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MEMORANDUM

THE PRESIDENT HAS SEEN...

THE WHITE HOUSE

WASHINGTON

September 21, 1976

MEMORANDUM FOR: ROBERT T. HARTMANN
 VIA: GWEN ANDERSON *GA*
 FROM: CHARLES H. McCALL *CHM*
 SUBJECT: CARTER AND CRIME



As Governor, Carter's initiatives in the area of judicial reform have been generally praised. In Phil Stanford's report on Carter for the Citizen's Guide to the 1976 Presidential Candidates, he reported that in 1972 Carter favored a law to extend the use of electronic surveillance equipment by law enforcement officials in cases of theft, extortion, or auto theft; to extend the maximum time for using such devices from ten to twenty days; and to allow information gained from such surveillance to be admitted into evidence. In 1973 he supported reintroduction of the death penalty into Georgia. In that year he also supported legislation to allow judges to deny bail to those arrested for dealing in narcotics. In 1974, he supported legislation setting tough mandatory penalties for those convicted twice of selling hard drugs and making possession of marijuana a misdemeanor.

In an L.A. Times article on Carter as Governor (March 29, 1976), Kenneth Reich reported:

"Besides reorganization, there were a number of other reforms in the Carter administration. They included substantial upgrading of the prison system, which was mired in the old chain-gang mentality, under a new director imported from New England.

By executive order, Carter created a nominating commission to screen candidates for judicial appointment and he supported the establishment of a judicial qualifications commission to discipline or remove dishonest or incapacitated judges.

He sponsored a law requiring judges to retire at age 70 and, to get around a grandfather clause protecting incumbents beyond that age, he offered them a pension supplement if they would retire immediately.



'There is no one the lawyers of this state could thank more than Gov. Carter for what he's done,' W. Stell Huie, president of the Georgia Bar, has commented. 'The bar has given him the highest plaudits we could give him'. "

In a New York Times article appearing on May 17, 1976, which assessed Carter's record as Governor, James Wooten reported that Carter "imported from out of state highly respected penologists to begin a continuing overhaul of Georgia's ancient prison system, once characterized by the old chain gangs."

Writing in the Philadelphia Inquirer issue of September 6, 1976, Aaron Epstein and Philip Gailey reported on the views of the Carter administration in Georgia held by Professor T. M. Simpson of the Political Science Department at the University of Tennessee. The reporters claim that Simpson has studied the Carter administration longer than any outsider. His judgment is that Carter's most underrated achievement was the strides he made in reforming the state's court system.

"Judges began to be named through a nomination commission rather than pure political choice; a court administrative office was set up; and a commission to investigate complaints about judges was set up; although its capabilities are limited because it has no staff.

Carter antagonized his conservative critics by stressing rehabilitation and early release of prisoners, both as a humane measure and as a means of coping with prison overpopulation.

But a strike and near-riots at the Georgia State Prison at Reidsville in late 1974 forced Carter to acknowledge that the prison was still overcrowded and 'the programs for rehabilitation and counseling established over the past three years have suffered as a result'."

John Dillin also praised Carter's judicial reforms in his Christian Science Monitor series article appearing on July 19, 1976.

Attachments:

Tab A - Carter releases dealing with crime and related subjects

Tab B - RNC's Carter Quotebook material on crime and related subjects

Tab C - Quotebox material on crime and related subjects

TAB C

Jimmy Carter Presidential Campaign



JIMMY CARTER ON CRIME

Every American has a right to expect that laws will be administered in an evenhanded manner, but it seems that something is wrong even with our system of justice. Defendants who are repeatedly out on bail commit more crimes. Aggravating trial delays and endless litigation are common. Citizens without influence often bear the brunt of prosecution. Violators of anti-trust laws and other white-collar criminals are often ignored and go unpunished.

Overall, I think the best way to reduce crime in a substantive manner is to reduce unemployment. The best deterrent to crime from within the criminal justice system is the certainty of swift, firm punishment. That doesn't exist now. I think a streamlining of court procedures, an abbreviation of the trial procedure, a sure punishment for a brief period of time, administrative offices for the courts, an emphasis on prevention of crime in areas where crime is so rampant, all of these could contribute to reducing the crime problem.

Jimmy Carter Presidential Campaign



JIMMY CARTER ON SENATE BILL 1

S.1 is an attempt to reform the federal criminal code. Federal criminal laws have not been codified and their development has been haphazard; an attempt to reform them is laudable.

Unfortunately, the proposed "Criminal Justice Codification, Revision, and Reform Act of 1975" goes beyond what is needed and threatens to disrupt civil liberties guaranteed by the Constitution. The basic problem is the vagueness in the manner that many of the crimes are defined. For this reason, I oppose the bill.

- Sections 1121, 1122, and 1123, which deal with espionage, define "national defense information" so broadly that ordinary agricultural, industrial and economic data could reasonably be protected.

- Section 1124 criminalizes disclosure of classified information whether the information was properly classified or not.

- Section 1103 reenacts the Smith Act, which makes it illegal to incite to imminent lawless conduct, or to act in a manner which could facilitate such conduct.

- Sections 541-544 allow as a defense in the prosecution of a "public servant" that the conduct "was required or authorized by law to carry out the defendant's authority."

After our recent experiences with Watergate, it is important that national government once again become a government of the people. Accountability is an elementary principle of democratic government. S.1 makes government officials less accountable to the people by not only making "just following orders" a valid defense for any public servant, but also by making it illegal to release misclassified documents.

The criminal code is archaic and in need of some reform. But reform can be accomplished without undermining the basis of democratic government. S.1 could possibly allow for the jailing of those who protest Vietnam-type wars. S.1 could possibly stop newspapers from printing such things as the Pentagon Papers, and possibly could prevent reports such as the stories about the grain deals with Russia.

S.1 has many vague provisions which could be used against people disliked by those running the government. And S.1 contains the provisions which would stop us from discovering those abuses. Secrecy in government is cancerous, as Watergate has taught us, and S.1 is designed to make government more - not less - secret.

Jimmy Carter Presidential Campaign



JIMMY CARTER ON THE DEATH PENALTY

My position on the death penalty was spelled out as Governor. It should be retained for a few aggravated crimes like murder committed by an inmate with a life sentence. The penalty must be assessed by a jury and must be reviewed in each case by a 3-judge panel of the State Supreme Court.

Since there has not been an execution since 1967 in the U.S., the death penalty actually means ineligibility for parole consideration.



JIMMY CARTER ON GUN CONTROL

I favor national registration of handguns, a ban on the sale of cheap handguns, and prohibition of ownership by anyone convicted of a crime involving a gun and by those not mentally competent.

Jimmy Carter Presidential Campaign

ADDRESS BY JIMMY CARTER ON

LAW DAY

UNIVERSITY OF GEORGIA, ATHENS, GA

May 4, 1974



Senator Kennedy, distinguished fellow Georgians, friends of the Law School of Georgia and personal friends of mine:

Sometimes even a distinguished jurist on the Supreme Court doesn't know all of the background on acceptances of invitations. As a matter of fact, my wife was influential in this particular acceptance, but my son was even more influential. This was really an acceptance to repair my ego. There was established in 1969 the L.Q.C. Lamar Society. I was involved in the establishment of it, and I think a lot of it. As Governor of Georgia I was invited this year, along with two distinguished Americans, to make a speech at the annual meeting which is going on now.

