



Department of Justice

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PRESS CONFERENCE
ATTORNEY GENERAL JOHN N. MITCHELL

Department of Justice
January 19, 1971

P R E S S C O N F E R E N C E

PARTICIPANTS:

Honorable John Mitchell, Attorney General

and

MEMBERS OF THE PRESS

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2:00 p.m.

ATTORNEY GENERAL MITCHELL: Ladies and gentlemen, we welcome you to the Justice Department and particularly on this day of January 19, which stands out so vividly in my recollection because it was the last day, two years ago, at least, when I enjoyed the blessings of private life. All that, of course, as you know, changed the following day when Richard Nixon became the President of the United States. On that occasion, he promised the American people a new beginning in a number of national priorities, including the administration of justice.

As he took office, that particular program was designed to bring the machinery of justice into the Twentieth Century. This program included getting new supporting legislation from the Congress; mounting an effective

1 assault on organized crime; improving the enforcement
2 of civil rights in all statutory areas; hitting the
3 narcotics traffic on all fronts; using all available anti-
4 pollution enforcement tools to enhance the quality of
5 the environment; protecting free competition for the benefit
6 of the American consumer and the American economy; and
7 giving new life to the concept of justice by upgrading the
8 processes of enforcement, adjudication, and of course, the
9 correction system.

10 These were the objectives set at that time and
11 in offering you today a brief summary of the Department's
12 accomplishments in the past two years, I will leave the
13 decision to you as to how well these objectives have been
14 fulfilled. Specific details concerning the subject matter,
15 including some charts and tables, have been given to you for your
16 information and analysis. But let me touch on some of the
17 highlights before I get to entertaining your questions.

18 First, out of some 39 legislative items submitted
19 by the Department, Congress enacted 27 of them, or
20 approximately about 70 percent. These include those that
21 we consider to be the most important, such as the Organized
22 Crime Control Act of 1970, the D. C. Court Reform and
23 Criminal Procedures Act of 1970, and the Comprehensive
24 Drug Abuse Prevention and Control Act of 1970.

25 Along with this legislation, the Department

1 also won Congressional financial support for its intensified
2 programs. From fiscal years 1968 to 1971, Department
3 employment under these Congressional authorizations has grown
4 from 34,800 to a projected 43,600 during this fiscal year,
5 an increase of substantially 25 percent, all required to
6 carry out our larger objectives. One agency, the Law
7 Enforcement Assistance Administration, required a budget
8 increase of 6,400 percent during that same period in order to
9 fulfill the program of financial aid to states and localities in
10 the criminal justice area.

11 Our needs, of course, were substantial and we
12 were able to win the corresponding support of the Congress.
13 The Department of Justice appropriations for 1968 were
14 \$437,500,000. So far, in fiscal 1971, the Department has
15 received appropriations of \$1,150,600,000 representing a
16 163 percent increase, and we still have some other
17 minor necessary appropriations forthcoming.

18 In connection with this substantial increase, I
19 would again point out that \$480 million of this last
20 figure represents funding of the Law Enforcement Assistance
21 Program of grants to states and localities to upgrade
22 their criminal justice system along with what we are doing
23 in the Federal Establishment.
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1 In another area and in response to President Nixon's
2 call for an all-out war against organized crime, an inter-
3 departmental assault was made on this national evil. The
4 President established a National Council on Organized Crime
5 composed of heads of all federal departments and agencies who
6 can bring an enforcement effort to bear on the problem. The
7 Council has developed national strategies against the various
8 aspects of organized crime and has provided top level direc-
9 tion through the interdepartmental strike forces established
10 in most large cities.

11 In the past two years, the Department has put the
12 strike force approach on a permanent basis, has increased the
13 number of such forces from seven to 16, and is able to report
14 exceptional progress in securing evidence against organized
15 crime syndicates and in bringing prosecutive action. The
16 number of high echelon organized crime leaders indicted rose
17 from 58 in the calendar year 1968 to 103 in the calendar year
18 1970, nearly a 78 percent increase. In the past two years,
19 approximately half of the top bosses of the nation's two
20 dozen organized crime syndicates were indicted or convicted.

21 In the broader area of crime, including street crime,
22 the Administration has acted decisively wherever its juris-
23 diction permitted. Employment in the U. S. Marshals Service
24 has increased by nearly 55 percent for fiscal 1971. In the
25 past two years, the number of Assistant U. S. Attorneys has

1 been increased by 51.3 percent compared to a total increase
2 of only 27.4 percent in the entire previous eight-year period.
3 And specifically with respect to the District of Columbia,
4 the number of Assistant U. S. Attorneys increased almost 100
5 percent, paralleling the sharp increase in the District of
6 Columbia police force. In addition, the Department of Justice
7 has supported the District authorities in developing an ef-
8 fective drug treatment and rehabilitation program.

