

PS
668
.M6



Department of Justice

TWO-YEAR REVIEW OF ACCOMPLISHMENTS,
UNITED STATES DEPARTMENT OF JUSTICE

By

ATTORNEY GENERAL JOHN N. MITCHELL

JANUARY 19, 1971

Ladies and gentlemen:

This particular date--January 19--has a special significance to me, because exactly two years ago I was still enjoying the blessings of private life. All that changed the following day, however, when Richard Nixon became 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--designed to bring the machinery of justice into the twentieth century--included:

1. Getting new supporting legislation from Congress.
2. Mounting an effective assault on organized crime.
3. Improving the enforcement of civil rights in all statutory areas.
4. Hitting the narcotics traffic on all fronts.
5. Using all available antipollution enforcement tools to enhance the quality of the environment.
6. Protecting free competition for the benefit of the American consumer and the American economy.
7. Giving new life to the concept of justice by upgrading the processes of enforcement, adjudication, and corrections.

These were the objectives, and in offering you a brief summary of the Department's accomplishments in the past two years, I will leave it to you how well these objectives are being fulfilled. Specific details, including some charts and tables, have been given to you for your information and analysis.

Let me touch upon some of the highlights before I entertain your questions.

Legislative

Out of some 39 legislative items submitted by the Department, Congress enacted 27 or approximately 70 percent. These included those that we consider the most important, such as the Organized Crime Control Act of 1970, the D. C. Court Reform and Criminal Procedures Act of 1970, and the Comprehensive Drug Abuse, Prevention and Control Act of 1970.

The Department also won Congressional financial support for its intensified programs. From fiscal year 1968 to 1971, Department employment has grown from 34,800 to a projected 43,600--an increase of more than 25 percent--in order to carry out our larger objectives. One agency--the Law Enforcement Assistance Administration--required a budget increase of 6400 percent during the same period, in order to fulfill its program of financial aid to state and local governments. Our needs were substantial, and we were able to win corresponding support from Congress. Department of Justice appropriations for 1968 were \$437.5 million. So far in fiscal 1971 the Department has received appropriations of \$1,150.6 million--representing a 163 percent increase--and some other necessary appropriations should still be forthcoming. I should point out, of course, that \$480 million of the last figure represents funding for the Law Enforcement Assistance Administration which grants aid to state and local organizations; this is a very substantial increase for LEAA over previous years.

Organized Crime

In response to President Nixon's call for an all-out war against organized crime, an interdepartmental assault has been made on this national evil. The President established a National Council on Organized Crime, composed of the heads of all Federal departments and agencies who can bring an enforcement effort to bear on the problem, with the Attorney

General as Chairman. The Council has developed national strategies against various aspects of organized crime and has provided top-level direction to the interdepartmental strike forces established in most large cities.

In the past two years the Department has put the strike force approach on a permanent basis, has increased the number of such forces from 7 to 16, and is able to report exceptional progress in securing evidence against organized crime syndicates and in bringing prosecutive action. The number of high-echelon organized crime leaders indicted rose from 58 in calendar 1968 to 103 in calendar 1970--nearly 78 percent. The number convicted rose in the same period from 20 to 45--or 125 percent. In the past two years approximately half of the top bosses of the nation's two dozen organized crime syndicates were indicted or convicted.

Our intelligence work tells us that some of the organized crime leaders can't stand the heat and have left their areas of operation.

One of the weapons that has greatly aided this battle has been court-authorized wiretapping, which was provided in the Omnibus Crime Control and Safe Streets Act of 1968, but which the previous Administration refused to use. It was stated at that time that wiretapping, even when hedged about by Constitutional safeguards, was an invasion of privacy, and that anyway, it couldn't really help at getting evidence.

When President Nixon took office he sanctioned the use of this court-authorized wiretapping, and I am able to report that of the 214 Federal interceptions authorized and executed during calendar 1969 and 1970, nearly all produced incriminating evidence. They have resulted in more than 600 arrests and more than 500 indictments--mostly against organized crime figures. While most of these cases are still in progress, we have already won 30 convictions.