I found out when the program was prepared that Senator Kennedy was to speak last night. They charged \$10 to attend the occasion. Senator William Brock from Tennessee is speaking to the Lamar Society at noon today. I found out that they charged \$7.50 for this occasion. I spoke yesterday at noon, and I asked the Lamar Society officials, at the last moment, how much they were charging to come to the luncheon yesterday. They said they weren't charging anything. I said, "You mean they don't even have to pay for the lunch?" They said, "No, we're providing the lunch free."

So, when my son Jack came and said, "Daddy, I think more of you than you thought I did; I'm paying \$7.00 for two tickets to the luncheon," I figured that a \$3.50 lunch ticket would salvage part of my ego and that's really why I'm here today.

I'm not qualified to talk to you about law, because in addition to being a peanut farmer, I'm an engineer and a nuclear physicist, not a lawyer. I was planning, really, to talk to you more today about politics and the inter-relationship of political affairs and law, than about what I'm actually going to speak on. But after Senator Kennedy's delightful and very fine response to political questions during his speech, and after his analysis of the Watergate problems, I stopped at a room on the way, while he had his press conference, and I changed my speech notes.

My own interest in the criminal justice system is very deep and heartfelt. Not having studied law, I've had to learn the hard way. I read a lot and listen a lot. One of the sources for my understanding about the proper application of criminal justice and the system of equity is from reading Reinhold Niebuhr, one of his books that Bill Gunter gave me quite a number of years

ago. The other source of my understanding about what's right and wrong in this society is from a friend of mine, a poet named Bob Dylan. After listening to his records about "The Ballad of Hattie Carol" and "Like a Rolling Stone" and "The Times, They Are a Changing," I've learned to appreciate the dynamism of change in a modern society.

I grew up as a landowner's son. But, I don't think I ever realized the proper interrelationship between the landowner and those who worked on a farm until I heard Dylan's record, "I Ain't Gonna Work on Maggie's Farm No More." So I come here speaking to you today about your subject with a base for my information founded on Reinhold Niebuhr and Bob Dylan.

One of the things that Niebuhr says is that the sad duty of the political system is to establish justice in a sinful world. He goes on to say that there's no way to establish or maintain justice without law; that the laws are constantly changing to stabilize the social equilibrium of the forces and counterforces of a dynamic society, and that the law in its totality is an expression of the structure of government.

Well, as a farmer who has now been in office for three years, I've seen firsthand the inadequacy of my own comprehension of what government ought to do for its people. I've had a constant learning process, sometimes from lawyers, sometimes from practical experience, sometimes from failures and mistakes that have been pointed out to me after they were made.

I had lunch this week with the members of the Judicial Selection Committee, and they were talking about a consent search warrant. I said I didn't know what a consent search warrant was. They said, "Well, that's when two policemen go to a house. One of them goes to the front door and knocks on it, and the other one runs around to the back door and yells 'come in.'" I have to admit that as Governor, quite often I search for ways to bring about my own hopes; not quite so stringently testing the law as that, but with a similar motivation.

I would like to talk to you for a few moments about some of the practical aspects of being a governor who is still deeply concerned about the inadequacies of a system of which it is obvious that you're so patently proud.

I have refrained completely from making any judicial appointments on the basis of political support or other factors, and have chosen, in every instance, Superior Court judges, quite often State judges, Appellate Court

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A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

judges, on the basis of merit analysis by a highly competent, open, qualified group of distinguished Georgians. I'm proud of this.

We've now established in the Georgia Constitution a qualifications commission, which for the first time can hear complaints from average citizens about the performance in office of judges and can investigate those complaints and with the status and the force of the Georgia Constitution behind them can remove a judge from office or take other corrective steps.

We've now passed a Constitutional amendment, which is waiting for the citizenry to approve, that establishes a uniform Criminal Justice Court System in this state so that the affairs of the judiciary can be more orderly structured, so that work loads can be balanced and so that over a period of time there might be an additional factor of equity, which quite often does not exist now because of the wide disparity among the different courts of Georgia.

We passed this year a judge sentencing bill for non-capital cases with a review procedure. I've had presented to me, by members of the Pardons and Paroles Board, an analysis of some of the sentences given to people by the Superior Court judges of this state, which grieved me deeply and shocked me as a layman. I believe that over a period of time, the fact that a group of other judges can review and comment on the sentences meted out in the different portions of Georgia will bring some more equity to the system.

We have finally eliminated the unsworn statement law in Georgia—the last state to do it.

This year, we analyzed in depth the structure of the drug penalties in this state. I believe in the future there will be a clear understanding of the seriousness of different crimes relating to drugs. We've finally been able to get through the legislature a law that removes alcoholism or drunkenness as a criminal offense. When this law goes into effect next year, I think it will create a new sense of compassion and concern and justice for the roughly 150,000 alcoholics in Georgia, many of whom escape the consequences of what has been a crime because of some social or economic prominence, and will remove a very heavy load from the criminal justice system.

In our prisons, which in the past have been a disgrace to Georgia, we've tried to make substantive changes in the quality of those who administer them and to put a new realm of understanding and hope and compassion into the administration of that portion of the system of justice. Ninety-five percent of those who are presently incarcerated in prisons will be returned to be our neighbors. And now the thrust of the entire program, as initiated under Ellis MacDougall and now continued under Dr. Ault, is to try to discern in the soul of each convicted and sentenced person redeeming features that can be enhanced. We plan a career for that person to be pursued while he is in prison. I believe that the early data that we have on recidivism rates indicates the efficacy of what we've done.

The GBI, which was formerly a matter of great concern to all those who were interested in law enforcement, has now been substantially changed—for the better. I would put it up now in quality against the FBI, the Secret Service or any other crime control organization in this Nation.

Well, does that mean that everything is all right? It doesn't to me.

I don't know exactly how to say this, but I was thinking just a few moments ago about some of the things that are of deep concern to me as Governor. As a scientist, I was working constantly, along with almost everyone who professes that dedication of life, to probe, probe every day of my life for constant change for the better. It's completely anachronistic in the makeup of a nuclear physicist or an engineer or scientist to be satisfied with what we've got, or to rest on the laurels of past accomplishments. It's the nature of the profession.

As a farmer, the same motivation persists. Every farmer that I know of, who is worth his salt or who's just average, is ahead of the experiment stations and the research agronomist in finding better ways, changing ways to plant, cultivate, utilize herbicides, gather, cure, sell farm products. The competition for innovation is tremendous, equivalent to the realm of nuclear physics even.

In my opinion, it's different in the case of lawyers. And maybe this is a circumstance that is so inherently true that it can't be changed.

I'm a Sunday School teacher, and I've always known that the structure of law is founded on the Christian ethic that you shall love the Lord your God and your neighbor as yourself—a very high and perfect standard. We all know the fallibility of man, and the contentions in society, as described by Reinhold Niebuhr and many others, don't permit us to achieve perfection. We do strive for equality, but not with a fervent and daily commitment. In general, the powerful and the influential in our society shape the laws and have a great influence on the legislature or the Congress. This creates a reluctance to change because the powerful and the influential have carved out for themselves or have inherited a privileged position in society, of wealth or social prominence or higher education or opportunity for the future. Quite often, those circumstances are circumvented at a very early age because college students, particularly undergraduates, don't have any commitment to the preservation of the way things are. But later, as their interrelationship with the present circumstances grows, they also become committed to approaching change very, very slowly and very, very cautiously, and there's a commitment to the status quo.

