

Remarks at the Annual Meeting of the International Association of Chiefs of Police in New Orleans, Louisiana

September 28, 1981

Governor Treen, I appreciate those kind words. Mr. Chairman, and the other guests here on the dais, and you ladies and gentlemen:

It's a privilege to stand here today with those who command the front lines in America's battle for public order. You have a tough job and a dangerous one. Believe me, I know. I mean no irreverence when I mention that I once played a sheriff on TV who thought he could do the job without a gun. [Laughter] I was dead in the first 27 minutes of the show. [Laughter] And I should have included in my greeting here, and I know, the sheriffs, also, who are present.

You and I have a few things in common. Harry Truman once said about the job that I have that being President is like riding a tiger: A man has to keep on riding or he'll be swallowed. [Laughter] Well, that's a pretty good description of what you do for a living. Society asks you simultaneously to protect the innocent, ensure the legitimate rights of property; that you must converse with the multitude, and oversee them, of social services that police captains provide and sheriffs provide for the public, and all the while balance the interests of your department with those of your community, the government, and its citizens. And none of this is easy. The pressures are enormous. You must be administrator, financier, social worker, public relations expert, even politician, and still, somehow, always be a cop.

Well, you do have one of the toughest jobs in America. And let me assure you today that I speak for millions of Americans who, if they could stand here now, would say simply and directly to you, "Thank you for all the always remembered things that you do each day. And remember you do have our support and our unfailing gratitude."

In preparing these remarks, I had an opportunity to go back and look over some of the comments I've made to law enforcement officials on other occasions. The topic of those discussions was a subject with which you have more than a passing familiarity -- the steady, ominous growth of crime in our Nation.

In one speech some years ago in Las Vegas, I once wondered about what was happening to America, and I noted the fear and the anger of the citizenry as they locked themselves in their homes or refused to walk the streets at night. I spoke, too, about a phenomenon known as the "youthful offender," the astonishing percentage of crimes that they were estimated to be responsible for.

Then there was a speech in Dallas where I mentioned the effect of narcotics on the crime rate and the appalling estimates that drug addicts were responsible for the economic increase of certain crimes.

I don't mention these speeches now because they show any gift of insight on my part; the truth is, what I said then was well known at the time, certainly by you. The speech in Dallas was delivered in 1974; the speech in Las Vegas in 1967. The frightening reality -- for all of the speeches by those of us in government, for all of the surveys, studies, and blue ribbon panels, for all of the 14-point programs and the declarations of war on crime, crime has advanced and advanced steadily in its upward climb, and our citizens have grown more and more frustrated, frightened, and angry.

You're familiar enough with the statistics. The cases that make them up cross your desk every day. In the past decade violent crime reported to police has increased by fifty-nine percent. Fifty-three percent of our citizens say they're afraid to walk the streets alone at night. Eighty-five percent say they're more concerned today than they were 5 years ago about crime.

Crime is an American epidemic. It takes the lives of 25,000 Americans, it touches nearly one-third of American households, and it results in at least some 6 billion -- I think I said that figure wrong right there -- it results in at least \$8.8 billion per year in financial losses.

Just during the time that you and I are together today, at least 1 person will be murdered, 9 women will be raped, 67 other Americans will be robbed, 97 will be seriously assaulted, and 389 homes will be burglarized. This will all happen in the span of the next 30 minutes, or while I'm talking. Now, if by stopping talking I could change those figures, I'd stop. But you know that they will continue at the same rate throughout every 30 minutes of the 24 hours of the day. And I don't have to tell you, the men and women of your departments will be the first to cope with the mayhem, the wreckage, the suffering caused by those who consider themselves above the law with the right to prey on their fellow citizens.

Crime has continued on the upswing. It has gone on regardless of the efforts that we make. Crime has increased in that thing that I mentioned, of the youthful offender, between 18 and 21. And that other problem I mentioned years ago, the incredible impact of drug addiction on the crime rate, continues. Studies of prison inmates have found that at least half admitted to using drugs in the month prior to their arrest. And it's still estimated that 50 to 60 percent of property crimes are drug-related.

From these statistics about youthful offenders and the impact of drug addiction on crime rates, a portrait emerges. The portrait is that of a stark, staring face, a face that belongs to a frightening reality of our time -- the face of a human predator, the face of the habitual criminal. Nothing in nature is more cruel and more dangerous.

Study after study has shown that a small number of criminals are responsible for an enormous amount of the crime in American society. One study of 250 criminals indicated that over an 11-year period, they were responsible for nearly half a million crimes. Another study showed that 49 criminals claimed credit for a total of 10,500 crimes. Take one very limited part of the crime picture, subway crime in New York City: The transit police estimate that 500 habitual offenders are actually responsible for 40 percent of those offenses.

