

Undated: General: Crime

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APPROX. 1968-1972
NIXON ADMINISTRATION

SPEECH BY SENATOR DANIEL K. INOUE

OUT

CRIME

DURING THE LAST DECADE, THE CRIME
RATE IN OUR COUNTRY HAS SPIRALED TO FRIGHT-
ENING HEIGHTS.

OVER THE LAST TEN YEARS, YOUR CHANCES
OF BECOMING A VICTIM OF CRIME HAVE MORE THAN
DOUBLED. YOUR CHANCES OF BEING MURDERED HAVE
GONE UP BY 44 PERCENT. YOUR CHANCES OF BEING
ROBBED HAVE SOARED BY 146 PERCENT.

THESE STATISTICS SCARE. THEY CREATE A
NATIONAL HYSTERIA--A FEAR FOR LIFE AND SAFETY.

IN OUR CITIES AND

IN OUR CITIES AND THROUGHOUT OUR COUNTRY,
RISING CRIME HAS MADE US AFRAID TO TAKE A
LEISURELY EVENING WALK, AFRAID TO PLAN AN
EVENING PICNIC, AFRAID TO TAKE CHILDREN ON
HIKES.

WE ARE A FEARFUL PEOPLE. WE ARE
AMERICANS, WHO LEAD THE WORLD IN MILITARY
POWER AND YET INCREDIBLY MUST, OUT OF A
DESPERATE FEAR, RUSH HOME EACH NIGHT TO BAR
OURSELVES BEHIND TRIPLE LOCKED DOORS.

WE WHO FEARFULLY LIVE BEHIND BOLTED
DOORS ARE HARDLY

DOORS ARE HARDLY LIVING IN THE AGE OF
ACQUARIUS. WE LIVE RATHER IN A BYZANTINE
AGE OF FEAR.

ALL TOO WELL AWARE THAT OUR HEARTS
TREMBLE TO THE DRUM ROLL OF MOUNTING CRIME
STATISTICS, PRESIDENT NIXON, WHO ONLY A YEAR
AND A HALF AGO PROMISED US AN END TO LAW-
LESSNESS AND A RETURN TO STABILITY AND ORDER,
HAS POINTED A CASTIGATING FINGER AT THE
DEMOCRATIC CONGRESS AND TIME AND AGAIN LABELED
IT THE CULPRIT FOR FAILING TO ACT ON HIS 13
CRIME BILLS.

CRIME BILLS.

THIS CONGRESS HAS BEEN THE PRESIDENT'S
SCAPEGOAT FOR LONG ENOUGH. THE TIME HAS
COME TO SET THE RECORD STRAIGHT.

TO CLARIFY THE ISSUE, IT SHOULD FIRST
BE NOTED THAT THE ADMINISTRATION HAS
ADVOCATED A TOTAL OF 20 ANTI-CRIME PROPOSALS,
NOT 13. IT SHOULD ALSO BE NOTED THAT THE
SENATE HAS MOVED SWIFTLY AND FULLY TO PASS
13 OF THESE MEASURES. TIGHTENING OUR
GAMBLING AND DRUG LAWS, REORGANIZING OUR
COURT SYSTEM, AND

COURT SYSTEM, AND REVISING OUR CRIMINAL LAWS HAVE ALREADY BEEN ACCOMPLISHED. THE ADMINISTRATION'S RECOMMENDATION IN THE DIFFICULT AREAS OF PORNOGRAPHY AND BAIL REFORM ARE THE ONLY TWO THAT THE SENATE HAS YET TO ACT UPON. IT IS AROUND THESE TWO AREAS WHICH MOST CONTROVERSY STEMS. THAT SECTION OF BAIL REFORM WHICH DEALS WITH PREVENTIVE DETENTION, FOR EXAMPLE, RAISES SERIOUS CONSTITUTIONAL QUESTIONS. I, FOR ONE, HAVE DECIDED THAT PREVENTIVE DETENTION WHICH STRIPS AMERICANS

WHICH STRIPS AMERICANS OF THEIR BASIC
JUDICIAL RIGHT OF HABEUS CORPUS--THEIR RIGHT
OF "INNOCENCE UNTIL PROVEN GUILTY"--IS A
MOCK TO JUSTICE. THE SIMPLISTIC SOLUTION OF
PREVENTIVE DETENTION IS NO ANSWER TO THE
COMPLEX AND DEEPROOTED PROBLEM OF OUR RISING
CRIME RATE. IT IS NO SUBSTITUTE FOR SPEEDING
UP THE TRIAL PROCESS TO CUT THE DELAY BETWEEN
INDICTMENT AND TRIAL--THE DELAY DURING WHICH
MORE CRIMES MAY BE COMMITTED. IT CAN HARDLY
OIL THE WHEELS OF JUSTICE WHICH GRIND TOO
SLOWLY; BUT IT CAN

SLOWLY; BUT IT CAN WELL FUEL REPRESSION
AND THE BURNING FIRE OF DISCONTENT.