I remember when I was a child, I lived on a farm about three miles from Plains, and we didn't have electricity or running water. We lived on the railroad—Seaboard Coastline railroad. Like all farm boys I had a flip, a sling shot. They had stabilized the railroad bed with little white round rocks, which I used for ammunition. I would go out frequently to the railroad and gather the most perfectly shaped rocks of proper size. I always had a few in my pockets, and I had others cached away around the farm, so that they would be convenient if I ran out of my pocket supply.

One day I was leaving the railroad track with my pockets full of rocks and hands full of rocks, and my mother came out on the front porch—this is not a very interesting story but it illustrates a point—and she had in her hands a plate full of cookies that she had just baked for me. She called me, I am sure with love in her heart, and said, "Jimmy, I've baked some cookies for

you." I remember very distinctly walking up to her and standing there for 15 or 20 seconds, in honest doubt about whether I should drop those rocks which were worthless and take the cookies that my mother had prepared for me, which between her and me were very valuable.

Quite often, we have the same inclination in our everyday lives. We don't recognize that change can sometimes be very beneficial, although we fear it. Any one who lives in the South looks back on the last 15 to 20 years with some degree of embarrassment, including myself. To think about going back to a county unit system, which deliberately cheated for generations certain white voters of this state, is almost inconceivable. To revert back or to forego the one man, one vote principle, we would now consider to be a horrible violation of the basic principles of justice and equality and fairness and equity.

The first speech I ever made in the Georgia Senate, representing the most conservative district in Georgia, was concerning the abolition of 30 questions that we had so proudly evolved as a subterfuge to keep black citizens from voting and which we used with a great deal of smirking and pride for decades or generations ever since the War between the States—questions that nobody could answer in this room, but which were applied to every black citizen that came to the Sumter County Courthouse or Webster County Courthouse and said, "I want to vote." I spoke in that chamber, fearful of the news media reporting it back home, but overwhelmed with a commitment to the abolition of that artificial barrier to the rights of an American citizen. I remember the thing that I used in my speech, that a black pencil salesman on the outer door of the Sumter County Courthouse could make a better judgment about who ought to be sheriff than two highly educated professors at Georgia Southwestern College.

Dr. Martin Luther King, Jr., who was perhaps despised by many in this room because he shook up our social structure that benefited us, and demanded simply that black citizens be treated the same as white citizens, wasn't greeted with approbation and accolades by the Georgia Bar Association or the Alabama Bar Association. He was greeted with horror. Still, once that change was made, a very simple but difficult change, no one in his right mind would want to go back to circumstances prior to that juncture in the development of our Nation's society.

I don't want to go on and on, I'm part of it. But, the point I want to make to you is that we still have a long way to go. In every age or every year, we have a tendency to believe that we've come so far now, that there's no way to improve the present system. I'm sure when the Wright Brothers flew at Kitty Hawk, they felt that was the ultimate in transportation. When the first atomic bomb was exploded, that was the ultimate development in nuclear physics, and so forth.

Well, we haven't reached the ultimate. But who's going to search the heart and the soul of an organization like yours or a law school or state or nation and say, "What can we still do to restore equity and justice or to preserve it or to enhance it in this society?"

You know, I'm not afraid to make the change. I don't have anything to lose. But, as a farmer I'm not qualified to assess the characteristics of the 91 hundred inmates

in the Georgia prisons, 50% of whom ought not to be there. They ought to be on probation or under some other supervision and assess what the results of previous court rulings might bring to bear on their lives.

I was in the Governor's Mansion for two years, enjoying the services of a very fine cook, who was a prisoner—a woman. One day she came to me, after she got over her two years of timidity, and said, "Governor, I would like to borrow \$250.00 from you."

I said, "I'm not sure that a lawyer would be worth that much."

She said, "I don't want to hire a lawyer, I want to pay the judge."

I thought it was a ridiculous statement for her; I felt that she was ignorant. But I found out she wasn't. She had been sentenced by a Superior Court judge in the state, who still serves, to seven years or \$750. She had raised, early in her prison career, \$500. I didn't lend her the money, but I had Bill Harper, my legal aide, look into it. He found the circumstances were true. She was quickly released under a recent court ruling that had come down in the last few years.

I was down on the coast this weekend. I was approached by a woman who asked me to come by her home. I went by, and she showed me documents that indicated that her illiterate mother, who had a son in jail, had gone to the County Surveyor in that region and had borrowed \$225 to get her son out of jail. She had a letter from the Justice of the Peace that showed that her mother had made a mark on a blank sheet of paper. They paid off the \$225, and she has the receipts to show it. Then they started a 5-year program trying to get back the paper she signed, without success. They went to court. The lawyer that had originally advised her to sign the paper showed up as the attorney for the surveyor. She had put up 50 acres of land near the county seat as security. When she got to court she found that instead of signing a security deed, that she had signed a warranty deed. That case has already been appealed to the Supreme Court, and she lost.

Well, I know that the technicalities of the law that would permit that are probably justifiable. She didn't have a good lawyer. My heart feels and cries out that something ought to be analyzed, not just about the structure of government, judicial qualification councils and judicial appointment committees and eliminating the unsworn statement—those things are important. But they don't reach the crux of the point—that now we assign punishment to fit the criminal and not the crime.

You can go in the prisons of Georgia, and I don't know, it may be that poor people are the only ones who commit crimes, but I do know they are the only ones who serve prison sentences. When Ellis MacDougall first went to Reidsville, he found people that had been in solitary confinement for ten years. We now have 500 misdemeanants in the Georgia prison system.

Well, I don't know the theory of law, but there is one other point I want to make, just for your own consideration. I think we've made great progress in the Pardons and Paroles Board since I've been in office and since we've reorganized the government. We have five very enlightened people there now. And on occasion they go out to the prison system to interview the inmates, to decide whether or not they are worthy to be released after they serve one-third of their sentence. I think

most jurors and most judges feel that, when they give the sentence, they know that after a third of the sentence has gone by, they will be eligible for careful consideration. Just think for a moment about your own son or your own father or your own daughter being in prison, having served seven years of a lifetime term and being considered for a release. Don't you think that they ought to be examined and that the Pardons and Paroles Board ought to look them in the eye and ask them a question and, if they are turned down, ought to give them some substantive reason why they are not released and what they can do to correct their defect?

I do.

I think it's just as important at their time for consideration of early release as it is even when they are sentenced. But, I don't know how to bring about that change.

We had an ethics bill in the State Legislature this year. Half of it passed—to require an accounting for contributions during a campaign—but the part that applied to people after the campaign failed. We couldn't get through a requirement for revelation of payments or gifts to officeholders after they are in office.

The largest force against that ethics bill was the lawyers.

Some of you here tried to help get a consumer protection package passed without success.

The regulatory agencies in Washington are made up, not of people to regulate industries, but of representatives of the industries that are regulated. Is that fair and right and equitable? I don't think so.

