The original documents are located in Box 10, folder "Crime Message (4)" of the James M. Cannon Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE WASHINGTON

June 11, 1975

MEMORANDUM TO:

Jim Cannon Jim Cavanaugh

FROM:

Dick Parsons is preparing a draft report for you to send to the President.



THE WHITE HOUSE

WASHINGTON

June 10, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

JIM CANNON

FROM:

JAMES E. CONNOR

ASC

The attached was returned in the President's outbox with the following notation to you:

-- Has Bob McClory's letter been reviewed?

Please follow-up with the appropriate action.

cc: Don Rumsfeld Max Friedersdorf



Dear Bob:

Many thanks for your June 3 letter and the helpful recommondations you made of areas for consideration in developing proposals for a crime control program.

I have been studying various proposals and working with my advisers on how we can most effectively reach a solution to this problem which is affecting the lives of so many Americans, both directly and indirectly. I appreciate having your input and I have asked my staff to review it most carefully in relation to other proposals now under consideration.

Nith kindest personal regards,

Sincerely,

151 gerry Ford

The Honorable Robert McClory House of Representatives Washington, D.C. 20515

bcc: w/incoming to Dick Parsons for further handling

GRF:NLF:EF:VO:vo

DEBERT MCCLORY

ROOM 2452 RAYOURN HOUSE OFFICE BUILDI (202) 223-5221

JUDICIARY COMMITTEE

SELECT COMMITTEE ON INTELLIGENCE

U.S. INTERPARLIAMENTARY UNION DELEGATION Congress of the United States House of Representatives Mashington, D.C. 20515

June 3, 1975

DISTRICT OFFICES

KANE COUNTY MUNICIPAL BUILDING 130 DEXTER COURY ELGIN, ILLINOIS 60120 (312) 607-5005

LAKE COUNTY POST OFFICE BUILDING 326 NORTH GENESES STREET WAUKEGAN, ILLINOIS 60085 (312) 335-4334

MCHENRY COUNTY MCHENRY COUNTY COUNTHOUSE 2200 SEMINARY ROAD WOODSTOCK, ILLINOIS 60098 (819) 338-2040

The Honorable Gerald R. Ford The White House Washington, D. C.

Dear Mr. President:

In connection with your forthcoming message to the Congress on the subject of crime, I would strongly recommend that you would include a number of subjects which can contribute to the reduction of crime in America.

1. 1

First, it seems to me extremely important to emphasize the need to create additional Federal judgeships. The measure which I cosponsored earlier this year to add 65 additional Federal District Court Judges is languishing in the House Judiciary Committee with no hearings scheduled. My requests to the Chairman of the Judiciary Committee urging hearings on this legislation have gone unheeded.

Second, extension and even expansion of the Law Enforcement Assistance Act should be recommended as the principal means of encouraging and expanding control of crime by local and state authorities. Any diminution of this principle would appear to be a retreat from the goal of more effective investigation and prosecution of criminals.

Third, an affirmative response should be provided to the demand for improved gun control laws. Such laws can be directed primarily against the criminal misuse of handguns without imposing substantial inconvenience on law-abiding citizens who purchase and possess handguns for legitimate purposes. In the light of the escalating rate of handgun crime, the following improvements and changes in current federal law seem essential:

(a) The loopholes in the Gun Control Act of 1968 which have permitted the increase in the illicit interstate traffic and criminal misuse of handguns should be closed. This would require in the first place the prohibition of the domestic manufacture of the cheap poorly constructed handgun known as the "Saturday Night Special," which currently accounts for approximately fifty percent of traceable handguns used in crime. These "Specials" can not be imported into the United States, but there is no prohibition of either the importation of their parts or their domestic manufacture. Closing the loopholes would also require a reduction in the number of federally licensed firearms dealers to include only persons legitimately engaged in the firearms business and a limitation on the ability of pawnbrokers to deal in firearms. Other minor gaps in the 1968 Act should be closed such as the failure of that Act to regulate firearms replicas which

are increasingly being used in violent crimes.

(b) The funds and personnel of the Bureau of Alcohol, Tobacco and Firearms should be increased above the current law levels which are totally unacceptable in the light of the responsibilities of that Bureau in the regulation of firearms, explosives, alcohol, tobacco, and wagering. Moreover, your administration should move against the gun traffickers and criminals who use firearms in violent crimes, much as the Federal government moved against organized crime in the early 1960's.

(c) The recordkeeping requirements of current law should be improved to enable the federal government to trace firearms to facilitate the investigation and apprehension of persons who use firearms in the commission of crime. Current federal law constitutes sufficient authority to require firearms dealers to submit to the Treasury Department the records of sales of handguns; these records could be retained on a confidential basis and used in the tracing process. Equally as important is the need for a requirement that handgun owners record with either the federal government or the states their ownership of handguns, and any transfer, loss or theft of such handguns. Finally, a system of the identification of handgun owners should be created to ensure that only law abiding citizens can acquire and possess handguns. Such systems could be designed to be financially self-supporting.

(d) Mandatory criminal penalties, especially mandatory prison sentences, should be imposed for all crimes of violence, but especially for crimes with firearms.

