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[filed 12/9/76]

THE WHITE HOUSE
WASHINGTON

December 20, 1976

MEMO TO: JIM CONNOR
FROM: ALLEN MOORE

FYI. Cannon notes on attached memo:

"Talked with Levi - he will
call Wallace." 12/16/76

cc: Quern
Moore
Parsons

THE WHITE HOUSE
WASHINGTON

December 9, 1976

*12/16/76
Talked with
Levi - the
winn case
Wallace
Dun*

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

JIM CANNON

FROM:

JIM CONNOR *JEB*

SUBJECT:

60 Minutes on the Victims of Crime

The President reviewed your memorandum of December 6 on the above subject and made the following decision:

"Ask Attorney General Levi to contact 60 Minutes"

Please follow-up with appropriate action.

cc: Dick Cheney
Phil Buchen

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MR PRESIDENT:

60 Minutes on the Victims of Crime

The following comments were received from Jack Marsh and Phil Buchen concerning Jim Cannon's memo on the above subject:

- Phil Buchen - "Suggest Attorney General be asked to contact 60 Minutes, since the erroneous remark relates to the Department of Justice. "
- Jack Marsh - - "Suggest Attorney General first, and Cannon if Attorney General cannot do it. "

Jim Connor

THE WHITE HOUSE

INFORMATION

WASHINGTON

December 6, 1976

MEMORANDUM FOR THE PRESIDENT

FROM:

JIM CANNON *JC*

SUBJECT:

60 Minutes on the Victims of Crime

As you requested, I looked into the report on the 60 Minutes television show on the victims of crime. Morley Scafer's quote at the very end of the show was: "The chief opposition came from the Justice Department on financial grounds" (script at Tab A).

In your proposal to the Congress, you advocated a Federal Victims Compensation Program for the victims of federal crimes. The first year cost was estimated at about \$7.5 million.

However, the Senate passed a bill which:

- (a) established a Federal Victims Crime Program, such as you advocated; and
- (b) authorized states to utilize LEAA bloc grant monies to fund state victims compensation programs on a 90% (federal)/10% (state) basis.

LEAA Administrator Velde testified in favor of your program. However, he testified against federal funding of state and local victims compensation programs, the beginning cost of which would have been about \$20 million annually.

I recommend that someone on your behalf make the point to 60 Minutes that you supported the principle of compensating victims and proposed specific federal funds for it.

We could ask Attorney General Levi to do this or I could do it for you.

Ask Attorney General Levi to contact 60 Minutes

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Discuss

JR 7

"VICTIMS"

OPEN

SAFER:

We don't have to remind you that this country is in the middle of a wave of violent crime -- all the statistics do is reconfirm what we know, only too well.

With this nightly news of muggings, hold-ups, rapes and murders, more and more attention has been focused on reforming prisons...on rehabilitation of violent offenders. In a sense, criminals have been cast as a deprived and under-privileged minority.

All this attention has tended to cast into the shadows another group of Americans who are closely related to criminals and crime. The victims. They make very few demands -- very little noise. Often they are too hurt -- emotionally and physically to speak out for their rights. It's something worth thinking about...because one thing all of us share is...the chance to become the victim of a crime, any time, any place.

For example, a shopping center in the suburbs of Minneapolis.

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60 MINUTES

"VICTIMS"

VOL. IX, No. 11

FINAL CUT

12/5/76

SAFER:

IN NOVEMBER, 1974, THIS WAS A BASEMENT RECORD SHOP, THE KIND OF PLACE THAT YOUNG PEOPLE HANG OUT IN. ONE SATURDAY NIGHT THERE WERE FOUR PEOPLE DOWN HERE, A YOUNG WOMAN, A CLERK, AND THREE YOUNG MEN.

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WHAT WERE THE PERMANENT INJURIES?

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WELL, MY ARM'S PARALYZED.

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IT'S YOUR LEFT ARM?

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YEAH. AND MY VOICE, IT USED TO BE A LOT WORSE THAN IT IS NOW.

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WHAT HAPPENED?

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TWO PEOPLE SCARRED HORRIBLY FOR LIFE, ONE YOUNG MAN DEAD, AND AS IN MOST CASES LIKE THIS ONE, A KILLER STILL ON THE LOOSE.

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IN THE UNLIKELY EVENT THAT HE IS CAUGHT,
THE STATE WILL BEND EVERY EFFORT TO CURE HIM,
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NEW YORK STATE TOO, HAS A VICTIM COMPENSATION BOARD. IT HEARS APPEALS. AND LIKE MOST BOARDS IT AMOUNTS TO A VICTIM'S COURT. IN ORDER TO COLLECT REPARATIONS, THE VICTIM MUST PROVE HIS INNOCENCE, MUST PROVE HE OR SHE HAS NOT CONTRIBUTED TO THE CRIME. AND MOST STATES VIEW COMPENSATION AS A FORM OF CHARITY RATHER THAN A RIGHT, FORCING THE VICTIM TO DEMONSTRATE FINANCIAL NEED. IF THE VICTIM ALREADY HAS INSURANCE AND MEDICAL COVERAGE AND WORKMEN'S COMPENSATION, HE COLLECTS VIRTUALLY NOTHING. AND JUST LISTEN TO THE RESULTING STATISTICS.....