I'm only going to serve four years as governor, as you know. I think that's enough. I enjoy it, but I think I've done all I can in the Governor's office. I see the lobbyists in the State Capitol filling the halls on occasions. Good people, competent people, the most pleasant, personable, extroverted citizens of Georgia. Those are the characteristics that are required for a lobbyist. They represent good folks. But I tell you that when a lobbyist goes to represent the Peanut Warehousemen's Association of the Southeast, which I belong to, which I helped to organize, they go there to represent the peanut warehouseman. They don't go there to represent the customers of the peanut warehouseman.

When the State Chamber of Commerce lobbyists go there, they go there to represent the businessman of Georgia. They don't go there to represent the customers of the businessman of Georgia.

When your own organization is interested in some legislation there in the Capitol, they're interested in the welfare or prerogatives or authority of the lawyers. They are not there to represent in any sort of exclusive way the client of the lawyers.

The American Medical Association and its Georgia equivalent—they represent the doctors, who are fine people. But they certainly don't represent the patients of a doctor.

As an elected governor, I feel that responsibility; but I also know that my qualifications are slight compared to the doctors or the lawyers or the teachers, to determine what's best for the client or the patient or the school child.

This bothers me; and I know that if there was a commitment on the part of the cumulative group of attorneys in this State, to search with a degree of commit-

ment and fervency, to eliminate many of the inequities that I've just described that I thought of this morning, our state could be transformed in the attitude of its people toward the government.

Senator Kennedy described the malaise that exists in this Nation, and it does.

In closing, I'd like to just illustrate the point by something that came to mind this morning when I was talking to Senator Kennedy about his trip to Russia.

When I was about 12 years old, I liked to read, and I had a school principal, named Miss Julia Coleman, Judge Marshall knows her. She forced me pretty much to read, read, read, classical books. She would give me a gold star when I read ten and a silver star when I read five.

One day, she called me in and she said, "Jimmy, I think it's time for you to read *War and Peace*." I was completely relieved because I thought it was a book about cowboys and Indians.

Well, I went to the library and checked it out, and it was 1,415 pages thick, I think, written by Tolstoy, as you know, about Napoleon's entry into Russia in the 1812-1815 era. He had never been defeated and he was sure he could win, but he underestimated the severity of the Russian winter and the peasants' love for their land.

To make a long story short, the next spring he retreated in defeat. The course of history was changed; it probably affected our own lives.

The point of the book is, and what Tolstoy points out in the epilogue is, that he didn't write the book about Napoleon or the Czar of Russia or even the generals, except in a rare occasion. He wrote it about the students and the housewives and the barbers and the farmers and the privates in the Army. And the point of the book is that the course of human events, even the greatest historical events, are not determined by the leaders of a nation or a state, like presidents or governors or senators. They are controlled by the combined wisdom and courage and commitment and discernment and unselfishness and compassion and love and idealism of the common ordinary people. If that was true in the case of Russia where they had a czar or France where they had an emperor, how much more true is it in our own case where the Constitution charges us with a direct responsibility for determining what our government is and ought to be?

Well, I've read parts of the embarrassing transcripts, and I've seen the proud statement of a former attorney general, who protected his boss, and now brags on the fact that he tiptoed through a mine field and came out "clean." I can't imagine somebody like Thomas Jefferson tiptoing through a mine field on the technicalities of the law, and then bragging about being clean afterwards.

I think our people demand more than that. I believe that everyone in this room who is in a position of responsibility as a preserver of the law in its purest form ought to remember the oath that Thomas Jefferson and others took when they practically signed their own death warrant, writing the Declaration of Independence—to preserve justice and equity and freedom and fairness, they pledged their lives, their fortunes and their sacred honor.

Thank you very much.

TAB B

CRIME/DRUGS

The key to lowering the crime rate, Carter says, is to find jobs for the seven per cent unemployed in America. He favors handgun registration, and prohibition of the sale of cheap firearms, as well as " heavy punishment for those who push any kind of drugs, including marijuana. " However, he now believes that marijuana ought to be decriminalized (as opposed to legalized) making simple possession a misdemeanor.

Although he has not campaigned as a law-and-order candidate, his 1970 statement on campus violence and the restoration of order show him to be more conservative on the crime issue than he at first appears. He said that he would issue shoot-to-kill orders in campuses where disorder had become chronic and that he would " be as tough as I possibly can be in stamping out drugs. " His positions on legalized gambling and capital punishment have varied.

CRIME - DRUGS

It is " apparent that the local governments in the urban areas must have help from the state in the form of planning and finance if the problems of crime are to be solved. If elected governor Carter would " immediately set up a special section of the Georgia Bureau of Investigation to combat organized crime. "

Atlanta Constitution
July 7, 1966

Carter said he sees three " misunderstood " Georgians - the middle class who are " s and tired of the apparent breakdown in law and order, " the policeman who " performs a most sensitive function in a complicated modern society, most often without adequate training or compensation, " and the young criminal who, under the current system " will be unlikely to realize his potential and assume a useful and productive role in society. "

Atlanta Constitution
May 14, 1970

Carter promised a Jaycee meeting that he would put an end to pornography, prostitution, and drug traffic in Atlanta if he were elected governor.

Atlanta Constitution
August 6, 1970

" I see the beginning of a major institution of organized crime here, " (Columbus) Carter said the " numbers racket " is the top threat centered in Atlanta followed by liquor law violations, auto theft, drug sales, prostitution and pornography.

Columbus Ledger
August 7, 1970

" I'm not in favor of shifting the GBI from the Department of Public Safety to the Attorney General's office. I would like to have adequate time during my administration to increase the quality of the GBI and approach the standards and training and pay and professional excellence to that of the present GBI. "

Interview
Atlanta Constitution
September 24, 1970

" If violence actually erupted on a campus...I would call in the state patrol or the GBI, area, or in an extreme case, the best qualified National Guard unit available to me. I would be there with them in person to be sure that they did their jobs properly. I would let them have adequate arms and ammunition, and I would be personally responsible for their performance of duty. "

Interview
Atlanta Constitution
September 24, 1970



Jimmy Carter called himself a " military man who will not hesitate to impose the force of an armed National Guard on a campus or community to restore order. "

Carter warned there is organized crime in the state. He read price quotations on drugs from a magazine which is " peddled in the notorious hippie district of Atlanta. "

Savannah Morning News
October 13, 1970

" If God gives me the power, I will stamp out the use of drugs in Georgia. It's one of the most devastating afflictions to come on our state. I know the problem is concentrated on college campuses. I know it's wrong. "

Savannah Morning News
October 24, 1970

Carter, holding a news conference at his Valdosta headquarters, said he would commit the National Guard to " take whatever action is necessary to protect innocent lives, including shoot-to-kill orders, if that is necessary as a last resort to restore order " in a riot. Carter said he had " always said I will not permit disruptions in our cities and on our college campuses. "

Savannah Morning News
October 27, 1970

" I'm going to be as tough as I possibly can be in stamping out drugs. "

Atlanta Constitution
October 27, 1970

" I favor retention of capital punishment. "

Atlanta Constitution
November 1, 1970

" I'm opposed to legalized gambling and if the legislature passes a bill authorizing the legalization of gambling, I will veto it. "

Atlanta Constitution
November 1, 1970

Carter pledged to begin work to coordinate law enforcement immediately after his inauguration to stamp out crime " centered in the hippie area " of Atlanta.