Fourth, I strongly urge that you omit any specific recommendation to provide compensation for victims of crime. While such a measure has been passed by the Senate in previous Congresses, and several such bills are currently pending in both the Senate and the House, I have my doubts about the efficacy and wisdom of such a program. The potential expense to the U. S. Treasury of such a program could rival that of a National Health Program -and would certainly involve Federal expenditures which might be estimated in terms of billions of dollars. Your assurance that no new spending programs would be approved by your Administration would seem to preclude a new massive Federal program aimed at compensating all who are victims of crime. At the very least, I would recommend deferring such a recommendation until an opportunity for more thorough study of this subject has been undertaken.

Fifth, the causes and cure of crime cannot possibly be set forth in a single message to the Congress, nor even in the delineation of anumber of recommendations. The principal elements in relation to human behavior are the family, the church, the school, the neighborhood -- and the essentially local environment. Stricter enforcement of the law, more responsible behavior on the part of the Judiciary, and improvements in criminal rehabilitation are vital ingredients to a comprehensive solution to the problem of crime in America. There is no reason for a single individual to feel that he or she is excused from making a contribution to a law-abiding society. Public officials at all levels and representatives of management and labor <u>should</u> Page 3

be particularly circumspect in helping to provide examples of honorable behavior which can contribute to a more law-abiding society.

Sincerelv VC rs. Robert McClory Member of Congress

RMcC/gc



CRIME MESSAGE

Ever since the first Presidential message on crime, in 19 <u>6</u>, strenuous Federal efforts, as well as State and local initiatives, have been undertaken to reduce the incidence of crime in the United States. Yet, throughout this period, crime has increased. It touches the lives of all Americans. <u>And there are</u> no signs the live measurements of the erime problem will seen dectine.

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

Concernent and the types of crimes and which most significant. The number of crimes involving threats of violence or actual violence has increased. The increased personage of violent crime in which the perpetrator and the victim are strangers is atarming. A recent study indicate that now approximately 65 per cent of all violent crime is committed against strangers.

topt - Jon Fall

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

In many areas of the country, especially in the most crowded parts of the inner cities, fear has caused people to rearrange their daily lives. They plan shopping and recreation around hours when they think the chances of violent attacks are they they avoid commercial areas. Frightened shopowners arm themselves and view customers with suspicion. Public transit is also affected and not fully utilized because of the safety factor.

Fear of crime can threaten our political and social liberty. Fearful citizens may consider supporting attacks on fundamental constitutional principles, designed to protect individuals from oppression, in the hope that crime will be reduced. The prevalence of crime creates unwarranted suspicion among our people, turning what once were friendly business transactions into cold and wary exchanges. Fear of crime limits our mobility and constrains us like a prison. Fear of crime disturbs and diminishes our domestic tranquility.

All levels of government -- Federal, State and local -- with the firm support of the American people, must commit themselves to the goal of reducing crime. In this Message, I shall address myself to what I believe the Federal government can and should do to reduce crime. The But is the outset, however, the topological fact that the Federal role in the fight against crime, particularly violent crime, is a limited one. Whe kinds of crimes that obsess America -- murder, robberies, rapes, muggings, hold-ups, break-ins -- are fully y for exception, within the jurisdiction of State and local governments and not within Federal jurisdiction. Thus, while the programs that I will propose in this Message, if enacted, topological topological unless State and local governments follow the Federal example and take for the form the substantially reduced unless State and local Mathematical take for the federal government can play

an important role in combatting crime: Important role in combatting crime: Important role in combatting crime: First, it can provide leadership to State and local governments by

enacting a criminal code that can serve as a model for other jurisdictions to follow and by patting the Federal criminal justice here in order.

Second, it can enact and vigorously enforce laws covering criminal conduct within the Federal jurisdiction priminal conduct that cannot be adequately regulated at the State or local level.

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

I. PROVIDING LEADERSHIP

A major contributing factor to the rapidly coollating lovel of crime in this country is the increasing onime rate itself. We do not, have, and do not wont, a police state. Law enforcement in a democratic society depends largely upon public respect for the laws and voluntary compliance with them. Respect and compliance are undermined if individuals conclude that law enforcement efforts are ineffective and that crimes may be committed with impunity -- conclusions which are buttressed by rapidly rising crime rates and statistics showing only one arrest for every five serious crimes committed.

A decline in respect for the law leads to the commission of more the weeks have accused, and punishing the convicted the places even greater show on accused, and punishing the convicted the already-overburdened capacities of police, prosecutors the public defenders, courts, penal institutions and correctional authorities. As a consequence, the percentage of offenders apprehended, prosecuted and appropriately sentenced is further reduced. This reduction leads to the decline in respect for the law, loading to the commission of even more crimes. To succeed in the fight against crime, we must break this spiral.

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

The Federal criminal laws should be a model upon which State and local governments can pattern their own laws. At the present time they are not. They have developed haphazardly over the decades. They have been revised here and there in response to changing judicial interpretation. They are complicated, and sometimes conflicting, leaving gaps through which criminal activity in slip⁹ unpunished. Because of their complexity, invite technical argument that waster court time without ever going to the heart of the question of guilt or innocence. The Federal criminal law must be revised into a uniform, coherent code.

For several years, the Federal government has engaged in a (uniform) massive effort to reform the Federal criminal laws into a coherent code. The product of this effort was recently introduced in Congress, with wide bipartisan support, as Senate Dill Mr. 1, the Criminal Justice Reform Act of 1975. Since it Coros Choose , legislation of this scope, covering every aspect of the mail and the former of the stand criminal laws, manot excape continues. Some aspects of the proposed the Act are highly controversial and will undoubtedly precipitate further For instance, certain debate. Already great soncern has been expressed that the provisions of the bill that are designed to protect classified information could adversely affect the ability of the free press to familien. While we must make sure that national security secrets are adequately protected by the also law, we must take care that the law not unreasonably restrict the free flow of information necessary to our form of government.

