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UNITED STATES OF AMERICA

2

DEPARTMENT OF JUSTICE

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AN ADDRESS BY

8

THE HONORABLE GRIFFIN B. BELL
ATTORNEY GENERAL OF THE UNITED STATES

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BEFORE

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THE ATLANTA METROPOLITAN CRIME COMMISSION

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FRIDAY, OCTOBER 20, 1978
ATLANTA HILTON HOTEL
ATLANTA, GEORGIA

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25P R O C E E D I N G S

CONGRESSMAN FOWLER: My former Sunday school teacher, Judge Bell, former colleagues, Mayor Jackson and Bob, and all friends, I just want to take 30 seconds to say I'm honored to be a part of honoring the men and women in blue, and that I don't think you will ever know how much you owe today to the men and women who are our police officers.

I was on the Police Committee of the Board of Aldermen for four years before going to Washington, and I just want to remind you that in addition to the traditional role of law enforcement that we ask these men and women to uphold, we are now asking them to be psychiatrists in reconciling domestic disputes, we are asking them to be social workers in tracking down our lost children, we are asking them to be drug experts; we are even -- and I know Judge Bell would agree with me -- asking them to be Constitutional lawyers, having the latest decisions on search and seizure in their minds before assuming their duties every day.

We owe them a tremendous debt of gratitude, and I am very pleased, as just one representative of the public sector, that all of our communities have come together to pay this long overdue tribute, on a continuing basis, to these people who do society's dirty work for ourselves.

Thank you very much.

(General applause)

1 CHAIRMAN: Thank you, Congressman Fowler.

2 It is now my great pleasure to introduce to you
3 our principal speaker and honored guest, a leader in our
4 national Government, and a leader in our State and city
5 before he was summoned to Washington as a Member of the
6 President's Cabinet.

7 Judge Griffin Bell is a native Georgian, as you
8 all know; he was born in Americus, the county seat of Sumter
9 County, now better identified as on the outskirts of Plains.

10 He's a cum laude graduate of Mercer University Law
11 School, and has served his State and nation with great dis-
12 tinction, with honor and with dedication.

13 Early in his career, as Special Counsel to the
14 Governor of Georgia in the early 1960's, Griffin Bell played
15 a crucial role in preserving public education during that
16 most difficult period. But it was during his long and dedi-
17 cated service on the United States Court of Appeals for the
18 Fifth Judicial Circuit, that he became so well-known for his
19 judicial courage, forthrightness, and strong commitment to
20 the principles of justice, mercy, human dignity and equality
21 before the law.

22 For fifteen years, he served on the Fifth Circuit
23 bench, writing more than 500 signed and published opinions,
24 many of them dealing with major questions of highly sensitive
25 and political significance. Judge Bell's hand was at work

1 in such momentous decisions as those knocking down Georgia's
2 county-unit system of elections, and the decisions requiring
3 fair and equitable treatment in the reapportionment of
4 legislative and Congressional seats.

5 During his service on the Federal bench, Judge Bell,
6 in 1965, was appointed by then-Mayor Ivan Allen, Jr., of
7 Atlanta, as Chairman of the Atlanta Commission on Crime and
8 Juvenile Delinquency, which took on the assignment of identi-
9 fying the root causes of crime in our Metropolitan area,
10 and recommending ways of dealing with the ever-growing prob-
11 lems of crime and delinquency.

12 Among the recommendations of the Bell Commission,
13 as it was then known, was the creation of a permanent, inde-
14 pendent Citizens Crime Commission to serve as an informa-
15 tional, educational, watchdog agency. The premise of the
16 Bell Commission was that an informed, law-abiding citizenry
17 is the key to reducing and controlling crime.

18 The result of that Commission's work was today's
19 Crime Commission, which seeks to carry out the objectives
20 of the Bell Commission. So this occasion, then, has an extra
21 special significance for us.

22 Judge Bell's accomplishments in the field of juris-
23 prudence are much too numerous to recite. Let me just note
24 that he served as a member of the Board of Directors of the
25 Federal Judicial Center, providing leadership in developing

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1 systems and procedures for improving efficiency in our
2 courts.

