before the aggravations of Vietnam got to where they were. It is my distinct feeling that the problems on the campuses should be addressed in the home and in the church and certainly by the schools and college administrations themselves. That's where the changes are going to be made.

Reporter: Mr. Attorney General, one Washington correspondent recently stated that he felt it was incredible that the Vice President would be speaking solely for himself when he speaks about the current unrest and that rather he was speaking for the Administration. Is he speaking for himself or the Administration?

Mr. Mitchell: The President said before this Administration went into office that it would be an open Administration and that people could say what they wanted and what they thought. And I think you probably recognize this to be true, particularly in the case of the Vice President and some of my other colleagues on the campus. Until the point where anybody, whatever office he holds in Government, gets to the point where its acting to the detriment of the Administration, I'm sure the President will not seek to exercise any influence on what the Vice-President says, or any of the rest of us.

Reporter: Mr. Attorney General, there is a proposal before Congress now to make it a federal crime to assault policemen and public officials. Can you expand on that for me.

Mr. Mitchell: Well, it would take me quite a bit of time to explain the complete legislation, but let me point out that there is legislation now on the books -- the anti-riot statutes -- that provide that where you have people crossing state lines for the purpose of making assaults on police or firemen, we now have federal jurisdiction. The proposed bills go to a different area and, in my opinion, are unneeded. I think the cooperation of the local police and the federal investigative agencies that now exists are all that are necessary. I would point out that over the last five years, of all the policemen who have been killed in this country, 96.4 percent of the homicides have been solved by local police departments and they have been solved within 30 days

of the commission of the crime. I am not for a federal police force. We don't have one in the federal government now, we have investigating agencies and I'm not for the establishment of a federal police force and this would take us further down that road.

Reporter: The legalization of marijuana is becoming quite a political issue both locally and in the state. How do you feel about this issue from the federal viewpoint?

Mr. Mitchell: I am very much opposed to it at this particular time. Granted, not all is known about marijuana that should be known. We have had our drug bill up in Congress since July of 1969 awaiting passage. It has a provision in it for the creation of a national commission to investigate this question of marijuana and its effects, both from a medical and from a law enforcement point of view. We believe that this commission, once it is activated and once the study is made, will come forward with the basic answers to the questions we have concerning marijuana. It would be somewhat like the questions that existed over cigarette tobacco up until the time the report of the Surgeon General was finally accepted. But as far as I'm now concerned, I have a very strong feeling because of the case records that I see that marijuana, while it is not addictive, certainly creates a dependency which leads into harder narcotics and dangerous drugs and I would point out that the American Medical Association in a report in 1968 said that marijuana was a dangerous substance.

So in view of the information that is available to me now from the law enforcement side and medical side, I see no reasons for the legalization of marijuana. It certainly has no medical value and it has no social value, as far as I'm concerned.

Reporter: What has the Nixon Administration done in the 20 some months that it's been in office now to curb organized crime?

Mr. Mitchell: Substantial numbers of things. We have broken large trafficking operations in the drug field, for instance. Not many months ago, we broke the largest trafficking operation in the country under a project called "Operation Eagle" in which we arrested people in ten states. We now have 166 indictments in that one operation. We have some 30 people who are still fugitives whom we intend to apprehend. The last report by the Federal Bureau of Investigation showed that of the 5,000 leading organized crime figures in this field, we had arrested, indicted or convicted over a quarter of them. Our program is cumulative in this area and we have brought many more of them under indictment and conviction since that report.

Reporter: Along that line, sir, what is your feeling about the Supreme Court and its present makeup? Do you think it will be more for upholding convictions?

Mr. Mitchell: We will not know, of course, until we see the opinions in the field of the two new appointees to the Court. I would think, based on the reading of Chief Justice Burger's opinions and those of Justice Blackman, that



they certainly in some instances have differed with the decisions of the prior Court. But here again, we will have to wait for the issue and their determinations as Justices of the Supreme Court.

Reporter: How bad is the backlog in the courts and federal court cases?

Mr. Mitchell: It depends entirely on the jurisdiction. I can point to one, for instance, which is quite active, the Federal District Court in Denver, Colorado, which is right up to snuff, right on the current calendar. I can point to others, in some of the larger metropolitan areas, where they are substantially behind. We are addressing ourselves to this problem by providing more judges under the omnibus judgeship bill which passed this year, and, in the last two budgets since we have been in office we have provided a large number of new Assistant U.S. Attorneys and Marshals to help expedite the criminal calendars in those courts.

Reporter: Would you comment a little bit about gun registration, or pending gun registration laws.

Mr. Mitchell: I have just expressed my opinion on that subject matter as far as the federal establishment is concerned. I believe that the legislation that was passed here a little less than two years ago is proper, it certainly should be given time to work, and that as far as I'm concerned, and this Administration is concerned, until it is proven to the contrary, we think that this is an appropriate subject matter for the states to handle in their own way.

Reporter:

Mr. Attorney General, the Congress has recently stated that the Big Three automotive companies must now use their technology to clean up the cars' emissions, and they stated they can't possibly do it in the time limit Congress has set. Is the Administration going to stick by that time limit or will there be some sort of bargaining with the Big Three?

Mr. Mitchell: Long before Congress spoke on this, the Administration has been working on it with the automobile companies and with the President's scientific advisor and with the scientific people over in HEW. There has been a schedule set out by HEW and the Department of Transportation, which has control over this, and they are pushing in every way possible to bring this about. The problems are tremendous, but there is light at the end of the tunnel through a number of ways. One, of course, is to change the nature of the engine and secondly, to change the nature of the fuel that is burned in it. We are hopeful, since we brought the antitrust suit against these automobile companies which change the methods that they must use for their research and development in this field, that it will expedite their research and development, and that we will have breakthroughs that will bring about this desired end even before the date set by Congress.

Reporter:

Before two years. . .

Mr. Mitchell: It is a technical problem that could well be handled by research and development shorter than that period of time.

Reporter: Mr. Attorney General, who has the most opportunity to play golf, you or the Vice-President?

Mr. Mitchell: Well, I don't know about the Vice-President's schedule, but I can tell you my golf schedule is extremely limited. My handicap has gone from four to the point where I won't even tell you what it is now, and if I play golf four times a year well that's probably considered a holiday and an outing.  
Thank you gentlemen.