



Address by James P. McGranery, Attorney General of the United States, at the Opening of the United States Attorneys' Conference, Tuesday, June 10, 1952, Department of Justice, Washington, D.C.

TODAY IN OUR NATION'S CAPITAL I AM HAPPY TO WELCOME YOU, WHO ARE OUR UNITED STATES ATTORNEYS, TO THE DEPARTMENT OF JUSTICE AND TO THIS VITAL CONFERENCE IN ORDER TO REVIEW THE ACTIONS OF THE PAST AND IN ORDER TO FORMULATE RULES OF FUTURE ACTION FOR THE PURPOSE OF PRESERVING THE INTEGRITY OF THE ADMINISTRATION OF JUSTICE BY EFFECTIVE PROSECUTION OF THE VIOLATORS OF FEDERAL LAWS.

AS WE BEGIN OUR DELIBERATIONS, I KNOW THAT YOU JOIN WITH ME IN ASKING DIVINE GUIDANCE FROM THE ETERNAL SOURCE OF AUTHORITY, WISDOM AND JUSTICE. WITH GOD'S HELP, WE WILL PROCEED WITH COURAGE AND VIGILANCE TO ENCOURAGE RESPECT FOR VIRTUE AND RELIGION AND TO RESTRAIN LAWLESSNESS AND IMMORALITY IN ACCORDANCE WITH THE SPIRIT OF THE CONSTITUTION AND WITH DUE OBSERVANCE OF ITS BILL OF RIGHTS.

FAITHFUL OBSERVANCE OF THE DUTIES OF PUBLIC SERVICE DEMANDS A HIGH LEVEL OF SELF-SACRIFICE BLENDED WITH THE DAY-BY-DAY DEVOTION OF THE CITIZEN AND THE PATRIOT. THE GOVERNMENTAL OFFICE-HOLDER MUST BE MOTIVATED BY THE SPIRITUAL SATISFACTION OF CIVILIAN SERVICE OF COUNTRY RATHER THAN BY INTEREST IN MATERIAL REWARDS. CERTAINLY ONE OF THE MOST CHALLENGING POSITIONS, ONE OF THE MOST IMPORTANT POSITIONS OF INFLUENCE IS THAT OF THE UNITED STATES ATTORNEY -- WHO, AS PROSECUTOR, HAS A UNIQUE RESPONSIBILITY IN THE ENFORCEMENT OF THE FEDERAL LAWS IN HIS DISTRICT.

RESPECT FOR LAW ON THE PART OF OUR CITIZENS GROWS IN DIRECT RATIO
TO ALERT, FAIR, CERTAIN AND VIGOROUS PROSECUTION BY THE REPRESENTATIVES OF
THE UNITED STATES DEPARTMENT OF JUSTICE.

TWO WEEKS AGO WHEN I TOOK MY OATH OF OFFICE, I MADE A STATEMENT --
PART OF WHICH I WISH TO REPEAT TO YOU TODAY:

"EQUAL JUSTICE UNDER LAW REQUIRES THAT VIOLATORS - WHEREVER
THEY MAY BE FOUND - SHALL BE APPREHENDED, PROSECUTED AND CONVICTED,
WITH DUE PROTECTION OF THEIR CIVIL RIGHTS AS GUARANTEED BY THE
CONSTITUTION. THIS WILL BE DONE: WITHOUT THE TERROR-HARVEST OF
THE WITCH-HUNT, AND WITHOUT THE TUMULT AND CHAOS THAT FOLLOW IN
THE WAKE OF SCARE HEAD-LINES AND IN THE WAKE OF RECKLESS CHARGES
AND BASELESS ACCUSATIONS.

"THIS DEPARTMENT WILL FAITHFULLY PERFORM ITS LAWFUL DUTIES
WITH DISPATCH AND DIGNITY. IT WILL BE MY PURPOSE TO MAKE CERTAIN
THAT THE HIGH MORAL TONE OF THE DEPARTMENT OF JUSTICE WILL REFLECT
THE BASIC PHILOSOPHY OF THE FOUNDING FATHERS.

"WE WILL EVER STRIVE TO ACT IN ACCORDANCE WITH ETERNAL PRINCIPLES
OF TRUTH AND JUSTICE, WITHOUT FEAR, FAVOR OR PREJUDICE.

"PRAYING FOR GOD'S HELP, I PLEDGE UNFALTERING DEVOTION,
INTEGRITY AND FIDELITY IN THE CONSCIENTIOUS PERFORMANCE OF MY
DUTIES AS ATTORNEY GENERAL OF THE UNITED STATES."

