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GRAND RAPIDS, MICH.

APRIL 10, 1973

Gerald R. Ford
M.C.

TUESDAY

9:15 p.m.

MICHIGAN LAW ENFORCEMENT ASSOCIATION

ADRIANS RAMONA TERRACE

SENTATIVES, U.S.
OCUMENT
BUSINESS



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FOR RELEASE UPON DELIVERY OF THE
PRESIDENT'S MESSAGE TO THE CONGRESS
ON CRIME AND DRUGS

March 14, 1973

Office of the White House Press Secretary

THE WHITE HOUSE

FACT SHEET

STATE OF THE UNION MESSAGE ON
CRIME AND DRUGS

I. LEAA

A. The Law Enforcement Assistance Administration was created in Title I of the Omnibus Crime Control and Safe Streets Act of 1968; the establishing authority was amended slightly by the Omnibus Crime Control Act of 1970.

B. Budget authority (in millions of dollars):

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>
Special Revenue Sharing*	50	223	417	534	642	680
Discretionary Grants	4	32	93	122	145	120
Research, statistical and management	<u>5</u>	<u>13</u>	<u>19</u>	<u>43</u>	<u>68</u>	<u>91</u>
Total	59	268	529	699	855	891

*These are the amounts for comparison had SRS passed Congress earlier. The money was appropriated mainly as block grants.

II. FBI CRIME INDEX TRENDS

(January - September, percent change 1966 - 1972, each year over previous year)

<u>January-September</u>	<u>Total</u>	<u>Violent</u>	<u>Property</u>
1967/1966	+16	+15	+16
1968/1967	+19	+21	+19
1969/1968	+11	+12	+10
1970/1969	+10	+10	+10
1971/1970	+ 6	+10	+ 6
1972/1971	+ 1	+ 3	---

III. INTERNATIONAL NARCOTICS PROGRAM

The United States is allied with 59 other governments in our worldwide drug abuse prevention program.

These countries are also "problem countries" in that they produce opiates and other drugs, are crossed by international trafficking routes, refine opium into heroin, or are plagued by drug abuse.

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The international anti-narcotics program is coordinated by the Cabinet Committee on International Narcotics Control (CCINC) appointed by President Nixon and chaired by Secretary of State William P. Rogers.

The President's directive to CCINC was to foster cooperation with the 59 foreign governments to eradicate narcotics production and cut smuggling routes from the poppy fields to this country.

The major effort by the CCINC has been the joint development of narcotics control programs for each of the 59 nations. United States ambassadors in each of our diplomatic missions in those countries were placed in personal charge of development of the programs. A narcotics coordinator is on the staff of each embassy.

Strategy mapped by the CCINC for international narcotics control is implemented by a division within the Department of State reporting directly to the Secretary.

Also, two United States law enforcement agencies -- the Bureau of Narcotics and Dangerous Drugs and the Bureau of Customs -- operate abroad as well as within the United States to interdict narcotics trafficking.

BNDD has 107 agents overseas cooperating with foreign anti-narcotics forces in investigations and seizures. In 1972, BNDD supported national law enforcement agents in seizing 127,340 pounds of illicit drugs, including heroin, opium and cocaine. The figure was an increase of almost one-fourth over 1971. BNDD also trains foreign anti-narcotics officers in investigative and seizure techniques.

The primary responsibility of the Customs Bureau is interdiction of narcotics at United States borders. There are also 45 Customs agents stationed abroad. The Customs Bureau inaugurated last month a program to train 4,000 foreign customs officers in 56 countries in techniques of border inspection.

IV. DRUG ABUSE PREVENTION

Law enforcement agencies participating in the President's drug abuse prevention program, plus cooperating foreign governments, piled up these ~~notable drug seizures and arrests~~ in Calendar Year 1972 compared to 1971:

	<u>CY 1971</u>	<u>CY 1972</u>
Heroin/heroin equivalent	5,522	11,031
Opium	65,869	113,922
Cocaine	990	2,188
Cannabis	<u>583,240</u>	<u>1,523,764</u>
TOTAL POUNDS	655,621	1,650,905
Dangerous Drugs (5-grain units)	13,783,171	17,193,071
Arrests (U.S. domestic and foreign cooperating)	10,564	19,085

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These figures include record seizures. The French captured a half ton of pure heroin aboard a trawler off Marseille. The heroin was headed for the west coast of Florida. The governments of Argentina, Brazil, and Venezuela seized 285 pounds of heroin in three separate raids -- heroin en route to the United States. Thailand enforcement agents seized some 11 tons of opium along the Burmese border plus a ton of heroin and heroin equivalent. Iran recently scored the largest opium seizure on record -- 12 tons taken from smugglers along the Afghan border.

A kingpin of the smuggling conspiracy to transport heroin to the United States via Turkey, Marseille and South America -- a Corsican named Auguste Joseph Ricord -- was extradited to the United States by Paraguay. He was convicted in Federal Court in New York City on charges of conspiracy to smuggle some 15 tons of heroin into this country.

Only last week, a Federal grand jury in the Southern District of New York indicted 19 defendants for engaging in a conspiracy to smuggle two tons of heroin into this country over the last six years.

Fourteen alleged international traffickers had been indicted in October of 1972 and another group of 16 in December -- all charged with being conspirators in the French-Latin American Connection.

Another international law enforcement coup was "Operation Cactus" conducted jointly by the U.S. Bureau of Customs, the Bureau of Narcotics and Dangerous Drugs, Arizona police officers and the Government of Mexico along both sides of the Mexican border.

Results of five weeks of raids, which were announced yesterday, included seizure of 24 1/2 tons of marijuana and 9 plus pounds of heroin -- drugs with a value of more than \$19 million -- and more than 100 persons arrested.

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Western Michigan Law Enforcement Association

March 30, 1973

*9M / I almost forgot
I have Paul get speech
material*

Honorable Gerald Ford, Jr.
United States Representative
State of Michigan
110 Michigan, N. W.
Grand Rapids, Michigan

Dear Sir:

I want to thank you on behalf of the Western Michigan Law Enforcement Association for your acceptance to speak before this group on April, 10, 1973, at Adrian's Ramona Terrace in Comstock Park. We will be expecting you around 9:00 or 9:30 p.m. as arranged by Undersheriff Robert Hill, of the Kent County Sheriff's Department

I am enclosing an announcement pertaining to what you will be speaking on and where you will be speaking.

Once again, thank you.

Sincerely yours,

Edward B. Koryzno
Edward B. Koryzno
Secretary

Enclosure

Western Michigan Law Enforcement Association

March 27, 1973

Dear Member:

The April dinner meeting will be held in Comstock Park, Michigan. All members and guests are invited to attend.

PLACE: ADRIAN'S RAMONA TERRACE, 5179 WEST RIVER ROAD, N. E.,
COMSTOCK PARK, MICHIGAN.

DATE: APRIL 10, 1973

TIME: SOCIAL HOUR, 6:30 P. M. to 7:30 P. M., DINNER SERVED
AT 7:30 P. M.

MENU: FRIED CHICKEN, BAKED HAM, AND SIRLOIN OF BEEF

SPEAKER: THE HONORABLE GERALD FORD, JR., UNITED STATES
REPRESENTATIVE AND HOUSE MINORITY LEADER IN
WASHINGTON, D. C.

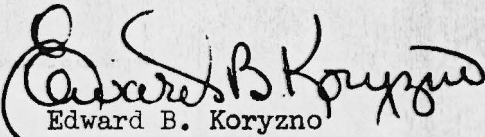
PROGRAM: CRIMINAL PUNISHMENT AND LAW ENFORCEMENT REVENUE
SHARING.

The program should prove interesting to our members and guests. No doubt it will raise many questions and prove beneficial to all attending.

Dues for 1973 will be accepted and anyone wishing to join the Western Michigan Law Enforcement Association can do so by contacting the secretary before the dinner.

Looking forward to seeing you in Comstock Park.

ENCLOSED: Reservation post card--please fill out this card and return it no later than April 5, 1973, indicating the number of reservations you will be making for dinner.


Edward B. Koryzno
Secretary

Enclosure

Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

CRIME—

SIGNS THAT THE WORST IS OVER

Suddenly, a break in the years-long crime wave. Reports from cities that succeeded in reversing the trend tell why—and suggest hope for the future.

With spring came good news:

- For the first time in 17 years, there has been a downturn—instead of a rise—in crime in this country.

- The number of serious crimes reported in the United States in 1972 was 3 per cent less than in the year before.

This downturn was disclosed in preliminary statistics compiled by the Federal Bureau of Investigation, based on Uniform Crime Reports from local, State and county law-enforcement agencies all across the nation.

Announcing the figures on March 28, U. S. Attorney General Richard G. Kleindienst acknowledged that “crime is still unacceptably high.” There is especial concern over the fact that crimes of violence, such as murder, rape and aggravated assault, continued to increase slightly last year—up 1 per cent—even while crimes against property were on the decline.

By Government officials—and by many private citizens—however, the figures were hailed as signs that the worst of the long crime wave may be over.

