

The original documents are located in Box 23, “2/14/76 - Remarks on Habitual Criminals and Terrorists at a Meeting of the South Florida Chapter of the Federal Bar Association” of the President’s Speeches and Statements: Reading Copies at the Gerald R. Ford Presidential Library.

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~~THE PRESIDENT HAS SEEN~~

SOUTH FLORIDA CHAPTER OF

THE FEDERAL BAR ASSOCIATION

FEBRUARY 14, 1976

ACKNOWLEDGEMENTS

- THANK YOU, MR. DUBE (PH: DU-BAY)
- MR. MILLER
- CONG. FREY
- MEMBERS OF THE JUDICIARY
- DISTINGUISHED GUESTS
- LADIES AND GENTLEMEN

I AM HONORED TO ADDRESS FELLOW MEMBERS OF THE
FEDERAL BAR ASSOCIATION -- THE LEADING PROFESSIONAL ORGANIZATION
REPRESENTING ATTORNEYS, CIVILIAN AND MILITARY, IN FEDERAL
SERVICE AND FORMERLY EMPLOYED BY THE UNITED STATES GOVERNMENT.

THE FEDERAL LAWYER, SERVING IN EVERY DEPARTMENT

AND AGENCY OF OUR GOVERNMENT, HAS NEVER HAD MORE IMPORTANT

RESPONSIBILITIES THAN IN TODAY'S RAPIDLY CHANGING SOCIETY.

THIS IS ESPECIALLY TRUE IN LAW ENFORCEMENT.

IN SOUTH FLORIDA, YOU HAVE DONE OUTSTANDING WORK TO PROVIDE

SPEEDY JUSTICE AND MOBILIZE STATE AND LOCAL COOPERATION●

INDEED, I UNDERSTAND THAT SOME FEDERAL COURTS IN YOUR DISTRICT,

REMAIN IN SESSION AS LATE AS 11:00 P.M. TO SPEED TRIALS AND

PREVENT A BACKLOG●

I SPECIFICALLY COMMEND THE COORDINATION OF
FEDERAL, COUNTY AND CITY LAW ENFORCEMENT OFFICERS IN THE
INVESTIGATIONS OF THE BOMBINGS OF THE MIAMI INTERNATIONAL
AIRPORT, / THE LOCAL F.B.I. OFFICE, / AND OTHER TARGETS IN
THE MIAMI AREA.

FRANKLY, I HAVE HAD IT WITH TERRORISM OF THE KIND

THAT RECENTLY KILLED SO MANY INNOCENT PEOPLE AT LA GUARDIA

AIRPORT IN NEW YORK CITY AND HAS PLAGUED THE SOUTH FLORIDA AREA.

THE F.B.I. HAS JUST REPORTED THAT BOMBINGS IN THE UNITED STATES

IN 1975 KILLED 69 PEOPLE.

THE TIME HAS COME FOR SOCIETY

TO ACT IN ITS OWN SELF-DEFENSE.





I FAVOR THE USE OF THE DEATH PENALTY IN THE FEDERAL

CRIMINAL SYSTEM IN ACCORDANCE WITH PROPER CONSTITUTIONAL

STANDARDS. THE DEATH PENALTY, IN APPROPRIATE INSTANCES,

SHOULD BE IMPOSED UPON CONVICTION OF SABOTAGE, MURDER,

ESPIONAGE, AND TREASON.

OF COURSE, THE MAXIMUM PENALTY SHOULD NOT BE
APPLIED IF THERE IS DURESS OR IMPAIRED MENTAL CAPACITY OR
SIMILAR EXTENUATING CIRCUMSTANCES. BUT IN MURDERS INVOLVING
SUBSTANTIAL DANGER TO THE NATIONAL SECURITY OR WHEN THE DEFENDANT
IS A COLD-BLOODED HIRED KILLER, THE USE OF CAPITAL PUNISHMENT
IS FULLY JUSTIFIED.

WE REALIZE TODAY THAT PASSIVITY AND PERMISSIVENESS

INVITE CRIME - AND THAT THE CERTAINTY OF PUNISHMENT

PREVENTS CRIME. AND I MEAN POSITIVE, SWIFT,

AND JUST PUNISHMENT.

BUT THE CRIMINAL JUSTICE SYSTEM NEED NOT BE

VINDICTIVE TO BE EFFECTIVE.