At the same time, there have been no complaints that anyone's privacy was invaded. Moreover, we have strongly enforced the prohibition against private wiretapping contained in the same 1968 act, and as a result complaints of such violations have dropped from nearly 100 a month to about 30 per month.

Another important gain in the war on organized crime has been the intensified use of criminal tax evasion charges against organized crime figures, with indictments increasing by 250 percent and convictions by 53 percent between 1968 and 1970.

Other Crime

In the broader area of crime, including street crime, the Administration has acted decisively wherever its jurisdiction permitted. Employment in the United States Marshals Service has been increased by nearly 55 percent for the 1971 fiscal year. In the past two years the number of Assistant United States Attorneys has been increased by 51.3 percent, compared to a 27.4 percent increase over the entire previous eight-year period. In the District of Columbia the number of Assistant United States Attorneys increased almost

100 percent, paralleling a sharp increase in the D. C. police force. In addition, the Department of Justice supported D. C. authorities in developing an effective drug treatment and rehabilitation program.

The results have been especially apparent in the District of Columbia. Starting in July, and for every month recorded since then, the crime rate has decreased decisively in comparison with the same month a year earlier, reaching a 25.4 percent decrease in September 1970 and a 23.3 percent decrease in November.

A crucial factor in the D. C. criminal justice picture was the D. C. Court Reform and Criminal Procedures Act of 1970, which was drafted by the Department of Justice. Among other things, this Act created many new judgeships to ease the backlog of cases. The Department swiftly processed the proposed appointees for these judgeships, and we can begin to see a reduction of the case backlog. In fact, the huge backlog of approximately 6000 juvenile cases has been virtually eliminated.

To speed the processes of Federal justice throughout the country, the Administration has accelerated the appointment of judges to fill vacancies. President Nixon appointed 115 Federal judges--83 of them in 1970, when the number was the largest in American history. Every one of these was cited as qualified by the American Bar Association. Processing of judgeship candidates, including investigations and recommendations, was accomplished by the Department of Justice at a much faster rate than in the two previous Administrations.

At the same time, Federal grants to help improve local law enforcement agencies have been greatly strengthened within the last two years. Total funding for the agency established for this purpose, the Law Enforcement Assistance Administration, climbed from \$63 million in 1969 to \$480 million appropriated for fiscal 1971.

While the nationwide crime rate has not yet turned downward as a result of these efforts and those of state and local governments, it is encouraging to note that in the first nine months of calendar 1970 the crime rate did drop in 23 cities of more than 100,000 population, including Baltimore, Kansas City, Pittsburgh, Seattle and St. Louis.

Civil Rights

In the field of Civil Rights, the Department of Justice has made an outstanding contribution in the past two years. In the area of education we filed 94 cases compared to 68 over the previous two years. The number of school districts sued jumped from a total of 56 in the two years, 1967 and 1968, to a total of 254 in the past two years--a 350 percent increase. Due in large part to Justice Department negotiation and litigation, the percentage of black school children in the 11 southern states attending desegregated systems increased from less than 6 percent prior to the opening of school in 1969 to 92 percent at the opening of the 1970-1971 school year. Of the 50 remaining school districts in this area that are without any desegregation plans, 22 are now under private suits, 16 under Federal suits brought by the Department of Justice, and the remaining 12 are under analysis preparatory to further action.

Let me emphasize that our figures reflect an analysis on a district by district basis, because that is our framework of concern. They are not on an individual school basis. A few days ago the Department of Health, Education and Welfare released figures on this same general subject. Those figures were necessarily different from ours, since they referred to schools and not to school districts. They confirmed not only conversion of the districts, but substantial integration of schools within those districts.

In the housing field, we have successfully implemented a national fair housing program following the 1968 act and its 1969 amendment. In 1969 and 1970, 64 housing cases were filed in 22 states and the District of Columbia. Equally important, negotiation resulted in securing the removal of racial discrimination from the policies of 19 United States title insurance companies. Similar progress has been made through negotiation or litigation with multiple listing services, real estate brokers, apartment operators, and large housing developers.