ONLY FOUR OF A HUNDRED VICTIMS ARE ELIGIBLE. AND ONLY A FIFTH OF THEM, FEWER THAN ONE PERSON IN A HUNDRED, MAKE APPLICATION. THEY EITHER DO NOT KNOW ABOUT COMPENSATION OR DO NOT WANT THEIR LIVES INVESTIGATED.

JENNY, THE CLERK AT THE MINNEAPOLIS RECORD STORE, RECEIVED ONLY NINE HUNDRED DOLLARS FROM THE MINNESOTA BOARD. THAT'S BECAUSE JENNY WAS ELIGIBLE FOR WORKMEN'S COMPENSATION.

SAFER: (CONTINUED)

BUT FINANCIAL PROBLEMS ARE NOT THE ONLY PROBLEMS THAT VICTIMS HAVE. JENNY WAS AN EXPERT WATER SKIER. NOW SHE FINDS IT DIFFICULT TO WALK. HER SENSE OF BALANCE HAS BEEN IMPAIRED. AT TWENTY-ONE, JENNY RANDELL MUST TRY TO BUILD A NEW LIFE OUT OF A BROKEN BODY.

WAS THERE ANY OTHER STATE AID OR STATE PROGRAM TO HELP YOU, TO REHABILITATE YOU?

JENNY RANDELL:

No. THERE WASN'T.

SAFER:

NO PROGRAM TO TEACH YOU A JOB OR A TRADE OR EDUCATE YOU?

JENNY RANDELL:

NOTHING SPECIAL, NO. THEY HAVE THE VO-TECH SCHOOLS, BUT THAT'S FOR EVERYONE. THEY DON'T HAVE IT JUST FOR VICTIMS OF CRIME.

SAFER:

WHAT ABOUT ANY PHYSIOTHERAPY, THAT KIND OF THING?

JENNY RANDELL:

No.

SAFER:

. . . TO GET YOU OVER YOUR CURRENT PROBLEMS?

JENNY RANDELL:

No, THERE'S NOTHING.

SAFER:

ARE YOU BITTER IN ANY WAY JENNY, THAT
I SUPPOSE YOU COULD GO INTO ANY PRISON IN THE
COUNTRY AND SEE FANTASTIC TECHNICAL SCHOOLS,
TRADE SCHOOLS AND ALL KINDS OF METHODS BEING
USED TO "REHABILITATE" PEOPLE. . .

JENNY RANDELL:

Yes, I AM.

SAFER:

. . . AND YET, FOR YOU, AS A VICTIM, NOTHING?

JENNY RANDELL:

YEAH, THAT BOTHERS ME QUITE A BIT. THEY'RE
TRYING TO HELP THEM SO MUCH, BUT THEY --
YOU KNOW, THEY DON'T REALLY DO ANYTHING FOR
ANYBODY ELSE. YOU KNOW. THEY PAY MORE
ATTENTION TO THEM, THEY'RE MORE WORRIED ABOUT
THEM.

JIM FOGARTY:

THERE STANDS THE VICTIM OUT IN THE STREET,
BADLY BEATEN OR RENDERED DESTITUTE, OR INCAPACI-
TATED EMOTIONALLY OR PHYSICALLY IN SOME WAY.

FOGARTY: (CONTINUED)

NO ATTENTION HAD BEEN PAID TO THE VICTIM. AND I THINK ANYONE WHO HAS EVEN THAT AMOUNT OF HUMAN NATURE IN THEM CERTAINLY WOULD FEEL THAT THAT REQUIRES SOME KIND OF ATTENTION PROMPTLY.

SAFER:

JIM FOGARTY IS THE SENIOR VICTIM ADVOCATE IN THE FORT LAUDERDALE, FLORIDA, POLICE DEPARTMENT. IT'S ONE OF THE FEW SUCH PROGRAMS IN THE COUNTRY. HE'S A ONE-MAN BAND TRYING TO GIVE LEGAL ADVICE, DO SOCIAL WORK AND BE, GENERALLY, A HELPING HAND TO VICTIMS. IT'S A PITIFULLY SMALL, PITIFULLY BUDGETED OPERATION. YET, HE IS A GREAT HELP TO THOSE VICTIMS HE GIVES COUNSEL TO. . . VICTIMS LIKE RUTH PITT, WHOSE MISFORTUNE IT WAS TO STOP INTO A TAVERN OWNED BY SOME FRIENDS. A ROBBERY TOOK PLACE AND SHE WAS STRUCK IN THE FACE BY A RICOCHETING BULLET.

RUTH PITT:

WHEN I WAS IN THE BAR AND THE MAN CAME IN AND SHOT, THE ONE BULLET BOUNCED OFF THE BAR, HIT MY CHEEK, CUTTING ALL THE NERVES ON THE SIDE OF MY FACE. . . . WENT THROUGH MY EAR WHICH

RUTH PITT: (CONTINUED)

HAS MADE ME STONE DEAF IN THE ONE EAR AND
LODGED AT THE BASE OF MY SKULL.