9 The results have been especially apparent in the
10 war on street crime here in the District of Columbia. Start-
11 ing in July and for every month recorded since then, the
12 crime rate has decreased decisively in comparison with the
13 same month of a year earlier. This reached a reduction or
14 decrease of 25.4 percent in September 1970, and 23.3 percent
15 in November, and I would predict here today that the statis-
16 tics for December will show a like decrease in the crime rate
17 in the District.

18 The crucial factor in the D. C. criminal justice
19 picture was the Court Reform and Criminal Procedures Act that
20 I previously mentioned, this, as many of you know, having been
21 drafted and propounded by us in the Department of Justice.
22 Among other provisions of this Act, it created many new
23 judgeships to ease the backlog of cases in the District.

24 And as you also know, the Department has swiftly
25 processed the appointees to these judgeships and their being

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1 sworn in to their positions on the bench provided for an
2 immediate reduction in the case backlog. I think this can
3 best be illustrated in connection with the huge backlog that
4 existed of approximately 6,000 juvenile cases, which I am
5 happy to report has been virtually eliminated from the calen-
6 dar of the court.

7 At the same time, federal grants to help improve
8 local law enforcement agencies have been greatly strengthened
9 in the past two years. The total funding for this agency --
10 that is, the Law Enforcement Assistant Administration -- has
11 climbed from \$63 million in 1969 to \$480 million appropriated
12 for fiscal 1971.

13 Turning to another area, in the field of civil
14 rights, the Department of Justice has made an outstanding
15 contribution in this area in the past two years. In the area
16 of education, we filed 94 cases compared to 68 over the previous
17 two years. The number of school districts sued jumped from
18 a total of 56 in the two years 1967 and 1968 to a total of
19 254 in the past two years. That is a 350 percent increase.
20 Due in large part to the Justice Department's policy of negoti-
21 ation and, where necessary, litigation, the percentage of
22 black school children in eleven Southern states attending
23 desegregated systems increased from less than six percent
24 prior to opening of school in 1969 to 92 percent at the opening
25 of the 1970-71 school year. Of the remaining 50 school

1 districts in this area that exist without desegregation plans,
2 22 are now under private lawsuit, 16 under federal suit brought
3 by the Department of Justice, and the remaining 12 are under
4 analysis preparatory to further action.

5 Now, let me emphasize that our figures reflect an
6 analysis of on a district-by-district basis, because that is
7 the framework of the Justice Department's concern. They are
8 not on an individual school basis. Some of you, I am sure,
9 are aware that a few days ago the Department of Health, Edu-
10 cation, and Welfare released figures on this same subject.
11 These figures were necessarily different from ours, since
12 they referred to schools and not to the school districts. But
13 these figures of HEW do confirm not only conversion of the
14 districts, but substantial integration of schools within those
15 districts.

16 In another field of civil rights, the housing field,
17 we have successfully implemented a national fair housing
18 program following the 1968 Act and its 1969 amendment. In
19 1969 and 1970, 64 housing cases were filed in 22 states and
20 the District of Columbia. And equally important to litiga-
21 tion, negotiation resulted in securing the removal of racial
22 discrimination from the policies of 19 title companies in the
23 United States. Similar progress has been made through nego-
24 tiation with multiple listing services, real estate brokers,
25 apartment operators and large housing developers.

1 Achievements in fair employment, I believe, may
2 best be measured by the cases actually brought to trial
3 and the relief that has been won under those cases.
4 The number of cases brought to trial moved from two in 1967
5 to 16 in 1970; appellate arguments from zero in 1967
6 to eleven in '70; and consent decrees entered from zero
7 in 1967 to eight in 1970.

8 These actions included many multi-defendant suits such
9 as one against five building trade unions and three joint
10 apprenticeship training committees in Seattle, the first
11 of its kind; another state-wide suit was against a power
12 company; one against an iron workers local, resulting in
13 the most comprehensive relief yet obtained in any trade
14 union case. In another area, through negotiation with more
15 than eighty potential defendants, the Department won an
16 anti-discrimination agreement in the movie and television
17 industry in Los Angeles.

18 The Department also filed its first cases alleging
19 discrimination against women, Mexican-Americans, and
20 Indians.

21 Going on to the area of public accommodations, the
22 Department has filed the first suit in the North, the first
23 cases alleging discrimination against Puerto Ricans,
24 and the first cases against penal institutions.

25 I would also like to point out that the Civil Rights

1 Division of the Department is devoting considerable time
2 and attention to the Department's Title VI responsibility.
3 the Department for the first time last year established
4 a Title VI unit whose sole responsibility is to work
5 with the Federal agencies in assuring non-discrimination
6 in federally-assisted and federally-funded programs.