3 He served as Chairman of the Task Force appointed
4 by the American Bar Association and the Chief Justice of
5 the United States, to develop systems for the more effective
6 delivery of justice.

7 So when Jimmy Carter was elected President, he
8 obviously needed an Attorney General with a solid background
9 in law, and he turned immediately, and correctly, to Judge
10 Griffin Bell. Griffin Bell's calm, firm leadership has
11 brought renewed confidence in the Department of Justice, and
12 he has moved quickly and effectively to reorganize the
13 Department and to upgrade the standards of conduct and pro-
14 fessional performance by our top Federal law enforcement
15 agencies.

16 He also provides important support and counsel to
17 the President as one of his most valued advisors.

18 Ladies and gentlemen, may I present a man of the
19 times, and of all times, the Attorney General of the United
20 States, the Honorable Griffin B. Bell.

21 (General applause)

22 ATTORNEY GENERAL BELL: Thank you very much.

23 Chairman Redfern, Chairman Kimball, Mayor Jackson,
24 Congressman Fowler, ladies and gentlemen, and distinguished
25 guests -- I saved that for last because the police officers

1 here are the distinguished guests, and I bow to no person being proud of
2 the Atlanta Police Department, and the Mayor has already
3 asked you to stand; I'd now like to ask all other police offi-
4 cers who are here from the Greater Atlanta Area to stand.

5 (General applause)

6 ATTORNEY GENERAL BELL: I want to thank Bob Redfern
7 for the warm introduction; it was one of the best I've
8 heard in a good while, Bob. We don't get too many like that
9 in Washington.

10 I want to say a word about Wyche Fowler. Wyche
11 has been a great help to me in Washington, and I'm sure that
12 he's in the same shape that I'm in -- I never thought that
13 I'd be dealing in foreign intelligence of the nation. I
14 didn't know the Attorney General had anything to do with it,
15 but when I first got to Washington, I found out that the
16 foreign intelligence and counterintelligence, and the CIA
17 and FBI were the subject of news stories every day, mostly
18 complaining about something that happened seven or eight or
19 ten years ago.

20 I'd grab the morning paper, upon seeing a headline,
21 and then I'd see that it happened in 1962, 1964.

22 Well, we came to the conclusion that we had to do
23 something about foreign intelligence to cause the American
24 people to have more confidence in the system, and what we
25 did was introduce and pass something call the Foreign

IHD 1 Intelligence Surveillance Act, which means that in the
2 future we'll be able to go to court, to a special Federal
3 court, to get court orders before engaging in some types of
4 surveillance.

5 Now, this will bring the third branch of the
6 Government -- the courts -- a branch in which the public has
7 great trust--into the system, and I think it will make the
8 system a great deal stronger.

9 I mention that today because of the fact that when
10 Wyche came to the Congress, his first assignment was to the
11 new House Intelligence Committee. We have a special Commit-
12 tee on Intelligence, or Select Committee, it's called, in
13 the House and Senate, and Wyche was a great help in having
14 this legislation passed.

15 One of my people told me one day while it was
16 being debated in the House that one of the finest speeches
17 made was by Wyche Fowler. I called him to thank him, and
18 he said:

19 "Well, it was hard to do. I'm a freshman,
20 and I stayed out as long as I could stand it, but I
21 finally waded in."
22 and that's the kind of support that we need, and it's the
23 kind of activity that helps our country.

24 And thank you, Wyche.

25 (General applause)

1 And I want to say one other word about something
2 here on a more personal, Atlanta level, and this has to do
3 with the Mayor.

4 Doctor Lee Brown is a person that I recruited more
5 than a year ago to take a high position in the Justice
6 Department. We were waiting on this position to open, and
7 he came by to see me one day and he said that he was think-
8 ing about withdrawing his name, because he had been to
9 Atlanta, where Mayor Jackson had interviewed him about becom-
10 ing Commissioner of Public Safety, and he wanted to get my
11 advice on it.

12 And I said:

13 "Well, I have an ambivalent feeling. As
14 much as I like the Justice Department, I think I like
15 Atlanta more, and maybe you'd better give serious con-
16 sideration to going to Atlanta."

17 So I told the Mayor that I have no doubt that Lee
18 Brown would succeed. If he does not succeed, he's the Mayor's
19 man; if he does succeed, he's my man.