JIM FOGARTY:

(ON PHONE) JIM FOGARTY, VICTIM ADVOCATE OFFICE
OF THE POLICE DEPARTMENT.....

SAFER:

RUTH PITT WAS DESTITUTE AND WOULD HAVE REMAINED
SO HAD JIM FOGARTY NOT STEPPED IN AND CUT
THROUGH THE RED TAPE, AND FOUGHT THREE APPEALS
BEFORE HE WON FOR HER, A SOCIAL SECURITY
DISABILITY PENSION OF TWO HUNDRED AND TWENTY
DOLLARS A MONTH.

RUTH PITT:

I FOUGHT SOCIAL SECURITY BY MYSELF BY GOING
DOWN THERE AND BEING HASSLED, THE FOOD STAMPS
WAS THE SAME WAY. I WAS HASSLED AND -- AND
SO....AND I WAS READY TO GIVE UP, I REALLY WAS.
NO ONE HAS ANY IDEA OF WHAT IT'S LIKE UNTIL
YOU GO THROUGH IT.

SAFER:

THERE ARE SOME FEDERAL FUNDS DESIGNED TO HELP
VICTIMS, MONEY THAT COMES FROM LEAA, THE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.
BUT THAT MONEY CANNOT GO DIRECTLY TO VICTIMS.

SAFER: (CONTINUED)

IT GOES INTO SUCH THINGS AS COURTHOUSE AMENITIES, LOUNGES FOR WITNESSES, PEOPLE TO HELP WITNESSES THROUGH THE LAW'S DELAYS.

BUT EVEN THIS INDIRECT HELP IS MINISCULE, ONLY SIX MILLION DOLLARS FOR THE ENTIRE COUNTRY. AND WHILE ALL CRIMES PRODUCE VICTIMS, FEW CRIMES RESULT IN PROSECUTION. ONLY ABOUT ONE IN TEN. WHEN THERE IS A REAL LIVE CRIMINAL OUR JUSTICE SYSTEM IS DESIGNED TO ENSURE THAT HIS RIGHTS ARE PROTECTED. AND ONCE A PROSECUTION IS MADE, OUR PENAL SYSTEM SPENDS BILLIONS TO EDUCATE, REHABILITATE OR SIMPLY OCCUPY THE TIME OF THE GUILTY.

BUT ONCE A CASE IS CLOSED, WE RARELY HEAR ANYMORE ABOUT THE CRIMINAL AND HIS VICTIM. WE DECIDED TO FOLLOW UP ON ONE CRIME, TO LOOK INTO THE LIVES OF BOTH MEN.

THIS MAN, JAIME FIGUEROA, WAS SENTENCED TO TEN YEARS IN A NEW YORK STATE MEDIUM SECURITY PRISON. TWO YEARS AGO, FIGUEROA AND A FRIEND GOT A GUN AND HELD UP THIS MAN IN A NEW YORK

SAFER: (CONTINUED)

SUBWAY. HIS NAME IS SYLVESTER DAVIS, AGE THIRTY-NINE, SHOT IN THE HEAD AT CLOSE RANGE RESULTING IN BLINDNESS AND SOME BRAIN DAMAGE. HE WAS A WELL-PAID CONSTRUCTION WORKER, NOW HE VEGETATES. HE DID GET VICTIM COMPENSATION. HIS WIFE DISCOVERED HE COULD ALMOST BY ACCIDENT BECAUSE SHE WORKED FOR AN ANSWERING SERVICE THAT WORKED FOR A LAWYER WHO LED THE DAVIS' THROUGH THE PAPERWORK JUNGLE. HIS BENEFITS RUN TO JUST OVER FIVE HUNDRED DOLLARS A MONTH. AS A WORKING MAN HE BROUGHT HOME NEAR A THOUSAND.

MR. DAVIS:

SO I WENT DOWN IN THE SUBWAY STATION. PUT MY TOLL IN THE SLOT. WALKED ON IN.

MR. FIGUEROA:

WE WENT TO THE TRAIN STATION. WE WAS ACTUALLY GOING TO TAKE OFF A PIMP, A SO-CALLED PIMP.

SAFER:

YOU WERE GOING TO ROB A PIMP?

MR. FIGUEROA:

YEAH, BECAUSE WE KNEW HE HAD MONEY THE WAY HE WAS DRESSING, HAD A LOT OF WHITE COAT..... BUT IT SO HAPPENED THAT THIS MAN GOT IN THE

FIGUEROA: (CONTINUED)

WAY.

DAVIS:

HE GRABBED ME FROM BEHIND. AND I TWIST, AND I TURNED, SO I GOT A LOOSE FROM HIM. AND JUST AS QUICK AS I'D GOTTEN A LOOSE FROM HIM AND I LOOKED AT HIM AND THE OTHER GUY SAID, "SHOOT, SHOOT."

FIGUEROA:

WE DIDN'T WANT TO SHOOT. WE TOLD HIM. BUT HE KEPT COMING AT US, YOU KNOW, HE JUST WANTED TO GET US. YOU KNOW, HE GOT TO THE STATE WHERE IT WAS HIM OR US. THE WAY HE WAS FIGHTING, BECAUSE HE WAS BIGGER THAN US.

