



# Department of Justice

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ADDRESS OF

THE HONORABLE RICHARD G. KLEINDIENST

ATTORNEY GENERAL OF THE UNITED STATES

BEFORE THE

ASSOCIATED CONTRACTORS OF OHIO

CLEVELAND, OHIO

JANUARY 13, 1973

As contractors, you have taken special amusement at stories about the man who paints himself into a corner or builds a boat in his basement with no way to get it out. When you build a house you get the roof on as early as possible so the inside men can still do their work when it rains. You put in the plumbing and the wiring before you plaster the walls.

These things are elementary in the construction business. Your profession learned long ago that a contracting job must be approached from an overall standpoint, defining the entire scope, identifying the major problems, getting started on the most difficult jobs first, and establishing a priority of tasks to make the most efficient use of your manpower and material. And it might be said that when a structure fails it is because one or more important factors were forgotten. I'm sure that when the Tower of Pisa began to sink on one side, somebody asked the builders, "Why didn't you test the ground?"

But while this systematic approach is taken for granted in contracting and engineering, it has always surprised me that it is so little used in other fields. In particular, when Government grows too large there is a danger

that its left hand will not know what the right hand is doing. It may have all the capabilities needed to solve a problem, but it is unable to marshal them effectively.

These were the real problems to be faced when Attorney General John Mitchell and the others who were to lead the Justice Department gathered in Washington early in 1969.

What was obvious to all was that a crisis of lawlessness had overtaken the United States in the 1960's. From 1960 to 1968 serious crime had increased more than 120 percent, and was still increasing. So far as specific Federal jurisdiction was concerned, organized crime was expanding its power and the narcotics traffic was approaching epidemic proportions.

In some of the more subtle but equally harmful threats to American society, the situation was ominous. A rash of conglomerate-type mergers was posing a new danger to economic competition, and no legal weapon had been forged against it. Similarly, despite the passage of environmental laws in the 1960's, pollution was rampant and strong legal remedies had not been found.

Other areas of Justice Department concern also demanded national leadership. Mob violence was increasingly employed to achieve political

ends, thus threatening to undermine the institution of government in the United States.

Many people believed that the rule of law in the United States was approaching a breakdown.

President Nixon had an answer for this threat. "Let us resolve," he said, "that the wave of crime and violence will not be the wave of the future in America."

As we planned our attack on these critical problems, we believed that the Government did have most of the capabilities it needed, and where it did not, that we could get those capabilities through acts of Congress. The real problem was to sharpen and mobilize these capabilities in an overall, concerted attack. In other words, we took the contractor's approach to the crisis that we faced.

We brought together all Cabinet heads whose departments had the necessary enforcement tools and created the National Council on Organized Crime. This included, for example, the Treasury Department with its Internal Revenue Service, which was able to give special attention to the tax returns of organized crime figures.

This cooperation between departments was vigorously applied at the working level, and was expanded to include Strike Forces in 18 major cities

across the country. And whereas the court-authorized wiretapping which Congress had provided was never applied by the previous Administration, we began using it with special reference to organized crime and narcotics cases.

The same kind of mobilization and concerted attack was carried out in the war on drug trafficking, with the additional factor of making this problem a subject of our foreign policy.

In the antitrust field we believed that the anti-competitive aspect of the conglomerate-type merger should and could be stopped. We worked out a legal strategy and we went to court with it.

In the field of pollution enforcement, we doubled and redoubled our criminal actions under the Refuse Act. But more important, we launched the use of civil injunction proceedings under this Act, with some very large companies and agencies numbered among the defendants.

In short, we took a leaf from the contractor's book, we tried to identify all aspects of the problem, and we marshalled all the appropriate capabilities of Government to solve it.

Now, what have been the results?

As is customary at this time of year, I met with the Washington press corps a week ago to report on our accomplishments for the year. This time

it was especially significant, for it came at the end of President Nixon's first term in office.

I would like to go over some of these major achievements with you, to show what has been done and what can be done by taking the contractor's approach to the crisis of lawlessness in the United States.

In four years' time we have cut very deeply into the ranks of the underworld. In 1972, according to statistics from our Organized Crime and Racketeering Section, we won convictions against 768 organized crime figures. This makes a total of more than 2500 underworld figures--including a number of bosses and under-bosses in major cities across the country--convicted during President Nixon's first term.

You can get an idea of the impact of these convictions from the estimate in 1967 by the President's Crime Commission that there were "5,000 or more members of organized crime's core groups." Many of those convicted have been associates rather than actual members of organized crime families, but this figure still gives at least some frame of reference showing the effectiveness of our war on the racketeers.