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

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

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

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

A The proposed ade should be The most disturbing deficiency in the sentencing provisions. modified to provide ilare to give judges any standards by which to however is their s are imposed differ conviction " shall them sentence defendante. Imprisonment too seldom follows conviction for a serious offense. I believe that persons convicted of predatory the Part of Other violent crime ought to be sent to prison. There should be a more the There derild be my quistion in the minks of broadcast by our law and our enforcement of it that those who commit That They violent crimes -- especially crimes involving a gun -- will suffer ios the pint to preson upon convection under of liberty, through legal processes that are fair, prompt and certain. Federal authority is tomated, clean only with with propose that incarceration be made mandatory for: (1) Ecderal under Federal junsdichme offenders who commit violent predatory offenses using a dangerous weapon; (2) persons committing such extraordinarily serious crimes as aircraft hijacking, kidnapping, and trafficking in hard drugs; and (3) repeat offenders who commit Federal crimes -- with or without a weapon -- that cause or have a potential to cause personal injury. Exceptions to mandatory incarceration should apply only if arge Congress to pass a law making incarcenation mandatory for persons convicted of these evines unless the judge specifically finds that the defendant was under 18 when the offense was committed, or was mentally impaired, or was acting under substantial duress, or was in a crime actually committed only implicated in a stimular committed, by others and participated only in the actual crime in a very minor way. I have asked the Attorney this modefication. General to assist the Congress in drafting such a law,) I call upon the States to set up similar mandatory sentencing systems, Since most violent crime is in the jursidiction of State and local criminal courts,

and too many get tried and convicted never spend a day in prison after conviction.

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

Mandatory minimum sentences can restore the sense of certainty of imprisonment upon which the deterrent impact of the criminal law is based. Mandatory sentences need not be long sentences; the range of indeterminacy need not be great. In fact, wide disparities in sentences for essentially equivalent offenses give a look of unfairness to the law. To help eliminate that unfairness, Federal appeals courts should be given some authority to review sentences given by Federal trial court judges --to increase or reduce them so that the punishments will be more nearly uniform throughout the Federal system. I am also asking the Attorney General to review this problem to ensure that the Federal sentencing structure, which is now based on the indeterminate sentence, is both fair and appropriate. Among other things, it may be concept of so-called "flat sentencing" in the Federal law.

In addition to reform of the criminal law, we must improve the manner in which our criminal justice system operates. Effective deterrence to law-breaking is currently lacking because our criminal justice system simply does not operate effectively. A logical place to begin discussion of such improvement is the prosecutor's office, for it is there that important decisions are made as to which offenders should be prosecuted, what cases should be brought to trial, when plea bargains should be struck and how scarce judicial resources should be allocated. Many prosecutors' offices currently lack the manpower or management devices to make those decisions with Prosecutors often lack the information from the formation of the status of the numerous cases they lack efficient systems to monitor the status of the numerous cases they handle. If improved management techniques could be made available to prosecutors, the likelihood of swift and sure punishment for crime would be substantially increased.

At the Federal level, I have directed the Department of Justice to develop and implement a program to deal with career criminals, with the objectives of (1) providing quick identification of career criminals, (2) according priority to their prosecution by experienced prosecutors, and (3) assuring that, if convicted, they receive appropriate sentences which will present them provide the community energy and and are not quickly released to victimize the community energy in

Programs to deal with career criminals will be encouraged at the State and local levels through the use of Law Enforcement Assistance Administration model programs and discretionary grants.

(immediately

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

A second improvement in the criminal justice system may be obtained by diverting certain first offenders -- not all, but some -- into rehabilitation programs before proceeding to trial. The Department of Justice has begun a pilot program of this kind which will achieve two important goals. First, it will reduce the caseloads of Federal courts and prosecutors through expeditious treatment of offenders who are good prospects for rehabilitation. Second, it will enable the offenders who successfuly satisfy the requirements of the diversion programs to avoid a criminal record and thus increase the likelihood that they return to productive lives.

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

10 OBice, City & Alew York,

The criminal and civil caseloads in trial and in appellate courts

have grown over the years, while the number of judges assigned to remarkaroportionately. In 1972, the Judicial handle those cases has not Conference of the United States recommended the creation of 51 additional Federal District Court judgeships in 33 separate judicial districts across the country. Senate hearings on legislation incorporating this proposal were conducted in 1973. To date, however, this legislation has not been scheduled for floor action. The increasing needs of the Federal courts make this measure an urgent national necessity of a nonpartisan justice delayed is too often justice denied. In addition, nature seemingly technical but important reform in the Federal criminal justice system can be achieved by expanding the criminal jurisdiction of United States Magistrates. This reform with enable the relatively small number of Federal judges to focus their efforts on the most significant criminal cases. The Criminal Justice Reform Act contains a provision und which were achieve that result, and I am giving it my specific support.

When a defendant is convicted, even for a violent crime, judges are too often unwilling to sentence him to prison, in part because prison conditions are sometimes inhumane. Moreover, a cruel and dehumanizing penal institution can actually be a breeding ground for criminality. In any case, a civilized society cannot condone prisons where murder, vicious assault and homosexual rapes are not uncommon occurrences.