20 Wyche has been in Washington not quite as long as
21 I have been there, but almost the same time, and I think we
22 are now probably in Phase II in Washington. Phase I I used
23 to describe with a story a lot of you have heard me tell many
24 times, and I had to stop telling it because the President
25 appropriated it and told it on national television, and I had

1 to stop telling it, and that was that, explaining what shape
2 Washington was in when we got there.

3 It's a story of a man who was charged with being
4 drunk and setting the bed on fire, and he said:

5 "Your Honor, I plead guilty to being drunk,
6 but the bed was on fire when I got in it!"

7 That was Phase I. It's pretty hard now to say
8 anything about the problems we inherited. You know, we've
9 been around there a good while, and we've had to deal with
10 them, and a lot of them are becoming our problems. So
11 Phase II, I think, can be best told by Bill Moyer's story
12 that he likes to tell, about the Territorial Governor of
13 Nevada, who wrote back to Washington, explaining what things
14 were like in Nevada, and he said:

15 "It is hard to be a Christian here, and I
16 did not remain one long."

17 I hope we're not getting in that shape, but we
18 have been around Washington nearly two years now. That's
19 not to knock Washington. I've learned not to do that.

20 I've had some unusual experiences since I became
21 Attorney General. I have 3,800 lawyers, and we had this case
22 in the Supreme Court called the Snail Darter Case; we had
23 lost it in the lower court, and it involved the Tellico Dam
24 up in Tennessee, and I told the Solicitor General to find
25 some case for me to argue in the Supreme Court. The Solicitor

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1 General argues most cases with people on his staff, but the
2 Attorney General can take such cases as he wants to argue.

3 So he told me he thought I'd enjoy arguing the
4 Snail Darter case, and I looked it over, and it looked like
5 a winner to me. I didn't want to lose the case. You know,
6 I could have sent another lawyer to lose.

7 Well, you all know the answer: I lost the case. I
8 managed to lose it. They told me it couldn't be lost, but I
9 lost, 6 to 3.

10 One of the other interesting things we had to
11 happen, and this didn't really happen to me personally, but
12 they had a man working over at the Department of Transporta-
13 tion, who stole \$850,000. The money was destined for Atlanta,
14 to help build a rapid-transit system. He -- I want to tell
15 you what he did with the money, because it's very interest-
16 ing, has a lot to do with white-collar crime.

17 He bought ten automobiles, one houseboat, and one
18 topless go-go bar! Unfortunately, the go-go bar was across
19 the street from the FBI.

20 We arrested him, confiscated his property, ended
21 up with a go-go bar. We had a hard time selling that; also
22 had a hard time keeping Justice Department employees out of
23 it. Finally sold it, whereupon the lead dancer quit. She
24 said she would not work for another employer.

25 Well, I think maybe I ought to talk about something

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1 serious today, and I'll just tell you a little something
2 about what we're doing about preventing crime and detecting
3 crime.

4 The main duty of the Attorney General, according
5 to the United States Code, is to investigate and prosecute
6 crime. That is the sole authority of the FBI; we're trying
7 to get a new charter for the FBI that goes into more detail
8 about what they're supposed to do, but that's our business.

9 We have 55,000 people in the Department of Justice;
10 20,000 in the FBI, and that includes 8,000 special agents,
11 800 of whom are accountants. And 4,000 people in the Drug
12 Enforcement Administration, and that's our investigative
13 team.

14 There are 10,000 people in the Justice Department
15 who are sort of off on the side, and that's the Immigration
16 and Naturalization Service. They are part of the Department;
17 they were transferred there just before World War II started.
18 It was an agency that had been in the Labor Department, had
19 been in the State Department and had been in the Treasury
20 Department.

21 But everything else other than the INS is dedicated
22 to investigating crime and prosecuting crime, or representing
23 the Government in civil suits, bringing suits on behalf of
24 the Government or defending the Government.

25 So today I want to just talk about the crime side.

1 President Carter told me, just after he asked me to serve
2 as the Attorney General, that he wanted me to get up a new
3 approach to the control of crime, and I thought about it a
4 good bit, talked to some of my top people, and we came up
5 with this approach.

