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THE WHITE HOUSE

REMARKS OF THE PRESIDENT  
TO THE  
CALIFORNIA STATE LEGISLATURE

CALIFORNIA STATE CAPITOL

11:33 A.M. PDT

Governor Brown, Mr. Speaker, Mr. President, members of the State Legislature, distinguished guests, ladies and gentlemen:

It is indeed an honor to come before the California Legislature. You represent more Americans than any other legislative body, except the Congress of the United States, with which I have had some acquaintance over a good many years.

Almost half of California's delegation in the current Congress are alumnus of this legislature. I cannot take time to salute all of them by name, but from veterans like the able Majority Whip, John McFall, to respected newcomers like Bob Lagomarsino, they are really an outstanding group.

In 25 years that I served in the Congress, I made many friendships with former State Senators and assemblymen from Sacramento whose constituents have consistently sent them back to Washington.

Although they represent a wide spectrum of political persuasions and interests, they were almost without exception able, hard working legislators who quickly reached positions of great importance and great influence in the House of Representatives, where they could make California's voice heard and, believe me, they did.

As a delegation that is now the largest in the Congress, Californians were often able to temporarily put partisanship aside on matters of great concern to your State as well as to our Nation.

This, after all, is the way our two-party system works at its best. I, long ago, came to admire California legislators from afar, and I thank you very, very sincerely for this opportunity to meet in this historic chamber.

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Since California is almost a model of the whole United States, in its diversity of industry and agriculture, its urban and rural interests, its internal and international trade and commerce, its steady growth and the attendant challenges in transportation, education, employment and human needs, almost any national problem would be an appropriate one to discuss in California context.

Any subject that is of major importance to Californians is also of deep concern to all Americans.

In the 13 months I served as President of all of the people, my priority goals have been set by the circumstances which confronted our Nation, and still do: To work steadily and prudently toward peace and the reduction of conflicts which threaten peace globally or regionally without weakening either our defense or our resolve; to reverse the current recession and to revive our free economic system without reigniting, the inflationary forces, and through such Federal stimulants and incentives as will create productivity and permanent private jobs and genuine economic growth; to develop a comprehensive short- and long-term program to end our growing dependence on foreign sources of energy and provide the abundant and sure energy supply that is essential both for jobs and to competitive production for the future; and finally, but certainly not least, to encourage among all Americans a greater spirit of conciliation, cooperation and confidence in the future of this great country and the institutions of self-government which for 200 years have served to create a more perfect union.

Today, I could devote my time to any one of these goals because all are of concern in Sacramento, as well as in Washington. California has a very vital stake in peace and the important breakthrough we have just made in diffusing the time bomb that has been ticking away ominously in the Middle East.

California is blessed above many, many States when it comes to energy resources. But by the same token, Californians are exceptionally aware of the importance of power to make things move, to make things grow.

I have decided, however, to discuss with you today another subject on my agenda, one that affects every American and every Californian, one in which the role and the responsibility of State officials is even greater than that of the Federal establishment; that is, the truly alarming increase in violent crime throughout this country.

Crime is a threat so dangerous and so stubborn that I am convinced it can be brought under control only by the best concerted efforts of all levels of Government, Federal, State and local, by the closest cooperation among Executive, Legislative and Judicial Branches, and by the abandonment of partisanship on a scale comparable to closing the ranks in wartime against an external enemy.

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I come to California not only to plead for this kind of Federal, State and local citizen coalition against crime, but to praise the progress you have already begun in California.

California has long been a leader in both law enforcement and criminal justice. The rate of increase in violent crimes here remains less than the national average. For the first quarter of this year, serious crime rose 18 percent for the Nation as a whole. It rose only 13 percent in California, but both figures, I am sure we agree, are far, far too high.

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The rate for forcible rape was down, but murder was up 22 percent in California and robbery up 23 percent. What is more distressing, my good friend, Evelle Younger, tells me that nearly four out of every ten persons convicted of using firearms to kill someone, or to rob someone, were given probation. Approximately 2300 persons convicted of violent crimes involving firearms are returned to the streets of California each year without serving a prison sentence.

Clearly, the billions of dollars spent at all levels of Government since 1960 have not done the job of stemming the rise in crime. The reported crime rate has doubled, and unreported crimes have probably multiplied even more.

As a former lawmaker among active lawmakers, let me put before you three simple propositions about crime. First, a primary duty of Government is to protect the law-abiding citizens in his peaceful pursuits of life, liberty and happiness.

The Preamble to our Constitution at the Federal level puts the obligation to insure domestic tranquility in the same category as providing for the common defense against foreign foes.

The American Revolution was unique in its devotion to the rule of law. We overthrew our rulers but cherished their rules. The founding fathers were dedicated to John Locke's dictum that "Where there is no law, there is no freedom." One of them, James Madison, added his own corollary, "If men were angels, no government would be necessary."