The Federal Bureau of Prisons has embarked on a program to replace old, overcrowded prisons with smaller, more modern ones.

11.

The Bureau has seven new corrections institutions of this sort under construction. All are designed to be civilized places that can be governed by the wardens and guards rather than by the most brutal the optimities is optim and inhuman prisoners. In addition, the Bureau is opening new institutions in three major cities where For TU Neplace over Which Formerly he crowded, antiquated local jails while they awaited al prismas anonth This program to improve Federal prisons must be parallelled by trial. State efforts because the problem of decrepit prison facilities that are hothouses of crime is worst at the State and local level. Unless prisons are improved, many judges will continue to hesitate to commit offenders to them, even if they are convicted of serious crimes and have previous records.

I know that grave questions have been raised by qualified experts about the ability of the corrections system to rehabilitate offenders. The se questions that the effectiveness of robabilitation are important and serious. They go to the very heart of the corrections system. While the problem of rehabilitation is difficult, we must not give up our efforts to find ways to achieve greater success. This is especially true in dealing with youthful offenders. Crime by fourth represents a large part of crime in general. The 1975 origine statistics indicate that 45 per cent of persons arrested for violent crime are under 18 years of age. Whatever the difficulty we have in our efforts, we must commit ourselves to trying

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to rehabilitate offenders, especially youthful offenders. To do less would be to write off great numbers of young people as unsalvageable

13

before they have even come of age. I have directed the Attorney General, as Chairman & the Cabinet Committee on Crime Prevention and Rehabilitation therefores to work in close cooperation with the Secretary of Labor and other concerned agencies of the Executive Branch (with the Secretary of Health, Education, and Welfare to ensure that the

Federal government is making the best possible use of its resources in this crucial area.

Whatever the corrections system might accomplish in rehabilitating offenders while they are in prison will be lost if the individual leaves jail and cannot find a job because he has been convicted of a crime. Nothing makes it more likely that an ex-convict will turn to crime again than an imposed inability to find a way to make his living honestly. I when to encourage employers to open their minds and to not discriminate in the job partet against a porter the hos been convicted the mime. The U. S. Civil Service Commission currently administers a program designed to prevent Federal employers from unjustly discriminating against ex-felons. I am directing the Commission to review this program to ensure that it is accomplishing its objectives. I am also calling on the United States Governors Conference to consider steps States might take to eliminate unjustified discriminatory practices. Giving ex-offenders who have paid their penalty and seek, new to "go straight" a fair shake in the job market can be an effective means of reducing crime and improving our criminal justice system.

OPTIONAL: 14

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

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

II. BETTER LAWS AND ENFORCEMENT

Except in limited circumstances, street crime is a State and local (represently) law enforcement problem, and not directles. Federal problem. There is a dimension to this problem, however, that cannot be adequately dealt with on just the State and local levels -- the regulation of handguns. It The use of walent is indisputable that handguns play a key role in crime in America. They are involved in one-fourth of all aggravated assaults and one-third of all My The past deal robberies. Hundreds of policemen have been killed through the criminal ty forminals, use of handguns in the particulate. These cold, undeniable statistics unmistakably portray the handgun as an important enged in the rise of violent crime. eract st strp Many State and local governments have already taken drast against possession of handguns, with varying degrees of effectiveness. In my juggment, additional Federal help is needed. I feel that Federal assistance to State enforcement efforts in this difficult area should be directed toward NING sale of focused on (1) tighter control over the commerce in handgung in that the gun control measures taken by State and local governments will mant f not be engulfed in interstate firearms trafficking; (2) strengthened enforced ment chines in metropolitan areas with a high incidence of handgun violence; and (3) prohibiting of the manufacture of handguns that have no apparent use other than against humans. Thus, current Federal gun laws should be revised to provide that

only responsible, <u>bona fide</u> gun dealers are permitted to obtain Federal Well Welfors. licenses Bealers' licenses should be withheld from persons who arguet

particularly legitimate gun dealers as who have violated State laws, (including antro The Role firearms laws. Additional administrative powers over give inchang - On ition of multiple sales of handguns be designed and a pro dealer the handgene assume greater responsibility for assumed stopping illicit gun trafficking. A waiting period between the purchase verly That and receipt of a handgun should be imposed to enable dealers to make sure are not cald that they do not sell handguns to persons whose possession of them would be illegal. [Handgun sales to persons who reside in localities with strict handgun laws should be prohibited, unless such persons are authorized under local law to own or possess handguns.

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

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

we should eliminate their manufacture and sale entirely.

These recommendations go to the very **conter** of the problem of handgun abuse. If enacted, they should add significantly to the efforts of State and local law enforcement authorities to prevent the criminal use of handguns.

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

The leaders of organized crime can be prosecuted under current Federal law only when they can be shown to have participated in a specific offense, such as gambling, loansharking or narcotics. A reformed criminal code should strike directly at organized criminal activity by making it a Federal crime to operate or control a racketeering syndicate. revision will This would make the criminal law apply to organized crime leaders who 104 conceal are sophisticated enough to try to cover up their part in the syndicate's criminal contactionhies, dirty work. the artist Qurrent Federal laws restrict the government's ability to attack prosenten consumer frauds, morder to make the Federal ent more effective the statutes punishing fraud and theft should be revised to facilitate Type, Pyramid sales schemes -- clever prosecution of bit Federa in other words confidence games -- should be specifically prohibited. Jurisdiction over more Toerable these frauds should be extended so that the Federal government connect or a matemurche tracis against them in all their national aspects.

