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DEPARTMENT OF JUSTICE

REMARKS

of

HONORABLE HOMER CUMMINGS

C. C.

ATTORNEY GENERAL OF THE UNITED STATES

at the

ANNUAL CONVENTION OF THE INTERNATIONAL
ASSOCIATION OF CHIEFS OF POLICE

Atlantic City, N. J.

July 8, 1935,

11 A.M. E. D. T.

THE ATTORNEY GENERAL SAID IN PART:

Since I last had the honor of addressing a convention of the International Association of Chiefs of Police in the autumn of 1934, consistent progress has been made in the attempt, in which all of us are engaged, to deal with the problem of crime on a more rational, more efficient and better integrated basis than has hitherto been practicable. On account of its active participation and interest in what is being done, I need not recite for your membership the various steps that have been taken during the past several months to combat the criminal menace. Members of this Association were present as delegates at the Conference on Crime that met at Washington from December 10 to 13, 1934, and your distinguished President, Chief Peter Siccardi, was a member of an Advisory Committee that I appointed to submit recommendations respecting one of the most important actions taken at that Conference.

That action, I need not state, was the approval of the establishment at Washington, D. C. of a scientific and educational center, permanent in form and structure, to provide national leadership in the broad field of criminal law administration and the treatment of crime and criminals. As I announced some weeks ago, it has been decided to create this proposed center within the structure of the Department of Justice.

As part of this project I have recommended to Congress the creation in the Department of Justice of a bureau to be known as the Federal Bureau of Crime Prevention. In this new Bureau it is proposed to concentrate all of the functions connected with the proposed center not heretofore allocated, or hereafter to be allocated, to the other two Bureaus of the Department now in existence, to wit, the Federal Bureau of Investigation and the Federal Bureau

of Prisons. These three Bureaus, acting in harmonious cooperation and under the direct supervision of the Attorney General, will prove, I believe, best adapted for the attainment of the desired objectives, without interrupting or interfering with present activities.

The first unit of our structure will concern itself with conditions that precede the perpetration of a crime. The second unit, the Federal Bureau of Investigation, and the third unit, the Federal Bureau of Prisons, will concern themselves with conditions existing subsequent to the perpetration of a crime, the former with detection and apprehension of the criminal, the latter with punishment and rehabilitation after conviction.

Under the Federal Bureau of Crime Prevention will be conducted research of the most practical character in pertinent fields of criminological activities. It will offer a means for maintaining the closest possible contact with organizations interested in law enforcement, with groups of citizens in the various States who desire assistance in reorganizing and improving law enforcement agencies in their own jurisdictions, and with schools, colleges and universities engaged in scientific and quasi-professional work in this field. There will also be provided a clearing house for information, of which recent experience has demonstrated the need, concerning the work of national organizations and private agencies interested in the crime problem. Furthermore this Bureau - and this, I think, will be of special interest to this audience - will work in collaboration with the Criminal Division of the Department in instructing and training United States Attorneys, United States Marshals and United States Commissioners. There will be no disagreement, I believe, with the statement that the importance of such training cannot be overestimated.

The functions and activities of the Federal Bureau of Investigation, the second unit in our structure, are too familiar to the International Association of Chiefs of Police to require description or discussion from me. You are aware that under the expert guidance of its Director, Mr. John Edgar Hoover, there has been in effective operation in the Department a training school for the instruction of Special Agents of that Bureau. From your own Association, as well as from other agencies and from groups of citizens, there have come during the past several months requests that these training facilities should be made available to outstanding law enforcement officials throughout the United States. I have long felt that this is a service that the Department of Justice should offer to the American people. It was therefore with the greatest satisfaction that I was able last week to announce that starting on the 29th of this month our training school will afford instruction to selected law enforcement officers of State, county and municipal agencies.

In making these facilities available to officers who possess broad and general qualifications and experience in police work, the Department of Justice is not initiating an enterprise of pure altruism, although it hopes that its motives are not altogether selfish. The Department does not pretend that it possesses an exclusive technique or an exclusive experience in the field of detection and apprehension. In its scientific equipment, in the sheer size and completeness of its resources for identification, and in the assistance of non-official technical experts that it has been fortunate enough to elicit, the Department of Justice is able to offer a training course that could not be duplicated under other auspices, if at all, without vast expense. These facilities will hereafter, within appropriate limitations, be at the disposition of the police officers of the nation.

The role of the Department, however, will be a dual one. If we shall teach, it is our earnest hope and expectation that we shall learn. Through the contacts thus established, through the relationships thus built up, and in the course of an interchange of experiences and ideas during our twelve weeks' course, the Department expects to gain a more intimate, a more specific and a more comprehensive understanding of the problems and conditions of State and local enforcement than has ever been possible in the past. Though our jurisdictions differ, it will enable us, as I hope it will enable officers attending our courses, to see our respective difficulties as part of a greater problem that is national in its truest sense, for no true progress will be made in this field until all of us begin to see this vital work as a whole. Therefore, gentlemen, such of your membership as hereafter collaborate in this enterprise will find a warm welcome at the Department of Justice, for you will come to give, as well as to receive.