AS PRESIDENT, I WILL GIVE NO COMFORT TO THOSE
WHO MAKE FALSE ALLEGATIONS OF POLICE BRUTALITY BUT EXCUSE THE
REAL BRUTALITY THAT EXISTS IN AMERICA TODAY -- THE BRUTALITY
OF HOODLUMS IN THE STREETS. I HAVE NO PATIENCE WITH THOSE
WHO WOULD PORTRAY THE VIOLENT CRIMINAL AS THE HELPLESS VICTIM
OF SOCIETY WHEN SUCH OFFENDERS ARE ACTUALLY ANTI-SOCIAL
CRIMINALS.

MILLIONS OF OUR CITIZENS, INCLUDING THE ELDERLY

AND POOR, LOCK THEMSELVES UP IN THEIR HOMES, FEARING VIOLENCE.

I WOULD, INSTEAD, LOCK UP THE CRIMINALS WHO MAKE THEM AFRAID.



A LEGAL SYSTEM THAT IS EXPLOITED BY THE CRIMINAL BUT

IGNORES HIS VICTIM IS SADLY OUT OF BALANCE.

I ASK YOUR

HELP -- AND THAT OF ALL AMERICANS -- IN RESTORING THAT BALANCE.

I APPLAUD THE FEDERAL, STATE, AND LOCAL CITIZEN

COALITION AGAINST CRIME THAT IS EMERGING IN FLORIDA.

THE 10,000 VOLUNTEERS, NOW ACTIVE IN THE CITIZENS CRIME WATCH

OF THE DADE COUNTY PUBLIC SAFETY DEPARTMENT, DESERVE

PARTICULAR COMMENDATION. *As you know* THESE CRIME WATCHERS HAVE

PROVIDED INFORMATION LEADING TO SIGNIFICANT ARRESTS --

INCLUDING THE SEIZURE OF 23 TONS OF ILLEGAL DRUGS.

THE RESPONSIBILITY OF LOCAL OFFICIALS IN DEALING

WITH THE ALARMING INCREASE IN VIOLENT CRIME IS PRIMARY UNDER

OUR CONSTITUTION●

YET CRIME IS SO PERVASIVE THAT IT CAN BE BROUGHT UNDER CONTROL

ONLY BY THE CONCERTED EFFORTS OF ALL LEVELS OF GOVERNMENT --

FEDERAL, STATE, AND LOCAL, BY THE CLOSEST COOPERATION AMONG

THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES, AND BY

NON-PARTISAN POLITICAL UNITY AGAINST A COMMON ENEMY.

THE PRIMARY DUTY OF GOVERNMENT IS TO PROTECT THE

LAW-ABIDING CITIZEN IN THE PEACEFUL PURSUIT OF LIFE, LIBERTY AND

HAPPINESS. THE PREAMBLE TO OUR CONSTITUTION PUTS THE

OBLIGATION TO INSURE DOMESTIC TRANQUILITY IN THE SAME CATEGORY

AS PROVIDING FOR THE COMMON DEFENSE. WE RECALL IN THIS

BICENTENNIAL YEAR THAT OUR FOUNDING FATHERS ADHERED TO THE DICTUM

OF JOHN LOCKE: "WHERE THERE IS NO LAW, THERE IS NO FREEDOM."

THE OVERWHELMING MAJORITY OF AMERICANS ARE

LAW-ABIDING CITIZENS. IT IS A SMALL HARD-CORE OF LAW-

BREAKERS WHO COMMIT A VERY LARGE PROPORTION OF ALL CRIMES.

A STUDY IN ONE MAJOR METROPOLITAN AREA RECENTLY SHOWED THAT,

WITHIN A SINGLE YEAR, MORE THAN TWO HUNDRED BURGLARIES,

60 RAPES, AND 14 MURDERS WERE COMMITTED BY ONLY 10 INDIVIDUALS.

MOST SERIOUS CRIMES ARE COMMITTED BY REPEATERS•

SUCH CRIMINALS, DULY TRIED AND CONVICTED, MUST BE REMOVED

FROM SOCIETY FOR A DEFINITE PERIOD OF TIME• THE LAW-ABIDING

MAJORITY ALSO HAS RIGHTS -- AND, AS CHIEF EXECUTIVE, I INTEND

TO SEE THAT THOSE RIGHTS ARE GIVEN FULL WEIGHT ON THE SCALES

OF JUSTICE•

WITH VERY FEW EXCEPTIONS, I ADVOCATE MANDATORY
MINIMUM SENTENCES FOR INDIVIDUALS WHO COMMIT FEDERAL OFFENSES
INVOLVING THE USE OF A DANGEROUS WEAPON, OR WHO COMMIT
SUCH GRAVE OFFENSES AS AIR CRAFT HIJACKING, KIDNAPPING,
AND DEALING IN HARD DRUGS, AND FOR REPEAT OFFENDERS
WHO COMMIT FEDERAL CRIMES THAT HARM OR ENDANGER OTHERS.