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

Finally, I am particularly concerned about the crimes of illegal trafficking in narcotics and dangerous drugs. These crimes victimize the entire nation, bringing personal tragedy and family destruction to hundreds of thousands. In addition to the human toll, even conservative estimates of the social costs of drug abuse exceed \$10 billion a year, with property crimes committed in order to finance addicts' drug habits are estimated to account for some \$15 billionlach year.

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

Recent evidence suggests an increase in the availability and use of dangerous drugs in spite of the creation of special Federal agencies and massive Federal funding during the past six years. I am deeply concerned over these developments and have, therefore, directed the Domestic Council to undertake a comprehensive review and assessment of the overall Federal drug abuse prevention and treatment effort to ensure that our programs, policies and laws are appropriate and effective.

III. PROVIDING FINANCIAL AND TECHNICAL ASSISTANCE

The Federal government must continue to help State and local governments in carrying out their law enforcement responsibilities. Therefore, I am submitting to Congress a bill that will continue the Law Enforcement Assistance Administration through 1981.

The LEAA annually provides millions of dollars of support to State and local governments to assist them in improving the overall operation of their criminal justice systems. Additionally, the LEAA serves as a place where new ideas about how to fight crime are constantly being developed. Examples of several LEAA innovations have already will been noted in this Message. The bill that I am submitting would authorize \$6.5 billion for LEAA to continue this work through 1981. Several aspects of the reauthorization bill deserve special mention. + Unl The bill would increase the funding authorization for LEAA from ova fire years #250 \$1.25 billion to \$1.3 billion annually. The additional \$50 million would will wable the agenci & be made available to DEAA's discretionary program so that additional emphasis may be placed on programs aimed at reducing crime in heavily populated urban areas. It is in these areas that the problem of violent street crime has reached critical proportions. The LEAA "High Impact" program, which is designed to provide additional assistance for cities and counties with high crime rates, has had encouraging success. This additional authorization will permit LEAA to build upon that success. ting The bill woatd also place special emphasis on State and local court the I will such reform reform by Specifically, including this within the statement of purposes for which LEAA block grant funds should be utilized The context of an overalistic plan. Too often the courts are overlooked in the (The prosecutors and the public defenders allocation of criminal justice resources. If we are to be at all effective in fighting crime, however, State and local court systems must be

improved expanded and enhanced.

In conclusion, I with again emphasize that the Federal government cannot, by itself, bring an end to crime in the streets. The Federal government can seek the cooperation and participation of State and local governments. Such cooperation is vitally important to this effort. The cumulative effect of persistent Federal, State and local efforts to improve our laws and eliminate the difficulties that encumber our criminal justice system offer the only hope of achieving a permanent reduction in crime of and restoring that domestic tranquility and justice pledged to the lawabiding citizen in the Preamble of our Constitution.

I am confident that, if the Congress enacts the programs which arsenal for I have recommended, the seeds of an effective attack on crime will have substantially fortified, been planted. I call upon the Congress to act swiftly on these recommendamore rapidly) tions. I also call upon State and local governments to act in like monther ING loget her, we will unove to strengthen their processes of criminal justice. Our combined efforts to elimente fin The cremeral from The streets of I believe, will bring us closer to the day when we can rest free from the America and restore to this nature that domestic trangulity pludged fear and anxieties which accompany crime, and densitie trangulity is schieted, to the law-anding atizer in the constitution If a longer conclusion is desirable, Bob Goldwin suggests that, something along the following lines might be appropriate: Since 1960, we have spent billions of dollars in the effort to reduce crime, and in that time the rate of crime has more than doubled. This

is a sobering thought and should have several effects on our proposals and actions:

- -- we should be modest in any predictions about results of our proposed programs;
- -- we should not think that we know for sure what will work;
- -- we should not think that big expenditures will necessarily accomplish commensurate results;
- -- "crackdowns" are rarely effective and often put the enforcers of law in the embarrassing position of being violators instead of upholders of law; and
- past failures are not an excuse for diminished effort, but rather the reverse: we must redouble our efforts to find effective programs and new ways of thinking and acting to reduce crime of every osrt -- and especially violent crime. It is in the spirit of all of the above considerations that I submit to the Congress this Message on crime.

CRIME MESSAGE

To the Congress:

Ever since the first Presidential message on crime, in 1965, strenuous Federal efforts, as well as state and local initiatives, have been undertaken to reduce the incidence of crime in the United States. Yet, throughout this period, crime has increased. It touches the lives of all Americans. And there are no signs of decline.

Indeed, the Federal Bureau of Investigation's latest figures indicate that the rate of serious crime--murder, forcible rape, robbery, aggravated assault, burglary, larceny, and autho theft--was 17 percent higher in 1974 than in 1973. This is the largest increase in the 44 years the Bureau has been collecting statistics. Since 1960, although billions of dollars have been spent on law enforcement programs, the crime rate has more than doubled. Moreover, these figures reflect only the reported crimes. A study of unreported crime sponsored by the Law Enforcement Assistance Administration indicates that the actual level of crime in some cities is three to five times greater than that reported.

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More seriously, the number of crimes involving threats of violence or actual violence has increased. And the number of violent crimes in which the perpetrator and the victim are strangers has increased. A recent study indicates that approximately 65 percent of all violent crime is committed against strangers.