The third unit in our project is the Federal Bureau of Prisons. Under this Bureau is now placed those activities which deal with problems pertaining to the development of advanced methods in the punishment, treatment and rehabilitation of criminals. Under the experienced direction of Mr. Sanford Bates this Bureau now maintains a training course for Federal prison officials, the facilities of which will be made available under proper conditions to selected State and other officers in this field. Here will be studied the development of scientific information on which to base comprehensive modern methods of parole, probation, and pardon, modern methods of jail and prison construction; modern methods for the classification, segregation and treatment of criminals; the effects of various forms of punishment, advanced penological technique in prisons, jails, and work camps, and a host of similar matters.

There are numerous varieties of places of detention under the jurisdiction of the Federal Bureau of Prisons, from camps, reformatories such as Chillicothe and Alderson, and what are known as semi-secure institutions to such a place as Alcatraz. It is our earnest desire to maintain a constantly improving prison system which will not alone serve our own needs and meet our own purposes, but which will also indicate to those in other jurisdictions what can be accomplished in this field. Our prisoners range from the most tractable individuals who give real promise of rehabilitation to the most difficult and almost hopeless recidivists. In their classification, treatment, and segregation, under the careful direction of the Federal Bureau of Prisons, I believe, valuable lessons have been learned which should be offered to penological experts in charge of non-Federal institutions according to some permanent arrangement that will also be of service to us in the discussion of our mutual problems.

While each of these three Bureaus will have its own well defined function it is not our intention that they should operate in water-tight compartments. Each should be informed as to the problems, the difficulties and the objectives of the other two. Indeed, no permanent progress can be made in the improvement of criminal law administration in general unless all of those engaged in this work, as I have just said, conceive of themselves and their duties as part of a great social enterprise. The more that the prosecutor knows about prevention, detection and penal treatment, the better prosecutor he will be. The apprehending officers should see themselves as part of a great process that has for its end the protection of society. Prison officials should understand the difficulties that have been surmounted before the convicted criminal is delivered into their charge. Through the growth

and exchange of such information law enforcement can be integrated as it has never been in the past.

When this structure is completed, it will be apparent that the Department of Justice has a well-rounded program, as well as balanced facilities, to deal with all aspects of the crime problem.

Of course, as I have indicated, I have no thought that in the Department of Justice alone resides the wisdom and experience to deal with the problem of crime. Thousands of police officers, of prison, parole and probation officials and of public-spirited citizens engaged in sociological activities, are making invaluable contributions to the common objective. One of the major factors in such recent success as has been achieved has been the increasing cooperation among Federal, State, and local agencies. The future requires even closer coordination and even more complete give-and-take in all of our activities.

What is needed now is some central organization to give leadership, coherence, training and practical aid in crime prevention and in the improvement of criminal law administration. In the three-fold organization which I have described I hope to find the agencies through which to reach the desired ends.

Some months ago I drew attention, in an interview, to one particular aspect of the crime problem that well merits public attention - the activities of what are sometimes referred to as "lawyer-criminals," members of the Bar who so far forget the ethical standards of their profession, as well as their moral obligations as citizens, as to accept fees from known gangsters, kidnapers and racketeers in full awareness of the tainted source of such retainers. It is a satisfaction to be able to report that real progress is being made in the effort to rid the legal profession of its unscrupulous members, who have flouted for personal gain the honorable traditions of the Bar.

A short time ago there was convicted in Chicago an attorney who, Government evidence showed, had been a "contact man" for members of the Dillinger gang. To be specific, this attorney was convicted for conspiracy to harbor one Homer van Meter, one of Dillinger's mob, who met a violent death in the course of his subsequent depredations.

Here was an attorney who so far chose to ignore the ethical compulsions of his profession as to arrange a "hide-out" for Dillinger and his gang, to secure and to pay doctors who so far forgot their own professional ethics as to perform a series of operations on notorious fugitives from justice. This was an effort, vain as it proved, to change their appearance and to eradicate marks of identification with the hope of preventing their capture, and thus permitting these desperadoes to continue their murders and their robberies unmolested.

Those who assisted in this enterprise are dead, in prison, or under sentence.

The attorney whom I have just mentioned has been sentenced to two years in a Federal penitentiary and a \$10,000 fine. And I might mention in this connection that another attorney who accepted part of the Urschel ransom to defend one of the kidnapers was convicted just last month of conspiring to violate the Lindbergh Act and sentenced to five years, although that sentence has been suspended during good behavior.

There are some members of the Bar, as I am well aware, who take the position that these derelictions from professional ethics should not be made a subject of public discussion, that other members of the Bar least of all should bring such facts to public attention. As far as I am concerned, I do not for a moment believe in remaining silent when such outrageous conduct

comes to notice. Because its members are supposed to be officers of the court, if not in protection of its own standing and prestige, the legal profession is under a peculiar obligation to keep its own ranks as clean as the statutes and the powers of the various Bar Associations can render them. So I repeat, I am proud to report to this group of active law enforcement officers that as fast as cases of "lawyer criminals" come to the attention of the Department of Justice, and so far as it lies in the Department's jurisdiction to deal with them, progress is being made in correcting this evil.