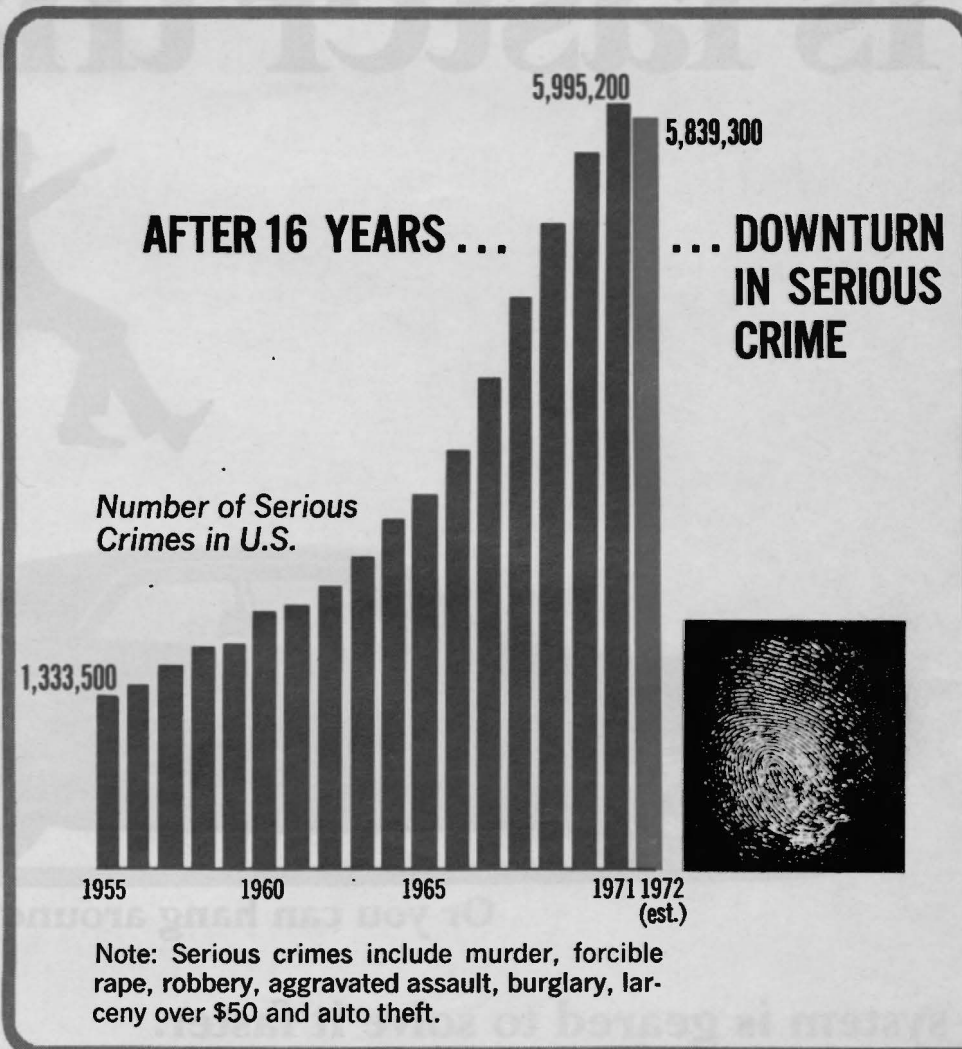
President Richard Nixon, who stressed demands for “law and order” in both of his presidential election campaigns, described the FBI report as “very heartening.” He said:

“These results are a tribute to the men and women in the front lines of the war against crime—our law-enforcement officers. Public opinion is untying their hands and they are once again being given the public support they deserve. . . .

“We can turn the tide of crime in America. These statistics demonstrate that we are well on our way. Now we must have the tools we need to finish the job.”

Among the “tools” sought by Mr. Nixon are laws to restore the death penalty for certain federal crimes and stiffen penalties for trafficking in “hard” drugs—heroin and morphine.

On March 28, he announced a reorganization to consolidate antidrug programs in a single new agency inside the Department of Justice.



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Attorney General Kleindienst said of the crime downturn:

“This is a day that we have been looking forward to for many years. It is an important milestone in the fight to reduce crime. . . .”

Steps toward achievement. How was that “milestone” achieved? What did law-enforcement officials do that helped curb crime in 1972?

A survey by editors of “U. S. News & World Report” provides some clues.

In almost every city surveyed where crime declined, officials reported that police forces had been enlarged. More patrolmen were put on the beat, with forces concentrated in high-crime areas.

Improved equipment was described

as a big help in some cities. Communication between police units and headquarters was speeded by radio systems. Computers provided instant access to criminal records. Helicopters were employed increasingly for aerial patrols.

Expanded programs of treating drug addicts were cited for helping to turn many addicts away from crime.

In a few cities, officials say that the courts are speeding their disposition of criminal cases and thus helping to keep “repeaters” off the streets.

Not all the credit is given to law-enforcement and other official agencies, however. Improving conditions in some trouble areas of big cities were reported to be helping to change the attitudes of

TRIBUTE TO THE HONORABLE
LYNDON B. JOHNSON

(Mr. WHITE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WHITE. Mr. Speaker, undoubtedly, President Lyndon B. Johnson will be treated more kindly by history than he was by some of his contemporaries. History will eventually recognize him as the singularly accomplished leader that I have always known him to be.

My own personal observation of him was that he was a man of great intellect, character, and integrity, far beyond that for which he was accredited by many Americans or by the journalists who were misled by his style. The accent of his Texas rearing misled those who equated his outward easy-going Texas demeanor and drawl with dawdling performance. His mind could assimilate complex and diverse facts into a plan of overt action.

Lyndon Johnson reserved intense loyalty for those who had served him or had proven their friendship to him. He also knew his detractors and made allowances for them on the chessboard of his career.

Few men in public office can boast the personal achievements and landmark legislation that is the legacy of President Johnson. His successes have been comprehensively cataloged in the many eulogies authored in his memory. In domestic affairs, his Presidency is unsurpassed—accomplished through the same relentless personal effort that characterized his famed tenure as Senate majority leader. In international affairs, I would stress that it was President Johnson who opened avenues to closer accord with those countries which were traditionally antagonistic. It was he who paved the way to future peace and successful foreign policy.

The accomplishments of his domestic and international efforts have been clouded by the sad involvement of our Nation in the Vietnam conflict.

It is perhaps for another era to judge whether he and other Presidents who followed the same course were right or not. Regardless of future judgment, he followed courageously the path he thought was best despite public criticism.

A number of us know why President Johnson chose not to run for his second term. It had nothing to do with a fear that he might be rejected, and few believe he could have been defeated. Having suffered the unhappy experience of knitting together a Nation whose President had died in office, Lyndon Johnson did not want to put this Nation, or a successor to himself, through the same traumatic situation for a second time in the same generation. He was well aware of his own health problems and he realized the chances of living through a second full term were not good.

Beside him throughout his adult life was one of the finest women who has ever accompanied her husband through the trials of public life. He and Ladybird Johnson formed a superb team to the lasting advantage of this country. She is a lady of great depth whose stat-

ure will also grow with developing history.

The accolades that have been extended to President Johnson and his family are genuine and well deserved. Of one thing I am also certain: No one will ever review his record and accomplishments without feeling the excitement and the movement which surrounded all he did. To him life was action and he lived.

DEATH PENALTY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, I am today introducing the administration's bill "To establish rational criteria for the mandatory imposition of the sentence of death, and for other purposes."

The recent Supreme Court case, *Furman v. Georgia*, 408 U.S. 238, decided June 29, 1972, called into question existing Federal statutes which allow the death penalty to be imposed at the discretion of the judge or jury, but left the possibility that a statute providing for the death penalty but removing the unchecked discretion would be upheld.

Several of my Republican colleagues on the Judiciary Committee have joined me in the cosponsorship of this bill, including the distinguished ranking Republican from Michigan (Mr. HUTCHINSON). Many members support the rational use of the death penalty although they may not support the specifics contained in this bill. However, I believe that we should conduct a thorough study of the question of when the death penalty can be imposed, and that the Department of Justice bill provides us with a good framework for conducting that study. I hope that hearings on this legislation can be held soon because I believe as President Nixon has said, that the death penalty can be an effective deterrent to crime in certain circumstances.

The bill I introduce today has been drafted to provide narrow guidelines within which the death penalty could be imposed for the crimes of wartime treason or espionage or for murder if certain other factors are present. The death penalty could not be imposed in any event if any one of certain mitigating factors, such as youth of the offender or mental incapacity, were present. The death penalty could be imposed only if one of a number of aggravating factors were present.

For example, the death penalty would be imposed for the crime of wartime treason if the treason were found to have posed a grave risk to the national security. The death penalty would be imposed, for example, for the crime of murder if the murder occurred during an aircraft hijacking or kidnapping or if the person murdered was the President or a Member of Congress or if the defendant had previously been convicted of an offense for which the death penalty was impossible.

In his March 14 message to the Congress on crime, the President said:

Federal crimes are rarely "crimes of passion." Airplane hijacking is not done in a blind rage; it has to be carefully planned. Using incendiary devices and bombs are not crimes of passion, nor is kidnapping; all these must be thought out in advance. At present those who plan these crimes do not have to include in their deliberations the possibility that they will be put to death for their deeds. I believe that in making their plans, they should have to consider the fact that if a death results from their crime, they too may die.