7 In the area of civil rights and beyond, the dedicated
8 work of the Civil Rights Division, the Department's Community
9 Relations Service has made substantial progress in helping
10 minority groups and organizations in their dealings with other
11 elements of our society, including state and local governments.
12 In its role as conciliator in disputes and as a liaison
13 agent in potential community problems, the Service helped to
14 move minorities forward while promoting peace and stability
15 on campuses and in the communities. The measurable decline
16 of racial outbreaks in the U. S. over the past 12 months is
17 undoubtedly due to many factors, but not the least of which is
18 the continuing work with the Community Relations Service
19 in our Department.

20 Against the nation's growing narcotics problem,
21 the Nixon Administration mounted an all-out campaign
22 on all fronts: At home, at our borders, and at the foreign
23 sources of the illicit drugs. At our urging, Mexico,
24 France, and Turkey have stepped up their anti-narcotics
25 efforts.

1 Through the initiatives of President Nixon,
2 broader cooperation has been won from these countries
3 and from international organizations.

4 Last summer, the Committee on the Challenges of
5 Modern Society, an arm of the North Atlantic Treaty
6 Organization, agreed upon methods by which NATO could combat the
7 drug traffic. Following that meeting, the United Nations
8 Committee on Narcotic Drugs created a special fund for
9 anti-narcotics programs, starting as of September, 1970.

10 The Director of the Division of Narcotic Drugs of the
11 United Nations Secretariat has already been active by visits
12 to Thailand and Burma, hopefully to implement the programs
13 set forth in that body. At home, our narcotics agents
14 have closed down an average of one clandestine laboratory a
15 week for the past two years. The amount of illicit drugs re-
16 moved from the domestic market increased decidedly from
17 1969 to 1970.

18 Prosecutive action against drug traffickers has
19 decreased accordingly, from an average of 486 defendants
20 filed against per month at the end of 1968 to 808 by the
21 last of 1970 an increase of 66 percent.

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1 I should point out that this latter figure is even
2 more potent than it appears, because in the Bureau of Narcotic
3 and Dangerous Drugs, they have changed their mode of operation
4 to concentrate on the large international and interstate
5 distributors, leaving to the states and localities the re-
6 sponsibility for the enforcement of drug laws with respect to
7 the pushers on the streets.

8 I think it can be said without question that the
9 antinarcotics legislation passed by Congress last October will
10 certainly permit still more effective action against this
11 national menace as we implement its provisions.

12 In another subject, as part of the comprehensive
13 environmental quality program initiated by the Nixon Adminis-
14 tration, legal action against polluters has greatly intensi-
15 fied and our battlefield has been expanded to include mercury
16 and thermal violations. In the last two years, the Depart-
17 ment has reinstated the refuse Act of 1899 as a weapon
18 against polluters. Cases under the refuse Act increased
19 fourfold in the beginning of 1970 as compared to the previous
20 two years. Injunctive suits under this Act were first intro-
21 duced in March 1970, with 25 suits having been filed since
22 that time, including ten mercury dumping suits, some of which,
23 as you know, are against rather large polluters.

24 In another area, we have had the auto smog device
25 case against the Big Four auto manufacturers. In this case

1 the Antitrust Division secured a consent decree without the
2 expense and without the delay of a court trial, providing for
3 very stiff penalties and requirements and receiving all the
4 relief that was asked for in the pleadings in that particular
5 case.

6 I believe that people who are knowledgeable in this
7 area recognize that this action in that particular case has
8 sped the development of an effective auto smog device.

9 Also with respect to the Antitrust Division, the
10 Department has made significant strides in preserving the
11 free competition that lies at the center of our country's
12 economic system. Through five major conglomerate merger
13 cases, most of which are still pending, the Antitrust Division
14 has helped create a climate in which the incidence of con-
15 glomerate mergers has sharply declined. Altogether, anti-
16 trust cases grew from 55 in 1968 to 67 in 1970.

17 To another subject matter, that of corrections. In
18 response to President Nixon's 13 point program for the federal
19 corrections reform, the Department has developed a ten-year
20 plan to modernize and upgrade the federal prison system. And
21 among the other reforms contained in this program, it will place
22 greater emphasis on the correction of the offender.

23 Major progress was also made in 1970 on programs
24 to provide meaningful transition of the return of prisoners to
25 their normal life. And through the Law Enforcement Assistance

1 Administration, the Department is providing funds to improve
2 state, city, and county correctional institutions. Such
3 grants increased by way of authorization from \$3 million in
4 fiscal year 1969 to over \$100 million in 1971.

5 We also believe that our enforcement of the
6 Federal tax laws has been greatly improved in the last
7 two years. The number of civil and criminal cases closed, which
8 is the best norm by which we value the subject matter, both
9 increased in this period. And with special reference to
10 criminal cases, the figures rose from 659 to 1,005, approximately
11 a 50 percent increase.