We are going to keep up this offensive until the power of the underworld bosses is broken and organized crime is no more than a minor irritant in American society.

In another war--the war on drug traffickers--the results have been even more spectacular. In 1972 our Bureau of Narcotics and Dangerous Drugs

seized more than twice as much heroin and secured more than twice as many convictions of traffickers than in 1971. In both cases these are record figures by a wide margin. In addition, the Office for Drug Abuse Law Enforcement, created by President Nixon in January 1971 to cooperate with State and local authorities, accounted for the arrest of more than 4000 alleged drug pushers, while BNDD arrested more than 5500 suspects in the same year.

Much of this coordinated effort has been aimed at the international trafficking rings which attempt to bring hard drugs into the United States. The cooperation which the Nixon Administration has won from foreign governments is unprecedented.

As a result of this total war on narcotics, a shortage of heroin has been created for the first time in major Eastern cities. This shortage was first apparent in New York and Washington about a year ago, when the price of heroin went up and the quality went down. It has since spread to the other major cities on the East Coast, from Boston to Miami, and into the Midwest as far as Chicago. This includes shortages reported in major cities of Ohio.

Now, what does this shortage mean in terms of our war against narcotics? It means that we are accomplishing a major objective in reducing the supply of heroin available to addicts and would-be addicts. This has had the effect of forcing many more addicts to come to the treatment centers, where we can start to rescue them from the vicious cycle of addiction and

crime. It also means that fewer would-be addicts will get started in the terrible habit.

Recent indicators in Washington, D. C., for example, suggest that the number of heroin addicts has dropped dramatically.

As you know, there are still voices which call for the legalization of hard drugs in this country. This idea has been advanced for many years on the ground that strict enforcement has not worked. I wish to say that this argument is losing much of its force, because for the first time we are proving that enforcement does work. We have not yet won the war, but we now have the enemy in retreat. We will keep up our offensive until we drive the last of the major narcotics rings out of business.

Let me turn to some other aspects of Federal enforcement.

In the antitrust field, we filed more cases in 1972 than in any other year since World War II. In addition, through the four-year period we filed more such cases than in any similar period since World War II. One result is that the anti-competitive trend caused by certain types of conglomerate merger has been effectively stopped. We have done and are doing more than our share to preserve business competition for the benefit of the American public

Again, while pollution is a major American problem where results



so far are difficult to measure, we know that we are the first Administration to move aggressively against it. We have filed far more criminal actions against alleged violators than ever before, and since 1970 we have been very successful in using the new weapon of civil injunction suits. Of the 152 civil injunction suits we have filed, 67 have resulted in decrees requiring abatement of the pollution, 10 were dismissed with our concurrence because the pollution was stopped, and the rest are still pending. We have not yet lost one of these injunction cases, and some of our most important victories have been here in Ohio.

I think I've said enough to show that in using the systematic approach to national problems, this Administration has proven that this approach works just as well for the Government as it does for private business. We think we have brought the crisis of lawlessness under control, and we are determined to reduce it still more decisively in the years ahead. We do not claim that we have achieved the ultimate in a safe and secure America, because crime is still much higher than it should be. But let's look at the overall figures.

In the first nine months of 1972, serious crime as measured by the FBI's Uniform Crime Reports increased by the lowest amount since the FBI began issuing quarterly reports 13 years ago. The increase was one percent,

compared to the same nine months of 1971, and this is approximately the same rate of increase of the United States population. Moreover, more than half of the cities of 100,000 or more population showed an actual reduction in crime. These include Akron, Cleveland, Columbus, Parma, and Youngstown here in Ohio.

And finally, what about the epidemic of riots and civil disorders which seemed to be threatening the stability of our government and our society back in the 1960's?

In the record high year of 1968, there were 80 civil disorders--26 of them identified as major disorders--and there were 83 deaths related to those disorders. Since then the number of disorders has gone down until in 1972 there were 21 such disorders, including only two major disorders, and nine related deaths. This pattern holds true if we limit the figure to campus disorders. In 1972 there were noticeably fewer disorders both on high school and college campuses.

I do not mean to say that these dramatic reductions in crime and lawlessness are the result only of Federal action. They are due to a number of factors, including the good work of State and local law enforcement agencies. But that is part of the point that I have been trying to make. This Administration has stressed cooperation and coordination, not only among Federal agencies, but between Federal, State, and local agencies. We have looked upon

law enforcement as a total national effort. We believe we have succeeded, not only in letting the right hand know what the left hand is doing, but in getting all hands to work together as a more efficient team. In adopting the contractor's approach to our problems, we believe we are building an edifice of domestic peace in the United States of America.