Now, I fully realize that the primary task for apprehending and prosecuting these career criminals, indeed, for dealing with the crime problem itself, belongs to those of you on the State and local level. But there are areas where the Federal Government can take strong and effective action, and today I want to outline for you some of the steps that we're going to take to assist you in the fight against crime.

First, this administration intends to speak out on the problem of crime. We will use this, what Teddy Roosevelt called a "bully pulpit" of the Presidency, to remind the public of the seriousness of this problem and the need to support your efforts to combat it. I believe that this focusing of public attention on crime, its causes, and those trying to fight it, is one of the most important things that we can do.

Second, in talking out about crime, we intend to speak for a group that has been frequently overlooked in the past -- the innocent victims of crime. To this end I will soon be appointing a Task Force on the Victims of Crime to evaluate the numerous proposals now springing up regarding victims and witnesses. We will support legislation that will permit judges to order offenders to make restitution to their victims. The victims of crime have needed a voice for a long, long time, and this administration means to provide it.

Third, law enforcement is already an important area in our effort to restore and renew federalism. We seek to end duplication and bring about greater cooperation between Federal, State, and local law enforcement agencies with the following steps:

-- U.S. attorneys will seek to establish law enforcement coordinating committees, which will be composed of the district heads of Federal agencies as well as key State and local officials. These committees will stimulate an exchange of views and information that will lead to a more flexible, focused, and efficient attack against crime.

-- We will seek to extend the cross-designation program now working with success in several localities. These programs permit Federal, State, and local prosecutors to enter each other's courts and grand jury rooms to pursue investigations and prosecutions of serious crimes when they cross jurisdictional lines.

-- Closer cooperation with the States and localities on penal and correctional matters: We've recently established a Bureau of Prisons Clearinghouse, which will locate surplus Federal property that might be used as sites for State or local correctional facilities.

Fourth, this administration will support a number of statutory reforms that will redress the imbalance between rights of the accused and rights of the innocent.

-- To this end we will be working with the Congress to achieve a sweeping revision of the Federal Criminal Code. This matter is now pending before both Houses. A revised Criminal Code will help in our fight against violent crime, organized crime, narcotics crime, and fraud and corruption. I cannot stress too strongly the need for prompt passage of legislation that revises the Federal Criminal Code, and this will be the foundation of an effective Federal effort against crime.

-- We will push for bail reform that will permit judges, under carefully limited conditions, to keep some defendants from using bail to return to the streets, never to be seen in court again until they're arrested for another crime.

-- We also support the reform of the exclusionary rule. I don't have to tell you, the people in this room, that this rule rests on the absurd proposition that a law enforcement error, no matter how technical, can be used to justify throwing an entire case out of court, no matter how guilty the defendant or how heinous the crime. The plain consequence of treating the wrongs equally is a grievous miscarriage of justice. The criminal goes free, the officer receives no effective reprimand, and the only ones who really suffer are the people of the community.

But I pause and interject here one incident, maybe known to a great many of you, because it is a famous case. But it occurred, back while I was Governor of California, in San Bernardino. Two narcotics officers, with enough evidence to warrant a search, get a search warrant, entered a home where they believed heroin was being peddled. A married couple lived there. They searched. They found no evidence. As they were leaving, one of them, on a hunch, went over to the crib where the baby lay sleeping and removed its diapers, and there was the heroin. The case was thrown out of the court because the baby hadn't given its permission to be searched. [Laughter] It became known as the diaper case. I told that story once, and one of the Secret Service agents assigned to the Presidential detail came up later and said, ``I was one of those narcotics officers. That's why I quit." [Laughter]

-- We also support an exception of the Posse Comitatus Act that will allow the military to assist in identifying and reporting the drug traffic.

-- We will ask for revision of the Tax Reform Act that will make it easier for Federal departments to cooperate in making income tax cases against major organized crime figures and drug pushers.

-- And we will support mandatory prison terms for those who carry a gun while committing a felony.

Fifth, one of the single most important steps that can lead to a significant reduction in crime is an effective attack on drug trafficking. Let me outline the major points in our narcotics enforcement strategy:

-- A foreign policy that vigorously seeks to interdict and eradicate illicit drugs, wherever cultivated, processed, or transported. This includes the responsible use of herbicides. I will also be establishing a Special Council on Narcotics Control, consisting of the Attorney General and the Secretaries of State, Defense, Treasury, and others, to coordinate efforts to stop the drug flow into this country.

