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[June 1975]

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#264-7/7

Q It was in the Wall Street Journal this morning.

Q He announced last week he was going to submit some scheme for dealing with oil spills in one of his speeches, in Cleveland, I think. Can you give us any background on that?

Porteous

MR. NESSEN: I cannot. Let me check on the details for you.

Q Ron, when are the gun bill and the minimum sentence bill going to Congress? Those are the ones promised for June 5.

MR. NESSEN: Hopefully, this week, but I can't be absolutely positive they will go up this week.

Q What is holding them up?

MR. NESSEN: Drafting the legislation. It is complicated legislation and it is taking more time than anticipated.

Crime

Q Who is doing the drafting?

MR. NESSEN: The Justice Department and Domestic Council in the Council's office.

Q They said the proposals are over at OMB.

MR. NESSEN: A lot of people are working on them and they are just not finished yet.

Q May I ask two unrelated questions?

MR. NESSEN: Yes.

Q The first one is, the other day you made reference to the fact the President has met with a number of different groups and you included the phrase "consumer groups."

I remember Helen asking Bob Pierpoint, but I guess it didn't come to your ears, but can you tell us now which consumer groups he has met with?

MR. NESSEN: I will have to check back on the schedule in detail, but I remember this so-called Citizens Action Committee -- I believe that is the correct name for it. He has met with them at least once.



MORE

#264



Cannon
Crime
[June 1975]

DRAFT STATEMENT BY THE PRESIDENT
FOLLOWING OPERATION "STING" MEETING

I have just met with Police Chief Cullinane and the members of the Metropolitan Police Department, Federal Bureau of Investigation and Bureau of Alcohol, Tobacco and Firearms who participated in the recent law enforcement actions here in the District ^{*of Columbia*} known as Operations "Sting" and "Got Ya Again."

These two police actions resulted in well over 300 arrests and the recovery of more than \$3.6 million in stolen property. Both operations involved ^{*the cooperation of*} federal and local law enforcement officers. This innovative law enforcement work has captured the imagination of the people of the District of Columbia and infused in them a new respect for the [forces of] law [and order].

These operations show that it is the residents of our inner cities -- the poor, the elderly, the disadvantaged -- who are most frequently victimized. We owe these law-abiding citizens better protection from criminals than they are getting.

At the Federal level, I have repeatedly urged the Congress to show the way by enacting tougher laws to get habitual criminals off the streets. My concern is not vindictive punishment to the criminal but protection of innocent victims of crime.

Almost a year ago today, I sent to the Congress comprehensive legislation which addressed these problems. The Congress has not yet acted on this legislation. I fervently hope that



the Congress will end its procrastination and enact the tough measures which I proposed last year.



[June 1975]

Crime msg

It is disheartening that circumstances compel yet another Presidential message on crime in America. For years strenuous efforts have been undertaken to reduce the incidence of crime in the United States. Yet crime has increased. It touches the lives of all Americans. Recent statistics show no signs that the magnitude of the crime problem will soon decline.

Indeed, the Federal Bureau of Investigation's latest figures indicate that the rate of serious crime -- murder, forcible rape, robbery, aggravated assault, burglary, larceny, and auto theft -- was 17 percent higher in 1974 than in 1973. That is the largest increase in the 42 years the Bureau has been collecting statistics. Since 1960, the rate has increased about 200 percent. Moreover, these figures reflect only the reported crimes. A study sponsored by the Law Enforcement Assistance Administration indicates that the level of reported crime understates the level of actual crime in some cities by as much as 300 to 500 percent.

It is not only the absolute increase in crime which merits national concern; the change in the types of crimes committed is equally significant. The number of crimes involving threats of violence or actual violence has increased. The percentage of violent crime in which the perpetrator and



the victim are strangers is alarming. A recent study indicated that approximately 65 per cent of all violent crime is committed against strangers.

*What is
suspicion of
the "stranger"?*

The personal and social toll which crime exacts from our citizens is enormous. In addition to the direct damage done to the victims of crime, the social cost of crime must also include the pervasive fear it creates.

In many areas of the country, fear has caused people to rearrange their daily lives. They plan shopping and recreation around hours when the chances of violent attacks are low. They avoid commercial areas. Frightened shopowners arm themselves and view customers with suspicion.

Fear of crime threatens our political and social liberty. Fearful citizens may support attacks on fundamental constitutional principles designed to protect individuals from oppression. The prevalence of crime creates unwarranted suspicion among our people, turning what once were friendly and social business transactions into cold and wary exchanges. Fear of crime has drawn a limit around people's mobility. It restrains citizens like a prison.



I have spoken before of the need to restore domestic tranquility. The individual, political and social costs of crime cannot be ignored. All levels of government -- Federal, State and local -- with the firm support of the American people, must commit themselves to the goal of reducing crime.

In order to turn this commitment into practical success, we must try to understand the nature of the crime. Although crime has plagued all civilized societies, we still do not understand all the forces and conditions which cause it. We do know, however, some of the important contributing factors.

One factor is certainly economic deprivation. As inflation is brought under control and unemployment declines, we should experience material gains in the fight against crime. But the problem of crime is more than a matter of economics.

A second factor is dissatisfaction with the quality of life and the deterioration of social institutions which promote respect for the law. These factors fundamentally affect the attitudes of our people toward the law.

A third factor, often unrecognized, is the increasing crime rate itself. Law enforcement in a democratic society depends largely upon public respect for the laws and voluntary compliance with them. This respect and compliance is undermined if individuals conclude that law enforcement efforts are ineffective and that crimes may be committed with impunity -- conclusions which are buttressed by rapidly rising crime rates and statistics showing only 19 arrests for every 100 serious crimes committed.

A decline in respect for the law leads to the commission of more crimes. Investigating these additional crimes, prosecuting those accused, and punishing the convicted strain the already overburdened capacities of police and prosecutors' offices, courts, penal institutions, and correctional authorities. As a consequence, the percentage of offenders apprehended, prosecuted, and appropriately sentenced is further reduced. This reduction leads to a further decline in respect for the law leading to the commission of even more crimes. To succeed in the fight against crime we must break this spiral.

There are two direct ways to attack the spiral of crime. One is through improvements in the law itself. The other is through reform of the criminal justice system so that it functions swiftly, surely and justly.

Part of the problem of crime has been a problem of the federal criminal laws. They have developed haphazardly over decades. They have been revised here and there in response to changing judicial interpretation. The federal laws are complicated, sometimes conflicting, leaving gaps through which criminal activity can slip unpunished. Because of their complexity, they invite technical argument that wastes court time without ever going to the heart of the question of guilt or innocence. The federal criminal law must be revised into a uniform, coherent code.