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

In many areas of the country, especially in the most crowded parts of the inner cities, fear has caused people to rearrange their daily lives. They plan shopping and recreation during hours when the possibilities of violent attacks are low. They avoid commercial areas. Frightened shopowners arm themselves and view customers with suspicion. Public transit is not fully utilized because of the safety factor.

The individual, political and social costs of crime cannot be ignored. With the firm support of the American people, all levels of government--Federal, State and local--must commit themselves to the goal of reducing crime.

In this Message, I shall address myself to what I believe the Federal government can and should do to

reduce crime. The fact is, however, that the Federal role in the fight against crime, particularly violent crime, is a limited one.

With very few exceptions, the kinds of crimes that obsess America--murder, robberies, rapes, muggings, hold-ups, break-ins--are solely within the jurisdiction of State and local governments. Thus, while the programs that I will propose in this Message will, if enacted, contribute to a safer America, the level of crime will not be substantially reduced unless State and local governments follow the Federal example with equally strong measures.

There are three ways in which the Federal government can play an important role in combatting crime:

First, it can improve the quality of Federal justice and provide leadership to State and local governments by enacting a criminal code that can serve as a model for other jurisdictions to follow.

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

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

.I. Providing Leadership

Law enforcement in a democratic society depends largely upon public respect for the laws and voluntary compliance with them. Respect and compliance are undermined if individuals conclude that law enforcement efforts are ineffective and that crimes may be committed with impunity--conclusions which are buttressed by rapidly rising crime rates and by statistics showing only one arrest for every five serious crimes committed.

A decline in respect for the law leads to the commission of more crimes. The necessity to investigate these additional crimes, prosecute those accused, and punish the convicted places even greater strain on the already-overburdened capacities of police, prosecutors, public defenders, courts, penal institutions and correctional authorities. As a consequence, the percentage of offenders apprehended, prosecuted and appropriately sentenced is further reduced. This leads to an even greater decline in respect for the law and to the commission of even more crimes. To succeed in the fight against crime, we must break this spiral.

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

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The Federal criminal laws should be a model upon which State and local governments can pattern their own laws. At the present time, they are not. These Federal statutes developed haphazardly over the decades. They have been revised here and there in response to changing judicial interpretation. They are complicated, and sometimes conflicting, leaving gaps through which criminal activity too often slips unpunished. Because of their complexity, the laws invite technical arguments that waste court time without ever going to the heart of the question of guilt or innocence.

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

Since it covers every aspect of criminal law, some of the proposals in this Act have stirred controversy and will undoubtedly precipitate further debate. For instance, concern has been expressed that certain provisions of the bill designed to protect classified information could adversely affect freedom of the press. While we must make sure that national security secrets are protected by law, we must also take care that the law does not unreasonably restrict the free flow of information necessary to our form of government. A responsible debate over this and other provisions of S. 1 will be very useful. Issues can be clarified and differing interests accommodated. I think everyone will agree that comprehensive reform of the Federal criminal code is needed. Accordingly, as a legislative priority in the Federal effort against crime, I urge the 94th Congress to pass the kind of comprehensive code reform embodied in the Criminal Justice Reform Act.

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

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

The revision of the criminal code should restore a sense of consistency in sentencing, so that the fine or term of imprisonment imposed by the law relates directly to the gravity of the offense. For example, criminal fines are woefully inadequate and provide little deterrence to offenders whose business is crime--a business profitable enough to support current levels of criminal fines as an ordinary business expense. Other than under the antitrust laws, the maximum fine which can be imposed on serious violators is \$10,000. That amount is too often not

commensurate with the crime. The maximum level should be increased to \$100,000, if the defendant is an individual, and \$500,000 if the defendant is an organization.

The sentencing provisions of the proposed code should be modified to provide judges with standards under which sentences are imposed upon correction. Imprisonment too seldom follows conviction for a serious offense. I believe that persons convicted of violent crime should be sent to prison. There should be no question in the minds of those who commit violent crimes--especially crimes involving a gun--that they be sent to prison upon conviction under legal processes that are fair, prompt and certain.

I propose that incarceration be made mandatory for: (1) offenders who commit violent offenses under Federal jurisdiction using a dangerous weapon; (2) persons committing such extraordinarily serious crimes as aircraft hijacking, kidnapping, and trafficking in hard drugs; and (3) repeat offenders who commit Federal crimes--with or without a weapon--that cause or have a potential to cause personal injury. Exceptions to mandatory incarceration should apply only if the judge specifically finds that the defendant was under 18 when the offense was committed, or was mentally impaired, or was acting under substantial duress, or was implicated in a crime actually committed by others and participated

in the actual crime only in a very minor way. I have asked the Attorney General to assist the Congress in drafting this modification. Since most violent crime is in the jurisdiction of State and local criminal courts, I call upon the States to set up similar mandatory sentencing systems. Too many persons tried and convicted at the state level never spend a day in prison after conviction.

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

Rational mandatory minimum sentences can restore the sense of certainty of imprisonment upon which the deterrent impact of the criminal law is based. Mandatory sentences need not be long sentences; the range of indeterminacy in sentencing need not be great. In fact, wide disparities in sentences for essentially equivalent offenses give a look of unfairness to the law. To help eliminate that unfairness, Federal appeals courts should be given some authority to review sentences given by Federal trial court judges--to increase or reduce them so that the punishments will be more nearly uniform throughout the Federal system. I am also asking the Attorney General to review this problem to ensure that the Federal sentencing structure, which is now based on the indeterminate sentence, is both fair and appropriate. Among other things, it may be time to give serious study to the concept of so-called "flat time sentencing" in the Federal law.