THE FIRM ACTION TAKEN BY THE SENATE
IN THE AREA OF CRIME CONTROL LEADS ME TO
SUGGEST THAT OUR PRESIDENT HAS ERRED IN THE
DIRECTION OF HIS FINGER POINTING. FURTHER,
I FIND HIS ASSUMPTION THAT THE CONGRESS
SHOULD ENACT ALL PIECES OF LEGISLATION HE
SENDS DOWN A BIT PRESUMPTUOUS. THE LEGISLATIVE
BRANCH WOULD BE NEGATING ITS MOST SOLEMN
RESPONSIBILITIES IF IT WERE TO ASSUME THAT
EVERY MEASURE THE

EVERY MEASURE THE EXECUTIVE BRANCH RECOMMENDS WILL MAKE A GOOD LAW. EQUALLY ERRONEOUS IS THE ASSUMPTION THAT HIS EVERY JUDGMENT IS SOUND.

IT IS A MATTER OF RECORD THAT TWICE THIS YEAR, MEMBERS OF HIS OWN PARTY HAVE REFUSED TO SUSTAIN THE PRESIDENT'S JUDGMENT ON LEGISLATION. I REFER HERE TO THE OVERWHELMING NUMBER OF VOTES THE CONGRESS WAS ABLE TO MARSHALL TO OVERRIDE BOTH OF HIS VETOES OF THE EDUCATION AND HEALTH APPROPRIATION BILLS. IN HIS

Bills.

IN HIS DISCUSSION OF CRIME, PRESIDENT NIXON HAS GIVEN THE IMPRESSION THAT THE FEDERAL GOVERNMENT, MORE SPECIFICALLY THE WHITE HOUSE, CAN SOLVE THE CRIME PROBLEM. OUR LAW ENFORCEMENT RECORD OVER THE LAST YEAR AND A HALF HARDLY SUPPORTS THAT CONTENTION. DURING THIS PERIOD, THE CRIME RATE, INSTEAD OF LEVELING MUCH LESS DECREASING, HAS CONTINUED TO RISE.

IN THE 1960'S, THE NUMBER OF SERIOUS
CRIMES IN OUR

CRIMES IN OUR NATION INCREASED BY 148 PERCENT WHILE THE POPULATION GREW BY ONLY 13 PERCENT. IN THE LAST DECADE, THE NUMBER OF VIOLENT CRIMES--MURDERS, RAPE, ROBBERY, AGGRAVATED ASSAULT--ROSE BY 130 PERCENT. AND THIS ALARMING TREND CONTINUES UPWARD.

IT SHOULD BE SAID, HOWEVER, THAT THE WHITE HOUSE WAS, IN A SENSE, HELPLESS IN HALTING THIS RISE IN THE CRIME RATE. THE HANDS OF THE WHITE HOUSE WERE TIED BY OUR CONSTITUTION WHICH PLACES THE POLICE POWER UNDER LOCAL AND

UNDER LOCAL AND STATE LAWS. TO THIS DAY,
LOCAL LAW ENFORCEMENT AGENCIES REMAIN, SO
TO SPEAK, OUR FRONT LINE OF DEFENSE AGAINST
THE SURGING CRIME RATE.

IT IS TRUE THAT THE FEDERAL GOVERNMENT
CAN APPROPRIATE MONEY FOR THE TRAINING OF
POLICEMEN. THIS HAS BEEN DONE. IT IS ALSO
TRUE THAT IT CAN APPROPRIATE FUNDS FOR
DEVELOPING AND DISSEMINATING INFORMATION ON
POLICE METHODS AND TECHNIQUES. THIS TOO HAS
BEEN DONE.