12 Collections by the Tax Division grew from
13 \$69 million in 1967 to \$76 million in 1970, and the amount of
14 money saved by the Tax Division in the same years increased
15 from \$85 million in 1967 to \$104 million in 1970.

16 Lastly, I would like to mention the progress that
17 we have made against the smut peddlers. In so doing, I
18 would like to acknowledge the key role played by the Post
19 Office Department, which has generally provided the initial
20 investigations leading to our prosecutive action.

21 Activity of the Post Office Department has been
22 much extended, certainly their production improved under
23 Postmaster General Blount.
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As of January 1, 1969, the Department of Justice was involved in five investigations made of distributors and eight were under indictment. By January 1, 1971, the figures had jumped to 58 and 55 respectively, or more than a thousand percent increase for investigations and more than 600 percent for indictments.

In this area of difficult legal status, in the past 12 months, out of 13 cases involving major distributors, the Government has won 11 of them. As certainly you people who come from the press should know, only one of the three anti-pornography bills drafted by the Department and proposed by President Nixon last year was passed by the Congress. We intend to resubmit this legislation to the 92nd Congress.

Ladies and gentlemen, these are only some of the accomplishments of the men and women of the Department of Justice for the past few years. Certainly I have perhaps imposed on your time as it is, but time being limited prevents me from including in my statement many other areas where equal diligence and dedication by the people in this Department and in the various divisions and bureaus and services have performed admirably.

As I said earlier, I will leave to your candid judgment the degree to which you feel that we have succeeded in the fulfilment of our goals.

I would now entertain your questions and pursuant to instructions, I am to suggest that I trust you will

confine your questions to the subject matter of the two-year activity of the Department to which I have referred and which was contained in your briefing material.

QUESTION: Mr. Mitchell, it was implicit if not explicit in the Nixon campaign two years ago that he would reverse the national crime rate, which was increasing. You say the nation-wide crime rate has not yet turned down. Do you feel a sense of failure or frustration over this?

ATTORNEY GENERAL MITCHELL: Quite the contrary, and I would not put it in your words. I think if you will look at the statistics, you will see a number of factors involved. I think the most important one and most hopeful one is in connection with cities of 100,000 population or more, that there are 23 of them that have actually shown a decrease in the rate of crime.

In this total picture, as I have said to some of you ladies and gentlemen before, you must look at the paper crime wave that we are having in certain areas. By that I mean that the reporting of crimes in the past has not been as good as it should be. I am sure you will find from the law enforcement officers that this is correct. I think because of the incentives that are now involved in such a program under the Law Enforcement Assistance program, we are getting a more accurate reporting of the crime statistics and I fully believe that due to the awareness of the public, the activities on the part of the state and local officials, the assistance and leadership that is being provided by the Law Enforcement Assistance Administration, and other factors, our criminal justice system, which has been

so outmoded, is now being upgraded, and I believe that we have turned the corner to the point where crime will continue to be reduced as it has been in the 23 major cities that I referred to.

QUESTION: General Mitchell, you assume, I believe, that the Department of Justice has the authority to go to executive level action in the area of what HEW now calls in-school discrimination.

ATTORNEY GENERAL MITCHELL: I would advise you that the Department not only has that authority, but, over the past two years that we are talking about, it has taken that action in a substantial number of cases.

QUESTION: How many, Mr. Mitchell?

ATTORNEY GENERAL MITCHELL: I can give you a long list of the breakdowns and so forth. I do not know whether all these people would be interested in it. Perhaps if you got them from Jack Hushen later on in the different categories, it would be more helpful than providing you with the long list of numbers involved.

QUESTION: Mr. Attorney General, you did not mention in this report the Department's activities in the Internal Security area, I do not think. It has recently been reported that there have been some administrative changes in the Division of Internal Security. I wonder if you could explain to us just what is going on and what efforts the Department is making?

ATTORNEY GENERAL MITCHELL: Well, the changes have been relatively simple. The Internal Security Division has had put within its jurisdiction, removed from the Criminal Division, the so-called draft cases. We have also provided a vehicle in connection with the administration of the bombing statutes, where the Assistant Attorney General in charge of the Criminal Division will ascertain whether or not the violation should remain within the Criminal Division or be moved to the Internal Security Division or the Civil Rights Division.

Those are basically the changes to date with respect to the jurisdiction of Internal Security Division.

QUESTION: What is the purpose of these changes, besides that you think it is more effective?

ATTORNEY GENERAL MITCHELL: The purpose is more effective administration by having the various divisions concentrate in the areas where they will have greater expertise among the lawyers and personnel within the divisions.

QUESTION: Mr. Mitchell, in connection with internal security, I am not quite sure how to phrase this question, but it has been represented in connection with the so-called kidnapping conspiracy by those who are involved in the indictments that there is fantasy or a joke or something and that maybe you do not know what you are doing.