-- A border policy that will improve detection and interception of illegal narcotics imports. This will include the use of available military resources for detection when necessary.

-- A domestic policy that will more effectively coordinate efforts among Federal agencies as well as between these agencies and those at the State and local level. This will be a first priority of the Law Enforcement Coordinating Committee. We have already taken a step in this direction by significantly improving cooperation between the FBI and the Drug Enforcement Agency on drug investigations.

-- A legislative program featuring the statutory reforms dealing with bails, sentencing, and admission of evidence that I have already mentioned.

Now, let me also emphasize that our efforts will not be confined to law enforcement. The problem of drug abuse is one that reaches deeply into American society. We need to mobilize our religious, educational, and fraternal groups in a national educational program against drug abuse.

One of the most effective groups in this effort has been more than 1,000 parent groups. And these groups have worked closely with the law and law enforcement agencies. They have recently formed a national federation to spread their work. This administration will do all in its power to encourage such efforts.

Let us recognize that important as intercepting the drug traffic might be, it cannot possibly equal the results in turning off the customers, the users, and making them take a different course in deciding to no longer be customers.

Sixth, violent crime is a major priority. But we fully understand that crime doesn't come in categories; all crime is related, and an effective battle against street crime can hardly be waged in a vacuum. The street criminal, the drug pusher, the mobster, the corrupt policeman or public official -- they form their own criminal subculture; they share the climate of lawlessness. They need each other; they use each other; they protect each other.

We will continue to focus Federal efforts on sophisticated forms of crime, similar to those emphasized by the FBI under Judge Bill Webster. And that's why I want to say a word today to those Federal agents and prosecutors who have done so much in recent years to expose the problem of organized crime and public corruption. The existence of syndicates of highly organized criminals and public officials who peddle their sacred trust are blots on American history. I can assure you, no administration has ever been more anxious to work toward wiping away these blots. So, to those in the field who fight this frustrating, sometimes disheartening battle against highly sophisticated forms of crime: This administration stands behind you.

In discussing these forms of sophisticated crimes, we see again the emergence of the problem of career criminals -- those who make a conscious decision to pursue illicit professions, a decision based on a

belief that crime does pay. I believe the emergence of this problem of career criminals has seriously undermined the notion that criminals are simply products of poverty or underprivileged backgrounds.

At the very same time that crime rates have steadily risen, our nation has made unparalleled progress in raising the standard of living and improving the quality of life. It's obvious that prosperity doesn't decrease crime, just as it's obvious that deprivation and want don't necessarily increase crime. The truth is that today's criminals for the most part are not desperate people seeking bread for their families; crime is the way they've chosen to live.

A few weeks ago, Esquire magazine published an article that gained widespread attention. Possibly some of you saw it. It was written by a young novelist who, with his psychiatrist wife, had moved into a section of Venice, California, that had become crime-ridden. In explaining why his wife and he -- two educated, urbane people -- ultimately decided to arm themselves, he described in chilling terms the burglaries, rapes, holdups, gang fights, and murders that have become commonplace in their neighborhood.

"Let's face it," he said of the criminals, "some of these people are poor. Some of them are driven crazy with desire for stuff they'll never be able to afford. But not all of them are poor, not by a long shot. A lot of them are making as much money, or a great deal more, than you or I do. They do it because it's easy. They do it because they believe no one will stop them, and," he added, "they're right."

Well, let's face it: There is an arrogance to the criminal mind, a belief in its own superiority over the rest of humanity. The slang of organized crime is instructive here. It isn't surprising that some of these criminals habitually refer to themselves as "wise guys," and the honest people are "working stiffs." They do really believe that they're better than the rest of us, that the world owes them a living, and that those of us who lead normal lives and earn an honest living are a little slow on the uptake.

How accurate those words by that young novelist about career criminals: "They do it because they believe no one will stop them, and they're right." The truth is that criminals in America today get away with plenty, and sometimes, quite literally, they get away with murder. Only 40 percent of the murders ever end with a suspect being imprisoned. In New York City, less than 1 percent -- no, I'm sorry, one-sixth -- of reported felonies even end in arrests. And 1 percent of these felonies end in a prison term for an offender.

I would suggest the time has come to look reality in the face. American society is mired in excessive litigation. Our courts today are loaded with suits and motions of every conceivable type. Yet, as our system of justice has become weighed down with lawsuits of every nature and description, as the courts have become the arbiters of all kinds of disputes they were never intended to handle, our legal system has failed to carry out its most important function -- the protection of the innocent and the punishment of the guilty.