For several years, the federal government has engaged in a massive effort to reform the federal criminal laws. The product of this effort was recently introduced in Congress with wide bipartisan support as S. 1, the Criminal Justice Reform Act of 1975.

Of course, in legislation of this scope, covering every aspect of the criminal laws, not everyone will agree with every provision. Some aspects of the proposed Act are highly controversial and will undoubtedly precipitate a great debate. Already there has been great concern expressed that the provisions of the proposed bill designed to protect classified information could impair the ability of the free press to function. While we must make sure that national security secrets are adequately protected by the law, I share the concern that the law ought not unnecessarily limit the free flow of information necessary in our form of government.

The debate over this and other provisions of S. 1 will be very useful. Issues can be clarified and differing interests accommodated. I think everyone can agree that comprehensive reform of the federal criminal code is needed. Accordingly, as a legislative priority in the federal fight on crime, I urge the 94th Congress to pass the type of comprehensive code reform embodied in the Criminal Justice Reform Act.

Let me suggest some specific reforms I believe are essential.

To begin with, we must realize what sort of conduct violates federal law. Violent street crime does not violate federal law. Except in limited circumstances, street crime is a state and local law enforcement problem. Federal law strikes at those who have made crime a business. It attacks organized crime, consumer frauds, official corruption, economic crimes such as price-fixing. The federal law concerns itself primarily with so-called "white collar crime," or "crime in the suites."

The leaders of organized crime can be prosecuted under current law only when they can be shown to have participated in a specific offense such as gambling, loansharking or narcotics. A reformed criminal code should strike directly at organized criminal activity by making it a federal crime to operate or control a racketeering syndicate. This would make the criminal law apply to organized crime leaders who are sophisticated enough to try to cover up their part in the syndicate's dirty work.

Current federal laws restrict the government's ability to attack consumer frauds. In order to make the federal effort more effective, the statutes punishing fraud and theft should

be revised to facilitate prosecution of blatant frauds. Pyramid sales schemes -- clever confidence games -- should be specifically prohibited. Jurisdiction over these frauds should be extended so that the federal government can act against them in all their national aspects.

The protection of constitutionally guaranteed civil rights is a primary duty of the federal government. Yet, a private citizen can only be punished for violating constitutional rights if he acted in concert with others. Under current law, even if a state official intentionally commits acts that violate an individual's constitutional rights, proof of these acts may be insufficient to secure a conviction. We should eliminate restrictions which prevent our laws from protecting the constitutional rights of Americans.

Elimination of antiquated provisions in the criminal code is another needed reform. Under current law, for example, the capture of carrier pigeons is made the subject of federal criminal jurisdiction. We should abolish such unnecessary laws.

Sentencing provisions are another and very important problem area of the current code. The sentencing provisions of current federal law are often erratic and inconsistent. Defendants who committed similar offenses often face widely varying sentences and this lack of uniformity breeds disrespect for the law.

The revision of the criminal code should restore a sense of consistency in sentencing, so that the fine or term of imprisonment imposed by the law relates directly to the gravity of the offense. For example, criminal fines are woefully inadequate and provide little deterrence to offenders whose business is crime, a business profitable enough to support current levels of criminal fines as an ordinary business expense. Other than under the antitrust laws, serious violators generally can now be fined a maximum of \$10,000. That amount is often not commensurate with the crime. We should raise the maximum level to \$100,000 if the defendant is an individual and \$500,000 if the defendant is an organization.

Perhaps the most disturbing deficiency in the sentencing provisions is their failure to give judges any standards by which to sentence defendants. Imprisonment too seldom follows conviction for a serious offense. I believe that persons convicted of predatory violent crime ought to be sent to prison. There should be a message broadcast by our law and our enforcement of it that those who commit violent crimes -- especially crimes involving a gun -- will suffer loss of liberty. I propose that incarceration be made mandatory for: (1) Federal offenders who commit violent predatory offenses using a dangerous weapon; (2) persons committing such extraordinarily serious crimes as aircraft hijacking, kidnapping, and trafficking in hard drugs; and (3) repeat offenders who commit crimes -- with or

without a weapon -- that threaten personal injury. I urge Congress to pass a law making incarceration mandatory for persons convicted of these crimes unless the judge specifically finds that the defendant was under 18 when the offense was committed, or was mentally impaired, or was acting under substantial duress, or was only implicated in a crime actually committed by others and participated in the actual crime in a very minor way. I have asked the Attorney General to assist the Congress in drafting such a law. Finally, I call upon the States to set up similar mandatory sentencing systems, because it is in the State and local criminal courts that most violent offenders are tried.

I would emphasize that the aim of this program of mandatory imprisonment is not vindictive punishment of the criminal, but protection of the innocent victim. These victims -- the old, the poor, the disadvantaged -- have a valid claim on the rest of society for the protection and the personal safety that they cannot provide for themselves.

Mandatory minimum sentences can restore the sense of certainty of imprisonment upon which the deterrent impact of the criminal law is based. But wide disparities in sentences for essentially equivalent offenders can give a look of unfairness to the law. To help eliminate that appearance, Federal appeals courts should be given some authority to review sentences given by Federal trial court judges -- to increase or

reduce them so the punishment will be more nearly uniform throughout the Federal system. I am also asking the Attorney General to review this problem to ensure that the Federal sentencing structure, which is based on the indeterminate sentence, is both fair and appropriate.

Another area in which the Federal law must be strengthened concerns the regulation of handguns. It is simply indisputable that handguns play a key role in crime in America. They are involved in one-fourth of aggravated assaults and one-third of robberies. Hundreds of policemen have been killed through the criminal use of handguns in the past decade. These cold, undeniable statistics unmistakably portray the handgun as an important cause in the rise of violent crime.

I propose a four-part approach *to this problem:*

First, the current Federal gun laws should be revised to eliminate certain deficiencies that now impede their effectiveness. Standards should be imposed so that only bona fide gun dealers are permitted to obtain Federal licenses. Dealers' licenses should be withheld from persons who are not legitimate gun dealers or who are barred by State law from dealing in weapons. A system of administrative fines and compromise authority should be established to augment existing penalties for violations of law or regulation. It should be made clear that possession of a handgun by a convicted felon is a Federal offense.

Second, the domestic manufacture, assembly or sale -- as well as the importation -- of cheap, highly concealable handguns should be prohibited. These so-called "Saturday Night Specials" are involved in an extraordinarily large number of street crimes. Most have no legitimate sporting purpose. They are such a threat to domestic tranquility that we should eliminate their manufacture and sale entirely.