It is for the reasons stated by the President that I support the reinstatement of the death penalty for the most serious offenses, such as aircraft hijacking and kidnapping where death results from the crime. I call on my colleagues to join with me in a thorough study of the legislation I introduce today in order to accomplish this purpose.

Mr. McCLORY. Mr. Speaker, there is a popular misconception that the decision of the Supreme Court in the case of *Furman* against Georgia decided June 29, 1972 had the effect of rendering all death penalties unconstitutional in criminal cases. However, it should be pointed out that the death penalty continues to be valid and "constitutional" in all of those cases which were not specifically covered by the language of the Supreme Court in that case.

In order to clarify the situation, the administration has proposed legislation to mark the very limited kinds of cases in which the death penalty might appropriately be imposed by Federal courts or juries.

Mr. Speaker, I have been pleased to join with the gentleman from Michigan (Mr. GERALD R. FORD), as a cosponsor of this legislation with the expectation that—serving as a pattern or outline—the measure which is being introduced today—may enable our Judiciary Committee to recommend appropriate legislation to the Members of the House.

I concur entirely with the Supreme Court decision to the effect that the death penalty when imposed as a wholly discretionary decision by court or jury—and with highly discriminatory results such as were described in the *Furman* against Georgia case—is "cruel and unusual" and in violation of article VIII of the Federal Constitution.

However, it seems appropriate to recall the recent statement of President Nixon to the effect that hijackers, kidnapers, those who throw firebombs, convicts who attack prison guards and other types of assaults on officers of the law—all with the intent to take the life or lives of others—may well be the kind of offenses which should continue to be punishable by death. Even within this limited area, carefully defined parameters and procedures must be provided. The safeguards are contained in the bill which I am cosponsoring to the extent that full and ample protection in cases where extenuating circumstances exist, including the youth of the defendant, lack of capacity to appreciate the wrongfulness of his conduct, and unusual and substantial duress.

Mr. Speaker, without going into further detail and without elaborating on the many reasons why I am cosponsoring this legislation I wish to indicate my gen-

March 14, 1973

Office of the White House Press Secretary

THE WHITE HOUSE

TO THE CONGRESS OF THE UNITED STATES:

This sixth message to the Congress on the State of the Union, concerns our Federal system of criminal justice. It discusses both the progress we have made in improving that system and the additional steps we must take to consolidate our accomplishments and to further our efforts to achieve a safe, just, and law-abiding society.

In the period from 1960 to 1968 serious crime in the United States increased by 122 percent according to the FBI's Uniform Crime Index. The rate of increase accelerated each year until it reached a peak of 17 percent in 1968.

In 1968 one major public opinion poll showed that Americans considered lawlessness to be the top domestic problem facing the Nation. Another poll showed that four out of five Americans believed that "Law and order has broken down in this country." There was a very real fear that crime and violence were becoming a threat to the stability of our society.

The decade of the 1960s was characterized in many quarters by a growing sense of permissiveness in America -- as well intentioned as it was poorly reasoned -- in which many people were reluctant to take the steps necessary to control crime. It is no coincidence that within a few years time, America experienced a crime wave that threatened to become uncontrollable.

This Administration came to office in 1969 with the conviction that the integrity of our free institutions demanded stronger and firmer crime control. I promised that the wave of crime would not be the wave of the future. An all-out attack was mounted against crime in the United States.

① -- The manpower of Federal enforcement and prosecution agencies was increased.

② -- New legislation was proposed and passed by the Congress to put teeth into Federal enforcement efforts against organized crime, drug trafficking, and crime in the District of Columbia.

③ -- Federal financial aid to State and local criminal justice systems -- a forerunner of revenue sharing -- was greatly expanded through Administration budgeting and Congressional appropriations, reaching a total of \$1.5 billion in the three fiscal years from 1970 through 1972.

These steps marked a clear departure from the philosophy which had come to dominate Federal crime fighting efforts, and which had brought America to record-breaking levels of lawlessness. Slowly, we began to bring America back. The effort has been long, slow, and difficult. In spite of the difficulties, we have made dramatic progress.

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In the last four years the Department of Justice has obtained convictions against more than 2500 organized crime figures, including a number of bosses and under-bosses in major cities across the country. The pressure on the underworld is building constantly.

D.C. Today, the capital of the United States no longer bears the stigma of also being the Nation's crime capital. As a result of decisive reforms in the criminal justice system the serious crime rate has been cut in half in Washington, D.C. From a peak rate of more than 200 serious crimes per day reached during one month in 1969, the figure has been cut by more than half to 93 per day for the latest month of record in 1973. Felony prosecutions have increased from 2100 to 3800, and the time between arrest and trial for felonies has fallen from ten months to less than two.

Because of the combined efforts of Federal, State, and local agencies, the wave of serious crime in the United States is being brought under control. Latest figures from the FBI's Uniform Crime Index show that serious crime is increasing at the rate of only one percent a year -- the lowest recorded rate since 1960. A majority of cities with over 100,000 population shows an actual reduction in crime.

These statistics and these indices suggest that our anti-crime program is on the right track. They suggest that we are taking the right measures. They prove that the only way to attack crime in America is the way crime attacks our people -- without pity. Our program is based on this philosophy, and it is working.

Now we intend to maintain the momentum we have developed by taking additional steps to further improve law enforcement and to further protect the people of the United States.

Law Enforcement Special Revenue Sharing

Most crime in America does not fall under Federal jurisdiction. Those who serve in the front lines of the battle against crime are the State and local law enforcement authorities. State and local police are supported in turn by many other elements of the criminal justice system, including prosecuting and defending attorneys, judges, and probation and corrections officers. All these elements need assistance and some need dramatic reform, especially the prison systems.

While the Federal Government does not have full jurisdiction in the field of criminal law enforcement, it does have a broad, constitutional responsibility to insure domestic tranquility. I intend to meet that responsibility.

At my direction, the Law Enforcement Assistance Administration (LEAA) has greatly expanded its efforts to aid in the improvement of State and local criminal justice systems. In the last three years of the previous Administration, Federal grants to State and local law enforcement authorities amounted to only \$22 million. In the first three years of my Administration, this same assistance totaled more than \$1.5 billion -- more than 67 times as much. I consider this money to be an investment in justice and safety on our streets, an investment which has been yielding encouraging dividends.

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But the job has not been completed. We must now act further to improve the Federal role in the granting of aid for criminal justice. Such improvement can come with the adoption of Special Revenue Sharing for law enforcement.

I believe the transition to Special Revenue Sharing for law enforcement will be a relatively easy one. Since its inception, the LEAA has given block grants which allow State and local authorities somewhat greater discretion than does the old-fashioned categorical grant system. But States and localities still lack both the flexibility and the clear authority they need in spending Federal monies to meet their law enforcement challenges.

Under my proposed legislation, block grants, technical assistance grants, manpower development grants, and aid for correctional institutions would be combined into one \$680 million Special Revenue Sharing fund which would be distributed to States and local governments on a formula basis. This money could be used for improving any area of State and local criminal justice systems.

I have repeatedly expressed my conviction that decisions affecting those at State and local levels should be made to the fullest possible extent at State and local levels. This is the guiding principle behind revenue sharing. Experience has demonstrated the validity of this approach and I urge that it now be fully applied to the field of law enforcement and criminal justice.

The Criminal Code Reform Act

The Federal criminal laws of the United States date back to 1790 and are based on statutes then pertinent to effective law enforcement. With the passage of new criminal laws, with the unfolding of new court decisions interpreting those laws, and with the development and growth of our Nation, many of the concepts still reflected in our criminal laws have become inadequate, clumsy, or outmoded.

In 1966, the Congress established the National Commission on Reform of the Federal Criminal Laws to analyze and evaluate the criminal Code. The Commission's final report of January 7, 1971, has been studied and further refined by the Department of Justice, working with the Congress. In some areas this Administration has substantial disagreements with the Commission's recommendations. But we agree fully with the almost universal recognition that modification of the Code is not merely desirable but absolutely imperative.

Accordingly, I will soon submit to the Congress the Criminal Code Reform Act aimed at a comprehensive revision of existing Federal criminal laws. This act will provide a rational, integrated code of Federal criminal law that is workable and responsive to the demands of a modern Nation.

The act is divided into three parts:

- 1 -- general provisions and principles,
- 2 -- definitions of Federal offenses, and
- 3 -- provisions for sentencing.

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Part 1 of the Code establishes general provisions and principles regarding such matters as Federal criminal jurisdiction, culpability, complicity, and legal defenses, and contains a number of significant innovations. Foremost among these is a more effective test for establishing Federal criminal jurisdiction. Those circumstances giving rise to Federal jurisdiction are clearly delineated in the proposed new Code and the extent of jurisdiction is clearly defined.

I am emphatically opposed to encroachment by Federal authorities on State sovereignty, by unnecessarily increasing the areas over which the Federal Government asserts jurisdiction. To the contrary, jurisdiction, has been relinquished in those areas where the States have demonstrated no genuine need for assistance in protecting their citizens.