" One of the first things I intend to do after the inauguration is to call in the state and federal agents along with Chief (Herbert) Jenkins of Atlanta and ask them what help I can give them as governor of the state. "

Combatting crime in the area might include " stricter enforcement of housing standards. " " Also we now have only six federal drug officers in Georgia. We have an allotment of eight and I'm going to ask the Attorney General of the United States to fill out the complement. "

Atlanta Constitution

Carter says he considers " criminal justice " one of the most fruitful areas " for immediate action " in his administration.

He asked two Georgia Superior Court judges to take over as head of the Corrections Department. Both said no.

" I think my strong feelings about this (corrections) as governor will help to incline more people to participate in this, which I consider a great challenge in state government. "

Atlanta Constitution
January 5, 1971

To gain more interest in serving the state by working in the " dirty " field of criminal justice, Carter says he wants to raise the image of the Corrections and Pardons and Paroles Board membership nearly to the status of judgeships.

Atlanta Constitution
January 5, 1971

" We cannot educate a child, build a highway, equalize tax burdens, create harmony among people, or preserve basic human freedom unless we have an orderly society. Crime and lack of justice are especially cruel to those who are least able to protect themselves. Swift arrest and trial and fair punishment should be expected by those who would break our laws. It is equally important to us that every effort be made to rehabilitate law breakers into useful and productive members of society.

Atlanta Constitution
January 13, 1971

" As I have said many times, I do not intend to see our campuses disrupted and I will enforce the law. "

Atlanta Constitution
January 15, 1971

Governor Jimmy Carter said he agrees with the Supreme Court decision upholding jury-imposed death penalties.

Although he said he would be " personally reluctant to impose the death penalty, " the governor said threat of execution may serve as " a restraining influence " in many instances.

" I do not believe at this time society can afford the use of the death penalty. I do believe that this is a deterrent, especially in certain cases such as in the murder of a prison guard by someone already under life sentence. "

Atlanta Constitution
May 4, 1971

" I am not convinced that the Veterans Administration alone should be expected to be able of mounting the many types of programs required to treat heroin addiction among returning servicemen. "

Atlanta Journal
June 23, 1971

Carter announced his war on heroin addiction would begin immediately with establishment of four drug treatment centers in Atlanta and others in the near future in Augusta, Savannah, Macon, and Columbus.

Atlanta Constitution
July 2, 1971

" To those of us who work daily in the state and local levels of government it is imperative that we and the Federal government muster the courage to confront the conflicting and confusing issues that surround the subject of drug abuse... "

Drug Prevention and Control
Hearings
92nd Congress, 1st Session
July 15, 1971

" Our biggest single obstacle so far has been the fragmentation of effort in drug addiction control among so many governmental agencies, each of them jealously guarding its independent prerogative and authority. Within Georgia, I am using the full persuasive influence of the Governor's office to overcome this handicap among the state, county and city agencies. The help readily being offered must be part of this single effort within our state, and legislation concerning treatment, and perhaps control of drug addiction and alcoholism should certainly consolidate federal efforts. "

Drug Abuse Prevention and Control
Hearings
92nd Congress, 1st Session
July 15, 1971

" I have wrested from all state agencies, about 14, their previous authority, fragmented as it was, to control the drug problem and have placed it in a single state agency headed by Dr. Peter Bourne. "

Drug Abuse Prevention and Control
Hearings
92 Congress, 1st Session
July 15, 1971

" Let's make no mistake, " Carter said. " Heroin addiction among servicemen is due in large part to low morale, weak discipline and poor educational programs. In short, military leadership is part of the problems. "

Atlanta Constitution
July 16, 1971

" Through my own campaign during the last four years to become governor of Georgia, I said a hundred times over that police officials and law enforcement officials of my state would have an ally in the Governor's office and they would have my continuing backing 100% during the four years that I am the governor of the state. "

Speech,
July 22, 1971

Carter said that lighter sentences for marijuana possessors could " possibly " encourage its usage, but, he added, the risk must be balanced against sending a first offender to Reidsville State Penitentiary for two years, " where he may become a lifetime criminal. "

Speech, Meet the College Press
WAUC Radio
Atlanta Constitution
September 5, 1971

" I say again that I am going to stake my reputation as a Governor and as a human being, as a public servant and guarantee that when I go out of office, a short two and a half years from now, that Georgia will have a prison system and offender rehabilitation system and a system of criminal justice that, I believe, will be the best in the U. S. "

Speech, Georgia Association
of Broadcasters
June 13, 1972

Carter lashed out at " unscrupulous " lawyers he said are bleeding state prison inmates with " exorbitant " fees for needless representation at State Pardon and Parole Board hearings.

Atlanta Constitution
August 26, 1972

Carter said he feels the spread of pornography has resulted in a " loosening of the nation's morals. " He added: " I think filthy bookstores and peep movies have gone too far...I'd like to see them ceased. "

Atlanta Journal
September 16, 1972



Carter signed a law creating a Georgia Crime Information Center involving a statewide exchange of computer data among law enforcement agencies and courts.

Atlanta Journal
April 19, 1973

" There's another point that I want to make, and this is perhaps the most important thing in the minds of many Americans--the respect for the law and for the orderly processes of society. I have to admit here that we must yield to the Republicans on this point. They have a natural advantage over us because within the White House Staff itself they have qualified people who know the law on both sides. I believe that most Americans are willing to forgive mistakes, and I believe that most Americans respect a leader's right to misjudge his subordinates, but Americans do not appreciate deliberate concealing of the truth, and they do not appreciate a breakdown in the respect for the top official responsible for law and order in this nation. They do not appreciate a deliberate continuing effort to protect the big shot and to put the blame on the little man who can't protect himself. "

Speech,
April 21, 1973

" ...I don't consider it an improper administration of justice to have someone considered for parole at the conclusion of seven years in prison...We now have a very fine prison system; I think by the time I go out of office we'll have one as fine as any in the country. "

Speech, Georgia State University
July 30, 1973

" ...Although I think it's wrong and I would not be in favor of legalizing marijuana to a misdemeanor instead of a felony and we've established, I think, an attitude on the part of the Georgia people that the drug addict, even one addicted to heroin ought not to be put in jail, but he ought to be treated for his affliction or illness with methadone treatment, and with psychological and psychiatric analysis and with job placement counselling...

(Re: heroin pushers)...I would personally favor changing the Georgia law to encompass perhaps a mandatory life sentence to get those people out of Georgia and let them go somewhere else if they want to push their wares. "

Speech, Georgia State University
July 30, 1973

Carter said that he plans to ask for mandatory life sentences for convicted drug peddlers during the 1974 session of the General Assembly. (He did.)

Atlanta Constitution
August 13, 1973

Carter reiterated his support for life sentences for convicted pushers of hard drugs.

Atlanta Constitution
September 10, 1973

Rewards offered by Carter for apprehension of criminals have been the highest in Georgia history, \$1,000.

Atlanta Constitution
November 24, 1973

" We need clear definitions of dangerous substances and laws which require suitable punishments for drug violations, including a mandatory life sentence for repeated pushers of hard and addictive drugs. "

Speech, State of the State Message
January 14, 1974

" I want to see our drug laws clarified and strengthened to ensure that the legal risks of trafficking in drugs exceeds the profits in them.