Third, I propose an addition to the Federal gun laws to strike at the illegal commerce in handguns. Many States have already taken drastic steps against possession of handguns; but the States cannot deal with this problem by themselves. There is a large illegal commerce that provides a continuous flow of handguns across State borders into major urban centers where handgun violence is most serious. Federal help is necessary to strike at this illegal commerce in handguns. Currently, Federal law^s makes the sale of handguns to certain individuals illegal, but they do not require those in the handgun-selling business to take adequate precaution to ensure that illegal sales are not made. My proposal would require dealers in handguns to verify the identity and place of residence of purchasers and to take steps to ensure that they do not sell handguns to persons whose possession of handguns would be illegal under Federal or State law. It would also provide additional and easily provable criminal sanctions ~~on~~ ^{for} gunrunners, those who purchase weapons in one State for illegal shipment and sale in another.

Fourth, I will establish Federal handgun strike forces in the nation's ten largest cities to assist local law enforcement authorities in

their efforts to attack the ^{illegal commerce} ~~black market~~ in weapons. Current Federal enforcement efforts have been simply inadequate to promote compliance with our gun laws. Without a strong Federal commitment to enforcement, real progress in this area cannot be achieved. I have, therefore, directed the Bureau of Alcohol, Tobacco and Firearms, in the Department of the Treasury, the primary mission of which is enforcement of Federal gun laws, to employ and train an additional _____ agents and investigators for this priority effort.

This four-point approach goes, I believe, to the very center of the problem of the criminal use of handguns. It promises to contribute significantly to the effort of State and local governments to control handgun abuse.

In addition to this general effort, the law should be specifically revised to take into greater account the needs of victims of crime, their tragic personal and economic injuries. They, as well as the general public, must be shown that the government will not neglect the law-abiding citizens whose efforts are crucial to the effectiveness of law enforcement. For too long law has centered its attention on the criminal defendant. It is time for law to concern itself more with the people it exists to protect. I urge Congress to pass legislation to meet the uncompensated economic losses of needy victims of Federal crimes who suffer personal injury. In

order to promote the concept of restitution within the criminal law, this proposal should not require additional Federal appropriations. The monetary benefits could come from a fund consisting solely of fines paid by convicted offenders.

I am confident that if Congress reforms the criminal law in the ways I have mentioned, the seeds of an effective attack on crime will have been planted.

The second way to combat crime is through increasing the deterrent effect of the criminal law by reforming the criminal justice system. Effective deterrence currently is lacking because defects in the criminal justice system prevent it from bringing speedy and appropriate punishment to all offenders. These defects, at both the Federal and State levels, run throughout the continuum of the law enforcement process.

The reporting of crime to law enforcement officials



is discouraged by the widespread public impression that often no effective action can or will be taken. Moreover, there is a disturbingly prevalent tendency of otherwise responsible citizens to refuse to "get involved" in law enforcement matters.

Pretrial proceedings, which could serve to make the system operate more efficiently, frequently permit protracted delays for the purpose of contesting a myriad of procedural issues -- issues having little or nothing to do with the guilt or innocence of the defendant. Congested court calendars, inadequate judicial resources, and numerous opportunities for employment of dilatory tactics cause further delays. The repeated postponements of trials caused by such delays discourage the citizen cooperation essential to the criminal justice system. Witnesses and jurors, exasperated by long waits, often arrive at the court room only to learn that the case in which they are involved has once again been postponed. Their memories inevitably fade with the passage of still more time, and they become increasingly subject to intimidation by defendants and their associates. Trial delays thus decrease likelihood that justice will in fact be done. Delays also increase pressure upon prosecutors to drop prosecution of some of the charged offenses, or to substitute charges of lesser offenses, in return for pleas of guilty. While the Speedy Trial Act holds promise for cutting the length of time between indictment and trial at the Federal level, the sluggishness of the system persists.

After trial and sentencing, the routine and protracted process of appellate litigation usually results in further delay so that whatever deterrent effect the imposition of sentence might have carried is largely lost through the passage of time.

When a defendant is convicted, judges are often unwilling to sentence defendants to incarceration, in part because prison conditions are sometimes inhumane. This is one reason why our prisons must be improved. Moreover, a cruel and dehumanizing penal institution can actually be a breeding ground for criminality. In any case, a civilized society cannot condone prisons where murder, vicious assault and homosexual rapes are common occurrences.

The Federal Bureau of Prisons has embarked on a program to replace old, overcrowded prisons with smaller, more modern ones. The Bureau has seven new corrections institutions of this sort under construction. All are designed to be civilized places where the forces of brutality and inhumanity will not grow. In addition, the Bureau is opening new institutions in three major cities where federal prisoners used to be housed in crowded, antiquated local jails while they awaited trial. This ongoing program to upgrade Federal prisons must be paralleled by state efforts because the problem of decrepit jails that are hothouses of crime is worst on the state and local level. Unless prisons are upgraded,

judges will continue to hesitate to send offenders to them.

I know that there have been grave questions raised about the ability of the corrections system to rehabilitate offenders so that they may re-enter society as useful, law-abiding individuals. The questions about rehabilitation are serious. They go to the very heart of the corrections system. While the problem of rehabilitation is difficult, we should not give up our efforts to find ways it can be accomplished. This is especially true in dealing with youthful offenders. Crime by youth represents a large part of crime in general. The 1973 FBI crime statistics indicate that 45 per cent of persons arrested for violent crime are under 18 years of age. Whatever the difficulty we have in our efforts, we must commit ourselves to trying to rehabilitate offenders, especially youthful offenders. To do less would be to write off great numbers of young people as unsalvageable before they have even come of age. So many of them, after all, could be saved. I have directed the Attorney General to work in close cooperation with the Secretary of Labor and the Secretary of Health, Education, and Welfare to insure that the Federal government is making the best possible use of its resources in this crucial area.

Whatever the corrections system accomplishes in rehabilitating offenders is lost if the individual leaves jail and cannot find a job because he has been convicted of a crime. Nothing makes it more likely that an ex-convict will go to jail again than his inability to find a way to make an honest living. I want to encourage employers to open their minds and not to discriminate in the job market

against every person who has been convicted of a crime. I am directing the Civil Service Commission to draw up an Executive Order that would prevent the federal government from discriminating against ex-offenders as a class rather than in terms of their individual merits. And I am calling on the United States Governors Conference to consider what steps states might take to eliminate discriminatory practices. Giving the ex-offenders a fair shake in the job market is one important means of reducing crime and repairing our criminal justice system.

Several other measures can be taken to cure or overcome the deficiencies in the criminal justice system.

One important improvement relates to the prosecutor's office. It is there that important decisions are made as to which offenders should be prosecuted, what cases should be brought to trial, when plea bargains should be struck, and how scarce judicial resources should be allocated. Many prosecutors' offices currently lack the manpower or management devices to make those decisions well. Prosecutors often are unaware of a defendant's criminal history and thus cannot identify career criminals who should be tried by experienced prosecutors and incarcerated. They lack efficient systems to monitor the status of the numerous cases they handle. If prosecutors could efficiently manage their resources, the likelihood that punishment for crime will be swift and sure would be substantially increased.