SAFER:

BUT THERE WERE TWO OF YOU, HE WASN'T ARMED.

FIGUEROA:

RIGHT. THERE'S TWO OF US, WE'RE YOUNG, WE'RE IGNORANT, WE'RE SCARED. YOU KNOW, WE NEED, WE'RE HUNGRY.....YOU KNOW, WE WANT TO GET MONEY TO EAT.

DAVIS:

I DIDN'T KNOW WHERE MORE MONEY WAS COMING FROM, SO I HAD TO TRY AND WORK FOR IT. BUT I

DAVIS: (CONTINUED)

WOULDN'T LET ANYBODY COME UP TO ME AND TAKE IT FROM ME.

FIGUEROA:

HE WANTED TO KILL US, THAT'S HOW IT SEEMS TO ME. SO I SAID, "IT'S EITHER HIM OR ME." AND I DIDN'T WANT TO DIE SO YOUNG. I DIDN'T WANT TO GET HURT SO YOUNG.

SAFER:

BEFORE THIS HAPPENED WERE YOU A PRETTY STRONG FELLOW?

DAVIS:

VERY STRONG.

MRS. DAVIS:

THEY HAVE TAKEN MY HUSBAND AWAY FROM ME IN EVERY WAY. LIKE I NEED HIM AND HE'S NOT THERE.

SAFER:

SINCE YOU'VE BEEN OUT OF THE HOSPITAL, HAS ANYONE -- HAS A THERAPIST COME AROUND, HAS A SOCIAL WORKER COME AROUND, HAS THE STATE BEEN AROUND IN ANY WAY TO TRY AND ASK "DO YOU NEED ANYTHING? CAN WE HELP YOU IN ANY WAY?"

MRS. DAVIS:

NO WAY. NO, NOTHING.

FIGUEROA:

I WENT AND SPOKE TO MY COUNSELOR AND I TOLD HIM THAT I WANTED TO GO TO SCHOOL AND I WANTED TO HAVE A VOCATIONAL SHOP, BECAUSE I KNEW THAT IF I DIDN'T DO SOMETHING FOR MYSELF WHILE BEING IN HERE, WHEN I GO OUT THERE, YOU KNOW, I'M JUST GONNA FALL BACK INTO THESE CONDITIONS. AND WHEN I WENT TO THE SHOP --

SAFER:

YOU WENT TO SCHOOL FIRST, THOUGH, RIGHT?

FIGUEROA:

YEAH, SCHOOL AND SHOP....

SAFER:

THEY TRIED TO TEACH JAIME FIGUEROA A TRADE, WELDING. THE INSTRUCTOR SAYS HE SHOWED SOME APTITUDE. BUT HE CHOSE TO DROP OUT. HAD HE COMPLETED THE COURSE HE COULD EARN UP TO TWELVE DOLLARS AN HOUR WHEN HE'S RELEASED FROM PRISON.

THERE ARE OTHER TRADES OPEN TO FIGUEROA, BUT NONE INTEREST HIM. THERE'S ALSO A HIGH

SAFER: (CONTINUED)

SCHOOL WITHIN THE PRISON AND SOME COLLEGE DEGREE COURSES. FIGUEROA WENT TO SCHOOL BUT THEN DECIDED THAT HE WOULD DROP OUT OF THAT AS WELL. THE STATE GIVES HIM A CHOICE OF THE KIND OF WORK HE WILL DO IN PRISON AND HE CHOOSES THIS. . . JANITOR WORK IN THE SCHOOL BUILDING. IT COSTS THE STATE FIFTEEN THOUSAND DOLLARS A YEAR TO KEEP JAIME FIGUEROA, BUT HE IS NOT IMPRESSED WITH THE FACILITIES.

FIGUEROA:

OKAY, THEY GAVE ME A PAIR OF PANTS TO WEAR, OKAY. BUT WHAT DO THEY GIVE ME TO REHABILITATE ME SO THAT WHEN I GO OUT THERE I WON'T DO THE SAME THING?

SAFER:

THEY TRIED TO TEACH YOU A TRADE.

FIGUEROA:

A TRADE? A TRADE, ANYBODY WITH A TRADE CAN GO OUT THERE AND COMMIT CRIMES AGAIN, BECAUSE YOU CAN USE THE TRADE TO COVER UP YOUR CRIMES. SO WHAT'S A TRADE. A TRADE AIN'T NOTHING IF THEY DON'T GIVE YOU SOMETHING FOR YOUR MIND.

SAFER:

DOES IT BOTHER YOU THAT THOSE MEN INSIDE NOW, ARE BEING OFFERED OPPORTUNITY TO GO TO SCHOOL, OPPORTUNITY TO LEARN A TRADE?

THAT THE STATE IS PUTTING THAT KIND OF EFFORT INTO REHABILITATING, AS THEY CALL IT, THOSE MEN?