It's time for honest talk, for plain talk. There has been a breakdown in the criminal justice system in America. It just plain isn't working. All too often, repeat offenders, habitual law-breakers, career criminals, call them what you will, are robbing, raping, and beating with impunity and, as I said, quite literally getting away with murder. The people are sickened and outraged. They demand that we put a stop to it.

What is especially disturbing about our failure to deal with crime is the erosion it has caused in public confidence in our judicial system. In one recent poll, 70 percent of the people said they had little or no confidence in the ability of our courts to sentence and convict criminals.

The legal profession, one of the most highly regarded in this country, is now in deep trouble with the public. One ABC-Harris poll found that law firms finished last, after the Congress, the press, and the labor unions, in a list of 13 institutions which the public was asked to rate. Similarly, lawyers received favorable mentions from only 13 percent of those interviewed, half the percentage that did so in a 1973 survey.

This decline in public confidence in our courts and in the legal profession remains a threat to one of our most important traditions, traditions as Americans: the heritage of our independent judiciary, free from public or political influence, and a legal profession with a reputation for high, unassailable ethics.

Let me quote what one lawyer-policeman had to say recently about how criminal cases are handled today. He said, "In the criminal courts, cases are being trivialized in ways independent of the evidence." New York Police Commissioner Robert McGuire recently said, "Instead of the system being geared to treat each individual case as a manifestation of antisocial behavior, the main impetus is to dispose of it. No one is talking about the morality of crime."

Commissioner McGuire has put his finger on the problem. Controlling crime in American society is not simply a question of more money, more police, more courts, more prosecutors; it's ultimately a moral dilemma, one that calls for a moral or, if you will, a spiritual solution. In dealing with crime, new programs may help; more law-and-order rhetoric may be justified; the studies and surveys may still be needed; the blue ribbon panels may keep investigating. But in the end, the war on crime will only be won when an attitude of mind and a change of heart takes place in America, when certain truths take hold again and plant their roots deep in our national consciousness, truths like: Right and wrong matters; Individuals are responsible for their actions; Retribution should be swift and sure for those who prey on the innocent.

We must understand that basic moral principles lie at the heart of our criminal justice system, that our system of law acts as the collective moral voice of society. There's nothing wrong with these values, nor should we be hesitant or feel guilty about furnishing [punishing] those who violate the elementary rules of civilized existence. Theft is not a form of political or cultural expression; it is theft, and it is wrong. Murder is not forbidden as a matter of subjective opinion; it is objectively evil, and we must prohibit it. And no one but the thief and murderer benefits when we think and act otherwise.

Again, let me point to something that I hadn't included in my remarks but I am reminded of -- the whole problem of capital punishment. Well, I had an answer to that on my desk for several years while I was Governor. It was a list of the names of 12 criminals, 12 murderers, who had all been sentenced to prison, who had all served their terms or been paroled, and released. And at the time the list was on my desk, their total number of victims then was 34, not 12. I think capital punishment in the beginning might have reduced that figure considerably.

A tendency to downplay the permanent moral values has helped make crime the enormous problem that it is today, one that this administration has, as I've told you, made one of its top domestic priorities. But it has occurred to me that the root causes of our other major domestic problem, the growth of government and the decay of the economy, can be traced to many of the same sources of the crime problem. This is because the same utopian presumptions about human nature that hinder the swift administration of justice have also helped fuel the expansion of government.

Many of the social thinkers of the 1950's and '60's who discussed crime only in the context of disadvantaged childhoods and poverty-stricken neighborhoods were the same people who thought that massive government spending could wipe away our social ills. The underlying premise in both cases was a belief that there was nothing permanent or absolute about any man's nature, that he was a product of his material environment, and that by changing that environment -- with government as the chief vehicle of change through educational, health, housing, and other programs -- we could permanently change man and usher in a great new era.

Well, we've learned the price of too much government: runaway inflation, soaring unemployment, impossible interest rates. We've learned that Federal subsidies and government bureaucrats not only fail to solve social problems but frequently make them worse.

It's time, too, that we acknowledge the solution to the crime problem will not be found in the social worker's files, the psychiatrist's notes, or the bureaucrat's budgets. It's a problem of the human heart, and it's there we must look for the answer. We can begin by acknowledging some of those permanent things, those absolute truths I mentioned before. Two of those truths are that men are basically good but prone to evil, and society has a right to be protected from them.

The massive expansion of government is related to the crime problem in another, less obvious way. Government interference in our lives tends to discourage creativity and enterprise, to weaken the private economic sector, and preempt those mitigating institutions like family, neighborhood, church, and school -- organizations that act as both a buffer and a bridge between the individual and the naked power of the state.