In those instances where jurisdiction is expanded, care has been taken to limit that expansion to areas of compelling Federal interest which are not adequately dealt with under present law. An example of such an instance would be the present law which states that it is a Federal crime to travel in interstate commerce to bribe a witness in a State court proceeding, but it is not a crime to travel in interstate commerce to threaten or intimidate the same witness, though intimidation might even take the form of murdering the witness.

The Federal interest is the same in each case -- to assist the State in safeguarding the integrity of its judicial processes. In such a case, an extension of Federal jurisdiction is clearly warranted and is provided for under my proposal.

The rationalization of jurisdictional bases permits greater clarity of drafting, uniformity of interpretation, and the consolidation of numerous statutes presently applying to basically the same conduct.

For example, title 18 of the criminal Code as presently drawn, lists some 70 theft offenses -- each written in a different fashion to cover the taking of various kinds of property in different jurisdictional situations. In the proposed new Code, these have been reduced to 5 general sections. Almost 80 forgery, counterfeiting, and related offenses have been replaced by only 3 sections. Over 50 statutes involving perjury and false statements have been reduced to 7 sections. Approximately 70 arson and property destruction offenses have been consolidated into 4 offenses.

Similar changes have been made in the Code's treatment of culpability. Instead of 79 undefined terms or combinations of terms presently found in title 18, the Code uses four clearly defined terms.

Another major innovation reflected in Part One is a codification of general defenses available to a defendant. This change permits clarification of areas in which the law is presently confused and, for the first time, provides uniform Federal standards for defense.

The most significant feature of this chapter is a codification of the "insanity" defense. At present the test is determined by the courts and varies across the country. The standard has become so vague in some instances that it has led to unconscionable abuse by defendants.

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My proposed new formulation would provide an insanity defense only if the defendant did not know what he was doing. Under this formulation, which has considerable support in psychiatric and legal circles, the only question considered germane in a murder case, for example, would be whether the defendant knew whether he was pulling the trigger of a gun. Questions such as the existence of a mental disease or defect and whether the defendant requires treatment or deserves imprisonment would be reserved for consideration at the time of sentencing.

Part Two of the Code consolidates the definitions of all Federal felonies, as well as certain related Federal offenses of a less serious character. Offenses and, in appropriate instances, specific defenses, are defined in simple, concise terms, and those existing provisions found to be obsolete or unusable have been eliminated -- for example, operating a pirate ship on behalf of a "foreign prince," or detaining a United States carrier pigeon. Loopholes in existing law have been closed -- for example, statutes concerning the theft of union funds, and new offenses have been created where necessary, as in the case of leaders of organized crime.

We have not indulged in changes merely for the sake of changes. Where existing law has proved satisfactory and where existing statutory language has received favorable interpretation by the courts, the law and the operative language have been retained. In other areas, such as pornography, there has been a thorough revision to reassert the Federal interest in protecting our citizens.

The reforms set forth in Parts One and Two of the Code would be of little practical consequence without a more realistic approach to those problems which arise in the post-conviction phase of dealing with Federal offenses.

For example, the penalty structure prescribed in the present criminal Code is riddled with inconsistencies and inadequacies. Title 18 alone provides 18 different terms of imprisonment and 14 different fines, often with no discernible relationship between the possible term of imprisonment and the possible levying of a fine.

Part Three of the new Code classifies offenses into 8 categories for purposes of assessing and levying imprisonment and fines. It brings the present structure into line with current judgments as to the seriousness of various offenses and with the best opinions of penologists as the efficacy of specific penalties. In some instances, more stringent sanctions are provided. For example, sentences for arson are increased from 5 to 15 years. In other cases penalties are reduced. For example, impersonating a foreign official carries a three year sentence, as opposed to the 10 year term originally prescribed.

To reduce the possibility of unwarranted disparities in sentencing, the Code establishes criteria for the imposition of sentence. At the same time, it provides for parole supervision after all prison sentences, so that even hardened criminals who serve their full prison terms will receive supervision following their release.

There are certain crimes reflecting such a degree of hostility to society that a decent regard for the common welfare requires that a defendant convicted of those crimes be removed from free society. For this reason my proposed new Code provides mandatory minimum prison terms for

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trafficking in hard narcotics; it provides mandatory minimum prison terms for persons using dangerous weapons in the execution of a crime; and it provides mandatory minimum prison sentences for those convicted as leaders of organized crime.

The magnitude of the proposed revision of the Federal criminal Code will require careful detailed consideration by the Congress. I have no doubt this will be time-consuming. There are, however, two provisions in the Code which I feel require immediate enactment. I have thus directed that provisions relating to the death penalty and to heroin trafficking also be transmitted as separate bills in order that the Congress may act more rapidly on these two measures.

Death Penalty

The sharp reduction in the application of the death penalty was a component of the more permissive attitude toward crime in the last decade.

I do not contend that the death penalty is a panacea that will cure crime. Crime is the product of a variety of different circumstances -- sometimes social, sometimes psychological -- but it is committed by human beings and at the point of commission it is the product of that individual's motivation. If the incentive not to commit crime is stronger than the incentive to commit it, then logic suggests that crime will be reduced. It is in part the entirely justified feeling of the prospective criminal that he will not suffer for his deed which, in the present circumstances, helps allow those deeds to take place.

Federal crimes are rarely "crimes of passion." Airplane hi-jacking is not done in a blind rage; it has to be carefully planned. Using incendiary devices and bombs are not crimes of passion, nor is kidnapping; all these must be thought out in advance. At present those who plan these crimes do not have to include in their deliberations the possibility that they will be put to death for their deeds. I believe that in making their plans, they should have to consider the fact that if a death results from their crime, they too may die.

Under those conditions, I am confident that the death penalty can be a valuable deterrent. By making the death penalty available, we will provide Federal enforcement authorities with additional leverage to dissuade those individuals who may commit a Federal crime from taking the lives of others in the course of committing that crime.

Hard experience has taught us that with due regard for the rights of all -- including the right to life itself -- we must return to a greater concern with protecting those who might otherwise be the innocent victims of violent crime than with protecting those who have committed those crimes. The society which fails to recognize this as a reasonable ordering of its priorities must inevitably find itself, in time, at the mercy of criminals.

America was heading in that direction in the last decade, and I believe that we must not risk returning to it again. Accordingly, I am proposing the re-institution

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of the death penalty for war-related treason, sabotage, and espionage, and for all specifically enumerated crimes under Federal jurisdiction from which death results.

The Department of Justice has examined the constitutionality of the death penalty in the light of the Supreme Court's recent decision in Furman v. Georgia. It is the Department's opinion that Furman holds unconstitutional the imposition of the death penalty only insofar as it is applied arbitrarily and capriciously. I believe the best way to accommodate the reservations of the Court is to authorize the automatic imposition of the death penalty where it is warranted.

Under the proposal drafted by the Department of Justice, a hearing would be required after the trial for the purpose of determining the existence or nonexistence of certain rational standards which delineate aggravating factors or mitigating factors.

Among those mitigating factors which would preclude the imposition of a death sentence are the youth of the defendant, his or her mental capacity, or the fact that the crime was committed under duress. Aggravating factors include the creation of a grave risk of danger to the national security, or to the life of another person, or the killing of another person during the commission of one of a circumscribed list of serious offenses, such as treason, kidnapping, or aircraft piracy.

The hearing would be held before the judge who presided at the trial and before either the same jury or, if circumstances require, a jury specially impaneled. Imposition of the death penalty by the judge would be mandatory if the jury returns a special verdict finding the existence of one or more aggravating factors and the absence of any mitigating factor. The death sentence is prohibited if the jury finds the existence of one or more mitigating factors.

Current statutes containing the death penalty would be amended to eliminate the requirement for jury recommendation, thus limiting the imposition of the death penalty to cases in which the legislative guidelines for its imposition clearly require it, and eliminating arbitrary and capricious application of the death penalty which the Supreme Court has condemned in the Furman case.

Drug Abuse

No single law enforcement problem has occupied more time, effort and money in the past four years than that of drug abuse and drug addiction. We have regarded drugs as "public enemy number one," destroying the most precious resource we have -- our young people -- and breeding lawlessness, violence and death.

When this Administration assumed office in 1969, only \$82 million was budgeted by the Federal Government for law enforcement, prevention, and rehabilitation in the field of drug abuse.

Today that figure has been increased to \$785 million for 1974 -- nearly 10 times as much. Narcotics production has been disrupted, more traffickers and distributors have been put out of business, and addicts and abusers have been treated and started on the road to rehabilitation.

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Since last June, the supply of heroin on the East Coast has been substantially reduced. The scarcity of heroin in our big Eastern cities has driven up the price of an average "fix" from \$4.31 to \$9.88, encouraging more addicts to seek medical treatment. At the same time the heroin content of that fix has dropped from 6.5 to 3.7 percent.

Meanwhile, through my Cabinet Committee on International Narcotics Control, action plans are underway to help 59 foreign countries develop and carry out their own national control programs. These efforts, linked with those of the Bureau of Customs and the Bureau of Narcotics and Dangerous Drugs, have produced heartening results.

Our worldwide narcotics seizures almost tripled in 1972 over 1971. Seizures by our anti-narcotics allies abroad are at an all-time high.