MRS. DAVIS:

I FEEL THAT IF THEY CAN DO IT FOR THEM THEN THEY SHOULD DO IT FOR US. BECAUSE NUMBER ONE, WE WERE BOTH WORKING PEOPLE ALL OUR LIVES AND I WOULDN'T SAY THEY OWE US, YOU KNOW, ANYTHING, BUT AT LEAST THEY SHOULD -- IF THEY CAN OFFER THAT TO THEM, THEN, YOU KNOW, DO THE SAME TO SOMEONE THAT ARE UNPROTECTED.

SAFER:

DON'T YOU THINK THAT IT'S KIND OF UNFAIR THAT HERE YOU ARE IN HERE WITH THE STATE SPENDING A GREAT DEAL OF MONEY ON YOU WITH SCHOOLS, AND HOSPITALS AND A WARM PLACE TO SLEEP, AND ALL THAT, AND THERE'S MR. DAVIS OUT THERE VIRTUALLY BLIND, THE STATE'S DOING ALMOST NOTHING FOR HIM?

FIGUEROA:

YOU SEE, IT'S NOT A POINT OF BEING FAIR OR NOT, OKAY. IF THE STATE PUT ME HERE SO THAT I COULD SEE MY WRONG. SO THAT WHEN I GO OUT THERE, THEN I WON'T DO IT AGAIN.....

THEN IT'S FAIR FOR ME TO RECEIVE ALL THIS BECAUSE I KNOW WHAT I DONE WRONG AND I KNOW IT WAS WRONG, AND THERE'S NO WAY IN THE WORLD I COULD REPAY MY WRONG TO THAT PERSON BECAUSE HOW CAN I GIVE THAT MAN BACK HIS EYES, HIS EYESIGHT? I CAN'T DO THIS, I'M NOT GOD. ONLY GOD COULD REPAY WHAT I'VE DONE WRONG.

SAFER:

THE GOVERNMENT TAKES MUCH THE SAME ATTITUDE TO VICTIMS AS JAIME FIGUEROA. OF THE FIFTEEN BILLION DOLLARS SPENT EACH YEAR ON CRIMINAL JUSTICE, POLICE, COURTS, PRISONS AND REHABILITATION PROGRAMS, LESS THAN ONE PERCENT GOES TO HELPING VICTIMS OF CRIMES.

CLOSE

SAFER:

A federal bill that would help states pay victims compensation and promote more compensation boards failed once again to clear the House of Representatives in the last Congress. The chief opposition came from the Justice Department on financial grounds.

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BUT FINANCIAL PROBLEMS ARE NOT THE ONLY PROBLEMS THAT VICTIMS HAVE. JENNY WAS AN EXPERT WATER SKIER. NOW SHE FINDS IT DIFFICULT TO WALK. HER SENSE OF BALANCE HAS BEEN IMPAIRED. AT TWENTY-ONE, JENNY RAN MUST TRY TO BUILD A NEW LIFE OUT OF A BROKEN BODY.

WAS THERE ANY OTHER STATE AID OR STATE PROGRAM TO HELP YOU, TO REHABILITATE YOU?

JENNY RANDELL:

No. THERE WASN'T.

SAFER:

NO PROGRAM TO TEACH YOU A JOB OR A TRADE OR EDUCATE YOU?

JENNY RANDELL:

NOTHING SPECIAL, NO. THEY HAVE THE VO-TECH SCHOOLS, BUT THAT'S FOR EVERYONE. THEY DON'T HAVE IT JUST FOR VICTIMS OF CRIME.

SAFER:

WHAT ABOUT ANY PHYSIOTHERAPY, THAT KIND OF THING?

JENNY RANDELL:

No.

SAFER:

. . . TO GET YOU OVER YOUR CURRENT PROBLEMS?

JENNY RANDELL:

No, THERE'S NOTHING.

SAFER:

ARE YOU BITTER IN ANY WAY JENNY, THAT I SUPPOSE YOU COULD GO INTO ANY PRISON IN THE COUNTRY AND SEE FANTASTIC TECHNICAL SCHOOLS, TRADE SCHOOLS AND ALL KINDS OF METHODS BEING USED TO "REHABILITATE" PEOPLE. . .

JENNY RANDELL:

Yes, I AM.

SAFER:

. . . AND YET, FOR YOU, AS A VICTIM, NOTHING?

JENNY RANDELL:

YEAH, THAT BOTHERS ME QUITE A BIT. THEY'RE TRYING TO HELP THEM SO MUCH, BUT THEY -- YOU KNOW, THEY DON'T REALLY DO ANYTHING FOR ANYBODY ELSE. YOU KNOW. THEY PAY MORE ATTENTION TO THEM, THEY'RE MORE WORRIED ABOUT THEM.

JIM FOGARTY:

THERE STANDS THE VICTIM OUT IN THE STREET, BADLY BEATEN OR RENDERED DESTITUTE, OR INCAPACITATED EMOTIONALLY OR PHYSICALLY IN SOME WAY.

FOGARTY: (CONTINUED)

NO ATTENTION HAD BEEN PAID TO THE VICTIM, AND I THINK ANYONE WHO HAS EVEN THAT AMOUNT OF HUMAN NATURE IN THEM CERTAINLY WOULD FEEL THAT THAT REQUIRES SOME KIND OF ATTENTION PROMPTLY.