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

A logical place to begin discussion of such improvement is the prosecutor's office, for it is there that important decisions are made as to which offenders should be prosecuted, what cases should be brought to trial, when plea bargains should be struck and how scarce judicial resources should be allocated. Many prosecutors' offices currently lack the manpower or management devices to make those decisions correctly. Prosecutors often lack information on a defendant's criminal history and thus cannot identify career criminals who should be tried by experienced prosecutors and, if convicted, incarcerated. In too many cases, they lack efficient systems to monitor the status of the numerous cases they handle. If improved management techniques could be made available

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to prosecutors, the likelihood of swift and sure punishment for crime would be substantially increased.

At the Federal level, I have directed the Department of Justice to develop and implement a program to deal with career criminals, with the objectives of (1) providing quick identification of career criminals, (2) according priority to their prosecution by the most experienced prosecutors, and (3) assuring that, if convicted, they receive appropriate sentences which will prevent them from immediately returning to society to once again victimize the community.

Programs to deal with career criminals will be encouraged at the State and local levels through the use of Law Enforcement Assistance Administration model programs and discretionary grants.

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

A second improvement in the criminal justice system may be obtained by diverting certain first offenders--not all, but some--into rehabilitation programs before proceeding to trial. The Department of Justice has

begun a pilot program of this kind which will achieve two important goals. First, it will reduce the caseloads of Federal courts and prosecutors through expeditious treatment of offenders who are good prospects for rehabilitation. Second, it will enable the offenders who successfully satisfy the requirements of the diversion programs to avoid a criminal record and thus increase the likelihood that they will return to productive lives.

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

The criminal and civil caseloads in trial and in appellate courts have grown over the years, while the number of judges assigned to handle those cases has not kept pace. In 1972, the Judicial Conference of the United States recommended the creation of 51 additional Federal District Court judgeships in 33 separate judicial districts across the country. Senate hearings on legislation incorporating this proposal were conducted

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in 1973. To date, however, this legislation has not been scheduled for floor action. The increasing needs of the Federal courts make this measure an urgent national necessity of a nonpartisan nature--for justice delayed is too often justice denied. In addition, seemingly technical but important reform in the Federal criminal justice system can be achieved by expanding the criminal jurisdiction of United States Magistrates. This reform will enable the relatively small number of Federal judges to focus their efforts on the most significant criminal cases. The Criminal Justice Reform Act contains a provision which will achieve that result, and I am giving it my specific support.

When a defendant is convicted, even for a violent crime, judges are too often unwilling to sentence him to prison, in part because prison conditions are sometimes inhumane. Moreover, a cruel and dehumanizing penal institution can actually be a breeding ground for criminality. In any case, a civilized society cannot condone prisons where murder, vicious assault and homosexual rapes are not uncommon occurrences.

The Federal Bureau of Prisons has embarked on a program to replace old, overcrowded prisons with smaller, more modern ones. The Burea has seven new corrections

institutions of this sort under construction. All are designed to be civilized places that can be governed by the wardens and correctional officers rather than by the most brutal and inhuman prisoners. In addition, the Bureau is opening new institutions in three major cities to replace overcrowded, antiquated local jails which formerly housed Federal prisoners awaiting trial. This program to improve Federal prisons must be paralleled by State efforts, because the problem of decrepit prison facilities that are hothouses of crime is worst at the State and local level. Unless prisons are improved, many judges will only reluctantly commit offenders to them, even if they are convicted of serious crimes and have previous records.

I know that grave questions have been raised by qualified experts about the ability of the corrections system to rehabilitate offenders. These are important and serious questions. They go to the very heart of the corrections system. While the problem of criminal rehabilitation is difficult, we must not give up our efforts to achieve it. This is especially true in dealing with youthful offenders. Crime by young people represents a large part of crime in general. The 1975 statistics indicate that 45 percent of persons arrested

for all crimes are under 18 years of age. Whatever the difficulty we have in our efforts, we must commit ourselves to trying to rehabilitate offenders, especially youthful offenders. To do less would be to write off great numbers of young people as unsalvageable before they have even come of age. I have directed the Attorney General, as Chairman of the Cabinet Committee on Crime Prevention and Rehabilitation, to work in close cooperation with other concerned agencies at the Executive Branch to ensure that the Federal government is making the best possible use of its resources in this crucial area.

Whatever the corrections system might accomplish in rehabilitating offenders while they are in prison will be lost if the individual leaves jail and cannot find a job because he has been convicted of a crime. I urge employers to keep an open mind on the hiring of persons formerly convicted of a crime. The U.S. Civil Service Commission currently administers a program designed to prevent Federal employers from unjustly discriminating against ex-felons. I am directing the Commission to review this program to ensure that it is accomplishing its objectives. I am also calling on the United States Governors Conference to consider steps the States might take to eliminate unjustified discriminatory practices. Giving ex-offenders who have paid their penalty and seek to "go straight" a fair shake in the job market can be

an effective means of reducing crime and improving our criminal justice system.

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

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

II. Better Laws and Enforcement

Except in limited circumstances, street crime is a State and local law enforcement responsibility, and not of direct Federal concern. There is a dimension to this problem, however, that cannot be adequately dealt with on just the State and local levels--the regulation

of handguns. It is indisputable that handguns play a key role in the rise of violent crime in America. They are involved in one-fourth of all aggravated assaults and one-third of all robberies. Hundreds of policemen have been killed in the past decade through the use of handguns by criminals.