Achievements in fair employment may best be measured by the cases actually brought to trial, and by the relief won. The number of cases brought to trial moved from two in 1967 to 16 in 1970; appellate arguments, from 0 in 1967 to 11 in 1970; consent decrees entered, from 0 in 1967 to 8 in 1970. These actions included many multi-defendant suits, such as one against five building trade unions and three joint apprenticeship training committees in Seattle, the first of its kind; another state-wide suit against a power company; one against an Ironworkers local, resulting in the most comprehensive relief yet obtained in any trade union case. Through negotiation, with more than 80 potential defendants involved, the Department

won an anti-discrimination agreement from the movie and television industry in Los Angeles. The Department also filed the first cases alleging discrimination against women, Mexican-Americans and Indians.

In public accommodations, the Department filed the first cases in the North, the first cases alleging discrimination against Puerto Ricans, and the first cases against penal institutions.

I also wish to emphasize that the Civil Rights Division is devoting considerable attention to the Department's Title VI responsibilities. Last year it established a Title VI unit whose sole responsibility is to work with Federal agencies in assuring non-discrimination in federally assisted or funded programs.

Besides the dedicated work of the Civil Rights Division, the Department's Community Relations Service made substantial progress in helping minority groups and organizations in their dealing with other elements of our society, including state and local governments. In its role as conciliator in disputes and as a liaison agent in potential community problems, the Service helped to move minorities forward while promoting peace and stability on the campuses and in the communities. In the past two years CRS has decentralized so that two-thirds of its professional staff is in the field, rather than one-third prior to 1969. The measurable decline of racial outbreaks in the United States over the past twelve months is due to many factors, not least of which is the continuing work of the Community Relations Service.

Narcotics

Against the nation's growing narcotics problem the Nixon Administration mounted an all-out campaign on all fronts--at home, at our borders, and at the foreign sources of illicit drugs. This has been the first administration to make narcotics control part of its foreign policy. As a result, new cooperation has been won from Mexico in destroying drugs at their sources and in policing our common border against dope smuggling. At our urging, France and Turkey have stepped up their anti-narcotics efforts.

Through the initiative of President Nixon, broader cooperation has been won from international organizations. Last summer the Committee on the Challenges of Modern Society, an arm of the North Atlantic Treaty Organization, agreed on methods by which NATO could combat the drug traffic. Following that meeting the United Nations Committee on Narcotic Drugs created a special fund for anti-narcotics programs in September 1970. The Director of the Division of Narcotic Drugs of the United Nations Secretariat has already visited Thailand and Burma to start implementing these programs.

At home, narcotics agents have closed down an average of one clandestine laboratory per week for the last two years. With the help of the interdepartmental strike forces they have staged raids against major distribution rings, including one--largest such operation in history--that so far has netted 169 arrests. Prosecutive action against drug traffickers has increased correspondingly--from an average of 486 defendants filed against per month at the end of 1968 to 808 by the last of 1970--an increase of 66 percent.

I should point out that this later figure is even more potent, because we changed our mode of operation to concentrate on the large interstate distributors, leaving to state and local agencies the responsibility for enforcement against local drug peddlers. In the same period the amount of illicit drugs removed from the domestic market increased decidedly from 1969 to 1970. It more than tripled in the case of heroin and doubled in the case of marihuana. Due in large part to efforts by our Bureau of Narcotics and Dangerous Drugs, similar increases are shown in the amount of drugs removed from the international traffic.))

Anti-narcotics legislation passed by Congress last October will certainly permit still more effective action against this national menace.

Environmental Quality

As part of the comprehensive environmental quality program initiated by the Nixon Administration, legal action against polluters has greatly intensified, and the battlefield has been expanded to include mercury and thermal violations.

In the past two years the Department has reinstated the Refuse Act of 1899 as a weapon against polluters. Cases under the Refuse Act increased fourfold in 1970 against the preceding two years. Injunctive suits under this Act were first introduced in March 1970, with 25 suits filed since then, including ten mercury dumping suits--some against very large operators.

The first Federal action to enjoin thermal water pollution was brought against a Florida power company, bringing a landmark ruling that dumping hot water is a form of pollution and is actionable under the Refuse Act.

