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Office of the White House Press Secretary  
(Ft. Lauderdale, Florida)

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THE WHITE HOUSE

TEXT OF REMARKS BY THE PRESIDENT  
TO BE DELIVERED TO THE SOUTH FLORIDA CHAPTER  
FEDERAL BAR ASSOCIATION  
EVERGLADES ROOM  
THE EVERGLADES HOTEL  
MIAMI, FLORIDA

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 FBI 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 FBI 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 coldblooded 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.

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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. 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 nonpartisan 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 dangerous weapon, or who commit such grave offenses as aircraft 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 lawbreakers.

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.

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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. America still has the same prison capacity 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 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 assaults 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 united 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.

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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 LEAA, 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 LEAA has given more than 153 million dollars in Federal funds to Florida to fight crime. I have asked the Congress to continue LEAA 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.

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