" The only reason for pushing dope now is a fat profit coupled with delayed and uncertain conviction and weak penalties. "

Speech, State of the State Message
January 14, 1974

" We're making substantial moves toward stamping out broad-based organized crime syndicates that exist in the Gainesville - northeast Georgia area. "

Speech, Georgia Municipal Association, Mayor's Day
January 21, 1974

Carter, citing " grossly overcrowded " conditions in the state prison system, has asked Georgia's state and superior court judges to place more criminals on probation instead of sending them to packed state prisons.

Atlanta Constitution
February 8, 1974

Carter says he is trying to create awareness " that a prisoner was not inherently to be despised, that he had the same yearning for human dignity and acceptance and a life of achievements as we ourselves have. "

Speech, B'nai B'rith
April 20, 1974

(Talking about the prison system.) " 95% of those who are presently incarcerated in prisons will be returned to be our neighbors. "

Speech, Law Day,
University of Georgia
May 4, 1974

" Organized crime exists with impunity in many parts of the state because local officials have no inclination to investigate or prosecute. "

Atlanta Constitution
October 23, 1974

" If the state does not control organized crime, it will control the state. "

Atlanta Constitution
October 23, 1974

" We need a single federal alcohol-drug institute so that all those working in this broad and interrelated field can go to a single source for information and support. "

Atlanta Constitution
December 19, 1974

" Something is wrong with our system of justice...Defendants who are repeatedly out on bail commit more crimes. Aggravating trial delays and endless litigation are common. "

U.S. News and World Report
September 22, 1975

Carter said that controlling crime is a " tough question. " He said, " I don't think that incarceration is the answer. I've never seen a rehabilitation result from long incarceration in prison. I think a streamlining of the court procedures, or an abbreviation of the trial procedure, assure punishment of a briefer period of time, administrative officers for the courts, an emphasis on prevention of crime in areas where crime is so rampant with not building jailhouses, but having more concentrations of police officers; better lighting would help, but the overall, only solution that I can see to the crime problem, and it would be substantive, is the reduction of unemployment. "

CBS Interview
November 18, 1975

Carter would permit capital punishment in a few cases, such as a murder by a prison inmate serving a life sentence. He would also require judicial safeguards on the imposition of the penalty.

Washington Star
December 3, 1975

Carter claims credit for a " comprehensive judicial reform package " in Georgia.

Press Release
December 3, 1975

" I honestly believe-- and you may not like my answer-- that one of the best ways to cut down on crime is to cut down on unemployment...Your own son, if out in the street and unable to find work, might turn to crime. "

New York Times Magazine
December 14, 1975

" One of the best ways to cut down on crime is to cut down on unemployment. "

New York Times Magazine
December 14, 1975

Carter favors decriminalization of marijuana.

Vermont Times - Argus
December 27, 1975

In response to a poll by NORML, Carter stated that he favored decriminalization of possession of small amounts of marijuana. Civil fines would be imposed instead. Carter does, however, favor retaining criminal penalties for sale or distribution.

Washington Star
January 19, 1976

" You see red people in prison, you see black people, well educated people, ignorant people, mentally retarded...But you never see any rich people there. "

Speech, CFA Conference
January 23, 1976

" But the overall, only solution that I can see to the crime problem is in the reduction of unemployment.

" I don't think that incarceration in prison is the answer. "

Human Events
January 31, 1976

Carter wants to make possession of small amounts of marijuana subject to a " civil fine " but retain criminal penalties for sale and distribution.

Indianapolis Star
March 9, 1976

" I favor the decriminalization of marijuana. "

Washington Post
March 20, 1976

Carter favors the restoration of the death penalty for some crimes.

Pittsburgh Press
April 28, 1976

" I don't favor legalization of marijuana. I do favor decriminalization. "

I.S.U. (Gary, Indiana)
May 3, 1976

Fines are " an adequate deterrent to the use of marijuana, I do favor decriminalization and not legalization. "

Speech, I.S.U. (Gary, Indiana)
May 3, 1976

" If Senate Bill S.1 should be passed in (that) form, (as it stands today) I would veto it. "

Speech, I.S.U. (Gary, Indiana)
May 3, 1976

" I also favor heavy punishment for those who push any kind of drugs, including marijuana. "

Speech,
Akron, Ohio
June 3, 1976

" Not having studied law, I've had to learn the hard way...One of the sources for my understanding about the proper application of criminal justice and the system of equity is from reading (theologian) Reinhold Niebuhr...The other source of my understanding about what's right and wrong in this society is from a friend of mine, a poet named Bob Dylan... "

National Observer
June 19, 1976

" I favor decriminalization of marijuana. " (fund raising letter signed by Carter)

Human Events
June 26, 1976

TAB A

CRIME

"I honestly believe -- and you may not like my answer -- that one of the best ways to cut down on crime is to cut down on unemployment. . . your own son, if out on the street and unable to find work, might turn to crime."

The New York Times Magazine
December 14, 1975

SENATE BILL 1

The proposed legislation to rewrite the Federal criminal code is a laudable effort, but "fell into the clutches of Ehrlichman, Haldeman, Mitchell and Nixon." Carter declared. The result is that it would intrude on citizens' privacy and increase government secrecy, he claimed.

Carter said he would advocate criminal law revision, but in a form that would guard personal privacy and open up the government to more public scrutiny.

The Indianapolis Star
April 7, 1976

We should reform our judicial system to ensure that swift, firm and predictable punishment follows a criminal conviction.

The federal government can provide a model for the states by revising our system of sentencing, eliminating much of the discretion given to judges and probation officers, insuring greater certainty in sentencing and confinement, and insuring a higher percentage of serious criminals being imprisoned.

We should place reasonable restrictions on the purchase of handguns.

We should upgrade the rehabilitation programs.

There is a need for a coordinated, concerted attack on drug traffic and organized criminal activity.

federal assistance to the crime prevention programs of local gov't with a minimum of federal regulations.

-We must step-up the attack on unemployment.

CARTER'S PLATFORM



CRIME

"We need judicial reform, a much better administered court system, merit selection of judges and prosecutors, briefer trial periods, recodification of the criminal codes. We need to allot crime-prevention funds in areas that can actually prevent crime, and not just to build jailhouses, or to buy helicopters, and so forth. We need to concentrate police officers in high-crime areas. We need to have full backing for police officers from all public officials. We need to have better street lighting. We need to have surer-- and perhaps briefer -- sentences for those who commit crimes, so that there's a fairly good certainty that if someone is convicted, they'll be punished. We also need to understand the major causes of increases in the crime rate. I think that the major contributing factor has been high unemployment."

U.S. News and World Report
May 24, 1976

3

CRIME

Mr. Carter favors registration of handguns but not rifles or shotguns. He would permit the death penalty for certain crimes such as murder by a prison inmate. He notes regularly in his speeches that most crimes are committed by poor people against poor people, and he proposes extensive prison reform. He supports decriminalization of possession of small amounts of marijuana.

New York Times
* June 11, 1976

CRIME

"Our best defense against skyrocketing crime is a criminal justice system that can deliver swift, certain, fair and firm justice. The present system has shown itself incapable of doing any of these things."