THIS YEAR, OVER

THIS YEAR, OVER \$900 ~~000,000~~ ^{MILLION} WAS
SPENT ON FEDERAL CRIME REDUCTION PROGRAMS.
DOLLARS Poured INTO CONTROLLING THE ABUSE
OF NARCOTICS AND DRUGS, REFORMING FEDERAL
PRISONS, AND EXPANDING CRIME INFORMATION
CENTERS. WE STEPPED UP FEDERAL ASSISTANCE
TO STATE AND LOCAL GOVERNMENTS FOR THEIR
LAW ENFORCEMENT PROGRAMS. WE PUMPED FUNDS
INTO COMBATTING ORGANIZED CRIME AND SENT
SPECIAL "STRIKE FORCES" CONSISTING OF TEAMS
OF ATTORNEYS AND INVESTIGATORS FROM KEY
FEDERAL AGENCIES TO

FEDERAL AGENCIES TO MOVE AGAINST ORGANIZED
CRIME IN METROPOLITAN AREAS. ~~HAWAII IS~~ ^{N.J.}

BUT ONE OF THE STATES DUE TO BENEFIT FROM THE
MULTIPRONGED ATTACK OF FEDERAL STRIKE FORCES
ON THE GRASPING TENTACLES OF ORGANIZED CRIME.

IS A CONGRESS WHICH THIS YEAR Poured
ALMOST A BILLION DOLLARS INTO STRIKING A
DEADLY BLOW AGAINST THE ENEMY CRIME, A "DO
NOTHING" BODY? IS A SENATE WHICH ACTED WITH
SPEED ON ALL OF THIS ADMINISTRATION'S CRIME
PROPOSALS, SAVE THOSE TWO WHICH POSE DIFFICULT
CONSTITUTIONAL QUESTIONS,

CONSTITUTIONAL QUESTIONS, AN UNCONCERNED
BODY? A FOOT DRAGGING BODY?

THE RECORD SPEAKS FOR ITSELF.

THIS CONGRESS HAS AGGRESSIVELY LED THE
ANTI-CRIME WAR.

THIS CONGRESS HAS ACTED TO DESTROY
THAT FEAR WHICH FORCES US TO FLEE BEHIND
THE SAFETY OF BOLTED DOORS EACH NIGHT AND
EVEN DURING THE DAY.

THIS CONGRESS HAS EVEN EXCEEDED THE
PROGRAMS AND INITIATIVES ORIGINATED AT THE
WHITE HOUSE.

WHITE HOUSE. I SPEAK HERE OF THE ADMIN-
ISTRATION'S LUKEWARM POSITION IN AN AREA
OF MAJOR IMPORTANCE--THE AREA OF GUN
CONTROL. THE ALARMING PROPORTIONS OF THIS
PROBLEM ARE EVIDENT IN THE NUMBER OF GUNS
ALREADY IN THE HANDS OF OUR CITIZENS. OUR
CIVILIAN STOCKPILE OF FIREARMS STANDS TODAY
AT ABOUT 90 MILLION. HALF OF THE NATION'S
60 MILLION HOUSEHOLDS OWNS AT LEAST ONE GUN.
AND THIS NUMBER IS RISING RAPIDLY. BOLSTERING
THIS RISE IS ANNUAL RIFLE AND SHOTGUN SALES
WHICH HAVE DOUBLED

WHICH HAVE DOUBLED IN THE LAST SEVEN YEARS
AND HANDGUN SALES WHICH HAVE QUADRUPLED.
IN HAWAII ALONE, OVER 72,000 FIREARMS WERE
REGISTERED IN THE LAST TEN YEARS. AND THIS
NUMBER DOES NOT EVEN INCLUDE ALL OF THE
RIFLES AND SHOTGUNS IN CIVILIAN HANDS.

THE WESTERN DRAMA OF "BANG YOU'RE
DEAD" HAS INCREASINGLY BECOME THE TRAGEDY
OF MODERN LIFE. THE FAST SHOOTING CRIMINAL
IS ALONE RESPONSIBLE FOR THE MAJORITY OF
INJURIES AND DEATHS IN OUR COUNTRY. IT IS
A DISGRACE THAT

A DISGRACE THAT OUR COUNTRY LEADS THE
INDUSTRIALIZED WORLD IN THE NUMBER OF
DEATHS AND INJURIES RESULTING FROM CRIME.