In January, 1972, the French seized a half-ton of heroin on a shrimp boat headed for this country. Argentine, Brazilian and Venezuelan agents seized 285 pounds of heroin in three raids in 1972, and with twenty arrests crippled the existing French-Latin American connection. The ringleader was extradited to the U.S. by Paraguay and has just begun to serve a 20-year sentence in Federal prison.

Thailand's Special Narcotics Organization recently seized a total of almost eleven tons of opium along the Burmese border, as well as a half-ton of morphine and heroin.

Recently Iran scored the largest opium seizure on record -- over 12 tons taken from smugglers along the Afghanistan border.

Turkey, as a result of a courageous decision by the government under Prime Minister Erim in 1971, has prohibited all cultivation of opium within her borders.

These results are all the more gratifying in light of the fact that heroin is wholly a foreign import to the United States. We do not grow opium here; we do not produce heroin here; yet we have the largest addict population in the world. Clearly we will end our problem faster with continued foreign assistance.

Our domestic accomplishments are keeping pace with international efforts and are producing equally encouraging results. Domestic drug seizures, including seizures of marijuana and hashish, almost doubled in 1972 over 1971. Arrests have risen by more than one-third and convictions have doubled.

In January of 1972, a new agency, the Office of Drug Abuse Law Enforcement (DALE), was created within the Department of Justice. Task forces composed of investigators, attorneys, and special prosecuting attorneys have been assigned to more than forty cities with heroin problems. DALE now arrests pushers at the rate of 550 a month and has obtained 750 convictions.

At my direction, the Internal Revenue Service (IRS) established a special unit to make intensive tax investigations of suspected domestic traffickers. To date, IRS has collected \$18 million in currency and property, assessed tax penalties of more than \$100 million, and obtained 25 convictions. This effort can be particularly effective in reaching the high level traffickers and financiers who never actually touch the heroin, but who profit from the misery of those who do.

The problem of drug abuse in America is not a law enforcement problem alone. Under my Administration, the Federal Government has pursued a balanced, comprehensive approach to ending this problem. Increased law enforcement efforts have been coupled with expanded treatment programs.

The Special Action Office for Drug Abuse Prevention was created to aid in preventing drug abuse before it begins and in rehabilitating those who have fallen victim to it.

In each year of my Administration, more Federal dollars have been spent on treatment, rehabilitation, prevention, and research in the field of drug abuse than has been budgeted for law enforcement in the drug field.

The Special Action Office for Drug Abuse Prevention is currently developing a special program of Treatment Alternatives to Street Crime (TASC) to break the vicious cycle of addiction, crime, arrest, bail, and more crime. Under the TASC program, arrestees who are scientifically identified as heroin-dependent may be assigned by judges to treatment programs as a condition for release on bail, or as a possible alternative to prosecution.

Federally funded treatment programs have increased from sixteen in January, 1969, to a current level of 400. In the last fiscal year, the Special Action Office created more facilities for treating drug addiction than the Federal Government had provided in all the previous fifty years.

Today, federally funded treatment is available for 100,000 addicts a year. We also have sufficient funds available to expand our facilities to treat 250,000 addicts if required.

Nationwide, in the last two years, the rate of new addiction to heroin registered its first decline since 1964. This is a particularly important trend because it is estimated that one addict "infects" six of his peers.

The trend in narcotic-related deaths is also clearly on its way down. My advisers report to me that virtually complete statistics show such fatalities declined approximately 6 percent in 1972 compared to 1971.

In spite of these accomplishments, however, it is still estimated that one-third to one-half of all individuals arrested for street crimes continue to be narcotics abusers and addicts. What this suggests is that in the area of enforcement we are still only holding our own, and we must increase the tools available to do the job.

The work of the Special Action Office for Drug Abuse Prevention has aided in smoothing the large expansion of Federal effort in the area of drug treatment and prevention. Now we must move to improve Federal action in the area of law enforcement.

Drug abuse treatment specialists have continuously emphasized in their discussions with me the need for strong, effective law enforcement to restrict the availability of drugs and to punish the pusher.

One area where I am convinced of the need for immediate action is that of jailing heroin pushers. Under the Bail Reform Act of 1966, a Federal judge is precluded from considering the danger to the community when setting bail for suspects arrested for selling heroin. The effect of this restriction is that many accused pushers are

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immediately released on bail and are thus given the opportunity to go out and create more misery, generate more violence, and commit more crimes while they are waiting to be tried for these same activities.

In a study of 422 accused violators, the Bureau of Narcotics and Dangerous Drugs found that 71 percent were freed on bail for a period ranging from three months to more than one year between the time of arrest and the time of trial. Nearly 40 percent of the total were free for a period ranging from one-half year to more than one year. As for the major cases, those involving pushers accused of trafficking in large quantities of heroin, it was found that one-fourth were free for over three months to one-half year; one-fourth were free for one-half year to one year; and 16 percent remained free for over one year prior to their trial.

In most cases these individuals had criminal records. One-fifth had been convicted of a previous drug charge and a total of 64 percent had a record of prior felony arrests. The cost of obtaining such a pre-trial release in most cases was minimal; 19 percent of the total sample were freed on personal recognizance and only 23 percent were required to post bonds of \$10,000 or more.

Sentencing practices have also been found to be inadequate in many cases. In a study of 955 narcotics drug violators who were arrested by the Bureau of Narcotics and Dangerous Drugs and convicted in the courts, a total of 27 percent received sentences other than imprisonment. Most of these individuals were placed on probation.

This situation is intolerable. I am therefore calling upon the Congress to promptly enact a new Heroin Trafficking Act.

The first part of my proposed legislation would increase the sentences for heroin and morphine offenses.

For a first offense of trafficking in less than four ounces of a mixture or substance containing heroin or morphine, it provides a mandatory sentence of not less than five years nor more than fifteen years. For a first offense of trafficking in four or more ounces, it provides a mandatory sentence of not less than ten years or for life.

For those with a prior felony narcotic conviction who are convicted of trafficking in less than four ounces, my proposed legislation provides a mandatory prison term of ten years to life imprisonment. For second offenders who are convicted of trafficking in more than four ounces, I am proposing a mandatory sentence of life imprisonment without parole.

While four ounces of a heroin mixture may seem a very small amount to use as the criterion for major penalties, that amount is actually worth 12-15,000 dollars and would supply about 180 addicts for a day. Anyone selling four or more ounces cannot be considered a small time operator.

For those who are convicted of possessing large amounts of heroin but cannot be convicted of trafficking, I am proposing a series of lesser penalties.

To be sure that judges actually apply these tough sentences, my legislation would provide that the mandatory minimum sentences cannot be suspended, nor probation granted.

The second portion of my proposed legislation would deny pre-trial release to those charged with trafficking in heroin or morphine unless the judicial officer finds that release will not pose a danger to the persons or property of others. It would also prohibit the release of anyone convicted of one of the above felonies who is awaiting sentencing or the results of an appeal.

These are very harsh measures, to be applied within very rigid guidelines and providing only a minimum of sentencing discretion to judges. But circumstances warrant such provisions. All the evidence shows that we are now doing a more effective job in the areas of enforcement and rehabilitation. In spite of this progress, however, we find an intolerably high level of street crime being committed by addicts. Part of the reason, I believe, lies in the court system which takes over after drug pushers have been apprehended. The courts are frequently little more than an escape hatch for those who are responsible for the menace of drugs.

Sometimes it seems that as fast as we bail water out of the boat through law enforcement and rehabilitation, it runs right back in through the holes in our judicial system. I intend to plug those holes. Until then, all the money we spend, all the enforcement we provide, and all the rehabilitation services we offer are not going to solve the drug problem in America.

Finally, I want to emphasize my continued opposition to legalizing the possession, sale or use of marijuana. There is no question about whether marijuana is dangerous, the only question is how dangerous. While the matter is still in dispute, the only responsible governmental approach is to prevent marijuana from being legalized. I intend, as I have said before, to do just that.

Conclusion

This Nation has fought hard and sacrificed greatly to achieve a lasting peace in the world. Peace in the world, however, must be accompanied by peace in our own land. Of what ultimate value is it to end the threat to our national safety in the world if our citizens face a constant threat to their personal safety in our own streets?

The American people are a law-abiding people. They have faith in the law. It is now time for Government to justify that faith by insuring that the law works, that our system of criminal justice works, and that "domestic tranquility" is preserved.

I believe we have gone a long way toward erasing the apprehensions of the last decade. But we must go further if we are to achieve that peace at home which will truly complement peace abroad.

In the coming months I will propose legislation aimed at curbing the manufacture and sale of cheap handguns commonly known as "Saturday night specials." I will propose reforms of the Federal criminal system to provide speedier and more rational criminal trial procedures, and I will continue to press for innovation and improvement in our correctional systems.

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The Federal Government cannot do everything. Indeed, it is prohibited from doing everything. But it can do a great deal. The crime legislation I will submit to the Congress can give us the tools we need to do all that we can do. This is sound, responsible legislation. I am confident that the approval of the American people for measures of the sort that I have suggested will be reflected in the actions of the Congress.