IT IS MY EARNEST HOPE THAT I MAY COUNT UPON YOUR LOYAL, INTELLIGENT AND
CONSCIENTIOUS CO-OPERATION IN THIS JOINT UNDERTAKING THAT WE SHARE.

MY PURPOSE WILL BE TO GIVE WHATEVER ADVICE, DIRECTION AND SUPERVISION
ARE NEEDED AND TO MAKE AVAILABLE TO YOU WHATEVER FACILITIES AND ASSISTANCE
ARE NECESSARY FOR THE PROPER PERFORMANCE OF YOUR TASKS.

WHENEVER A COMPLAINT OF FEDERAL LAW VIOLATION IS RECEIVED, THERE ARE IMMEDIATELY AVAILABLE A NUMBER OF INVESTIGATIVE AGENCIES ALREADY ORGANIZED AND PROFESSIONALLY TRAINED FOR THE PURPOSE OF SECURING THE RELEVANT FACTS WITHOUT BIAS AND WITHOUT PREJUDICE. AMONG THESE, WE NATURALLY THINK FIRST OF THE STRONG RIGHT ARM OF THE DEPARTMENT OF JUSTICE, NAMELY, THE FEDERAL BUREAU OF INVESTIGATION, UNDER THE INSPIRED DIRECTION OF ONE OF OUR NATION'S GREATEST PUBLIC SERVANTS, J. EDGAR HOOVER.

IF, HOWEVER, THE COMPLAINT HAS TO DO WITH VIOLATION OF IMMIGRATION OR NATURALIZATION LAWS, WE SEEK AID FROM THE INSPECTORS OF THE IMMIGRATION AND NATURALIZATION SERVICE OF THIS DEPARTMENT. IF THE MATTER IS A POSTAL VIOLATION, THEN THE SPECIALIZED SERVICES OF THE POST OFFICE INSPECTORS ARE AVAILABLE. IF THE COMPLAINT IS OF COUNTERFEITING OR FORGERY, THE SECRET SERVICE STANDS READY TO MAKE APPROPRIATE INVESTIGATION. WHEN THERE IS A COMPLAINT OF A NARCOTICS VIOLATION, THE SPECIALLY TRAINED AGENTS OF THE BUREAU OF NARCOTICS WILL INVESTIGATE. WHERE A TAX FRAUD OR VIOLATION IS COMPLAINED OF, THE INTELLIGENCE AGENTS OF THE BUREAU OF INTERNAL REVENUE, IN THE TREASURY DEPARTMENT, ARE AVAILABLE TO INVESTIGATE.

ONCE THE FACTS HAVE BEEN PROPERLY ASCERTAINED, IF THEY CONSTITUTE SUFFICIENT EVIDENCE OF THE VIOLATION OF A FEDERAL LAW, THE UNITED STATES ATTORNEY MUST PROCEED TO PROSECUTE PROMPTLY AND VIGOROUSLY. IF, HOWEVER, THE FACTS INDICATE INNOCENCE OF SUCH VIOLATION, THE UNITED STATES ATTORNEY SHOULD NOT

HESITATE TO STATE THIS CONCLUSION. IN THE EVENT THAT THERE IS DOUBT, THE DOUBT SHOULD BE RESOLVED BY PRESENTING THE EVIDENCE TO THE GRAND JURY.

IN THIS CONNECTION, I WISH TO CALL YOUR ATTENTION TO THE FBI REPORT OF A UNITED STATES ATTORNEY'S DECISION NOT TO PROSECUTE A CASE. EACH SUCH REPORT SETS FORTH YOUR REASONS FOR DECLINING TO PROSECUTE. IN ALL INSTANCES, I COMMEND THIS PROCEDURE, SINCE IF, AFTER INVESTIGATION, PROSECUTION IS NOT INITIATED, THIS DECISION SHOULD BE MADE ONLY AFTER SUFFICIENT, REASONED CONSIDERATION; AND THE BASIS OF THE DECISION SHOULD BE A MATTER OF RECORD.

EACH UNITED STATES ATTORNEY SHOULD CHECK HIS DOCKET AT REGULAR INTERVALS, AT LEAST EVERY SIX MONTHS; AND IN ALL CASES WHICH HAVE BEEN PENDING COURT ACTION FOR AN UNREASONABLE PERIOD (FOR EXAMPLE, SIX MONTHS), HE SHOULD TAKE PROMPT ACTION FOR THEIR SPEEDY DISPOSITION. THE FACTS CONCERNING THE REASON FOR SUCH DELAY MUST BE REPORTED TO ME IMMEDIATELY.