LAST YEAR, THREE OUT OF EVERY FIVE
HOMICIDE VICTIMS WERE KILLED WITH A GUN.
SINCE 1963, THE NUMBER OF DEATHS INVOLVING
FIREARMS HAS INCREASED BY 48 PERCENT WHILE
THE NUMBER OF HOMICIDES COMMITTED WITH OTHER
WEAPONS HAS RISEN BY ONLY 10 PERCENT.

LAST YEAR, SIX OUT OF EVERY 10
ROBBERY VICTIMS FACED THE END OF A GUN AS
THEY PARTED WITH

THEY PARTED WITH THEIR VALUABLES--VALUABLES
WHICH ALTOGETHER AMOUNTED TO \$86 MILLION.
AND EACH OF THESE VICTIMS FACED A FOUR TIMES
GREATER CHANCE OF LOSING NOT ONLY HIS WORLDLY
POSSESSIONS BUT MORE IMPORTANT HIS LIFE,
COMPARED TO VICTIMS WHO FACED KNIVES, CLUBS,
AND OTHER WEAPONS.

THESE CRIMES--RAPE, MUGGINGS, BURGLARY,
MURDER--WHICH WE HAVE BEEN DISCUSSING AND
WHICH CONCERN US MOST ARE OF A NEIGHBORHOOD
VARIETY. THEY ARE NOT OF AN INTERSTATE NATURE

AND, THUS, NOT

AND, THUS, NOT SUBJECT TO FEDERAL LAW.
FEDERAL LAW DOES NOT CONVICT THE RAPIST,
THE ASSAILANT, OR THE MURDERER. IT DOES
NOT CONVICT THE BURGLAR, UNLESS HE ROBS A
FEDERAL INSTITUTION OR BANK.

THE LOCAL NATURE OF THE CRIMES MOST
AFFECTING US MAKES ME SUGGEST THAT OUR STATE
LEGISLATURE PASS ADDITIONAL LAWS TO LOOSEN
THE STRANGLING CRIME RING WHICH THREATENS TO
SUFFOCATE US. TO THAT END I HAVE A FEW
MEASURES TO PROPOSE.

FIRST, I WOULD

FIRST, I WOULD SUGGEST THAT IF A GUN OR SIMILARLY DANGEROUS WEAPON IS USED IN THE COMMISSION OF A CRIME, AN ADDITIONAL PENALTY BE CHARGED THE FELON. IF, FOR EXAMPLE, A PERSON ROBS WITH A GUN, HE WILL BE SUBJECTED TO AN ADDITIONAL SENTENCE OVER AND ABOVE THE PENALTY PRESCRIBED FOR THE BASIC OFFENSE. THIS ADDITIONAL SENTENCE WOULD BE SUBJECT TO NEITHER PARDON NOR PAROLE. IF, AFTER SERVING TIME FOR BOTH THE ROBBERY AND THE ADDITIONAL GUN SENTENCE, THIS PERSON IS FOOLISH ENOUGH TO

FOOLISH ENOUGH TO AGAIN USE A GUN, HE
WOULD, IN ADDITION TO HIS NORMAL SENTENCE
ALSO AUTOMATICALLY RECEIVE A MINIMUM
MANDATORY GUN SENTENCE OF DOUBLE THE FIRST
IN LENGTH. IF HE PERSISTS IN WIELDING A
GUN, THE ADDITIONAL GUN PENALTY WOULD TRIPLE
IN LENGTH AND SO ON.

THIS LAW WOULD END THE PREVALENT
PHENOMENON OF A CRIMINAL COMMITTING FELONIES
WITH FIREARMS AND STILL GETTING EARLY PAROLES
OR EVEN PARDONS. THE VOLUMINOUS ANNALS OF
CRIME RECORD TOO

CRIME RECORD TOO MANY CASES OF CRIMINALS
WHO HAVE BEEN LET OUT ON EARLY PAROLE
ONLY TO AGAIN COMMIT A SIMILAR CRIME THIS
TIME ACTUALLY KILLING THE INNOCENT VICTIM.
HOW CAN WE JUSTIFY LETTING A PERSON WITH
THIS KIND OF RECORD OUT ON EARLY PAROLE?
THAT WE DID NOT THINK HE WOULD USE A GUN
AGAIN IS HARDLY AN ADEQUATE RESPONSE.