6 We decided that we could not do everything. It
7 would have to depend on State and local law enforcement --
8 95 percent of all law enforcement is at the hands of State
9 and local forces. So we have a very narrow role to play.

10 Taking that concept, we started thinking about
11 what we could do best, and what the need was. What should
12 the FBI be doing? What can they best do? What needs to
13 be done that no one else can do?

14 We then had to set priorities, after we decided
15 what those needs were, and then we had to design a system
16 to accomplish those priorities.

17 We designated four areas of criminal activity for
18 Federal priority.

19 Number 1 priority is not crime, in a sense; it's
20 counterintelligence. We'll take that first. The FBI has a
21 great role -- the only role in our country in counterintelli-
22 gence.

23 Then we moved to crime, and we decided the greatest
24 need was white-collar crime, and organized crime. White-
25 collar crime includes what we'd call "program fraud." In

THD 1 Washington, everything is said in a polite way, because you
2 don't want to offend anyone. But what program fraud means
3 is that you're stealing from the Government. And when I
4 started saying that, it was a shock; it caused shock waves
5 for anybody to be so plain in language.

6 Then right behind those two -- organized crime and
7 white-collar crime--comes public corruption. Now, that ought
8 to be handled by local law enforcement, but oftentimes it
9 is not. We have some 800 public corruption investigations
10 going now. You'll see in the paper from time to time where
11 we send public officials to the penitentiary; some are
12 Federal, in high places, some are State, some are local, but
13 they all fall under the head of public corruption.

14 And then the fourth is narcotics trafficking. We
15 feel that we have no role in small narcotics matters, possess-
16 ion matters, those sorts of things; that's left for local law
17 enforcement, State law enforcement.

18 But we do have a heavy responsibility in traffick-
19 ing, particularly as to narcotics brought in here from other
20 countries, and as they move throughout the country.

21 Now, criminal activity in these four areas, we
22 think, does incalculable damage on a national scale. There
23 are crimes that local law enforcement agencies often do not
24 have resources to combat. They require multi-district juris-
25 diction, and interagency coordination that is more accessible

1 to the Federal authorities.

2 I've centralized authority for overseeing all of
3 these activities in the second-ranking person in the
4 Department of Justice, the Deputy Attorney General, Ben
5 Civiletti. Ben works very closely with Director Webster,
6 the new head of the FBI, and Peter Bensinger, who's the head
7 of the Drug Enforcement Administration, and who was selected
8 by President Ford, and was a good person and we've kept him
9 in that position.

10 We are trying to bring those two agencies together
11 on a working basis. Not a merger, but on a working basis;
12 DEA probably at an early date will bring in as a Deputy a
13 person who has been trained by the FBI. They are working
14 some joint task force operations now; the DEA has decided
15 that they don't have the forces or the facilities or people
16 to handle many of the more intricate type investigations that
17 the FBI can do, such as money trails.

18 There's a lot of money in narcotics trafficking,
19 so if we're working together -- and I'm pleased at the way
20 the two groups are working together.

21 There are more than 100 different Federal agencies
22 involved in law enforcement, in one degree or another, so
23 before we get to working with local and State law enforcement
24 we have to get our own house in order.

25 Ben Civiletti is working with the President's reorg-

1 anization project to insure that all the Federal resources,
2 these 100 or more agencies, are used effectively without waste,
3 without overlap, and without conflict.

4 The common denominator in these four priority areas
5 I've named is that they make a lot of money for the criminals
6 involved. If you don't get caught, crime seems to pay, and
7 pays well. One of these days I'm going to move into another
8 phase, and that's going to be to take all the money. We can
9 take a lot of it now under the Rico statutes, but you
10 shouldn't be able to retain any profit from crime.

11 Crime as a commercial enterprise reaches into many
12 parts of our lives, and it costs every one of us -- each one
13 of us -- money. It damages our nation, by weakening our
14 economy, by threatening the integrity of our public officials,
15 and by threatening the effectiveness of our institutions.

16 To meet the challenge of the new breed of criminal
17 entrepreneur, the Government must expand the ranks of those
18 who are highly trained in investigating sophisticated finan-
19 cial transactions. As I said, the FBI now has 800 accountant
20 investigators; we're working to recruit more, and to retrain
21 other investigators in this area.