TOO MANY VIOLENT AND HABITUAL CRIMINALS ARE

CONVICTED BUT NEVER SPEND A SINGLE DAY IN PRISON. THE LACK

OF CERTAIN CONFINEMENT TEMPTS THE MUGGER AND EVEN THE

MURDERER. WE MUST SHORTEN THEIR ODDS IF WE ARE TO DETER

LAW-BREAKERS.

THE WAY TO REDUCE CRIMINAL USE OF HANDGUNS IS

NOT TO DISARM LAW-ABIDING CITIZENS. THE WAY TO REDUCE

CRIMINAL USE OF HANDGUNS IS TO IMPOSE MANDATORY SENTENCES

FOR GUN CRIMES, TO MAKE IT HARDER TO OBTAIN CHEAP

"SATURDAY NIGHT SPECIALS," AND TO CONCENTRATE GUN CONTROL

IN HIGH CRIME AREAS.

LAST JULY, I SUBMITTED A BILL TO ACHIEVE THESE OBJECTIVES.

I URGE BOTH HOUSES OF THE CONGRESS TO ACT IMMEDIATELY --

AND WITHOUT HARASSING THE LAWFUL GUN OWNER.

THE VAST MAJORITY OF VICTIMS OF VIOLENT CRIME

IN FLORIDA -- AND THROUGHOUT THE UNITED STATES -- ARE THE

POOR, THE OLD, THE CHILDREN -- THE MOST DEFENSELESS OF

OUR FELLOW CITIZENS.

WHEN PEOPLE FEAR FOR PHYSICAL SAFETY, THEY

ARE RIGHTFULLY AFRAID TO USE THE STREETS. THEY LOSE

THEIR INHERENT FREEDOM TO COME AND GO AS THEY PLEASE.

EVEN THE YOUNG AND STRONG ARE ENDANGERED BY

CRIMINALS READY TO MAIM OR KILL•

BUT OLDER PEOPLE

ARE ESPECIALLY VULNERABLE•

A MUGGER, BY JUST SNATCHING

A PURSE OR WALLET, MAY ACTUALLY DO TERRIBLE INJURY TO

AN ELDERLY PERSON•

WE OWE PROTECTION TO EVERYONE.

BUT MOST OF ALL,

WE OWE PROTECTION TO THOSE LEAST ABLE TO COPE WITH VIOLENCE.

LET US PAY SPECIAL ATTENTION TO GUARDING AREAS WHERE ELDERLY

PEOPLE ARE CONCENTRATED.

LET US HELP THEM FEEL SAFE AS

THEY SIT IN THE SUN OR TAKE AN EVENING WALK.

LET US LIFT

THE OPPRESSIVE FEAR FROM THEIR HEARTS.

WHILE PRISONS EXIST TO PROTECT SOCIETY FROM

THE CRIMINAL, THOSE CONVICTED ARE ON THE MAINLINE BACK

TO CRIME IF THEY ARE FREED BECAUSE OF INADEQUATE

DETENTION FACILITIES. THIS IS ALSO TRUE IF INMATES

ARE CONFINED IN NOTORIOUSLY BAD AND OVERCROWDED FACILITIES

THAT BREED EVEN MORE CRIME.

Unbelievably,

AMERICA STILL HAS THE SAME PRISON CAPACITY

& our population has increased.

AS IN 1960, ALTHOUGH CRIME HAS DOUBLED. THE NEED FOR

MORE PRISONS IS OBVIOUS AND URGENT. I AM NOW SEEKING

FUNDS TO ESTABLISH FOUR NEW MAJOR FEDERAL PRISONS.

HERE IN THE MIAMI AREA, THE FEDERAL GOVERNMENT

WILL NEXT MONTH OPEN A NEW FEDERAL YOUTH CENTER●

IT WILL HAVE DETENTION FACILITIES FOR 250 --- INCLUDING YOUTHS

M

AND PRE-TRIAL ADULT OFFENDERS●

MY CONCERN IS FOR THE TOTAL FABRIC OF AMERICAN

SOCIETY WITH OUR CONSTITUTIONAL GUARANTEE OF DUE PROCESS.

THE TIME IS LONG OVERDUE TO GIVE THE INNOCENT VICTIM EVERY

BIT OF THE PROTECTION AND CONSIDERATION NOW ACCORDED

TO THE CRIMINAL.