RICHARD NIXON

THE WHITE HOUSE,

March 14, 1973.

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UNIFORM CRIME REPORTING
(1972 Preliminary Annual Release)

Crime in the United States, as measured by the Crime Index offenses, declined three percent during calendar year 1972 over 1971. The violent crimes as a group increased one percent. Forcible rape was up eleven percent, aggravated assault six percent, and murder four percent, while the crime of robbery declined four percent. The property crimes of burglary, larceny \$50 and over, and auto theft decreased three percent as a group. Auto theft decreased seven percent, larceny \$50 and over three percent, and burglary two percent. Cities with 250,000 or more inhabitants reported an average decrease of eight percent in the volume of Crime Index offenses. Cities with over 100,000 inhabitants reported an average decrease of seven percent. The suburban areas surrounding large core cities reported an increase of two percent and the rural areas were up four percent (Table 1).

Geographically, the Western States reported a two percent rise in the volume of Crime Index offenses. The Southern States reported a decrease of two percent, the North Central States three percent, and the Northeastern States eight percent (Table 2).

TABLE 1 **CRIME INDEX TRENDS**
(Percent change 1972 over 1971, offenses known to the police)

Population Group and Area	Number of Agencies	Population in thousands	Total	Violent	Property	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny \$50 and over	Auto theft
Total all agencies	5,821	164,859	- 3	+ 1	- 3	+ 4	+11	- 4	+ 6	- 2	- 3	- 7
Cities over 25,000	841	89,497	- 5	- 1	- 6	+ 4	+10	- 5	+ 4	- 4	- 6	- 9
Suburban area	2,295	52,857	+ 2	+13	+ 1	+11	+19	+ 9	+14	+ 2	+ 1	- 1
Rural area	1,221	18,953	+ 4	+ 9	+ 4	- 2	+ 1	+10	+11	+ 4	+ 5	- 3
Over 1,000,000	6	18,805	-12	- 4	-14	+ 4	+12	- 9	+ 4	-11	-19	-14
500,000 to 1,000,000	21	13,728	- 7	- 6	- 7	+ 2	+ 3	-10	- 2	- 6	- 7	-11
250,000 to 500,000	31	10,788	- 2	+ 2	- 3	+ 4	+12	+ 3	- 1	- 1	- 3	- 4
100,000 to 250,000	93	13,418	- 2	+ 3	- 3	+ 5	+ 4	+ 2	+ 4	- 2	- 3	- 5
50,000 to 100,000	240	16,937	+ 1	+ 9	-	+ 8	+14	+ 7	+11	+ 1	-	- 2
25,000 to 50,000	450	15,822	+ 1	+13	-	+ 3	+26	+ 8	+17	+ 2	- 1	- 2
10,000 to 25,000	1,104	17,636	+ 4	+ 9	+ 4	+ 4	+21	+10	+ 8	+ 4	+ 4	- 1
Under 10,000	2,357	11,069	+ 5	+ 4	+ 5	- 9	+19	+11	+ 2	+ 3	+ 6	+ 2

TABLE 2 **CRIME INDEX TRENDS BY GEOGRAPHIC REGION**
(1972 over 1971)

Region	Total	Violent	Property	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny \$50 and over	Auto theft
Northeastern States	- 8	- 1	-10	+ 6	+19	- 8	+ 9	- 8	-11	-10
North Central States	- 3	- 1	- 3	- 2	+ 7	- 5	+ 5	- 3	- 1	- 7
Southern States	- 2	+ 1	- 2	+ 4	+ 6	-	+ 1	+ 1	- 2	- 8
Western States	+2	+ 7	+ 1	+11	+13	+3	+ 9	+3	-	- 3

TABLE 3 **CRIME INDEX TRENDS**
(Percent change 1966 - 1971, each year over previous year)

Years	Total	Violent	Property	Murder	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny \$50 and over	Auto theft
1967/1966	+ 16	+ 15	+16	+13	+ 8	+27	+ 8	+16	+16	+17
1968/1967	+ 17	+ 19	+17	+14	+15	+30	+11	+13	+21	+18
1969/1968	+ 11	+11	+11	+ 7	+16	+13	+ 8	+ 6	+21	+12
1970/1969	+ 11	+12	+10	+ 8	+ 2	+17	+ 7	+10	+14	+ 5
1971/1970	+ 6	+ 9	+ 6	+10	+ 9	+10	+ 8	+ 8	+ 5	+ 1

Table 4

Offenses Known to the Police, 1971 and 1972
(Cities over 100,000 population)