22 However, merely increasing the number of investi-
23 gators and auditors will not suffice. The Department of
24 Defense, for example, has over 4,000 investigators, and 6,000
25 auditors. It is still a prime victim of serious fraud and

1 abuse. Of more importance -- far more importance -- is the
2 investigator's skill and expertise. Experience has demon-
3 strated that to handle sophisticated economic crimes, investi-
4 gators have to possess the ability to penetrate complex
5 schemes, reconstruct intricate financial transactions, and
6 follow logical audit trails.

7 One of our most effective tools has been to utilize
8 and expand the "strike force" concept, to set up teams of
9 agents and experts from several different agencies, each
10 with special investigative skill, in areas such as tax,
11 securities dealings, fraud schemes and labor racketeering.
12 We're using such teams to carry out a number of important
13 investigations, such as the current investigation of the GSA.

14 Also our investigation in the frauds in the Health,
15 Education and Welfare area, particularly in the area of
16 Medicaid and Medicare fraud.

17 In addition to the strike-force approach -- we've
18 stabilized that concept; it was in doubt when I got there.
19 The previous Administration was thinking of doing away with
20 the concept; I have decided to keep strike-forces, and we've
21 added two more already. That doesn't mean that they are
22 additional United States Attorneys' offices; that was a prob-
23 lem. They are not parallel U. S. Attorney's offices, they
24 are strike-forces. They work with the United States
25 Attorneys, and we're not having any problems.

1 We have 95 United States Attorneys' offices; in 29
2 we have recently set up economic crime units -- people who
3 are really specialists in investigating and solving economic
4 crimes.

5 I've said that we have the FBI and DEA working
6 together; we have the FBI and the U. S. Attorneys' offices
7 working together better than ever before. We have a Public
8 Integrity Section which was set up under President Ford and
9 Attorney General Levi, to handle these public corruption
10 cases, and we have expanded that. We kept it and expanded
11 it.

12 Congress has just passed a law creating -- I don't
13 know, how many, Wyche?--15 or 20 Inspector Generals offices
14 in agencies. We had two already, one in HEW and one over at
15 the Energy Department. We'll in a few days probably get an
16 Executive Order from the President directing the Justice
17 Department to help set these Inspector General offices up,
18 where they have their own inspectors and auditors, and set
19 up a coordinating council between them and between us.

20 I think this is going to be a big help. We are
21 learning a good deal in the GSA investigation about the
22 approach we ought to take.

23 Then we are trying to better train our lawyers.
24 We have set up a Trial Advocacy School at the Department;
25 we're expanding the number of days that you attend. There

1 was one there already, but it was just for Assistant U. S.
2 Attorneys; we expanded it to include all of our lawyers who
3 try cases, and within six months or so, I expect to have it
4 modeled exactly like the best trial advocacy school in our
5 country, which is the National Institute for Trial Advocacy.
6 I interviewed a person yesterday to bring in, to head that
7 up, and to be the liaison between me and the U. S. Attorneys
8 of the country.

9 Lastly, in this approach, is better coordination
10 of Federal, State and local governments. We have a complex
11 form of government; we call it "Federalism." But it's three
12 levels of government any way you cut it, and someone has
13 to give leadership to coordinating these three levels of
14 government.

15 I perceive that to be the responsibility of the
16 Federal Attorney General. I've taken on that task, and I
17 started out by meeting with the State Attorneys General, and
18 we now meet with them on a quarterly basis. I have all the
19 U.S. Attorneys meeting with the State prosecutors on the local
20 level, FBI works with the local police and with the State
21 police.

22 We're pulling all that together, and then we will
23 divide the work. We'll decide who can do what best. We are
24 already in the process of doing that; there was a good deal
25 written lately that they thought the FBI had gone out of the

1 bank robbery business. Well, we hadn't gone out of the bank
2 robbery business, but there are many local police forces who
3 have bank robbery squads. If they can handle the bank rob-
4 beries as well as the FBI, then the FBI would be better off
5 doing something else.