WHY ARE SO MANY SERIOUS AND VIOLENT CRIMES NEVER

REPORTED TO THE POLICE? THE CRIMINAL VICTIMIZATION SURVEY

CONDUCTED BY THE BUREAU OF THE CENSUS FOR THE LAW ENFORCEMENT

ASSISTANCE ADMINISTRATION (LEAA) DISCLOSED THAT IN THIRTEEN

MAJOR CITIES, INCLUDING MIAMI, ONLY ABOUT ONE-THIRD OF

RAPES, ROBBERIES, AGGRAVATED ASSUALTS AND BURGLARIES

ARE REPORTED TO THE POLICE.

MIAMI HAS A HIGHER RATE OF REPORTING THAN MOST
OF THE CITIES SURVEYED. BUT EVEN HERE THE FIGURES SHOW
THAT 4 OUT OF 10 RAPE CASES ARE NOT REPORTED. IN THE CASE
OF ROBBERY ACCOMPANIED BY SERIOUS ASSAULT RESULTING IN INJURY,
3 OUT OF EVERY 10 VICTIMS DO NOT REPORT THE CRIME TO THE POLICE.

CRIME FIGURES DO NOT TELL THE FULL AND TERRIBLE

STORY●

THE FACT THAT SO MANY VICTIMS ARE RELUCTANT

TO REPORT SERIOUS CRIMES INDICATES A BREAKDOWN IN THE

TRADITIONAL RELATIONSHIP BETWEEN CITIZENS AND THE POLICE●

WE MUST PROTECT VICTIMS OF CRIME AND THE WITNESS

TO CRIME.

WE MUST HELP THEM AND TREAT THEM WITH RESPECT.

THAT IS ESSENTIAL TO THE LAW-ENFORCEMENT PROCESS.

ALL LAW-ABIDING PEOPLE MUST UNITE IN THE STRUGGLE TO REGAIN

THE FREEDOM OF OUR STREETS AND THE SAFETY OF OUR HOMES.

WHEN A CRIMINAL SUSPECT IS ARRESTED, THE POLICE

ARE REQUIRED TO IMMEDIATELY READ HIM HIS RIGHTS.

WHY NOT TELL THE VICTIM HIS RIGHTS, TOO, JUST AS CLEARLY

AND PROMPTLY?

THIS HAS BEEN ADVANCED BY THE NATIONAL DISTRICT

ATTORNEYS ASSOCIATION AND A VICTIM RIGHTS CARD IS NOW USED

IN 18 STATES. THE INVESTIGATING OFFICER INFORMS THE

VICTIM THAT: "YOU HAVE THE RIGHT, AS A VICTIM OF CRIME:

-- TO BE FREE FROM INTIMIDATION;

-- TO BE TOLD ABOUT AVAILABLE COMPENSATION

FOR COURT APPEARANCES;

-- TO BE TOLD ABOUT AVAILABLE COMPENSATION

FOR YOUR INJURIES;

-- TO BE TOLD ABOUT SOCIAL SERVICE AGENCIES

WHICH CAN HELP YOU, AND

-- TO BE ASSISTED BY YOUR CRIMINAL

JUSTICE AGENCIES."

LET US ENCOURAGE WITNESSES BY GIVING THEM

THE SUPPORT THEY NEED.

I HAVE ASKED THE DEPARTMENT OF JUSTICE TO

DEVELOP NEW PROGRAMS TO PROTECT AND ASSIST ALL WITNESSES

IN FEDERAL CRIMINAL PROCEEDINGS.

NO COMMUNITY SHOULD TOLERATE THE ABUSE OF

VICTIMS. THIS HAS HAPPENED TOO FREQUENTLY IN RAPE

CASES WHERE THE VICTIM IS NEEDLESSLY SUBJECTED TO

ADDITIONAL HUMILIATION.

THE VIOLENT CRIME THAT PLAGUES AMERICANS,

IS ESSENTIALLY WITHIN THE REALM OF STATE AND LOCAL GOVERNMENT.●

BUT THE FEDERAL GOVERNMENT WILL ASSERT ITS MAXIMUM ROLE

UNDER THE CONSTITUTION TO FIGHT CRIME WITHIN ITS JURISDICTION.●

THE INCREASING ABUSE OF HARD DRUGS CONTRIBUTES

TO THE SOARING CRIME RATE. OUR FEDERAL RESPONSIBILITY IS CLEAR.