While it is true that not all men nor all women are angels, it is also true that the vast majority of Americans are law-abiding. In one study of ten thousand males born in 1945, it was shown that only 6 percent of them perpetrated two-thirds of all crimes committed by the entire sample.

As for serious crimes, most are committed by repeaters. Another study in a major metropolitan area showed that within a single year, more than two hundred burglaries, 60 rapes and 14 murders were the work of only ten individual criminals.

This brings me to my second proposition. If a primary duty of Government is to insure the domestic tranquility of the law-abiding majority, should we not put as much emphasis on the rights of the innocent victim as we do on the rights of the accused violators?

I am not suggesting that due process should be ignored or the legal rights of defendants be reduced. I am not urging a vindictive attitude toward convicted offenders. I am saying that, as a matter of public policy, the time has come to give equal weight on the scale of justice to the rights of the innocent victims of crimes of terror and violence.

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Victims are my primary concern and I am sure that is your primary concern. They should be the concern of all of us who have a role in making or executing or enforcing or interpreting the criminal law, Federal, State or local. The vast majority of victims of violent crime in this country are the poor, the old, the very young, the disadvantaged minorities, the people who crowd our urban centers, the most defenseless of our fellow citizens.

Government should deal equally with all citizens but if it must tilt a little to protect any element more than any other, surely it should be those who cannot afford to be robbed of a day's food money, those who lack the strength to resist, those who even fear the the consequences of complaining.

My third proposition is this: If most serious crimes are committed by repeaters, most violent crimes by criminals carrying guns, if the tiny majority of habitual lawmakers can be identified by modern data-keeping methods, then is it not mandatory that such offenders, duly tried and convicted, be removed from society for a definite period of time rather than returning to the streets to continue to prey on the innocent and the law-abiding majority.

Although only a very limited number of violent crimes fall under Federal jurisdiction, I have urged the Congress to set an example by providing for mandatory prison terms for convicted offenders in such extraordinarily serious crimes as aircraft hijacking, kidnapping and trafficking in hard drugs. I also advocate mandatory sentences for persons found guilty of crimes involving use of dangerous weapons, and for repeat offenders, with or without a weapon, whose crimes show a potential or actual cause of physical injury. There will, of course, be sensible exception but they must be minimal.

I hope all 50 States will follow suit. Far too many violent and repetitive criminals never spend a day in prison after conviction. Mandatory sentences need not be severe. It is the certainty of confinement that is presently lacking. We will never deter crime, nor reduce its growth if potential lawmakers feel they have favorable odds of escaping punishment.

The more experienced in crime they get, the better their odds of not suffering the consequences. That is wrong and it must be reversed, and the quicker, the better.

The temptation to politicians -- and I trust we are all politicians here, and proud of it -- I am -- is to call for a massive crackdown on crime and to advocate throwing every convicted felon in jail and throwing the key away.

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We have heard such cries for years and crime continues to gain on us. The problem is infinitely more complex than any updated vigilante mentality can cope with. We have to confess, you and I, that we do not know all of the answers. But as with other stubborn national problems, my philosophy is that we must take one sure step at a time.

It is simply intolerable to stand still or slip backwards. It is simply impossible to devise a swift cure-all or a quick fix.

In a talk to my alma mater and to yours, Mr. Governor, the Yale Law School, last April, and again in a detailed message to the Congress in June, I outlined the first steps which I believe must be taken to get a handle on the rising crime rates. I will not rehash these points today, except to thank the California Legislature for moving somewhat faster than Congress has on some of my recommendations, such as mandatory prison sentences for crimes involving firearms and hard drug pushing.

I told the Congress, not as a cop-out, but as a Constitutional fact of life, that the Federal effort in the fight against crime really depends on the massive support from the States -- which quite properly have sole jurisdiction in the exercise of most police powers.

I said the Federal Government could, however, set an example to reform of the Federal Criminal Code, which is progressing, and through the Law Enforcement Assistance Administration and other programs including general revenue sharing.

I want to give it to you straight about these programs. They were pushed by the minority in the Congress during the Johnson Administration and I am somewhat proud of my association with the innovative Federal measures and the proof that if an idea is good enough, it can prevail even if the minority espouses it.

I have asked the Congress to extend general revenue sharing, which expires at the end of next year. Under it, California has received about ten percent of the total Federal funds turned back to the States and to subdivisions.

California's share now adds up to more than \$2 billion and will be closer to \$3 billion by the expiration date.

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This is money that you in California are relatively free to use where you think California needs it most.

Frankly, the Congress isn't too happy about such liberty on your part and would rather tell you how they want it spent. I leave it to your good judgment to help us continue this program for another five years. I have recommended that it be extended for a five-year period, and with added money on an annual basis.