			1971							1972								
			Crime Index total	Murder, non-negligent manslaughter	For-cible rape	Robbery	Aggravated assault	Burglary breaking or entering	Larceny \$50 and over	Auto theft	Crime Index total	Murder, non-negligent manslaughter	For-cible rape	Robbery	Aggravated assault	Burglary breaking or entering	Larceny \$50 and over	Auto theft
Akron	Ohio	1971	12,670	38	100	772	362	4,386	4,102	2,910	17,084	31	130	1,480	697	7,223	4,071	3,452
		1972	11,472	31	105	758	400	4,136	3,608	2,434	18,628	55	176	1,700	711	8,016	4,584	3,386
Albany	N Y	1971	3,678	6	17	282	111	2,012	390	860	183,867	427	2,062	14,147	14,674	74,812	41,506	36,239
		1972	2,803	6	17	223	97	1,377	445	638	176,916	499	2,205	14,241	15,056	72,458	38,737	33,720
Albuquerque	N Mex	1971	16,540	31	103	667	988	6,232	6,531	1,988	17,567	84	85	1,453	527	5,055	4,804	5,579
		1972	17,475	23	154	857	1,159	7,023	6,554	1,705	15,583	81	119	1,496	535	4,303	4,326	4,723
Alexandria	Va	1971	5,899	9	51	490	424	1,864	2,186	875	6,201	28	55	141	565	2,506	2,542	364
		1972	5,777	17	30	435	483	1,861	2,309	642	5,521	31	44	103	459	2,169	2,359	356
Allentown	Pa	1971	3,134	5	22	137	178	1,238	1,252	302	5,996	20	31	299	211	2,653	1,758	1,024
		1972	2,652	4	17	162	106	1,036	986	341	5,808	20	39	299	177	2,711	1,547	1,015
Amarillo	Texas	1971	4,129	9	18	91	174	1,664	1,752	421	5,720	5	31	60	34	2,302	1,724	564
		1972	4,197	9	18	85	200	1,638	1,860	407	5,864	3	55	83	24	2,466	2,552	681
Anaheim	Calif	1971	8,519	5	56	223	165	4,118	3,097	855	23,697	91	273	1,151	1,528	10,498	7,126	3,030
		1972	9,772	14	78	249	321	4,661	3,589	860	20,097	127	373	1,676	1,539	12,913	9,250	3,219
Arlington	Va	1971	5,127	7	45	245	101	1,468	2,431	830	24,895	100	137	2,829	3,014	9,258	6,299	3,258
		1972	4,336	2	30	181	89	1,230	2,124	680	22,429	78	99	2,555	2,656	8,294	5,949	2,798
Atlanta	Ga	1971	30,056	230	268	2,207	1,935	13,726	7,656	4,034	22,025	52	104	661	652	4,636	9,908	6,012
		1972	33,213	255	256	3,074	2,143	14,676	8,659	4,150	21,162	56	87	748	694	4,981	9,202	5,394
Austin	Texas	1971	8,307	27	66	372	1,119	4,334	1,336	1,053	23,865	35	228	1,646	1,037	10,039	5,884	4,996
		1972	8,003	38	62	285	966	4,046	1,625	981	24,299	39	308	1,908	1,358	10,495	4,960	5,226
Baltimore	Md	1971	54,449	323	537	9,480	6,556	18,481	10,134	8,938	8,852	37	85	456	441	5,158	1,604	1,071
		1972	50,937	330	465	9,584	6,365	16,986	8,857	8,350	7,508	26	81	360	443	4,299	1,537	762
Baton Rouge	La	1971	9,054	22	46	301	787	3,769	2,692	1,457	4,488	34	40	211	99	1,715	1,821	538
		1972	10,486	21	74	411	948	4,535	3,190	1,307	4,316	28	47	146	74	1,806	1,636	579
Beaumont	Texas	1971	4,042	20	6	207	617	1,886	1,018	288	20,746	73	157	1,176	2,174	8,216	5,525	3,425
		1972	3,979	17	13	164	654	1,765	1,065	301	17,017	68	104	1,076	1,616	6,569	4,877	2,686
Berkeley	Calif	1971	7,138	11	78	528	256	4,147	886	1,232	34,762	131	312	5,529	2,641	13,066	5,754	6,929
		1972	6,946	10	104	567	251	3,896	1,080	1,038	31,213	148	325	4,788	2,583	11,460	4,274	8,055
Birmingham	Ala	1971	14,152	82	98	465	1,470	4,857	4,286	2,894	5,603	2	12	169	119	2,566	1,488	1,247
		1972	14,178	76	103	757	1,310	5,189	4,334	2,409	4,468	3	21	214	150	1,926	1,130	1,024
Boston	Mass	1971	42,514	116	235	4,735	1,907	12,439	7,055	16,027	7,034	18	52	251	334	2,977	1,835	2,467
		1972	36,763	104	262	5,037	2,015	10,173	5,609	15,563	7,166	9	47	248	327	2,332	1,718	2,485
Bridgeport	Conn	1971	11,154	18	20	572	207	3,494	3,101	3,742	35,375	116	325	3,391	2,109	10,705	10,381	8,348
		1972	9,525	18	13	512	155	2,720	2,995	3,112	30,000	163	261	3,001	2,040	8,428	6,984	7,123
Buffalo	N Y	1971	20,226	76	134	2,207	812	6,287	6,016	4,694	3,693	12	28	216	427	1,332	1,372	306
		1972	18,881	62	176	1,991	712	6,156	5,390	4,394	4,277	22	28	238	538	1,465	1,530	456
Cambridge	Mass	1971	7,177	5	42	355	243	1,978	1,315	3,239	529,447	1,466	2,415	88,994	33,865	181,331	124,752	96,624
		1972	6,624	13	32	329	238	1,711	1,039	3,262	434,303	1,691	3,271	78,202	37,130	148,046	90,099	75,865
Camden	N J	1971	7,233	15	57	682	413	2,958	986	2,122	1,411	35	122	821	1,229	4,912	5,217	1,603
		1972	8,157	26	48	695	551	3,457	1,102	2,278	11,411	46	144	823	1,251	3,983	3,870	1,294
Canton	Ohio	1971	3,902	11	15	327	137	1,265	1,582	565	25,664	89	220	2,932	1,224	14,311	1,493	5,395
		1972	4,000	14	24	297	240	1,288	1,522	615	24,804	78	261	2,907	1,646	13,080	1,413	5,419
Cedar Rapids	Iowa	1971	1,932	5	10	34	15	683	842	343	12,959	45	144	521	1,142	6,314	2,136	2,657
		1972	1,859	3	8	31	22	625	769	401	13,201	43	133	671	787	7,220	1,629	2,718
Charlotte	N C	1971	11,271	54	98	573	1,246	4,938	3,276	1,886	11,408	24	122	482	1,085	3,706	3,097	2,892
		1972	9,945	60	78	603	1,172	4,324	2,811	897	13,234	24	125	692	1,092	4,064	4,237	3,000
Chattanooga (1)	Tenn	1971	6,805	35	55	421	575	2,670	1,643	1,406	6,127	21	30	301	989	2,389	1,941	456
		1972	6,805	35	55	421	575	2,670	1,643	1,406	5,469	19	37	325	414	2,283	1,892	499
Chicago	Ill	1971	126,854	824	1,549	24,012	11,285	38,385	15,593	35,206	1,605	3	4	25	59	513	616	385
		1972	121,707	711	1,529	23,531	11,154	36,630	15,853	32,299	1,449	3	3	27	64	613	446	296
Cincinnati	Ohio	1971	21,880	79	189	1,749	819	9,751	6,144	3,149	7,948	11	111	527	458	3,677	2,117	1,177
		1972	20,783	69	239	1,733	761	9,729	5,272	2,980	7,078	18	89	524	386	3,765	1,673	1,494
Cleveland	Ohio	1971	46,295	270	428	5,987	2,004	11,780	5,971	19,855	8,521	20	41	918	977	3,177	936	2,452
		1972	41,055	307	462	5,639	1,988	10,446	4,687	17,526	9,453	23	23	1,110	1,018	3,657	1,097	2,525
Colorado Springs	Colo	1971	5,895	9	70	183	198	2,183	2,558	694	61,340	435	546	9,243	4,970	20,914	7,387	17,045
		1972	6,879	18	103	342	209	2,633	2,751	823	58,584	413	588	9,710	4,603	21,182	6,048	16,840
Columbia	S C	1971	5,456	32	37	264	353	2,650	1,490	630	30,546	55	216	1,304	2,326	13,348	8,965	4,332
		1972	4,551	17	48	149	288	2,347	1,130	572	33,365	83	256	1,292	2,643	15,359	9,621	4,111
Columbus	Ga	1971	4,025	22	14	200	158	1,779	1,167	685	26,467	65	279	2,556	1,910	9,489	5,636	6,532
		1972	3,906	29	22	245	182	1,808	969	651	26,550	49	298	2,646	1,827	7,824	4,778	6,128
Columbus	Ohio	1971	26,579	69	269	1,873	943	10,023	8,176	5,226	26,459	15	144	1,797	1,127	10,794	8,845	3,737
		1972	24,049	59	292	1,464	890	9,641	7,647	4,056	26,530	37	169	1,715	1,344	11,034	8,673	3,658
Corpus Christi	Texas	1971	9,653	33	59	256	872	3,970	3,355	1,108	5,079	21	52	489	269	2,276	1,329	643
		1972	9,573	29	71	324	765	4,462	2,998	924	4,978	23	48	487	380	2,286	1,006	768
Dallas	Texas	1971	46,400	207	585	2,861	5,282	18,322	12,229	6,914	11,977	12	21	625	525	4,176	894	5,724
		1972	45,213	192	533	2,616	4,529	21,475	10,461	5,387	10,355	6	21	534	443	3,793	758	4,800
Dearborn	Mich	1971	3,360	8	13	148	73	1,090	1,310	718	4,956	12	22	191	452	1,308	2,638	333
		1972	3,066	6	7	175	55	1,009	1,109	705	4,707	25	31	135	583	1,446	2,085	402
Denver	Colo	1971	37,706	82	434	2,167	2,050	15,228	10,657	7,088	15,306	72	131	1,286	786	6,191	4,143	2,697
		1972	38,945	89	368	2,014	1,927	16,750	10,136	7,661	13,507	87	164	1,453	812	5,152	3,655	2,184
Des Moines	Iowa	1971	6,561	11	66	361	159	1,885	3,301	778	8,713	14	63	255	465	4,036	3,056	824
		1972	5,961	14	44	277												

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M

**ADVANCE FOR RELEASE
6:30 P.M., EST, WEDNESDAY
MARCH 28, 1973**

PLEASE NOTE

Figures used in this release are submitted voluntarily by law enforcement agencies throughout the country. Individuals using these tabulations are cautioned against drawing conclusions by making direct comparisons between cities due to the existence of numerous factors which affect the amount and type of crime from place to place. Some of these factors are listed in the annual Uniform Crime Reports. More valid use can be made of these figures by determining deviations from national averages and through comparisons with averages for cities in similar population groups. (Table 1) It is important to remember that crime is a social problem and, therefore, a concern of the entire community. The efforts of law enforcement are limited to factors within its control.

Criminal Punishment

HILLIS SPONSORS TOUGH DRUG BILL

For Immediate Release

WASHINGTON, D.C. -- Congressman Elwood H. "Bud" Hillis has agreed to co-sponsor the tough drug control bill proposed by the President in his recent State of the Union Message on Crime.

The "Heroin Trafficking Act of 1973," to which Hillis has added his name, increases the sentences for heroin and morphine offenses and sets mandatory minimum sentences which cannot be suspended, nor probation granted.

The bill also denies pre-trial release to those charged with trafficking drugs unless it is determined that release will not endanger members of the community. It further prohibits the release of a convicted drug felon awaiting sentencing or the results of an appeal.

For a first offense of trafficking less than four ounces of heroin or morphine, the bill provides a mandatory sentence from five to fifteen years.

First offenses for trafficking more than four ounces would be punishable by a mandatory sentence of ten years to life.

Second drug offenders trafficking less than four ounces would receive a mandatory prison term of ten years to life; those caught pushing more than four ounces would receive a mandatory life imprisonment sentence without parole.

Current law prescribes up to 15 years and \$25,000 fine for a first offense in trafficking and up to 30 years and a \$50,000 fine for second offenses. However, no mandatory provision exists, nor any minimum sentence.

The proposed bill does make a distinction between those who traffic in heroin and those who are convicted of simply possessing it for personal use, and prescribes lesser penalties for users who are not traffickers.

"Part of the problem today is that once a drug pusher is caught and lawfully convicted, many soft judges impose a light sentence with early parole available and before you know it, the pusher is back out on the streets," Hillis said.

"It's time we cracked down on this segment of our criminal society and impose mandatory, stiff sentences -- otherwise, all the money we spend to apprehend and convict these drug offenders will be wasted."

"We're making progress in our efforts to catch drug traffickers, but a lot of this progress is being undone in our courts. That's why the measures and penalties I have supported in this bill are very strict, and provide only a minimum of sentencing discretion to judges. The countries that have had the most success in controlling the drug problem have very stiff penalties, and I think it's high time we tried this approach," Hillis concluded.

Other Members of Congress co-sponsoring the drug bill include House Minority Leader Gerald Ford, GOP Whip Les Arends, and Louis Frey of Florida, who is head of the Republican Task Force on Drugs.



Congressman ELWOOD H. "BUD" HILLIS

Reports from Washington



NOT PRINTED AT GOVERNMENT EXPENSE

NEWSLETTER

For the week of March 22, 1973

DEATH PENALTY

WASHINGTON, D. C. -- "I am confident that the death penalty can be a valuable deterrent to certain crimes." President Richard M. Nixon.