I guess I will have to phrase the question, do you know what you are doing?

ATTORNEY GENERAL MITCHELL: Well, I am not commenting on any particular case, which we never do in the

Department of Justice. I would assure you that the Department of Justice has policies that, when they are pursued, and they are pursued, assure the appropriate action, and this is particularly true in any instance where criminal prosecution is involved. The Department does not act lightly in these areas. 18,

QUESTION: Mr. Attorney General, in that connection, a few months ago, J. Edgar Hoover was saying the Black Panthers represented one of the real threats to the nation and also that the student movement, the young radicals, abetted this threat. Could you give us your judgment of what has happened in the past year to avert this problem, as you mentioned? Was it because of law or because of change of attitude or what?

ATTORNEY GENERAL MITCHELL: I am not quite sure that your question follows exactly your preliminary statement. Let me point out that we are not unmindful that there are revolutionary militant groups that still have potential for causing damage to individual buildings and persons.

With respect to what I understand the latter part of your question to be, I believe that it is a total change in attitude on the part of the younger people with respect to the non-productive aspects of violence. While I have not had the privilege of reading the report, I believe the Carnegie report referred to in the newspapers here this week certainly confirms the opinion that I have had on the subject matter. The young people have come to realize that the militant, violent revolutionaries are not going to

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provide whatever changes in the society the majority of young people look forward to, and they are making the demarcation between themselves and this violent element ever wider and I believe that the membership of the violent element is becoming less and less because of this recognition.

QUESTION: What about your assessment on the Black Panthers today?

ATTORNEY GENERAL MITCHELL: Well, the Department of Justice, of course, is charged with enforcing criminal statutes and other statutes, and we approach the Black Panthers as we do any other group, prosecuting those individuals who have committed crimes in violation of federal statutes. It is not our function to prosecute organizations unless there is a commission of a crime by the organization, so we restrict our activities to the individuals.

QUESTION: Mr. Mitchell, the kidnap conspiracy has come up here and Mr. Hoover's name. Is it consistent with Department policy for Mr. Hoover to talk about this prior to any indictments or what not, as he did on November 27?

ATTORNEY GENERAL MITCHELL: Carl, might I suggest that you go back and pick up the answer I gave you the last time you broached the question.

QUESTION: Among the problems that are not listed in the civil rights cases on housing was a national policy on desegregation of suburbs. In our last press conference, you said you expected something on that shortly after the first part of the year. Has that been decided and, if so, what is the policy?

ATTORNEY GENERAL MITCHELL: I would like to answer your question by pointing out that there is provision in here in connection with what the Department and the Civil Rights Division has done with respect to carrying out its obligations under the congressional legislation having to do with fair housing. There is no such legislation or program as you referred to it and characterized it. These are individual statutes that are undertaken and carried out by the Department of Housing and Urban Development and the Justice Department.

With respect to the policies that relate to those multiplicity of statutes, the matter is still under consideration by the Department of Housing and Urban Development and the Justice Department and I would feel that we will have policies for that department and this department, plus the joint implementation of them, before too long.

QUESTION: Mr. Attorney General, are there other laws or regulations that should be enacted to sort of promote desegregation of the suburbs?

ATTORNEY GENERAL MITCHELL: I think the answer to that is, we can more readily determine that when we assess the legislation that we now have and the congressional intent of that legislation and determine what we feel our obligations and duties are in the existing legislation and the congressional intent.

QUESTION; To follow up on that, it has been two years now since you came in to office and there has been some time, I believe. Just how long has this been going on and how much longer will it be?

ATTORNEY GENERAL MITCHELL: I would say that the review, and I would point out to you, to make sure you are talking about the same thing I am -- I am talking about five or six various programs and five or six statutes. There is no magic to integrating or desegregating the suburbs. There is no such thing or specific statutory provisions that relate to it. The program has been under examination for some time. It has been handled with respect to some litigation involving public housing projects, some FHA programs, on somewhat of an ad hoc basis to date. The necessity of implementing a national program has probably been under discussion, I would say, for two and a half to three months.

QUESTION: Mr. Mitchell, may I ask a question about the agency with the fastest growing budget, the 6400 percent increase in LEAA? There has been a rash of unfavorable reports in recent months. My own paper has a story about the LEAA and an apparent conflict of interest there, some problem about a change in filing dates.

Do you feel there is room for greater control over there and, if so, are you moving to implement it?

ATTORNEY GENERAL MITCHELL: I guess there is room for greater control in all governmental programs and I would say that this is true in connection with the Law Enforcement Assistance Administration. As you know, we were not favorably disposed to the structure of the troika, particularly the set-up that was contained in the legislation. We have had that revised to the point where we can now go ahead with an appointment of an administrator who has different powers than existed under the troika set-up.