Carter campaign brochure

5

CRIME

Carter will offer to put criminal justice back in balance by prosecuting businessmen and bureaucrats, congressmen and judges who violate the laws.

Carter would divert at least half of the LEAA funds to coping with crime in "our most dense living areas...other areas where violent crimes and burglary present the most danger to citizens."

Atlanta Constitution (Jack Anderson)
July 24, 1976

CRIME

"It is time for the law to be enforced. We cannot educate children, create harmony among our people, or preserve basic human freedom unless we have an orderly society. Crime and lack of justice are especially cruel to those who are least able to protect themselves. Swift arrest and trial, and fair and uniform punishment should be expected by those who would break our laws."

"It is time for our government leaders to respect the law no less than the humblest citizen, so that we can end the double standard of justice in America. I see no reason why big shot crooks should go free while the poor ones go to jail."

Acceptance speech
Washington Post - July 16, 1976

CRIME

He endorsed a law making it a crime for an industry to hire a federal official charged with regulating it.

Associated Press
8-10-76

CRIME

He has said federal spending aimed at deterring crime over the past eight years has been "grossly misdirected" and complained that only 6 per cent of the total \$4.4 billion appropriated by Congress for the Law Enforcement Assistance Administration was allocated to aid state and local courts.

Associated Press
8-11-76

DEATH PENALTY

"My position on the death penalty was spelled out as Governor. It is retained for a few aggravated crimes like murder committed by an inmate with a life sentence. The penalty must be assessed by a jury and must be reviewed in each case by a 3-judge panel of the State Supreme Court.

"Since there has not been an execution since 1967 in the U.S., the death penalty actually means ineligibility for parole consideration."

Carter campaign issues reference book
March 15, 1976



CAPITAL PUNISHMENT

"In our society, it does not mean death -- it means imprisonment without opportunity for parole . I approved the georgia law providing the death penalty in certain crimes."

Newsweek
February 2, 1976

DEATH PENALTY

Carter said he embraced the death penalty in only certain instances and then only at the direction of the judge and jury.

"You would think he would come out and say simply that the Supreme Court had upheld his position," Donaldson said. "But he's not certain yet that this is the position he wants to take in the general election, and he's certainly not going to come out on the lawn and talk to a motley group like us."

Atlanta Constitution
July 4, 1976



MARIJUANA

He favors the decriminalization of marijuana from a felony to a misdemeanor but he opposes its complete legalization.

New York Times
February 11, 1976



DRUGS

"I favor decriminalization of marijuana, but at the same time I... think that is up to the states."

AP (Peter Seymour)
March 24, 1976



DRUGS

"I'm not in favor of legalization of marijuana, I'm in favor of decriminalization."

MIAMI UPI
March 2, 1976

Declaring that the American family is in serious trouble, Carter pledged today to chart a profamily policy if elected President. Current Republican administration policies "have actually weakened our families or even destroyed them."

Ticking off high rates of divorce, illegitimate births, juvenile delinquency and suicide, venereal disease and drug abuse, Carter said that "the breakdown of the American family has reached extremely dangerous proportions. There can be no more urgent priority for the next administration than to see that every decision our government makes is designed to honor and support and strengthen the American family."

Economics, welfare, tax and urban renewal policies under President Nixon and President Ford helped to undermine the family by failing to consider the human consequences. As President, he would require that every new federal program offer an analysis of how it would affect the family.

He added that he has named Joseph Califano, a former aide to Johnson, as special adviser "on how federal programs can aid and support the American family."

Among the programs which he would adopt to strengthen the family, would be a "comprehensive program of family planning, which would include adoptions and education and moral leadership, and would do everything possible to prevent the need for abortions." Today's comments were made in a state with a large Catholic population (NH).
AP - August 3, 1976

MARIJUANA

The only Carter son who plans to move to Washington, Jeff says, "I'd like to live in the White House for a while." He also admits trying dope. ("I smoked marijuana in Jamaica.").

Women's Wear Daily
July 7, 1976

DRUG ADDICTION/FAMILY/GAY LIB

In 1971, after receiving earlier death threats while in a California state prison, Spann wrote then Gov. Carter asking for help and soon afterward was placed in "protective custody", special treatment accorded less than 2% of prison inmates.

Carter press director Rex Granum confirmed that Carter received Spann's letter and forwarded a copy to then director of California Dept of Corrections, Raymond Procunier, along with a cover letter requesting him to investigate.

Granum said he did not know whether Carter and Gloria Spann had discussed his nephew but said Carter was "not aware" of any decision by Mrs. Spann to disassociate herself from her son.

In November 1975 Spann was again paroled and was discharged from parole in 1976.

It was during this period of confinement from 1972-75, a period in which Spann served time in San Quentin, that Spann met and began a homosexual relationship with inmate James Yarborough, Spann testified in SF Superior Court last week.

Both men were released from prison in 1975, after which they continued their relationship in SF, Spann claimed.

more -----

By last month, Spann was back in custody at Vacaville medical facility following his conviction for two armed robberies. He pleaded guilty to the two robberies on May 26 and was sentenced in Superior Court here to ten years to life. Spann told The Chronicle that at the time of the robberies he had been "so high on speed and heroin that I couldn't remember what had happened." Prison records show that Spann was treated in a prison hospital in 1974 for drug addiction.

"I just want to leave this state. I was convicted and I have to serve this time. But I want to serve it in a prison somewhere else." It was in regard to this most recent request that he wrote to his mother to influence Jimmy Carter to intercede again in his behalf. Spann's mother may have discussed her son's predicament with Carter but the candidate "dismisses any thought that he had a part in making the decision not to help Spann this time, said Granum. Granum declined to elaborate on that explanation.

Born William Hardy on Oct. 10, 1946, in Americus, Ga, Spann was the only child of Gloria Carter and William Hardy, her first husband. That same year the couple divorced and young William's name was changed to Carter. He lived with his grandparents, Lillian and James Earl Carter, until 1951, when his mother married local farmer Walter Spann.

more -----

"I couldn't stand that guy," said Spann of his stepfather. "He was a total redneck, just a poor dirt farmer." Adopted by his stepfather, Spann attended elementary school in plains from first to 7th grade. During those years he developed a reputation as a troublemaker and he admitted he was an alcoholic by age 12. At that time he also quit attending school and worked on the peanut farm until "Uncle Jimmy worked me so hard I ran back to school. That was the best thing he could have done for me."

Granum said Carter "doesn't dispute" the fact that Spann worked on the farm but said that the nephew "never really and truly worked as a paid worker on Jimmy Carter's farm." "I don't remember him (Spann) working on the farm" Granum quoted Carter as saying. "He may have."

After attending a year of military academy, Spann was sent to Anneewakee Foundation in Douglasville, Ga., a facility for disturbed children, where he said he had his first homosexual relationship. In 1964, at the age of 17, he joined the Air Force, but was given a bad conduct discharge three years later after going AWOL several times.

SFChronicle
July 26, 1976

*This excerpt is not a quote by Jimmy Carter, but by Peter Bourne, former Asst. Director of the White House Special Action Office for Drug Abuse Prevent.

DRUG ABUSE

Many responsible people who only a few years ago would have been appalled at the notion of decriminalizing heroin are now willing to address it seriously as an important option that must be considered.