SAFER:

JIM FOGARTY IS THE SENIOR VICTIM ADVOCATE IN THE FORT LAUDERDALE, FLORIDA, POLICE DEPARTMENT. IT'S ONE OF THE FEW SUCH PROGRAMS IN THE COUNTRY. HE'S A ONE-MAN BAND TRYING TO GIVE LEGAL ADVICE, DO SOCIAL WORK AND BE, GENERALLY, A HELPING HAND TO VICTIMS. IT'S A PITIFULLY SMALL, PITIFULLY BUDGETED OPERATION. YET, HE IS A GREAT HELP TO THOSE VICTIMS HE GIVES COUNSEL TO. . . VICTIMS LIKE RUTH PITT, WHOSE MISFORTUNE IT WAS TO STOP INTO A TAVERN OWNED BY SOME FRIENDS A ROBBERY TOOK PLACE AND SHE WAS STRUCK IN THE FACE BY A RICOCHETING BULLET.

RUTH PITT:

WHEN I WAS IN THE BAR AND THE MAN CAME IN AND SHOT, THE ONE BULLET BOUNCED OFF THE BAR, HIT MY CHEEK, CUTTING ALL THE NERVES ON THE SIDE OF MY FACE. . . . WENT THROUGH MY EAR WHICH

RUTH PITT: (CONTINUED)

HAS MADE ME STONE DEAF IN THE ONE EAR AND
LODGED AT THE BASE OF MY SKULL.

JIM FOGARTY:

(ON PHONE) JIM FOGARTY, VICTIM ADVOCATE OFFICE
OF THE POLICE DEPARTMENT.....

SAFER:

RUTH PITT WAS DESTITUTE AND WOULD HAVE REMAINED
SO HAD JIM FOGARTY NOT STEPPED IN AND CUT
THROUGH THE RED TAPE, AND FOUGHT THREE APPEALS
BEFORE HE WON FOR HER, A SOCIAL SECURITY
DISABILITY PENSION OF TWO HUNDRED AND TWENTY
DOLLARS A MONTH.

RUTH PITT:

I FOUGHT SOCIAL SECURITY BY MYSELF BY GOING
DOWN THERE AND BEING HASSLED, THE FOOD STAMPS
WAS THE SAME WAY. I WAS HASSLED AND -- AND
SO....AND I WAS READY TO GIVE UP, I REALLY WAS.
NO ONE HAS ANY IDEA OF WHAT IT'S LIKE UNTIL
YOU GO THROUGH IT.

SAFER:

THERE ARE SOME FEDERAL FUNDS DESIGNED TO HELP
VICTIMS, MONEY THAT COMES FROM LEAA, THE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION.
BUT THAT MONEY CANNOT GO DIRECTLY TO VICTIMS.

SAFER: (CONTINUED)

IT GOES INTO SUCH THINGS AS COURTHOUSE AMENITIES, LOUNGES FOR WITNESSES, PEOPLE TO HELP WITNESSES THROUGH THE LAW'S DELAYS.

BUT EVEN THIS INDIRECT HELP IS MINISCULE, ONLY SIX MILLION DOLLARS FOR THE ENTIRE COUNTRY. AND WHILE ALL CRIMES PRODUCE VICTIMS, FEW CRIMES RESULT IN PROSECUTION. ONLY ABOUT ONE IN TEN. WHEN THERE IS A REAL LIVE CRIMINAL, OUR JUSTICE SYSTEM IS DESIGNED TO ENSURE THAT HIS RIGHTS ARE PROTECTED. AND ONCE A PROSECUTION IS MADE, OUR PENAL SYSTEM SPENDS BILLIONS TO EDUCATE, REHABILITATE OR SIMPLY OCCUPY THE TIME OF THE GUILTY.

BUT ONCE A CASE IS CLOSED, WE RARELY HEAR ANYMORE ABOUT THE CRIMINAL AND HIS VICTIM. WE DECIDED TO FOLLOW UP ON ONE CRIME, TO LOOK INTO THE LIVES OF BOTH MEN.

THIS MAN, JAIME FIGUEROA, WAS SENTENCED TO TEN YEARS IN A NEW YORK STATE MEDIUM SECURITY PRISON. TWO YEARS AGO, FIGUEROA AND A FRIEND GOT A GUN AND HELD UP THIS MAN IN A NEW YORK

SAFER: (CONTINUED)

SUBWAY. HIS NAME IS SYLVESTER DAVIS, AGE THIRTY-NINE, SHOT IN THE HEAD AT CLOSE RANGE RESULTING IN BLINDNESS AND SOME BRAIN DAMAGE. HE WAS A WELL-PAID CONSTRUCTION WORKER, NOW HE VEGETATES. HE DID GET VICTIM COMPENSATION. HIS WIFE DISCOVERED HE COULD ALMOST BY ACCIDENT BECAUSE SHE WORKED FOR AN ANSWERING SERVICE THAT WORKED FOR A LAWYER WHO LED THE DAVIS' THROUGH THE PAPERWORK JUNGLE. HIS BENEFITS RUN TO JUST OVER FIVE HUNDRED DOLLARS A MONTH. AS A WORKING MAN HE BROUGHT HOME NEAR A THOUSAND.