We believe that that new administrator would provide that additional control. We feel that the program would be implemented to go ahead a lot faster.

I would hasten to point out to you that this is a relatively new program and if you will go back through other programs of its size and scope in the federal bureaucracy, it takes them a while to get off the ground. I think that basically, this Law Enforcement Assistance Administration, starting from an 18th century base, has done very well in bringing about the activities that it has brought about and the changes that it has effected, and will continue to effect, in upgrading of the criminal justice system in our state and local areas.

QUESTION: Is there going to be an administrator appointed soon?

ATTORNEY GENERAL MITCHELL: Yes, sir.

QUESTION: Are you satisfied with the progress that has been made in the last two years in opening up the suburbs?

ATTORNEY GENERAL MITCHELL: I am not sure I understand.

QUESTION: Are you satisfied with the progress that has been made in desegregating the suburbs in the last two years?

ATTORNEY GENERAL MITCHELL: I am never satisfied with the progress in any particular area and certainly not with respect to that. It is a question of where the governmental responsibilities rest or other responsibilities rest, and we are very cognizant of the fact that if we do have responsibilities, we will carry them out. If we do not have responsibilities imposed upon us, we will not assume them.

QUESTION: Mr. Attorney General, it is an interesting coincidence. Today we get this report of progress in the Justice Department.

ATTORNEY GENERAL MITCHELL: Is that a question?

QUESTION: Yes, sir. And today on most of our desks, we got a report of it, the current issue of Red Book magazine has in it a Gallup poll which it commissioned in which young lawyers were asked to give their -- to pick out ten names whom they admire most and whom they admire least. Of those admired least, you head the list. Of those admired most, Ramsey Clark was second only to Ralph Nader. Do you think that this

shows there is a lack of perception among the law students in the country or some failure of the Administration to put across the true picture of what is going on?

ATTORNEY GENERAL MITCHELL: Whose poll was this?

QUESTION: Gallup Poll.

ATTORNEY GENERAL MITCHELL: Gallup generally has a pretty good poll.

The only thing that I can say in mitigation is that among all of the past years upon which our honors program has been in operation, we have had the largest number of applications from law students in the honors program to this Department from more colleges, law schools, than has ever taken place before. So I would have to put that alongside the poll to see who they made inquiry of. I think we had a pretty wide base in that particular activity.

Yes, ma'am?

QUESTION: In your section on antitrust, you say that antitrust cases grew from 55 in 1968 to 67 in 1970. Does this imply a trend that there will be even more cases in 1971, or is there going to be a sort of hold-down until these go through courts?

ATTORNEY GENERAL MITCHELL: No, I think that you have to read those figures in connection with what also is said there. You will notice, I am sure, that the prospects of conglomerate mergers have been reduced very, very measurably. This is true, of course, of other

mergers that may be approaching violation of the Antitrust Laws and we have yet to ascertain as to whether this is due to the basic economy or whether the activities that we have pursued in this area, of bringing these cases involving different types of anti-competitive activities, have persuaded people who might have undertaken mergers away from carrying them out.

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QUESTION: Mr. Mitchell, is the lack of any mention in your review of gun control an indication that you regard this field as unimportant for controlling crime?

ATTORNEY GENERAL MITCHELL: We do not have jurisdiction of gun control in the Justice Department. That is handled over in the Treasury.

QUESTION: Mr. Mitchell, the Grand Jury in the Kidnap Conspiracy Case has come under some criticism.

ATTORNEY GENERAL MITCHELL: What case are you talking about?

QUESTION: In the Kidnap-Bomb Conspiracy Case.

ATTORNEY GENERAL MITCHELL: I am sorry. I mentioned before that I cannot discuss a case in which indictments have come down.

QUESTION: Mr. Mitchell, in answer to a question, you said that the methods of reporting crime are increasing. You talked about a paper increase. Does this mean that you are hedging on your earlier predictions that the actual rate of crime would decrease during the Nixon Administration?

ATTORNEY GENERAL MITCHELL: Quite the contrary.

I have pointed out that in 23 cities of more than 100,000, there has been actual decrease in crime and I think that these are better barometers than the across-the-board.

What I am saying is that I think we are turning a corner in this area and I believe we will have substantial decreases in crime during the Nixon Administration.

QUESTION: Not just in 23 cities?

ATTORNEY GENERAL MITCHELL: In all six additional years of it.

QUESTION: Mr. Attorney General, you skipped over the wire tapping section. As you know, there are many people who are fearful that wiretap and the no-knock provisions are an invasion of our basic rights of American citizens. Could you discuss how many wire tap cases were employed, how they were employed, and how you feel about this whole question of invasion of privacy?

ATTORNEY GENERAL MITCHELL: I cannot give you the exact number, because I keep approaching them almost day by day. But the statistics are available to you here.