The Law Enforcement Assistance Administration has a program to achieve this goal. It assists prosecutors' offices in the development of data retrieval systems so that at the touch of a finger a defendant's true identity and criminal history and the status of any case will be provided. These systems make possible intelligent decisions concerning the management of a prosecutor's office so that its efforts will have the maximum deterrent effect. With the assistance of LEAA, data retrieval systems are currently operational in the United States Attorney's Office in Washington, D.C., and in local prosecutors' offices in Marietta, Georgia, Los Angeles County and Union City, New Jersey. LEAA expects a number of other offices shortly to commence the use of such systems. I am encouraging the expansion of this LEAA program so that in all prosecutors' offices it will be possible to obtain quickly all the information necessary for efficient management.

As I noted earlier, one of the significant benefits of a data retrieval system is that a prosecutor can focus his efforts on the career criminal. That focus holds the promise of substantially reducing crime because repeat offenders account for a substantial amount of all criminal activity. In 1973, for example, 56 percent of inmates in federal institutions had previously been sentenced to prison.

The research institute within LEAA will soon begin collecting data about the efficiency of the federal criminal justice system in judicial districts across the country.

This information can help us spot places where the system works best identifying those prosecutors' offices that process the important cases quickly. We can then determine what new techniques show the most promise and apply them to those offices that are bogged down.

At the federal level, I have directed the Department of Justice to develop and implement a Career Criminal Program with the objectives of (1) providing quick identification of career criminals, (2) according priority to their prosecution by experienced prosecutors, and (3) assuring that they receive appropriate sentences and are not quickly released to victimize the community.

Career criminal programs will be encouraged at the state and local levels through the use of Law Enforcement Assistance Administration model programs and discretionary grants.

The results of a career criminal project recently launched in the Bronx County District Attorney's Office are hopeful. The first year's experience showed a 97 percent felony conviction rate and a reduction of time in case disposition from an average of 24 months to an average of three months. In addition, jail sentences were secured in 95 percent of the career criminal cases prosecuted.

A second improvement in the criminal justice system may be obtained by diverting certain first offenders into rehabilitation programs before proceeding to trial. The Department of Justice has begun a pilot program of this kind which will achieve two important goals. First, it will reduce the caseloads of federal courts and prosecutors

through expeditious treatment of offenders who are good prospects for rehabilitation. Second, it will enable the offenders who successfully satisfy the requirements of the diversion programs to avoid a criminal record and thus increase the likelihood that they will return to productive lives.

Experimentation with pretrial diversion programs should continue and expand. However, careful efforts must be taken to prevent them from either treating serious offenders too leniently or, on the other hand, violating defendants' constitutional rights. By coupling this pre-trial diversion program with a mandatory term of imprisonment for violent offenders, we will ensure that offenders who deserve to go to jail will go to jail, while those who need not be imprisoned will be dealt with quickly in a way that minimizes the burden on the criminal justice system.

The criminal and civil caseloads in trial and in appellate courts have grown over the years while the number of judges assigned to handle those cases has not grown proportionately. In order to help the Federal courts meet their responsibility of doing justice swiftly and efficiently, Congress should act quickly to increase the number of Federal judgeships, pursuant to the 1973 request of the Judicial Conference of the United States. In addition, seemingly technical but important reform in the Federal criminal justice system can be achieved by expanding the criminal jurisdiction of United States Magistrates. This reform would enable the relatively small number of Federal judges to focus their efforts on the most significant criminal cases. The Criminal Justice Reform Act contains

a provision which would achieve that result, and I am giving it my specific support.

No message on crime would be complete without addressing the problems created by illegal trafficking in narcotics and dangerous drugs. These crimes victimize the entire nation, bringing personal tragedy and family destruction to hundreds of thousands. Even conservative estimates of the social costs of drug abuse top \$10 billion a year, with property crimes committed in order to finance addicts' drug habits accounting for some \$6 - \$7 billion.

The Federal and State governments must continue their vigorous law enforcement efforts aimed at major traffickers in narcotics and dangerous drugs. This Administration is committed to maintaining a strong Federal drug enforcement agency to provide leadership in this fight. At the same time, I continue to recognize our responsibility to provide compassionate treatment and rehabilitation for the hapless victim of narcotics traffickers.

Recent evidence points to a resurging drug problem in spite of the high priority in massive funding increases by the Federal government during the past six years. I am deeply concerned over these developments and have, therefore, directed the Domestic Council to undertake a comprehensive review of the overall Federal drug abuse program.

An interagency task force, comprised of high-level representatives of the eleven concerned Federal departments and agencies, will review the domestic and international aspects of the drug program. They will assess the effectiveness of our current drug programs and policies and determine if our drug strategy and priorities are appropriate to meet the current threat.

I have asked this drug review task force to prepare a comprehensive White Paper on drug abuse for my consideration by early September.

I believe that the proposals I have made for improving the criminal laws and the criminal justice system will substantially reduce crime. I am also optimistic that new approaches to fighting crime which focus upon crime prevention through planning and citizen action may assist those efforts.

In conclusion, I wish to emphasize that the problem of crime is largely a State and local responsibility. Only a small proportion of crimes committed involve violations of Federal statutes.

But the Federal government can help State and local law enforcement agencies shoulder this responsibility. I have sent to Congress a bill that will continue the work of the Law Enforcement Assistance Administration through 1981. This agency provides millions of dollars of support to State and local law enforcement officials, as well as serving as a place where new ideas about how to help the State and municipalities fight crime may be developed. The bill authorizes \$6.5 billion for LEAA efforts through 1981.

As part of the reauthorization bill, I propose to increase the funding authorization for LEAA from \$1.25 billion to \$1.3 billion annually. The additional \$50 million would be earmarked for use in heavily populated urban areas where the problem of street crime has reached critical proportions.

The Federal government cannot, by itself, bring an end to crime in the streets. Experience over the past two decades has shown us that States, localities and the citizens must join in the effort to restore domestic tranquility if the grim crime rate is to be reduced.

The crime problem has vast social implications and its very importance may lead us to hope for sweeping solutions. This, however, would be a false hope. The crime problem results from both social and economic conditions and a myriad of often small and technical difficulties within the laws themselves and within the criminal justice system. The cumulative effect of persistent Federal and State efforts to eliminate the difficulties that encumber the nation's criminal justice system offers the best hope of achieving a permanent reduction in crime and restoring security in our law-abiding citizens.