Many politicians now feel that the cost of caring for a modest increase in the number of addicts is a reasonable trade-off for a significant anticipated drop in the crime rate in their communities by removing the high cost of obtaining heroin.

There are many potential pitfalls in decriminalizing heroin and we may not yet fully appreciate all the implications, but it is clear that the time has come for a clear, open and public discussion of the issue.

"Where is the Federal Drug Policy? "
by Peter G. Bourne, M.D.
Drug Abuse Council, Inc.

DRUG ABUSE

"I might say quickly I've never tried it (marijuana) myself and don't intend to. I think the medical effects of persistent use of marijuana still concern me very much. I wish they (his sons) had never tried it. None of them use marijuana now."

Washington Post
September 4, 1976

DRUGS

He was invited to a picnic thrown by Capricorn Records, whose boss Phil Walden and superstar Greg Allman had given him some early fund-raising help. Aides urged him to stay away, because of Allman's well-publicized drug problems. "This isn't politics, it's friendship. But, let's go in the early afternoon - - there's no way Greg would be there then."

Newsweek
September 13, 1976

GUN CONTROL

He supports the registration of pistols, but opposes the registration of rifles and shotguns.

New York Times
February 11, 1976

"I favor registration of handguns, a ban on the sale of cheap handguns, reasonable licensing provisions, including a waiting period and prohibition of ownership by anyone convicted of a crime involving a gun and by those not mentally competent."

Carter campaign issues reference book
March 15, 1976

GUN CONTROL

* He has a mass-supported gun-control education program about to be launched. He claims it will bring gun control to a nation that has shown, by a large majority, that it desires it. "Within five years we'll break the National Rifle Association."

Washington Star
April 12, 1976

* MORRIS DEES

GUN CONTROL

The election of Democrat candidate Jimmy Carter to the US Presidency could lead to serious difficulties for sportsmen and gun owners, suggest Neal Knox, editor of Rifle magazine.

Knox, who has been closely following the Carter campaign, noted that while Carter himself claims to support a ban on "Saturday Night Special" handguns and wants handgun registration, his followers are not content with these policies.

Knox cited the active efforts of Carter's head fund raiser, Morris Dees, to found the new "National Gun Control Center," an organization dedicated to totally banning handguns, as well as, in Dees' words, "within five years we'll break the National Rifle Association.

Knox noted that another Carter campaigner is Lewis Regenstein, who is serving as Carter's advisor on "environmental affairs," and who is actively campaigning for Carter on the East Coast. Knox revealed that Regenstein is executive vice president and salaried staffer of "Fund for Animals" the anti-gun, anti-hunting organization founded by Cleveland Amory. Knox also cites Regenstein as being a board member of several other anti-hunting organizations.

"Gun Week"

July 2, 1976

We support a major reform of the criminal justice system, but we oppose any legislative effort to introduce repressive and anti-civil libertarian measures in the guise of reform of the criminal code.

Citizen confidence in law enforcement can be enhanced through increased citizen participation, by informing citizens of police and prosecutor policies, assuring that police departments reflect a cross-section of the communities they serve, establishing neighborhood forums to settle simple disputes, restoring the grand jury to fair and vigorous independence, establishing adequate victim compensation programs, and reaffirming our respect for the individual's right to privacy.

We pledge funding and implementation of the Juvenile Justice and Delinquency Prevention Act which has been ignored by the Republican Administration.

We must provide the leadership for a coordinated federal and state effort to strengthen the presently inadequate controls over the manufacture, assembly, distribution and possession of handguns and to ban Saturday night specials.

more -----

LAW (continued)

We must assure speedy trials and ease court congestion by increasing the number of judges, prosecutors and public defenders. We must improve and streamline courthouse management procedures, require criminal justice records to be accurate and responsible and establish fair and more uniform sentencing for crimes.

Recognizing the value of legitimate intelligence efforts to combat espionage and major crime, we call for new legislation to ensure that these efforts will no longer be used as an excuse for abuses such as bugging, wiretaps, mail opening and disruption aimed at lawful political and private activities.

Demo platform
7/2/76 Cong Record

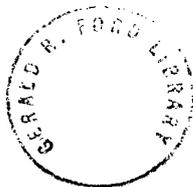
LAW

"We must examine and change our own judicial system so that it serves all justly and at a price one can afford to pay."

"The laws must be constantly changing to accommodate the forces and counterforces in our dynamic society and the total law at any time is an expression of the structure of society. There simply must be a close correlation between law and justice."

Atlanta Civic Center
(ABA)

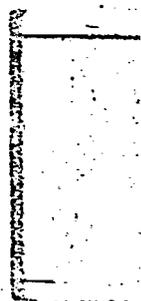
August 11, 1976



LAW

He shook up the state's procrustean prison system. He promoted measures to upgrade education and humanize welfare. He pushed through machinery for screening new judges, and removing corrupt old ones. He sponsored an anti-secrecy "sunshine law."

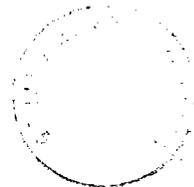
Newsweek
September 13, 1976



JUSTICE

Every American has a right to expect that laws will be administered in an even handed manner, but it seems that something is wrong even with our system of justice. Defendants who are repeatedly out on bail commit more crimes. Aggravating trial delays and endless litigation are common. Citizens without influence often bear the brunt of prosecution while violators of antitrust laws and other white collar criminals are ignored and go unpunished."

National Press Club speech
December 12, 1975



JUSTICE

"I believe that the speeches that have been made recently by Chief Justice Burger are good indications that substantive reorganization is necessary. To the extent that it was appropriate, I would work closely with him and the other federal judicial leaders of the country in seeking far quicker trials, assured justice for equitable sentences, and a fair treatment of our people within the criminal justice system, without respect to wealth or social prestige or influence."

National Journal
July 17, 1976

JUSTICE

"Reinhold Neibuhr, my favorite theologian, said that the purpose of politics is to establish justice in a sinful world. The definition of justice is to eliminate discrimination."

Sunday News - Michigan
April 18, 1976

COURTS/CHAYES, ABRAM

Traditional notions about the role of the courts are "clearly invalid", wrote Harvard Prof. Abram Chayes.

Chayes' explanation is admittedly sympathetic to the rise of an activist federal judiciary. He argues that the US now has a new kind of government -- "the regulatory state," he calls it -- which requires activity judges.

"If you say openly that judges are doing political things -- deciding issues on the basis of essentially political factors -- that makes all of us terribly uncomfortable."

But Chayes said he believes that judges now do make political decisions, and that this is - or can be - a good thing.

In fact, Chayes argues, a new genre of lawsuit has evolved -- he calls it "public law litigation" -- that does not fit that traditional model. Instead of a dispute between two identifiable parties, a lawsuit may involve many different parties, some of them vaguely defined. For example, in the Boston school desegregation case there are 7 parties to the basic litigation, some as amorphous as

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COURTS/CHAYES, ABRAM - 2

Boston's black school children or its teachers -- imprecisely defined "classes" whom the judge has admitted to the suit.

Chayes also likes the idea that a court handled public dispute is presided over by a judge: "His professional tradition insulates him from narrow political pressures, but...he is likely to have some experience of the political process and acquaintance with a fairly broad range of public policy questions." Moreover judges are trained in "reflective and dispassionate analysis."

Washington Post
July 22, 1976