I have no problem whatsoever about the concern that you show. The wiretapping that is carried out under Title III of the '68 Act is court-approved. The approval comes after a showing of probable cause and we have not had a single complaint of abuse of wire tapping in that particular area.

On the other hand, I would also point out that we have

in that legislation an obligation to enforce the laws prohibiting the use of electronic surveillance or wire tapping by private individuals and our prosecutions under that provision have increased substantially. I am sure that because of those prosecutions and that jurisdiction that we have, the unauthorized overhearing of individuals by other private people has diminished substantially. So I think that the implementation of the 1968 Act is certainly a net plus in this area.

QUESTION: Mr. Attorney General, you referred to the number of high echelon organized crime leaders who have been indicted and indictment or conviction of half the top bosses of the nation's two dozen organized crime syndicates. In both instances there, are you referring to the Mafia?

ATTORNEY GENERAL MITCHELL: We are referring to certain types of organized crime syndicates.

QUESTION: I was unaware that there were two dozen organized crime syndicates in this country. Aren't you really talking about the families of what used to be referred to as the Mafia?

ATTORNEY GENERAL MITCHELL: We are talking about organized crime syndicates. You gentlemen are well aware of them.

QUESTION: Mr. Mitchell, did I understand correctly that you said you were dissatisfied with the pace of racial

desegregation in the suburbs of the cities of the nation? And if so, could you explain, expand on that a little bit why?

ATTORNEY GENERAL MITCHELL: I can explain it very simply. This Administration, the President has said on many occasions, which I thoroughly believe in, is for an open society. An open society, in my opinion, includes the right of any person to move anyplace and live anyplace he wants to. I am sure that if the society opens up, there will be more people in minority groups moving to the suburbs.

QUESTION: Mr. Mitchell, you have referred to the fact that there aren't any specific provisions in the Fair Housing Act that apply to this specific problem.

ATTORNEY GENERAL MITCHELL: I am sorry, I did not say that.

QUESTION: Oh, I understood that.

ATTORNEY GENERAL MITCHELL: You said there are a multiplicity of provisions pertaining to it. The Urban Renewal Act has one provision in it. The FHA insurance is covered by the general Title VIII, and you can go on down the line. There is no one single piece of legislation that applies to this specifically.

QUESTION: In view of the slowness of the progress you referred to, is further legislation needed in --

ATTORNEY GENERAL MITCHELL: I am sorry, I cannot hear

QUESTION: Would the Department have any further recommendations for legislation in this field which would speed the progress to the point that you would be satisfied?

ATTORNEY GENERAL MITCHELL: I think this is more in the province of HUD, who administers these programs. Of course, we represent them in their legal matters, particularly of litigation. It is basically what we represent the other departments in.

I think if you go back and check the record, the Secretary has made recommendations in this area and I think we will have to wait for the outcome of the review that is under way to see what recommendations might be made with him.

QUESTION: General, would you assess for us the progress or lack of progress in the Administration program of turning the Supreme Court around in the area of criminal law so that the (inaudible)?

ATTORNEY GENERAL MITCHELL: In that subject matter, Lyle, I can say I have read all your columns and I subscribe to almost all of them.

QUESTION: Is that an answer?

QUESTION: That does not mean anything to me, sir. I have not read all of his columns. Most of them I have, but not all of them.

ATTORNEY GENERAL MITCHELL: I do not know as it is even appropriate for me to try to assess the program, as you

say, to turn this around. I would observe that the Chief Justice and Justice Blackman have been heard mostly, of the other judges in the Court, in the cases in the criminal field that this Department brings, and certainly I would subscribe to the opinions of the Chief Justice that I have described.

QUESTION: Mr. Mitchell, in the first two years of your administration, you were asked by the State Department what could be done about the Jewish Defense League harassment of Soviets in this country. What opinion have you reached on that problem of harassment?

ATTORNEY GENERAL MITCHELL: It was not in the first two years, it was calendar years. We have conferred with the State Department on the subject matter. We have, of course, had some investigations of crimes in the criminal field and there have been some indictments by the grand jury of the Southern District of New York.

QUESTION: Mr. Attorney General, prior to your coming in two years ago, you had not great familiarity with the criminal law. Will you tell us how your views may have changed about the mechanism of law in pursuing the problem during your two-year tenure?

ATTORNEY GENERAL MITCHELL: I could probably spend hours on both subjects. I think I can cover them both through the reference that I have made so often and that is that our criminal justice, as we find it, once I get more into the

mechanics and the substance of it, is really related to the 18th and 19th century and has not been brought into the 20th century. By that I mean either law enforcement or the courts, prosecutors' offices, the correctional institutions or the processing of paroles and pardons. This, I think, is the most important aspect of what we generally refer to as crime. We do not have the system to deal with it. So that we are starting from way back in the upgrading of the criminal justice system and it is only by doing that that we can get our house in order to the point where we can have an effective mechanism in the reduction of crime.