MR. DAVIS:

SO I WENT DOWN IN THE SUBWAY STATION. PUT MY TOLL IN THE SLOT. WALKED ON IN.

MR. FIGUEROA:

WE WENT TO THE TRAIN STATION. WE WAS ACTUALLY GOING TO TAKE OFF A PIMP, A SO-CALLED PIMP.

SAFER:

YOU WERE GOING TO ROB A PIMP?

MR. FIGUEROA:

YEAH, BECAUSE WE KNEW HE HAD MONEY THE WAY HE WAS DRESSING, HAD A LOT OF WHITE COAT..... BUT IT SO HAPPENED THAT THIS MAN GOT IN THE

FIGUEROA: (CONTINUED)

WAY.

DAVIS:

HE GRABBED ME FROM BEHIND. AND I TWIST, AND I TURNED, SO I GOT A LOOSE FROM HIM. AND JUST AS QUICK AS I'D GOTTEN A LOOSE FROM HIM AND I LOOKED AT HIM AND THE OTHER GUY SAID, "SHOOT, SHOOT."

FIGUEROA:

WE DIDN'T WANT TO SHOOT. WE TOLD HIM. BUT HE KEPT COMING AT US, YOU KNOW, HE JUST WANTED TO GET US. YOU KNOW, HE GOT TO THE STATE WHERE IT WAS HIM OR US. THE WAY HE WAS FIGHTING, BECAUSE HE WAS BIGGER THAN US.

SAFER:

BUT THERE WERE TWO OF YOU, HE WASN'T ARMED.

FIGUEROA:

RIGHT. THERE'S TWO OF US, WE'RE YOUNG, WE'RE IGNORANT, WE'RE SCARED. YOU KNOW, WE NEED, WE'RE HUNGRY.....YOU KNOW, WE WANT TO GET MONEY TO EAT.

DAVIS:

I DIDN'T KNOW WHERE MORE MONEY WAS COMING FROM SO I HAD TO TRY AND WORK FOR IT. BUT I

DAVIS: (CONTINUED)

WOULDN'T LET ANYBODY COME UP TO ME AND TAKE IT FROM ME.

FIGUEROA:

HE WANTED TO KILL US, THAT'S HOW IT SEEMS TO ME. SO I SAID, "IT'S EITHER HIM OR ME." AND I DIDN'T WANT TO DIE SO YOUNG. I DIDN'T WANT TO GET HURT SO YOUNG.

SAFER:

BEFORE THIS HAPPENED WERE YOU A PRETTY STRONG FELLOW?

DAVIS:

VERY STRONG.

MRS. DAVIS:

THEY HAVE TAKEN MY HUSBAND AWAY FROM ME IN EVERY WAY. LIKE I NEED HIM AND HE'S NOT THERE.

SAFER:

SINCE YOU'VE BEEN OUT OF THE HOSPITAL, HAS ANYONE -- HAS A THERAPIST COME AROUND, HAS A SOCIAL WORKER COME AROUND, HAS THE STATE BEEN AROUND IN ANY WAY TO TRY AND ASK "DO YOU NEED ANYTHING? CAN WE HELP YOU IN ANY WAY?"

MRS. DAVIS:

NO WAY. NO, NOTHING.

FIGUEROA:

I WENT AND SPOKE TO MY COUNSELOR AND I TOLD HIM THAT I WANTED TO GO TO SCHOOL AND I WANTED TO HAVE A VOCATIONAL SHOP, BECAUSE I KNEW THAT IF I DIDN'T DO SOMETHING FOR MYSELF WHILE BEING IN HERE, WHEN I GO OUT THERE, YOU KNOW, I'M JUST GONNA FALL BACK INTO THESE CONDITIONS. AND WHEN I WENT TO THE SHOP --

SAFER:

YOU WENT TO SCHOOL FIRST, THOUGH, RIGHT?

FIGUEROA:

YEAH, SCHOOL AND SHOP....

SAFER:

THEY TRIED TO TEACH JAIME FIGUEROA A TRADE, WELDING. THE INSTRUCTOR SAYS HE SHOWED SOME APTITUDE. BUT HE CHOSE TO DROP OUT. HAD HE COMPLETED THE COURSE HE COULD EARN UP TO TWELVE DOLLARS AN HOUR WHEN HE'S RELEASED FROM PRISON.

THERE ARE OTHER TRADES OPEN TO FIGUEROA, BUT NONE INTEREST HIM. THERE'S ALSO A HIGH

SAFER: (CONTINUED)

SCHOOL WITHIN THE PRISON AND SOME COLLEGE DEGREE COURSES. FIGUEROA WENT TO SCHOOL BUT THEN DECIDED THAT HE WOULD DROP OUT OF THAT AS WELL. THE STATE GIVES HIM A CHOICE OF THE KIND OF WORK HE WILL DO IN PRISON AND HE CHOOSES THIS. . . JANITOR WORK IN THE SCHOOL BUILDING. IT COSTS THE STATE FIFTEEN THOUSAND DOLLARS A YEAR TO KEEP JAIME FIGUEROA, BUT HE IS NOT IMPRESSED WITH THE FACILITIES.