A few years ago, Supreme Court Justice Lewis Powell noted that we had been cut adrift from the "humanizing authority" that had in the past "shaped the character of our people." He noted that governmental authority had grown large and regretted the weakening of the most "personal forms that we've known in the home, church, school, and community which once gave direction to our lives."

Charles Malik, a former President of the U.N. General Assembly, wondered about the weakening of moral authority in our places of learning. He said he had sought "in vain for any reference to the fact that character, personal integrity, spiritual depth, the highest moral standards, the wonderful living values of the great tradition, have anything to do with the business of the university or with the world of learning."

Well, as for the weakening of family values, Michael Novak, theologian and social critic, recently said that: "The family nourishes 'basic trust.' And from this springs creativity, psychic energy, social dynamism. Familial strength that took generations to acquire can be lost in a single generation, can disappear for centuries. If the quality of family life deteriorates," he said, "there is no 'quality of life.'"

What these commentators are saying is that for all our science and sophistication, for all of our justified pride in intellectual accomplishment, we must never forget the jungle is always there waiting to take us over. Only our deep moral values and our strong social institutions can hold back that jungle and restrain the darker impulses of human nature.

In order to return to this sense of self-imposed discipline, this concept of basic civility, we need to strengthen those private social institutions that nurture them. Our recent emphasis on voluntarism, the mobilization of private groups to deal with our social ills, is designed to foster this spirit of individual generosity and our sense of communal values. For this reason, we have moved to cut away many of the Federal intrusions of the private sector that were preempting the prerogatives of our private and independent institutions. That's why we've been willing to make some hard decisions in Washington about the growth of government. We've laid out a program for economic recovery. We'll stand by that program and see it through. We are determined to put an end to the fiscal joyride in Washington, determined to bring America back to prosperity and stability.

Assuring this kind of lawful society is an individual responsibility and one that must be accepted by all of us. This, too, is a matter of attitude -- the way we live our lives, the example we set for youngsters, the leadership that we show in our profession.

I'd like to tell a little story here that I think illustrates this point. It was a few years back when Bud Wilkinson had those great national champion Oklahoma football teams. And one of those teams was playing against Texas Christian. Now, TCU was having some pretty mediocre seasons, but on this particular day, as sometimes any team will, they rose to the heights. And in a critical moment, a pass receiver for TCU made a diving catch in the end zone, what could have been the winning touchdown over the national champions. The people in the stadium were going wild, when the captain of TCU walked over to the referee and said, "No, sir. The ball touched the ground before he caught it."

Now, what was your first reaction? Did you just say to yourself, remembering your own times sitting in the grandstand, "Why didn't he keep his mouth shut? He could have gotten away with it." But should he have kept his mouth shut? Some day he may represent you in the Congress or in the White House or even the statehouse. He might even be on the Supreme Court. And what then? Do you want him to keep his mouth shut, to make a decision on the basis of political expediency, or do you want him to be guided by the same kind of inner moral conviction that made him tell the referee the truth? Where does it start?

I think every one of us would like to think that maybe his son has a chance to play football someday under that young man, who has now grown up and is a coach. But where does it start? I think it starts inside each one of us. If each of us lives up to our responsibilities in our personal lives, professional capacity, we can foster a greater respect for the law, for the principle of truth and justice. You have to make decisions every day that require moral courage -- the courage not to ignore that rumor of corruption about someone under your command, or to refuse a favor for a powerful politician or influential attorney, or just give in to weariness and not pursue a criminal case you know should be vigorously prosecuted.

When we took our oaths of office, you and I, we made certain promises. We said we would uphold the law, whether those who violate it are common criminals or misguided members of a public employees union. It may be old-fashioned, but nothing sums up this personal commitment more than the simple word, "honor."

When Thomas Jefferson was advising his nephew what path he should follow to achieve success, he told him that men must always pursue their own and their country's interests with the purest integrity, the most chaste honor. "Make these then your first object," Jefferson said. "Give up money, give up fame, give up science, give up the earth itself and all it contains rather than do an immoral act. And never suppose that in any possible situation or under any circumstances that it is best for you to do a dishonorable thing, however slightly so it may appear to be."

Again, I commend you for manning the thin blue line that holds back a jungle which threatens to reclaim this clearing we call civilization. No bands play when a cop is shooting it out in a dark alley.

God bless you, and thank you.

Note: The President spoke at 11:03 a.m. in Penn Hall at the Rivergate Convention Center. Following his remarks, the President was presented with a plaque by William F. Quinn, outgoing president of the association and chief of the Newton Police Department, West Newton, Maine.