PROSECUTION MUST BE INSTITUTED PROMPTLY AND UNFAILINGLY AGAINST THOSE WHO COMMIT PERJURY AND WITH EQUALLY UNFAILING CERTAINTY AGAINST THOSE WHO COMMIT SUBORNATION OF PERJURY. FAILURE TO PROSECUTE SUCH OFFENDERS HAS WEAKENED THE FABRIC OF CRIMINAL TRIALS - A FABRIC THAT CAN ONLY BE KEPT FROM RUIN BY THE THREADS OF TRUTH AND JUSTICE. OUR COURT PROCESSES ARE BASED UPON THE PRESUMPTION THAT TESTIMONY WILL BE RECEIVED ONLY UNDER OATH AND THE TRUTH OF THE FACTS TESTIFIED TO WILL BE SAFEGUARDED BY RESPECT AND REVERENCE FOR THAT OATH.

IT IS WELL TO REMEMBER THAT ALL WHO ARE IN THE FIELD OF LAW-ENFORCEMENT

OWE AN OFTEN-OVERLOOKED DEBT TO THE PUBLIC WHO UNDERTAKE THE OBLIGATIONS OF JURORS,
WHO ACT AS WITNESSES AND WHO VOLUNTEER INFORMATION AS TO VIOLATIONS OF THE LAW.
JUST AS WE RELY UPON PUBLIC CO-OPERATION, SO WE HAVE AN OBLIGATION TO KEEP FAITH
WITH THOSE WHO PROVIDE CONFIDENTIAL INFORMATION. IN ACCORDANCE WITH THE INSTRUC-
TIONS OF THE DEPARTMENT OF JUSTICE, EVERY UNITED STATES ATTORNEY MUST PROTECT IN
COMPLETE CONFIDENCE THE REPORTS OF THE FBI AND OF OTHER INVESTIGATIVE AGENCIES.
SAFEGUARD THE RELATIONSHIP OF THE CITIZEN WHO HAS FULFILLED HIS DUTY TO THE
REPUBLIC BY CO-OPERATING TO VOLUNTEER VITAL AND CONFIDENTIAL DATA. INJURY OR
DEATH CAN RESULT TO THE INFORMANT WHOSE IDENTITY IS CARELESSLY REVEALED.

AT THE CONCLUSION OF THIS CONFERENCE WHEN YOU RETURN TO YOUR RESPECTIVE
DISTRICTS, I SHALL ASK YOU TO OBSERVE THE FOLLOWING PROGRAM OF ACTION INSOFAR
AS IT AFFECTS THE CONDUCT OF YOUR OFFICES, NAMELY:

- FIRST. THE UNITED STATES ATTORNEY AND HIS STAFF SHOULD BE AVAILABLE
TWENTY-FOUR HOURS EACH DAY FOR DECISIONS AND OPINIONS IN ORDER
THAT THE PROCESSES OF JUSTICE MAY NOT BE HINDERED OR DELAYED.
- SECOND. THE UNITED STATES ATTORNEY SHOULD TRAIN, ADVISE AND DIRECT HIS
STAFF IN ORDER TO IMPROVE CONSTANTLY THE PERFORMANCE OF HIS
ASSISTANTS.
- THIRD. ALL REPORTS WILL BE PROMPTLY REVIEWED BY THE DIVISIONS OF THE
DEPARTMENT OF JUSTICE IN WASHINGTON IN ORDER TO DETERMINE
ADEQUACY AND PROPRIETY OF THE ACTION TAKEN.
- FOURTH. THE OFFICE OF THE ATTORNEY GENERAL WILL SCRUTINIZE ALL CASES
INVOLVING CHARGES OF GRAFT, CORRUPTION OF GOVERNMENTAL
EMPLOYEES OR OFFICIALS WITH EMPHASIS ON PROMPTNESS AND
PROPRIETY OF ACTION TAKEN.

FIFTH. EVERY CASE WHERE NOLLE PROS IS TO BE RECOMMENDED SHALL FIRST BE REVIEWED AND APPROVED BY THE DEPARTMENT OF JUSTICE AND A RECORD WILL BE MAINTAINED HERE AS TO THE REASONS FOR SUCH ACTION.

SIXTH. IF ANY ATTEMPT IS MADE BY ANYONE TO INFLUENCE THE DECISION OR TO INFLUENCE ANY OTHER ACTION IN THESE MATTERS ABOVE-MENTIONED, THE UNITED STATES ATTORNEY IS DIRECTED TO SUBMIT A FULL REPORT TO THE ATTORNEY GENERAL AND TO DISCLOSE THEREIN THE IDENTITIES OF THOSE SEEKING TO EXERT SUCH INFLUENCE.