Many State and local governments have already enacted stiff laws against possession of handguns, with varying degrees of effectiveness. In this effort, the Federal government can be helpful. I feel that Federal assistance to State enforcement efforts in this difficult area should be directed toward (1) tightening control over the sale of handguns; (2) strengthening enforcement of Federal firearms laws in metropolitan areas with a high incidence of handgun violence; and (3) prohibiting of the manufacture of handguns that have no apparent use other than against humans.

Thus, current Federal gun laws should be revised to provide that only responsible, <u>bona fide</u> gun dealers be permitted to obtain Federal licenses to sell weapons. Licenses should also be withheld from persons who have violated State laws, particularly firearms laws. Additional administrative controls over the sale of handguns, including a ban on multiple sales, will help to establish dealer responsibility in stopping illicit gun trafficking. A waiting period between the purchase and receipt of a handgun should be imposed to enable

dealers to verify that handguns are not sold to persons whose possession of them would be illegal. <u>OPTIONAL</u>: Handgun sales to persons who reside in localities with strict handgun laws should be prohibited, unless such persons are authorized under local law to own or possess handguns.

Second, I have ordered the Treasury Department's Bureau of Alcohol, Tobacco and Firearms, which has primary responsibility for enforcing Federal firearms laws, to double its investigative efforts in the Nation's ten largest metropolitan areas. This action will assist local law enforcement authorities in controlling illegal commerce in weapons. I have directed, therefore, that the Bureau of Alcohol, Tobacco and Firearms employ and train an additional ______ agents and inspectors for this priority function.

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

These recommendations go to the very heart of the problem of handgun abuse. If enacted, they should add significantly to the efforts of State and local law

enforcement authorities to prevent the criminal use of handguns.

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

The leaders of organized crime can be prosecuted under current Federal law only when it can be shown that they participated in a specific offense, such as gambling, loansharking or narcotics. A reformed criminal code should strike directly at organized criminal activity by making it a Federal crime to operate or control a racketeering syndicate. This revision will make the criminal law apply to organized crime leaders who seek to conceal their role in the syndicate's criminal activities.

Since current Federal laws restrict the government's ability to attack consumer frauds, the statutes punishing fraud and theft should be revised to make Federal prosecution more effective. Pyramid sales schemes--clever confidence games, in other words--should be specifically prohibited. Federal jurisdiction over these frauds should be extended to enable the government to move against them on a nationwide basis.

The protection of constitutionally guaranteed civil rights is a primary duty of the Federal government. Yet, a private citizen can be punished for violating constitutional

rights only if he acted in concert with others. Under current law, even if a State official intentionally commits acts that violate an individual's constitutional rights, proof of these acts alone may be insufficient to secure a conviction. Restrictions which prevent our laws from protecting the constitutional rights of Americans should be eliminated.

Finally, I am particularly concerned about the illegal trafficking in narcotics and dangerous drugs. These crimes victimize the entire Nation, bringing personal tragedy and family destruction to hundreds of thousands. In addition to the human toll, the property crimes committed to finance addicts' drug habits are estimated at \$15 billion each year.

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

Recent evidence suggests an increase in the availability and use of dangerous drugs in spite of the creation of special Federal agencies and massive Federal funding during the past six years. I am deeply concerned over these developments and have, therefore, directed the Domestic Council to undertake a comprehensive review and assessment of the overall Federal drug abuse prevention and treatment effort to ensure that our programs, policies and laws are appropriate and effective.

III. Providing Financial and Technical Assistance

The Federal government must continue to help State and local governments in carrying out their law enforcement responsibilities. Therefore, I am submitting to Congress a bill that will continue the Law Enforcement Assistance Administration through 1981.

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

Several aspects of the reauthorization bill deserve special mention. It will increase the funding authorization for LEAA from \$1.25 billion to \$1.3 billion annually. The additional \$250 million over five years will enable the agency's discretionary program to place greater

emphasis on programs aimed at reducing crime in heavily populated urban areas. It is in these areas that the problem of violent street crime has reached critical proportions. The LEAA "High Impact" program, which is designed to provide additional assistance for cities and counties with high crime rates, has had encouraging success. This additional authorization will permit LEAA to build upon that success.

The bill will also place special emphasis on State and local court reform. Specifically, it will include such reform within the statement of purposes for which LEAA block grant funds can be utilized. Too often, the courts, the prosecutors and the public defenders are overlooked in the allocation of criminal justice resources. If we are to be at all effective in fighting crime, state and local court systems, including prosecution and defense, must be expanded and enhanced.

In conclusion, I emphasize again that the Federal government cannot, by itself, bring an end to crime in the streets. The Federal government can seek the cooperation . and participation of State and local governments. Such cooperation is vitally important to this effort. The cumulative effect of persistent Federal, State and local efforts to improve our laws and eliminate difficulties that encumber our criminal justice system offers the only

hope of achieving a permanent reduction in crime.

I am confident that, if the Congress enacts the programs which I have recommended, the arsenal for an effective attack on crime will have been substantially fortified. I call upon the Congress to act swiftly on these recommendations. I also call upon State and local governments to move rapidly in strengthening their processes of criminal justice. Together, we will remove the criminal from the streets of America and restore to this nation that domestic tranquility pledged to the law-abiding citizen in the Constitution.