FIGUEROA:

OKAY, THEY GAVE ME A PAIR OF PANTS TO WEAR, OKAY. BUT WHAT DO THEY GIVE ME TO REHABILITATE ME SO THAT WHEN I GO OUT THERE I WON'T DO THE SAME THING?

SAFER:

THEY TRIED TO TEACH YOU A TRADE.

FIGUEROA:

A TRADE? A TRADE, ANYBODY WITH A TRADE CAN GO OUT THERE AND COMMIT CRIMES AGAIN, BECAUSE YOU CAN USE THE TRADE TO COVER UP YOUR CRIMES. SO WHAT'S A TRADE. A TRADE AIN'T NOTHING IF THEY DON'T GIVE YOU SOMETHING FOR YOUR MIND.

SAFER:

DOES IT BOTHER YOU THAT THOSE MEN INSIDE NOW, ARE BEING OFFERED OPPORTUNITY TO GO TO SCHOOL, OPPORTUNITY TO LEARN A TRADE?

THAT THE STATE IS PUTTING THAT KIND OF EFFORT INTO REHABILITATING, AS THEY CALL IT, THOSE MEN?

MRS. DAVIS:

I FEEL THAT IF THEY CAN DO IT FOR THEM THEN THEY SHOULD DO IT FOR US. BECAUSE NUMBER ONE, WE WERE BOTH WORKING PEOPLE ALL OUR LIVES AND I WOULDN'T SAY THEY OWE US, YOU KNOW, ANYTHING, BUT AT LEAST THEY SHOULD IF THEY CAN OFFER THAT TO THEM, THEN, YOU KNOW, DO THE SAME TO SOMEONE THAT ARE UNPROTECTED.

SAFER:

DON'T YOU THINK THAT IT'S KIND OF UNFAIR THAT HERE YOU ARE IN HERE WITH THE STATE SPENDING A GREAT DEAL OF MONEY ON YOU WITH SCHOOLS, AND HOSPITALS AND A WARM PLACE TO SLEEP, AND ALL THAT, AND THERE'S MR. DAVIS OUT THERE VIRTUALLY BLIND, THE STATE'S DOING ALMOST NOTHING FOR HI

FIGUEROA:

YOU SEE, IT'S NOT A POINT OF BEING FAIR OR NOT, OKAY. IF THE STATE PUT ME HERE SO THAT I COULD SEE MY WRONG. SO THAT WHEN I GO OUT THERE, THEN I WON'T DO IT AGAIN..... THEN IT'S FAIR FOR ME TO RECEIVE ALL THIS BECAUSE I KNOW WHAT I DONE WRONG AND I KNOW IT WAS WRONG, AND THERE'S NO WAY IN THE WORLD I COULD REPAY MY WRONG TO THAT PERSON BECAUSE HOW CAN I GIVE THAT MAN BACK HIS EYES, HIS EYESIGHT? I CAN'T DO THIS, I'M NOT GOD. ONLY GOD COULD REPAY WHAT I'VE DONE WRONG.

SAFER:

THE GOVERNMENT TAKES MUCH THE SAME ATTITUDE TO VICTIMS AS JAIME FIGUEROA. OF THE FIFTEEN BILLION DOLLARS SPENT EACH YEAR ON CRIMINAL JUSTICE, POLICE, COURTS, PRISONS AND REHABILITATION PROGRAMS, LESS THAN ONE PERCENT GOES TO HELPING VICTIMS OF CRIMES.

CLOSE

SAFER:

A federal bill that would help states pay victims compensation and promote more compensation boards failed once again to clear the House of Representatives in the last Congress. The chief opposition came from the Justice Department on financial grounds.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: December 7, 1976

Time:

FOR ACTION:

cc (for information):

✓ Phil Buchen
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 7, 1976. Time: 2:00 P.M.

SUBJECT: Jim Cannon memo, 12/6/76 re
60 Minutes on the Victims of Crime

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Buchen - see comments
Marsh - with comments

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor
For the President

THE WHITE HOUSE

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REMARKS:

Suggest Attorney General be asked to contact 60 Minutes, since the erroneous remark relates to the Department of Justice.

P.W.B.
Philip W. Buchen
Counsel to the President

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REMARKS:

*Suggest A/G
first, and
Cannon if A/G
can not do it.
Jim*

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Jim Connor
For the President

THE WHITE HOUSE
WASHINGTON

December 9, 1976

Dear Mr. *Jerry*

It was good to receive your warm note and the issues of Country Club Golfer. I deeply appreciate having the golfing tips, especially when they come from a true pro and Hall of Famer like you. As you can well imagine, I look forward to relaxing on the links and I will be happy to convey your good wishes to our mutual friends.

With appreciation and best regards,

Jerry Ford
Mr. John Revolta
Mission Hills Country Club
34-600 Mission Hills Drive
Rancho Mirage, California 92270

*P.S. I look forward
to seeing you
in California.
J.*