I only mention one thing and that is recidivism, which is the cause of so many crime statistics. If we can bring our correctional institutions up to the point where, instead of turning out a case-hardened criminal through the school of crime, he goes to a school of rehabilitation and he will go back into society. That one area will go a long way toward reducing crime in this country.

QUESTION: So you think now the problem or solution of crime today as we refer to it today is far harder than it was as you saw it when you first came into office?

Do you perceive it as a more difficult thing?

ATTORNEY GENERAL MITCHELL: No, I do not think that is true. My view at that time was the same, it is just that now I have become more immersed in the subject.

QUESTION: One federal prosecutor told me that you have discontinued if not abandoned one of the most controversial parts of the wire tap law. That is the 48-hour provision of the wire tap legislation. Is that correct?

ATTORNEY GENERAL MITCHELL: No, it is not so, because we are always available and we do not have to worry about the 48-hour provision. We have used it in connection with some areas of electronic surveillance and the reason that the reference that he had to the 48-hour provision is not justified is because it would give him the discretion with respect to wire-tapping rather than the Attorney General.

There is no legal wire tap put on in this country in any department of government without my approval.

QUESTION: Mr. Mitchell, can you tell us if there has been an increase in wire-tapping and other electronic eavesdropping in the area outside of court-approved wire-tapping? That is, wire-tapping and eavesdropping directed at domestic radical groups under your authorization without court rule?

ATTORNEY GENERAL MITCHELL: I would say that there probably has been some increase. I could not positively give you the numbers, because I do not carry them around in my head.

QUESTION: Would it be double what was --

ATTORNEY GENERAL MITCHELL: No, I would doubt that very much. These, of course, are cataloged in our national security area that involved the people who were apt to do harm

to us from an international as well as a national basis, so I cannot break them out. But it certainly is not double.

QUESTION: You said in answer to a previous question on the integration of suburbs that if you do not have the responsibility imposed upon you, you would not seek it out, or words to that effect. Would you explain?

ATTORNEY GENERAL MITCHELL: Very simply. I explain that like we do everything else in this Department. We are down here to operate under the Constitution of the United States and the statutes that were passed by the Congress. We look very strongly upon staying within the jurisdictions that have been provided us by these particular areas. We do not move unless we do find that we do have the appropriate jurisdiction.

QUESTION: Well, the 1968 law gave you an affirmative duty -- that is, the Administration an affirmative duty -- to promote the integration of the suburbs, did it not?

ATTORNEY GENERAL MITCHELL: If you recall the provisions of the 1968 law -- and here again I want to know which 1968 law you are talking about. Are you talking about the Civil Rights Act?

QUESTION: Fair housing?

ATTORNEY GENERAL MITCHELL: Well, the Fair Housing Act of 1968, if I refer to it correctly, and I believe I can, it gave to the Secretary of HUD the responsibility to do this. Then it went on to say that in the event state or local bodies were interfering with these activities, there was to be a representation made by the Secretary to the public officials and it was to be non-publicized, could not be disclosed. And if the negotiations did not work out to the point where the local authorities took action, then the Secretary's obligation stopped. He was to advise the private parties involved, and the private parties were given jurisdiction to bring suit in the proper court. That is Title VIII of the '68 Act.

QUESTION: You do not see that as imposing any requirement on you, then, the Justice Department?

ATTORNEY GENERAL MITCHELL: No, the Justice Department is in an area other than expressed previously. That would require acts of counsel of HUD.

QUESTION: You mentioned the fact that there are going to be six more years of the Nixon Administration.

ATTORNEY GENERAL MITCHELL: Six more years of reduction in crime. During the first two years of this tenure in office, we are certainly not talking about politics.

QUESTION: You have not discussed environmental

quality yet. In your report you have. So could you elaborate on your report here?

ATTORNEY GENERAL MITCHELL: I can only elaborate on it to the extent that the policy that exists in this Department, of course, is the full cooperation with Mr. Ruckelshaus' agency and with the other agencies of Government involved. We are most anxious to use the litigating muscle and strength of the Justice Department to carry out their policy and in instances where we find violations of statutes, where we have direct jurisdiction such as the Refuse Act, we will move and move rapidly on our own.

QUESTION: Is this a relatively new role for Justice?

ATTORNEY GENERAL MITCHELL: Comparatively new since we have been here.

QUESTION: Are you going to conduct a four-year review, as well, as Attorney General of the U. S.?

ATTORNEY GENERAL MITCHELL: We will see you in two years.

I think you ought to address that question to the gentleman at 1600 Pennsylvania Avenue.

QUESTION: Thank you, Mr. Attorney General.

(Whereupon, at 3:05 p.m., the Press Conference was concluded.)

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