Throughout the history of this Nation, the death penalty has been a key tool in fighting crime and making our streets safe.

Although the death penalty did not stop all violent crimes from being committed, no one will ever know how many crimes were prevented because of it.

In the 1930s, the world was shocked when the small child of America's hero, Colonel Charles Lindbergh, was kidnapped and murdered. Bruno Richard Hauptmann was convicted of the crime and died in the electric chair. From this time on, kidnapping became a crime punishable by death.

The death penalty was feared by all criminals.

In 1948, a new name appeared in American history. It was Caryl Chessman.

Chessman was convicted of two counts of kidnapping, one count of sexual perversion and 17 counts of robbery. He was sentenced to die in the gas chamber in the California State Prison.

A series of legal maneuvers and stays of execution extended Chessman's life. On May 2, 1960 he was executed.

The Chessman case became a rallying point for all those who opposed the death penalty. They believed that he had suffered undue punishment by being in death row for some 12 years.

While in prison, Chessman authored three best-selling books. These books worked on the emotions of all Americans.

After the Chessman case, death sentences in this Nation became rare. The last person to be executed was Luis Jose Monge, who was put to death in Colorado on June 2, 1967 for the murder of his wife and children.

The latest development came last June when the Supreme Court, in a 5-4 split decision, ruled that capital punishment as it is presently administered is "cruel and unusual" and therefore unconstitutional.

The President has now stepped into the picture.

(continued)



Congressman ELWOOD H. "BUD" HILLIS



Reports from Washington

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(continued)

He wants to reverse the trend and revive the death penalty.

On March 14 he asked Congress to take needed legislative steps which would call for the death penalty in these cases:

1. Treason, sabotage and espionage, when "war related."
2. Killing of law enforcement officials and prison guards.
3. Murders committed in the course of serious federal crimes -- such as skyjacking, kidnapping or bombing of a public building.

The Senate, in the meantime, has before its Subcommittee on Criminal Laws and Procedures, legislation which would authorize the death penalty for the "most heinous crimes" -- murder and treason.

A number of bills also have been introduced in the House for a mandatory death penalty for those convicted of assassination or attempting to kill federal office seekers or incumbents.

The House also has before it two constitutional amendments which would overturn the Supreme Court's ruling.

It is my observation that there has been an upsurge in favor of capital punishment.

I will certainly support federal legislation which would call for the retention of the death penalty. ~~I would like to know your views on this question.~~

* * * *

MORE GOOD NEWS FROM THE POSTAL PEOPLE

The Noblesville Daily Ledger recently published an editorial that I would like to share with you.

"What neither sleet nor snow nor gloom of night is supposed to be capable of, the Postal Service has managed to do to itself -- stay its couriers from the swift completion of their appointed rounds.

"There was a brief item in the news the other day to the effect that postmen in a southern Illinois town -- West Frankfort, to be exact, were hoofing it on their deliveries even though they have official mail cars.

"Reason: The cars didn't have license plates.

"Reason: The plates, new 1973 ones required by February 15, had been lost in the mails."

* * * *

WE NEED YOUR HELP

Because our mailing list has grown rapidly during the past year, we find that we have some duplications. We do our best to police the list but would like to have your help. If you are receiving more than one newsletter or if there are any other errors, such as an incorrect address, please get in touch with my Washington office.

* * * *

From the Office of:
CONGRESSMAN TOM RAILSBACK
19th District, Illinois
218 Cannon House Office Building
Washington, D. C. 20515
Contact: Karel Dutton
(202) 225-7839
March 30, 1973

CONGRESSMAN TOM RAILSBACK REPORTS FROM WASHINGTON
For release, Monday, April 2, 1973

Now that general revenue sharing is a reality -- special revenue sharing looms in the near future. In the last Congress, little or no action was taken on the revenue sharing package. But, the President in his 1973 Budget message renewed his proposals requesting that Congress enact special revenue sharing bills in three broad areas instead of the six areas previously proposed.

This year, the Administration will not be submitting special revenue sharing bills for rural development, manpower or transportation. It is expected that any changes in these areas will come through administrative regulations rather than enactment of law by Congress.

In the other fields of urban development, law enforcement, and education, some 70 existing categorical federal aid programs will be consolidated into these three broad areas with a total value of \$5.6 billion for the first year.

Personally, I have been a proponent of special revenue sharing because it enables the state and local government much more flexibility and discretion in using federal funds within the broad function areas of each program. In other words, the federal government isn't spelling out exactly where these monies have to go -- and it will be up to the local government to determine their own special needs. For instance, the education revenue sharing merges some 30 elementary and secondary grant programs into five block grants totaling \$2.8 billion. The local areas could distribute the aid as they see fit in the five categories of elementary and secondary education; education for the handicapped; assistance for federally impacted areas, vocation and adult education and school lunch programs.

(MORE)

In the area of law enforcement, the Administration proposals call for the conversion of block grant programs of the Law Enforcement Assistance Administration into a \$790 million special revenue sharing package. In the urban development, such programs as model cities, water and sewer, neighborhood facilities and rehabilitation loans would be consolidated into one package which would provide \$2.3 billion in the first year.

While most people would agree that the current myriad of federal categorical grant programs are narrow and outmoded, there are always difficulties and problems when programs are dismantled or transferred. Other problems are also surfacing because, coupled with the special revenue sharing proposals, is the Administration's pledge to cease funding of several categorical grant programs by the end of this fiscal year in June. Such programs as impact aid which is slated to merge under education revenue sharing, and the model cities program which is to be under urban development revenue sharing, are not included for funding in the 1974 fiscal year budget. Hence, if Congress does not act upon these revenue sharing bills before the fiscal year runs out, many programs might cease to exist.

I am hopeful Congress will ultimately see its way through to enact legislation similar to these proposals, and -- if we don't -- we will then have to provide interim funding under the categorical grant programs.

HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

PH: WASH., D.C. 202-225-4324
SPRINGFIELD 513-325-0474

REPORT FROM WASHINGTON

For Release, Tuesday, April 10, 1973

THE HOUSE SUBCOMMITTEE on Legislation and Military Affairs, on which I serve, last week began consideration of the President's Reorganization Plan No. 2---the establishment of a Drug Enforcement Administration within the Justice Department to coordinate federal efforts in the drug law enforcement area.

This new Drug Administration would combine and command a federal strike force of 3,000 men and women with responsibility for all domestic and foreign law enforcement operations which are now dispersed among a half dozen government bureaus and agencies. The Reorganization Plan would also concentrate over 1,000 government agents under the Bureau of Customs to reduce the possibility that illicit drugs will escape detection at U. S. ports-of-entry. Currently divided responsibility between the Justice Department and the Treasury Department at U. S. ports-of-entry limits the effectiveness of the efforts.

This streamlining of the federal drug law enforcement apparatus improves the organization and the necessary resources, and leadership capacity to deal directly and decisively with the "supply" side of the drug abuse problem both in the U. S. and internationally. In combination with the Special Action Office for Drug Abuse Prevention, now in the Executive Office of the President, which deals with the "demand" side of the problem (education, treatment and rehabilitation), we will now have a potent one-two punch against the deadly menace of drug abuse.

The major responsibilities of the proposed Drug Enforcement Administration would include: development of overall federal drug law enforcement intelligence, surveillance, strategy, investigation, apprehension and prosecution of suspects for violations under all federal drug trafficking laws; conduct of all relations with drug law enforcement officials of foreign governments; and full coordination and cooperation with State and local law enforcement officials on joint drug enforcement efforts. The functions of the Bureau of Customs and the Immigration and Naturalization service would be better coordinated

(NOT PRINTED AT GOVERNMENT EXPENSE)

(more)

(page 2)

to embrace single inspection of all persons and goods entering the U. S., to intercept contraband being smuggled into the U. S. and to enforce U. S. laws governing the international movement of persons and goods. The investigation responsibility for all drug law enforcement cases would be placed in the Justice Department. Such streamlining of responsibility and command will put to better use the sevenfold increase in federal funds appropriated for drug abuse control purposed in the last five years, as well as the 250 percent increase in drug abuse prevention manpower during that same period.

Certain questions regarding the plan must still be answered, such as who will coordinate the Special Action Office with the Drug Enforcement Administration? How is the international aspect of the Drug Enforcement Administration to be coordinated with the State Department? And, will the plan create interagency competition among intelligence agencies operating overseas? Once such questions are answered, the government's combination of drug enforcement and rehabilitation will open the way for a decisive solution to the drug problem when coupled with the President's proposed stiff mandatory sentencing for drug pushers and traffickers.

THE PRESIDENT'S TELEVISED speech March 22nd, in which he asked voters to write to their Senators and Congressmen in support of his efforts to control federal spending, must have struck a strong chord of agreement.

In the days following the speech I have received numerous letters from constituents urging me to vote against legislation which would force deficit spending. The citizens writing seem to have a strong appreciation for the connection between over-spending of the federal budget by Congress and the inflation that results and erodes all our income. And they are adamant about preventing the alternative-- higher taxes.

Hopefully this awareness of the need for responsible federal spending policy being shown in the Seventh District is also being reflected around the rest of the nation. If it is, it is time the Democrat-controlled Congress starts paying attention.