I am optimistic that improvements which increase the deterrence of the criminal law will have a multiplier effect in reducing crime. We must work to make every improvement in our criminal justice system we know how to, no matter how seemingly minor, because every improvement builds upon itself. Everything we do to strengthen the criminal law and

the criminal justice system will help to restore a domestic environment in which citizens may be secure and unafraid. Everything I have recommended aims at preventing crime and reducing its harm to victims. Our serious efforts, I am confident, will bring us closer to the day when we can rest free from the fear and anxieties which accompany crime.

[June 1975]

CRIME MESSAGE

I. Themes of the Message

- A. Emphasis on Victims -- It is time we direct our attention to the victims of crime. For too long we have dwelled on the plight of the defendant, often losing sight of the plight of the victim.
- B. Swift and just punishment -- The criminal justice system needs to be improved to ensure that punishment is swift and just. The deterrent effect of our system is often lost because of the long delay between apprehension and sentencing.

II. Costs of Crime

- A. Rate of serious crime reported -- Murder, forcible rape, robbery, aggravated assault, burglary, larceny, and auto theft -- 17 percent higher in 1974 than 1973. (Largest increase in 42 years)
- B. Level of actual crime -- 300 to 500 percent higher than reported crime level.
- C. Violent crime increase -- 11 percent in 1974.
- D. Crime committed against strangers -- 65 percent of all violent crime.
- E. Social toll is inestimable -- pervasive fear that causes people to rearrange their lives to be suspicious of their fellows.

III. Factors Contributing to Crime

- A. Economic deprivation
- B. Deterioration of social institutions which promote respect for law.
- C. Increasing crime rate itself. Respect for the law declines as the people believe that lawbreakers are not being punished. A decline in respect for the law, in turn, leads to the commission of more crimes.

IV. Proposals to Attack Crime

- A. Improvements in the law itself
 - 1. Reform of the Federal Criminal Code-necessary



to revise current laws to make them more effective and to create new offenses to deal with such matters as organized crime, white collar crime, consumer fraud.

2. Require mandatory incarceration for offenders who commit violent offenses using a dangerous weapons. Cures current deficiency since offenders often not sent to jail.
3. Handgun control
4. Victim's compensation -- no federal appropriations necessary; funds derived from fines (levels of which are increased) and profits from prison industry sales.

B. Reforming the Criminal Justice System.

1. Improve the management of prosecutors' offices -- urge the use of data retrieval systems so that prosecutors can make informed judgments as to which offenders deserve trial and incarceration.
2. Career criminal program -- 56 percent of inmates are recidivists. Objectives of program:
 - a. Provide quick identification of career criminals.
 - b. Accord priority to their prosecution.
 - c. Assure that they receive appropriate sentences so that they are not quickly released to victimize the community.
3. Pretrial diversion -- objective is to divert certain first offenders who do not deserve incarceration from the criminal justice system at the outset.
 - a. reduce caseloads
 - b. enable offenders to avoid criminal record and thus increase likelihood for productive lives.
4. Expand criminal jurisdiction of U.S. Magistrates

-- while crime is largely a state and local responsibility, the federal government can help shoulder this responsibility through work of LEAA.



[June 1975]

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 - 1. Reform of the Federal Criminal Code-necessary

to revise current laws to make them more effective and to create new offenses to deal with such matters as organized crime, white collar crime, consumer fraud.

2. Require mandatory incarceration for offenders who commit violent offenses using a dangerous weapons. Cures current deficiency since offenders often not sent to jail.
3. Handgun control
4. Victim's compensation -- no federal appropriations necessary; funds derived from fines (levels of which are increased) and profits from prison industry sales.

B. Reforming the Criminal Justice System.

1. Improve the management of prosecutors' offices -- urge the use of data retrieval systems so that prosecutors can make informed judgments as to which offenders deserve trial and incarceration.
2. Career criminal program -- 56 percent of inmates are recidivists. Objectives of program:
 - a. Provide quick identification of career criminals.
 - b. Accord priority to their prosecution.
 - c. Assure that they receive appropriate sentences so that they are not quickly released to victimize the community.
3. Pretrial diversion -- objective is to divert certain first offenders who do not deserve incarceration from the criminal justice system at the outset.
 - a. reduce caseloads
 - b. enable offenders to avoid criminal record and thus increase likelihood for productive lives.
4. Expand criminal jurisdiction of U.S. Magistrates

-- while crime is largely a state and local responsibility, the federal government can help shoulder this responsibility through work of LEAA.



Jim -

put with other
drafts of crime message

Herewith, a draft of the Crime
Message.

You will note that certain passages
are set off in brackets. This is
because ~~it~~ (1) the President has not
finally determined his position on the
issue; or (2) I am unclear as
to what the decision was.

Nevertheless, I think the main
body of the message can (must?) be
locked up pretty soon.

If the attached meets with your
approval, I think the next step
is to send it to Theis.

Dick



CRIME MESSAGE

It is disheartening that circumstances compel yet another Presidential message on crime in America. For years, strenuous efforts have been undertaken to reduce the incidence of crime in the United States. Yet crime has increased. It touches the lives of all Americans. Recent statistics show no signs that the magnitude of the crime problem will soon decline.

Indeed, the Federal Bureau of Investigation's latest figures indicate that the rate of serious crime -- murder, forcible rape, robbery, aggravated assault, burglary, larceny, and auto theft -- was 17 per cent higher in 1974 than in 1973. That is the largest increase in the 42 years the Bureau has been collecting statistics. Since 1960, the crime rate has virtually doubled. Moreover, these figures reflect only the reported crimes. A study sponsored by the Law Enforcement Assistance Administration indicates that the actual level of crime in some cities is three to five times greater than that reported.

It is not only the absolute increase in crime which merits national concern; the change in the types of crimes committed is equally significant. The number of crimes involving threats of violence or actual violence has increased. The percentage of violent crime in which the perpetrator and the victim are strangers is alarming. A recent study indicated that approximately 65 per cent of all violent crime is committed against strangers.



The personal and social toll which crime exacts from our citizens is enormous. In addition to the direct damage done to the victims of crime, violent crimes in our streets and in our homes makes fear pervasive.

In many areas of the country, fear has caused people to rearrange their daily lives. They plan shopping and recreation around hours when the chances of violent attacks are low. They avoid commercial areas. Frightened shopowners arm themselves and view customers with suspicion.

Fear of crime threatens our political and social liberty. Fearful citizens may support attacks on fundamental constitutional principles designed to protect individuals from oppression. The prevalence of crime creates unwarranted suspicion among our people, turning what once were friendly business transactions into cold and wary exchanges. Fear of crime has drawn a limit around our mobility. It constrains us like a prison. It has destroyed our domestic tranquility.