WHILE THIS LAW MAY NOT IN ITSELF SERVE
AS AN ENTIRELY ADEQUATE DETERRENT TO GUN
HAPPY LAWLESSNESS, IT WOULD PLACE SUBSTANTIAL
OBSTACLES IN THE

OBSTACLES IN THE CAREER OF A GUN WIELDING
CRIMINAL. KNOWING THAT THE USE OF FIRE-
ARMS IS ENOUGH TO SEND HIM AWAY FOR A
MANDATORY SENTENCE WOULD, I FEEL, KEEP A
PERSON FROM TAKING THIS STEP.

SECOND AND MOST DIFFICULT IS THE JOB
OF GETTING THE FULL INVOLVEMENT AND ACTIVE
COOPERATION OF EACH INDIVIDUAL IN UPROOTING
THE CANCEROUS SPREAD OF CRIME. EACH OF US
MUST, IN EFFECT, TAKE UP THE STANDARD TO
DEFEND THE SAFETY OF OUR STREETS AND THE
SECURITY OF OUR

SECURITY OF OUR HOMES. REPORTING CRIMES,
ASSISTING THE VICTIMS, SERVING AS
WITNESSES--THESE ARE OUR DUTIES.

WE SHOULD NO LONGER HEAR OF CASES
WHERE CRIES FOR HELP HAVE GONE UNANSWERED.
INDIFFERENCE AND NON-INVOLVEMENT ARE HARDLY
THE TOOLS OF CRIME CONTROL. THEY SERVE ONLY
TO FURTHER NURTURE ITS SPREAD.

AS A FORMER PUBLIC PROSECUTOR, I KNOW
HOW DIFFICULT IT IS TO PREPARE A CASE WHEN
CITIZENS REFUSE TO APPEAR AS WITNESSES. HERE

AGAIN PEOPLE JUST

AGAIN PEOPLE JUST DON'T WANT TO GET INVOLVED.
THEY DON'T WANT TO GIVE UP WORK TIME AND
POSSIBLY EVEN INCOME TO PARTICIPATE IN A
TRIAL WHICH MAY GO ON FOR WEEKS. AND THEY
MAY FOR GOOD REASON BE FRIGHTENED BY THE
THREAT OF POSSIBLE RETALIATION. YET, IF OUR
STREETS ARE TO BE SAFE AT NIGHT AND IF OUR
HOMES ARE TO BE OPEN AND YET SECURE, THEN
EACH OF US MUST ASSUME PART OF THE BURDEN OF
DEFENDING THIS SAFETY.

TRUE, THE GOVERNMENT CAN LESSEN THE
BURDEN EACH MUST

BURDEN EACH MUST BEAR FOR THIS DEFENSE.
AND IT SHOULD. IN THIS REGARD I WOULD
SUGGEST THAT WE FURTHER COMPENSATE
WITNESSES, WHO MUST INTERRUPT THEIR PERSONAL
LIVES TO SERVE IN TRIALS, FOR THE TIME THEY
GIVE. I WOULD ALSO SUGGEST THAT WE ADD A
NEW SECTION TO OUR CRIMINAL LAWS IMPOSING
A MINIMUM MANDATORY SENTENCE ON ANY PERSON
WHO THREATENS A WITNESS. HOW CAN WE EXPECT
THE COOPERATION OF ANY CITIZEN IF WE ARE
UNWILLING TO PROTECT EACH FROM PERSONAL HARM?

THE RECORD IS CLEAR.

THE RECORD IS CLEAR. THE PATH AHEAD IS LONG. A DRIVING ATTACK ON CRIME TO ITS VERY GROIN REQUIRES OUR TIME, INTEREST, COOPERATION AND RESOURCES.

WE IN CONGRESS REALIZE THAT WE CANNOT GET RID OF CRIME ON THE CHEAP. HOWEVER, WHATEVER THE COST OF CRIME CONTROL IT CAN BE NO HIGHER THAN THE INCREDIBLE PRICE OF 14,590 MURDERS, 297,580 ROBBERIES AND 1,949,800 BURGLARIES WE PAID TO CRIME JUST LAST YEAR.

CRIME OF ANY PROPORTIONS WHICH SUCCEEDS
IN EMASCULATING US

IN EMASCULATING US INTO A COUNTRY OF FEARFUL
PEOPLE IS A NATIONAL DISGRACE. AND THERE
IS ONLY ONE WAY TO HANDLE SUCH A DISGRACE--
THAT IS TO MARSHALL ALL FORCES TO ELIMINATE
ITS SYMPTOMS, ITS CAUSES...ITS VERY EXISTENCE.