I HAVE DIRECTED ALL FEDERAL LAW ENFORCEMENT AGENCIES --

IN PARTICULAR, THE DRUG ENFORCEMENT ADMINISTRATION --

TO INTENSIFY THE DRIVE AGAINST MAJOR NARCOTICS TRAFFICKERS.

I AM SEEKING LEGISLATION FOR MANDATORY

PRISON SENTENCES FOR CONVICTED TRAFFICKERS IN HARD DRUGS.

THESE MERCHANTS OF DEATH DESERVE NOTHING LESS.

BECAUSE THE DRUG PROBLEM ALSO INVOLVES

OTHER NATIONS, I HAVE PERSONALLY CONSULTED WITH THE LEADERS

OF MEXICO, COLOMBIA AND TURKEY TO URGE STRONGER ACTION

TO CONTROL THE PRODUCTION AND SHIPMENT OF DRUGS.●

I HAVE ASKED THE CONGRESS TO INCREASE FEDERAL FUNDS

TO GET DRUG ADDICTS INTO TREATMENT AND OUT OF CRIME•

YOUR OWN PROGRAM IN MIAMI, KNOWN AS THE TREATMENT ALTERNATIVE

TO STREET CRIME, FUNDED BY L-E-A-A, IS AN EXCELLENT EXAMPLE

OF THIS CONCEPT AT WORK•

THE PROGRAMS I HAVE DISCUSSED ARE PART OF THE
FEDERAL EFFORT TO COMBAT CRIME. AS LONG AS CRIME
IS A NATIONWIDE PROBLEM, MY ADMINISTRATION IS DETERMINED
TO PROVIDE LEADERSHIP AND ASSISTANCE IN FIGHTING IT.

THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

IS VITAL TO THIS NATIONAL EFFORT. SINCE 1969, THE L-E-A-A
HAS GIVEN MORE THAN 153 MILLION DOLLARS IN FEDERAL FUNDS
TO FLORIDA TO FIGHT CRIME.

I HAVE ASKED THE CONGRESS TO CONTINUE L-E-A-A
THROUGH 1981. I REPEAT THOSE REQUESTS TODAY AND CALL
ON THE CONGRESS TO ACT RAPIDLY.

I CONTINUE TO URGE THE CONGRESS TO ENACT LEGISLATION
TO COMPENSATE VICTIMS OF FEDERAL CRIMES WHO SUFFER PERSONAL
INJURIES. THE MONEY WOULD COME FROM A FUND CONSISTING
OF FINES PAID BY CONVICTED FEDERAL OFFENDERS --
PROMOTING THE CONCEPT OF RESTITUTION UNDER CRIMINAL LAW.

LAWS TO COMPENSATE VICTIMS ARE ALREADY IN EFFECT

IN 17 STATES. I NOW WANT THE FEDERAL GOVERNMENT

TO SET AN EXAMPLE FOR THE OTHER 33 STATES.

WHILE MONEY AND TECHNICAL ASSISTANCE HAVE LIMITATIONS,

THEY CAN HELP OUR OVERBURDENED JUDGES, PROSECUTORS,

AND PUBLIC DEFENDERS. IF THE BLOCKAGE IN THE COURT SYSTEMS

IS BROKEN, CASES WILL FLOW MORE SWIFTLY THROUGH THE COURTS.

WE WILL COME CLOSER TO OUR IDEAL OF JUSTICE.

THIS WILL BRING NEW ORDER TO OUR SOCIAL STRUCTURE.

I BELIEVE IN AMERICA. AND I AM CONVINCED

THAT A UNITED AMERICA IS ONCE MORE GOING TO HAVE SAFE STREETS,

SECURE HOMES, AND THE DIGNITY AND FREEDOM FROM FEAR WHICH

IS THE BIRTHRIGHT OF EVERY AMERICAN.

TO SECURE THIS END, I HAVE MADE COMPREHENSIVE

PROPOSALS TO THE CONGRESS.

TODAY I CALL AGAIN FOR ACTION.

I APPRECIATE THE CHANCE TO MEET WITH SO MANY

FLORIDIANS WHO FOLLOW THE PROFESSION OF LAW.

IN DEFEATING CRIME, WITH CONCERN FOR THE VICTIM

AS WELL AS JUSTICE FOR THE VIOLATOR, FLORIDA CAN BE

A SHOWCASE FOR THE NATION.

I PLEDGE TO YOU AND TO ALL THE PEOPLE OF FLORIDA
MY UNRELENTING EFFORTS TO REDUCE CRIME IN FULL COOPERATION
AND CONSULTATION WITH YOU●

THANK YOU VERY MUCH●

END OF TEXT