SEVENTH. REMEMBER TO BE EVER VIGILANT TO GUARD AND PROTECT THE CIVIL RIGHTS OF ALL INDIVIDUALS IN ACCORDANCE WITH THE CONSTITUTION.

EIGHTH. THE UNITED STATES ATTORNEY MUST BE CONTINUOUSLY ALERT AND POISED TO PROSECUTE UPON INFORMATION AND EVIDENCE OF SUBVERSIVE ACTIVITIES. THE CERTAINTY OF LAW CONSTITUTES ITS GREATEST SEVERITY, AND FORCES THE RESPECT OF THOSE WHO WOULD DENY THE EFFICIENCY OF THE REPUBLICAN FORM OF GOVERNMENT.

THE FOREGOING PROGRAM OF ACTION WILL PROVIDE LANDMARKS FOR GUIDANCE DURING THE PERIOD OF THE FUTURE BEGINNING IMMEDIATELY AFTER THIS CONFERENCE.

IN ADDITION, I SHALL READ TO YOU THE OUTLINE FOR A CONFIDENTIAL REPORT TO BE SENT TO ME PROMPTLY AND PERSONALLY.

EACH UNITED STATES ATTORNEY WILL SUBMIT TO THE ATTORNEY GENERAL, PERSONALLY, ON OR BEFORE JUNE 27, 1952 A CONFIDENTIAL REPORT COVERING THE FOLLOWING ENUMERATED POINTS OF INFORMATION IN THE SEQUENCE HERE-IN SET FORTH:

- FIRST:
- A. THE NATURE AND EXTENT OF THE PRIVATE PRACTICE OF
 - 1.) THE UNITED STATES ATTORNEY
 - 2.) THE ASSISTANT UNITED STATES ATTORNEYS
 - B. THE AMOUNT OF TIME NOW REQUIRED TO BE DEVOTED BY THE UNITED STATES ATTORNEY AND EACH ASSISTANT TO:
 - 1.) PRIVATE PRACTICE
 - 2.) BUSINESS OF THE GOVERNMENT

- SECOND:
- A. THE NAMES OF ALL LAWYER WHO ARE NOW OR WHO HAVE BEEN SINCE JANUARY 1, 1947 OF COUNSEL IN CASES INVOLVING THE UNITED STATES GOVERNMENT WHETHER CRIMINAL, CIVIL OR ADMIRALTY AND WHO ARE:
 - 1.) PUBLIC OFFICIALS IN ANY BRANCH OF THE GOVERNMENT: -
FEDERAL, STATE OR MUNICIPAL, WHETHER LEGISLATIVE OR EXECUTIVE.

OR
 - 2.) IN PARTNERSHIP OR ASSOCIATED WITH PUBLIC OFFICIALS:
FEDERAL, STATE OR MUNICIPAL, WHETHER LEGISLATIVE OR EXECUTIVE.

OR
 - 3.) FORMER EMPLOYEES OF THE DEPARTMENT OF JUSTICE.
 - B. SUMMARIZE ALL THE ABOVE-CITED CASES, INCLUDING DATE, PERTINENT FACTS AND DISPOSITION THEREOF.

THIRD: LIST ALL COMPLAINTS AND ALL CASES NOW PENDING IN THE OFFICE: INCLUDE DATES AND ALL PERTINENT DATA.

FOURTH: RECOMMENDATIONS SHOULD BE MADE AS TO SUGGESTED METHODS, PROCEDURES OR COURSE OF ACTION TO INCREASE THE EFFICIENCY OF THE OFFICE OF THE UNITED STATES ATTORNEY. FOLLOWING SUCH RECOMMENDATIONS, REPORT IN DETAIL - (IN ADDITION TO THE FOREGOING CASES) -:

ALL CASES OF BRIBERY AND OF TAX-EVASION AND ANY FEDERAL VIOLATIONS WHICH GIVE EVIDENCE OF CRIMINAL CONSPIRACY TO AID AND ABET VICE AND WHICH SUGGEST THE ACTIVITY OF ORGANIZED CRIME WHETHER CONNECTED WITH HORSE-RACING, BOXING, OTHER SPORTING EVENTS, OR GAMBLING AND WHICH INDICATE A GROUP ATTITUDE OF DISRESPECT OF OUR FEDERAL LAWS.