The individual, political and social costs of crime cannot be ignored. *I call on the American and on*
All levels of government -- Federal, State and local -- ~~with the firm~~
~~support of the American people~~ ^{TO} must commit themselves to the goal of reducing crime. *The restoration of our domestic tranquility.*

to the Congress
In this Message I shall address myself to what I believe the Federal government can and should do to reduce crime. I must state at the outset, however, that the Federal role in the fight against crime, particularly violent crime, is a limited one.



The kind of crimes that obsess America -- murder, robberies, rapes, muggings, hold-ups, break-ins -- are essentially within the jurisdiction of State and local governments. Thus, even if all of the recommendations I shall make in this Message were enacted into law, they would have little impact on the level of crime in America ^{unless there} ~~absent~~ ~~without~~

★ similar action by State and local governments.

The Federal government can act effectively in this area in three important respects:

First, it can provide leadership to State and local governments by enacting a criminal code which can serve as a model for other jurisdictions to follow and by putting the Federal criminal justice house in order.

Second, it can enact and vigorously enforce laws covering criminal conduct which cannot be adequately regulated at the State or local level.

Third, it can provide financial and technical assistance to State and local governments and thereby enhance their ability to enforce the law.

I. PROVIDING LEADERSHIP

T. A. Sullivan?
7. 11
A major contributing factor to the rapidly escalating level of crime in this country is the increasing crime rate itself. Law enforcement in a democratic society depends largely upon public respect for the laws and voluntary compliance with them. This respect and compliance is undermined if individuals conclude that law enforcement efforts are ineffective and that crimes may be committed with impunity -- conclusions which are buttressed by rapidly rising crime rates and statistics showing

only one arrest for every five serious crimes committed.

A decline in respect for the law leads to the commission of more crimes. Investigating these additional crimes, prosecuting those accused, and punishing the convicted strain the already overburdened capacities of police and prosecutors' offices, courts, penal institutions, and correctional authorities. As a consequence, the percentage of offenders apprehended, prosecuted, and appropriately sentenced is further reduced. This reduction leads to a further decline in respect for the law, leading to the commission of even more crimes. To succeed in the fight against crime we must break this spiral.

There are two direct ways to attack the spiral of crime. One is through improvements in the law itself. The other is through reform of the criminal justice system so that it functions swiftly, surely and justly.

The Federal criminal laws should be a model for State and local governments to pattern their own laws after. They are not. They have developed haphazardly over decades. They have been revised here and there in response to changing judicial interpretation. They are complicated, sometimes conflicting, leaving gaps through which criminal activity can slip unpunished. Because of their complexity, they invite technical argument that wastes court time without ever going to the heart of the question of guilt or innocence. The Federal criminal law must be revised into a uniform, coherent code.

For several years, the Federal government has engaged in a massive effort to reform the Federal criminal laws into a coherent code. The product of this effort was recently introduced in Congress, with wide bipartisan support, as S. 1, the Criminal Justice Reform Act of 1975.

Of course, legislation of this scope, covering every aspect of the criminal laws, cannot escape criticism. Some aspects of the proposed Act are highly controversial and will undoubtedly precipitate much debate. Already great concern has been expressed that the provisions of this bill which are designed to protect classified information could adversely affect the ability of the free press to function. While we must make sure that national security secrets are adequately protected by the law, we must take care that the law not unreasonably restrict the free flow of information necessary in our form of government.

The debate over this and other provisions of S. 1 will be very useful. Issues can be clarified and differing interests accommodated. I think everyone will agree that comprehensive reform of the Federal criminal code is needed. Accordingly, as a legislative priority in the Federal fight against crime, I urge the 94th Congress to pass the type of comprehensive code reform embodied in the Criminal Justice Reform Act.



In connection with this overall effort, let me suggest some specific reforms I believe are essential.

The sentencing provisions of current Federal law are, in my judgment, inadequate in several respects. They are often erratic and inconsistent. Defendants who commit similar offenses often receive widely varying sentences. This lack of uniformity breeds disrespect for the law.

The revision of the criminal code should restore a sense of consistency in sentencing, so that the fine or term of imprisonment imposed by the law relates directly to the gravity of the offense. For example, criminal fines are woefully inadequate and provide little deterrence to offenders whose business is crime, a business profitable enough to support current levels of criminal fines as an ordinary business expense. Other than under the antitrust laws, serious violators generally can now be fined a maximum of \$10,000. That amount is often not commensurate with the crime. We should raise the maximum level to \$100,000 if the defendant is an individual and \$500,000 if the defendant is an organization.

The most disturbing deficiency in the sentencing provisions, however, is their failure to give judges any standards by which to sentence defendants. Imprisonment too seldom follows conviction for a serious offense. I believe that persons convicted of predatory violent crime ought to be sent to prison. There should be a message broadcast by our law and our enforcement of it that those who commit violent crimes --

especially crimes involving a gun -- will suffer loss of liberty.

I propose that incarceration be made mandatory for: (1) Federal offenders who commit violent predatory offenses using a dangerous weapon; (2) persons committing such extraordinarily serious crimes as aircraft hijacking, kidnapping, and trafficking in hard drugs; and (3) repeat offenders who commit Federal crimes -- with or without a weapon -- that threaten personal injury. I urge Congress to pass a law making incarceration mandatory for persons convicted of these crimes unless the judge specifically finds that the defendant was under 18 when the offense was committed, or was mentally impaired, or was acting under substantial duress, or was only implicated in a crime actually committed by others and participated in the actual crime in a very minor way. I have asked the Attorney General to assist the Congress in drafting such a law. I call upon the States to set up similar mandatory sentencing systems, because it is in the State and local criminal courts that most violent offenders are tried.

^{want to}
I ~~would~~ emphasize that the aim of this program of mandatory imprisonment is not vindictive punishment of the criminal, but protection of the innocent victim. These victims -- the old, the poor, the disadvantaged -- have a valid claim on the rest of society for the protection and the personal safety that they cannot provide for themselves.

Mandatory minimum sentences can restore the sense of certainty of imprisonment upon which the deterrent impact of the criminal law is based. But wide disparities in sentences for essentially equivalent



offenders can give a look of unfairness to the law. To help eliminate that appearance, Federal appeals courts should be given some authority to review sentences given by Federal trial court judges -- to increase or reduce them so the punishment will be more nearly uniform throughout the Federal system. I am also asking the Attorney General to review this problem to ensure that the Federal sentencing structure, which is based on the indeterminate sentence, is both fair and appropriate.

In addition to reform of the criminal law, we must improve the manner in which our criminal justice system operates. Effective deterrence to law breaking is currently lacking because our criminal justice system simply does not operate effectively.