6 We did reduce the financial budget for bank robber-
7 ies by 11 percent. That's a very small
8 decrease, and we'll more than make that up by this new
9 approach we're taking. We're far from going out of the bank
10 robbery business; by coordinating the local, State and
11 Federal effort, we may even do a better job, but we did point
12 out that three times as much money is lost by banks and
13 savings and loans in inside fraud than is lost by robberies,
14 and we need to work, of course, on both.

15 Now, you might say: what are we doing to help local
16 police? As you know, since 1969 we've had an agency called
17 the Law Enforcement Assistance Administration. It's in the
18 Department of Justice, it's spent in the billions, and I
19 would hate to hazard a guess as to how much of it has been
20 waste -- pure waste. A great portion of it goes to overhead;
21 not so much our overhead -- we had 800 employees there when
22 I came in and I reduced it to 600.

23 The waste is on the State and local level, as near
24 as I can see. We are reorganizing that, and we expect to
25 take the fat out, and that more money will go for the police

1 effort than has ever gone before, on our plan. The Congress
2 will be considering our reorganization; we'll break it up
3 into three parts. One will be the grant part, just as they
4 have now; you can have all the planners you want, in Atlanta
5 or anywhere else, so long as you pay half of it. That's our
6 new system; we won't be able to pay you for all the people
7 you can find anymore, but we're going to spend our money on
8 the police effort and law enforcement effort.

9 Then we'll have a new Bureau of Statistics, where
10 we'll have a national collection of statistics, and we'll
11 know really what the law enforcement problem is in the country
12 for the first time, so we can coordinate it. We don't have
13 that today.

14 And then we'll have a National Institute of Justice,
15 which will be doing research, and not only research, but once
16 something we think ought to be tried, we'll be able to go and
17 try it. We'll have the money to try it out.

18 So that's the three parts, and I think it's going
19 to work very well indeed.

20 There are just two other things I want to mention,
21 just for a minute on each one.

22 You'd be interested to know, because the Justice
23 Department is your Justice Department, that I do now have it
24 reorganized, and we've made it into an independent place in
25 the Government, as much as you can, given the fact that the

1 President has a duty, under the Constitution, to faithfully
2 execute the law. He told me to make it as independent as I
3 could.

4 We've made it neutral. To have law in a country
5 dedicated to equal protection of the law, and equality under
6 the law, the law has to be neutral; everyone has to be
7 treated the same. We have made the Justice Department into
8 a neutral zone in the Government.

9 I copied what happened in England when they had a
10 Watergate, in 1924. The word got out that some member of the
11 Cabinet in the MacDonald government, had tried to influence
12 the English Attorney General as to a prosecution. The English
13 have such a high regard for the law that the government fell,
14 and I had Professor Meador, whom I brought in from the
15 University of Virginia Law School, study all that, and we
16 came up with a system somewhat like that, which I won't take
17 the time to detail. I detailed it about three weeks ago to
18 the lawyers in the Department, in the Great Hall, but I can
19 assure you that we are a neutral place now, and that it's
20 very difficult, and will be in the future, for anybody to
21 make even an improper approach on the Department of Justice,
22 much less have influence there.

23 The last thing I wanted to say is about our country.
24 We've been through some hard times in the last 15 or 20 years,
25 in the sense that we have been disturbed. A lot of things

1 that we used to do, we don't do any more. We had to go
2 through the civil rights revolution of the 1960's, and that
3 took some adjusting, but it also took -- the people who run
4 the Government--it took their minds off of running the
5 Government. They got off on an issue.

6 That was followed immediately by the Vietnamese war,
7 and that was followed by the Watergate. So we went through
8 about 15 years in Washington where no one was looking after
9 the store, so to speak. We were just dealing in these great
10 issues.

11 The great issues have now, I think, been resolved,
12 and we've moved to a period of time where the Government is
13 coming under management, and if I had to describe what we in
14 the Carter Administration are doing, and what I'm doing at
15 the Department of Justice, I would say that we are "fine-
16 tuning" the Government, after a long period of neglect, and
17 that I think that as the days and months go by, you'll be
18 seeing -- you'll be having more pride in your country, in
19 your Government, and you'll think it's running better than
20 it's run in a long, long time.

21 It's a pleasure to be with you. Thank you.

22 (General applause)

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