I should say, and, in fact, warn you, there are many enemies in the Congress who don't want it extended and the consequence is there is an unfortunate delay. And I detect that there is a feeling of complacency on the part of Governors, State Legislators, Mayors and county officials. I warn you, all of those who have received these funds and used them effectively -- and I think you have -- get moving, because the enemies are working and I don't detect the proponents are pushing.

Don't get caught napping when that expiration date comes up much more quickly than you suspect it might.

As for LEAA, I must say candidly that it hasn't done as much to help curb the rising crime statistics as we had hoped. But it has encouraged experimentation and pilot projects in law enforcement and criminal justice which, if they work, can be adopted by other States. Some of the outstanding ones have been funded for California's own Department of Justice dealing with organized crime and criminal intelligence and to Sacramento and San Diego counties for programs on juvenile delinquency, white collar crime, fraud, drugs and career criminals.

The drug problem in America could make several speeches by itself. Here, again, we have a small number of deliberate criminals who destroy the domestic tranquility of millions and millions of decent citizens. What is particularly outrageous is the tragedy they bring to young people who should be learning to face life, not run from it.

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Here in California, according to the latest figures I have seen, less than one out of every five convicted hard drug pusher ever served time in prison. One way to keep a convicted murderer from killing anybody else, one to keep a hard drug pusher from ruining any more lives, is to lock them up for a reasonable but certain term of imprisonment.

Loss of Liberty is both a deterrent to crime and a prevention of repeated crime, at least while the defendant is behind bars. Prisoners should be treated humanely, and we cannot expect judges, Mr. Chief Justice, and juries, to convict and sentence persons to places of confinement that are cruel and degrading.

But I consider it essential that we reduce delay in bringing arrested persons to trial, sharply limit the prevailing practice of plea bargaining caused by congested prosecutor and court calendars, and significantly an increasing proportion of those convicted of violent crimes and repeated crimes who actually serve time in prison.

I commend the State of California for its ongoing efforts in these areas, as well as for your program, or programs, to prevent juvenile crime and to rehabilitate youthful first-time offenders.

One of the worst aspects in the current rise in crime rates has been that almost half of all arrests are persons under 18 years of age. While imprisonment is clearly the way to put hardened criminals out of business for a period of time, it is obviously not the best way to deal with the very young.

Simply sending them home has not proved a satisfactory solution, either. We do not have all the answers, but we must spare no efforts to find them quickly.

The Federal Department of Justice has embarked on an urgent pilot program to divert first offenders and, in appropriate cases, prevent them acquiring the lifelong stigma of a criminal record.

Another aspect of the crime program that I have submitted, I asked the Congress to write into the revised Federal criminal code the stronger provisions to allow Federal action against organized crime, wherever it rears its ugly head.

The leaders of organized crime do not recognize State or, for that matter, national boundaries. It will take all of our law enforcement resources to fight this giant conspiracy against domestic tranquility and prevent its spread.

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Like other vexing problems facing California and the Nation, we will not conquer crime with a single roll call or a stroke of the Governor's or President's pen. But, we must do what we can and we must work together here and now for the sake of our children and our grandchildren.

It was really for this reason that I wanted to discuss crime today and the common front that we must create against it. Peace in our neighborhoods and places of business is almost as important as peace in the world.

Keeping the peace is as heroic and essential on the part of those policemen and policewomen who work the night shift as it is on the part of our military personnel and civilian technicians standing watch around the world.

The courage and devotion of some for the safety and survival of all have brought us through 200 years as a Nation, and it will carry us forward to an even brighter future.

Nowhere is the community of interest and the necessity of close collaboration between the Federal Government and the States of the Union more obvious than in the field of crime control.

There is no more universal longing among our people than to be free of fear and safe in their homes and in their livelihoods.

There is no issue even, in a spirited campaign year already beginning, in which we would seek to serve the people, can work harder without partisanship or without demagoguery, to bring about visible progress.

I have not brought along any patent medicine that cures all human ills to peddle here in California. I have come simply to pledge to you my unrelenting efforts to reduce crime in cooperation and consultation with you and with all who have America at heart.

In moving against crime, with compassion for the victims and evenhanded justice for the violator, California can be the pace setter for the Nation, as you have been in so many other challenges.

The genius of California has enriched all America beyond the wildest expectation of our goal-seeking ancestors. But, I am not here to sing, "I love you California," either. I will save that for future visits, and I hope there will be many, because I love your people.

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For today, it is enough to ask your help on this complex but fundamental problem that confronts us all. If we fail to insure domestic tranquility, any other successes we may have as public officials will be forgotten.

Peace on 10th Street in Sacramento is as important to the people who walk and work there as peace in the Sinai Desert.

One man or woman, or child, becomes just as dead from a switchblade slash as from a nuclear missile blast. We must prevent both.

Thank you very much.

END (AT 12:05 P.M. PDT)