A logical place to begin discussion of systemic improvement is the prosecutor's office, for it is there that important decisions are made as to which offenders should be prosecuted, what cases should be brought to trial, when plea bargains should be struck, and how scarce judicial resources should be allocated. Many prosecutors' offices currently lack the manpower or management devices to make those decisions well. Prosecutors often are unaware of a defendant's criminal history and thus cannot identify career criminals who should be tried by experienced prosecutors and incarcerated. They lack efficient systems to monitor the status of the numerous cases they handle. If prosecutors could efficiently manage their resources, the likelihood that punishment for crime will be swift and sure would be substantially increased.

At the Federal level, I have directed the Department of Justice to develop and implement a Career Criminal Program, with the objectives of (1) providing quick identification of career criminals, (2) according priority to their prosecution by experienced prosecutors, and (3) assuring that they receive appropriate sentences and are not quickly released to victimize the community.

Career criminal programs will be encouraged at the State and local levels through the use of Law Enforcement Assistance Administration model programs and discretionary grants.

The results of a career criminal project recently launched in the Bronx County District Attorney's Office are hopeful. The first year's experience showed a 97 per cent felony conviction rate and a reduction of time in case disposition from an average of 24 months to an average of three months. In addition, jail sentences were secured in 95 per cent of the career criminal cases prosecuted.

A second improvement in the criminal justice system may be obtained by diverting certain first offenders into rehabilitation programs before proceeding to trial. The Department of Justice has begun a pilot program of this kind which will achieve two important goals. First, it will reduce the caseloads of Federal courts and prosecutors through expeditious treatment of offenders who are good prospects for rehabilitation. Second, it will enable the offenders who successfully satisfy the requirements of the diversion programs to avoid a criminal record and thus increase the likelihood that they will return to productive lives.



Experimentation with pretrial diversion programs should continue and expand. However, careful efforts must be taken to prevent them from either treating serious offenders too leniently or, on the other hand, violating defendants' constitutional rights. By coupling this pretrial diversion program with a mandatory term of imprisonment for violent offenders, we will ensure that offenders who deserve to go to jail will go to jail, while those who need not be imprisoned will be dealt with quickly in a way that minimizes the burden on the criminal justice system.

The criminal and civil caseloads in trial and in appellate courts have grown over the years, while the number of judges assigned to handle those cases has not grown proportionately. In order to help the Federal courts meet their responsibility of doing justice swiftly and efficiently, Congress should act quickly to increase the number of Federal judgeships, pursuant to the 1973 request of the Judicial Conference of the United States. In addition, seemingly technical but important reform in the Federal criminal justice system can be achieved by expanding the criminal jurisdiction of United States Magistrates. This reform would enable the relatively small number of Federal judges to focus their efforts on the most significant criminal cases. The Criminal Justice Reform Act contains a provision which would achieve that result, and I am giving it my specific support.

When a defendant is convicted, judges are often unwilling to sentence him to incarceration, in part because prison conditions are

*I suggest
that
you
I agree
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the
court
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on up
if.*

sometimes inhumane. This is one reason why our prisons must be improved. Moreover, a cruel and dehumanizing penal institution can actually be a breeding ground for criminality. In any case, a civilized society cannot condone prisons where murder, vicious assault and homosexual rapes are common occurrences.

The Federal Bureau of Prisons has embarked on a program to replace old, overcrowded prisons with smaller, more modern ones. The Bureau has seven new corrections institutions of this sort under construction. All are designed to be civilized places where the forces of brutality and inhumanity will not grow. In addition, the Bureau is opening new institutions in three major cities where Federal prisoners used to be housed in crowded, antiquated local jails while they awaited trial. This on-going program to upgrade Federal prisons must be paralleled by State efforts because the problem of decrepit jails that are hothouses of crime is worst at the State and local level. Unless prisons are upgraded, judges will continue to hesitate to send offenders to them.

*Prison is for the public
the worst - not the victim*

I know that there have been grave questions raised about the ability of the corrections system to rehabilitate offenders so that they may re-enter society as useful, law-abiding individuals. The questions about rehabilitation are serious. They go to the very heart of the corrections system. While the problem of rehabilitation is difficult, we should not give up our efforts to find ways it can be accomplished. This is especially true in dealing with youthful offenders. Crime by youth represents a large part of crime in general. The 1973 FBI crime statistics indicate that 45 per cent of persons arrested for violent crime are under 18 years of age. Whatever the difficulty we have in our efforts, we must commit ourselves to trying to rehabilitate offenders, especially youthful offenders. To do less would be to write off great numbers of young people as unsalvageable before they have even come of age. So many of them, after all, could be saved. I have directed the Attorney General to work in close cooperation with the Secretary of Labor and the Secretary of Health, Education, and Welfare to insure that the Federal government is making the best possible use of its resources in this crucial area.

Whatever the corrections system accomplishes in rehabilitating offenders is lost if the individual leaves jail and cannot find a job because he has been convicted of a crime. Nothing makes it more likely that an ex-convict will go to jail again than his inability to find a way to make an honest living. I want to encourage employers to open their minds and not to discriminate in the job market against every person who has been

convicted of a crime. The U. S. Civil Service Commission currently administers a program designed to prevent Federal employers from unjustly discriminating against ex-felons. This program has my complete support. I am calling on the United States Governors Conference to consider what steps States might take to eliminate discriminatory practices. Giving the ex-offenders a fair shake in the job market is one important means of reducing crime and repairing our criminal justice system.

[In addition to this general effort to reform and improve the criminal justice system, the Federal law should be specifically revised to take into greater account the needs of victims of crime. They, as well as the general public, must be shown that the government will not neglect the law-abiding citizens whose cooperations and efforts are crucial to the effectiveness of law enforcement. For too long law has centered its attention on the criminal defendant. It is time for law to concern itself more with the people it exists to protect.

I urge the Congress to pass legislation to meet the uncompensated economic losses of victims of Federal crimes who suffer personal injury. In order to promote the concept of restitution within the criminal law, the monetary benefits should come from a fund consisting of fines paid by convicted Federal offenders.]

II. BETTER LAWS AND ENFORCEMENT

As was mentioned earlier, violent street crime does not violate Federal law. Except in limited circumstances, street crime is a State and local law enforcement problem. There is a dimension to this problem, however, that cannot be adequately dealt with on just the State and local levels -- the regulation of handguns. It is simply indisputable that handguns play a key role in crime in America. They are involved in one-fourth of aggravated assaults and one-third of robberies. Hundreds of policemen have been killed through the criminal use of handguns in the past decade. These cold, undeniable statistics unmistakably portray the handgun as an important cause in the rise of violent crime.

Many State and local governments have already taken drastic steps against possession of handguns, but additional Federal help is necessary. I propose to provide this additional help in four ways:

First, the current Federal gun laws should be revised to eliminate certain deficiencies that now impede their effectiveness. Standards should be imposed so that only bona fide gun dealers are permitted to obtain Federal licenses. Dealers' licenses should be withheld from persons who are not legitimate gun dealers or who are barred by State law from dealing in weapons. A system of administrative fines and compromise authority should be established to augment existing penalties for violations of law or regulation. It should be made clear that possession of a handgun by a convicted felon is a Federal offense.



Second, the domestic manufacture, assembly or sale -- as well as the importation -- of cheap, highly concealable handguns should be prohibited. These so-called "Saturday Night Specials" are involved in an extraordinarily large number of street crimes. Most have no legitimate sporting purpose. They are such a threat to domestic tranquility that we should eliminate their manufacture and sale entirely.

Third, I propose an addition to the Federal gun laws to strike at the illegal commerce in handguns. Currently, Federal laws make the sale of handguns to certain individuals illegal, but they do not require those in the handgun-selling business to take adequate precaution to ensure that illegal sales are not made. My proposal would require dealers in handguns to verify the identity and place of residence of purchasers and to take steps to ensure that they do not sell handguns to persons whose possession of handguns would be illegal under Federal or State law.

[Alternative:

Third, existing law should be amended to prohibit bulk sales of handguns to persons who are not licensed gun dealers, except as authorized by the Secretary of the Treasury pursuant to regulations. In recent years, a problem of interstate bootlegging of handguns has developed in the United States. A typical bootlegging operation occurs where a non-licensed dealer purchases a large quantity of handguns in a State having relatively lax handgun control laws and thereafter transports such handguns for resale in another State which has enacted more stringent handgun laws. This illegal commerce in handguns must be stopped.]

Fourth, I have ordered the Treasury Department's Bureau of Alcohol, Tobacco and Firearms, which has primary enforcement responsibility for Federal firearms laws, to redouble its investigative efforts in the nation's ten largest metropolitan areas. This will assist local law enforcement authorities in their efforts to control illegal commerce in weapons. I have, therefore, directed that the Bureau of Alcohol, Tobacco and Firearms employ and train an additional _____ agents and inspectors for this priority effort.

This four-point approach goes, I believe, to the very center of the problem of the criminal use of handguns. It promises to contribute significantly to the efforts of State and local governments to control handgun abuse.



There are several other areas in which Federal law and enforcement can be improved to strike at those who have made crime a business.

The leaders of organized crime can be prosecuted under current law only when they can be shown to have participated in a specific offense such as gambling, loansharking or narcotics. A reformed criminal code should strike directly at organized criminal activity by making it a Federal crime to operate or control a racketeering syndicate. This would make the criminal law apply to organized crime leaders who are sophisticated enough to try to cover up their part in the syndicate's dirty work.

Current Federal laws restrict the government's ability to attack consumer frauds. In order to make the Federal effort more effective, the statutes punishing fraud and theft should be revised to facilitate prosecution of blatant frauds. Pyramid sales schemes -- clever confidence games -- should be specifically prohibited. Jurisdiction over these frauds should be extended so that the Federal government can act against them in all their national aspects.

The protection of constitutionally guaranteed civil rights is a primary duty of the Federal government. Yet, a private citizen can only be punished for violating constitution rights if he acted in concert with others. Under current law, even if a State official intentionally commits acts that violate an individual's constitutional rights, proof of these acts may be insufficient to secure a conviction. We should eliminate restrictions which prevent our laws from protecting the constitutional rights of Americans.



Finally, I am particularly concerned about the crimes of illegal trafficking in narcotics and dangerous drugs. These crimes victimize the entire nation, bringing personal tragedy and family destruction to hundreds of thousands. Even conservative estimates of the social costs of drug abuse top \$10 billion a year, with property crimes committed in order to finance addicts' drug habits accounting for some \$6 - \$7 billion.

The Federal, State and local governments must continue their vigorous law enforcement efforts aimed at major traffickers in narcotics and dangerous drugs. This Administration is committed to maintaining a strong Drug Enforcement Administration to provide leadership in this fight. At the same time, I continue to recognize our responsibility to provide compassionate treatment and rehabilitation for the hapless victim of narcotics traffickers.

Recent evidence points to a resurging drug problem in spite of the high priority in massive funding increases by the Federal government during the past six years. I am deeply concerned over these developments and have, therefore, directed the Domestic Council to undertake a comprehensive review of the overall Federal drug abuse prevention and treatment effort to ensure that our programs, policies and laws are adequate to meet the current threat.

III. PROVIDING FINANCIAL AND TECHNICAL ASSISTANCE

The Federal government must continue to help State and local governments in carrying out their law enforcement responsibilities.



Therefore, I am submitting to Congress a bill that will continue the Law Enforcement Assistance Administration through 1981.

The LEAA annually provides millions of dollars of support to State and local governments to assist them in improving the overall operation of their criminal justice systems. Additionally, the LEAA serves as a place where new ideas about how to fight crime are constantly being developed. Examples of several LEAA innovations have already been noted in this Message. The bill that I am submitting would authorize \$6.5 billion for LEAA to continue this work through 1981.

Several aspects of the reauthorization bill deserve special mention.

The bill would increase the funding authorization for LEAA from \$1.25 billion to \$1.3 billion annually. The additional \$50 million would be made available to LEAA's discretionary program so that additional emphasis may be placed on programs aimed at reducing crime in heavily populated urban areas. It is in these areas that the problem of violent street crime has reached critical proportions. The LEAA "High Impact" program, which is designed to provide additional assistance for cities and counties with high crime rates, has had encouraging success. This additional authorization will permit LEAA to build upon that success.

The bill would also place special emphasis on State and local court reform by specifically including this within the statement of purposes for which LEAA block grant funds should be utilized, within the context of an overall State plan. Too often the courts are overlooked in the



allocation of criminal justice resources. If we are to be at all effective in fighting crime, however, State and local court systems must be upgraded and improved.

In conclusion, I wish to again emphasize that the Federal government cannot, by itself, bring an end to crime in the streets. The cooperation and participation of State and local governments is vitally important to this effort. The cumulative effect of persistent Federal, State and local efforts to improve our laws and eliminate the difficulties that encumber our criminal justice system offer the only hope of achieving a permanent reduction in crime and restoring security to the law-abiding citizen.

I am confident that, if the Congress enacts the programs which I have recommended, the seeds of an effective attack on crime will have been planted. I call upon the Congress to act swiftly on these recommendations. I also call upon State and local governments to follow suit and put their criminal justice houses in order. Our combined efforts, I believe, will bring us closer to the day when we can rest free from the fear and anxieties which accompany crime.