In the first Federal enforcement of the Clean Air Act, the Department won an order from a Maryland District Court (sustained by the appellate court) to close down a plant because of air pollution.))

In addition to these actions by the Land and Natural Resources Division, the Antitrust Division secured a consent decree winning prompt and effective relief in the automobile smog case. Without the expense and delay of a court trial, the decree provided very stiff penalties and requirements against the big four manufacturers, and promises to speed the development of an effective auto smog device.

Antitrust

The Department has made significant strides in preserving the free competition that lies at the center of our country's economic system. Through five major conglomerate merger cases, most of which are still pending, the Antitrust Division has helped create a climate in which the incidence of conglomerate mergers has sharply declined. In addition the Department has challenged the systematic practice of reciprocity marketing agreements that have worked against competition among suppliers. Seven such cases have been filed in the past two years, compared to none previously. Altogether, the Department filed 112 Antitrust cases in two years--more than in any two years of the previous Administration. Antitrust cases grew from 55 in 1968 to 67 in 1970.

Corrections

In response to President Nixon's 13-point program for Federal corrections reform, the Department developed a 10-year plan to modernize and upgrade the Federal prison system. Not only will this program carry out the judgments of the courts for the protection of the community, but it will also provide custodial care consistent with human dignity and will place greater emphasis on correction of the offender.

Major progress was also made in 1970 on programs to teach industrial skills to inmates, to provide the most advanced therapeutic and psychological help, to provide daytime community work to selective inmates, and to assist in creating a meaningful transition in the return of prisoners to normal life.

In addition, construction funds for a multi-purpose Metropolitan Correctional Center in New York City have been provided. Plans are being drawn for a similar center in Chicago, and for a facility in North Carolina to treat mentally disturbed and violent offenders. The Bureau of Prisons will soon open the first regional staff training center for Bureau employees and for state and local correctional officials.

At the same time, through the Law Enforcement Assistance Administration, the Department is providing funds to improve state, city and county correctional institutions. Such grants have increased from \$3 million in fiscal year 1969 to over \$100 million for 1971.

Tax Enforcement

Enforcement of Federal tax laws has been greatly improved in the past two years. Processing of cases has been streamlined, so that in 1970 the processing of a criminal tax case averaged only two months and six days, compared to three months and ten days in 1967--an approximately one-third reduction. The percentage of cases won in the trial courts increased from 73 to 81, in the appellate courts from 79 to 81, and in the Supreme Court from 73 to 85. The number of civil and criminal cases closed both increased in this period, and with special reference to criminal cases the figure rose from 659 to 1005--approximately 50 percent.

As for results, collections by the Tax Division grew from \$69 million in 1967 to \$76 million in 1970, while the amount of money saved in the same years increased from \$85 million to \$104 million.

Pornography

Lastly, I want to mention progress against smut peddlers--a campaign that has been at times frustrating, but has always had a significant place in the Administration's program. First let me acknowledge the key role of the Post Office Department, which has generally provided the initial investigations leading to prosecutive action and which has been especially active under Postmaster General Blount. The following figures speak for themselves:

As of January 1, 1969, the Department of Justice was involved in five investigations of major distributors, and eight distributors were under indictment. By January 1, 1971, the figures had jumped to 58 and 55, respectively, or more than

1000 percent for investigations and more than 600 percent for indictments.

In the past 12 months, out of 13 cases involving major distributors, the Government has won 11. Virtually every decision against the defendant is on appeal to a higher court, but several convictions have been sustained at the appellate level, including cases against two of the largest distributors in the country.

As you know, only one of the three anti-pornography bills drafted by the Department and proposed by President Nixon was passed by Congress. We intend to resubmit anti-pornography legislation to the 92nd Congress.

Conclusion

Ladies and gentlemen, these are only some of the accomplishments of the men and women of the Department of Justice in the past two years. Limited time prevents my including many others representing equal diligence and dedication by the various divisions, bureaus, and services within the Department. Again, I leave to your candid judgment the degree to which they represent the fulfillment of our goals.

Now I will be happy to entertain your questions, which I trust you will confine to the subject of the Department's two-year achievements.

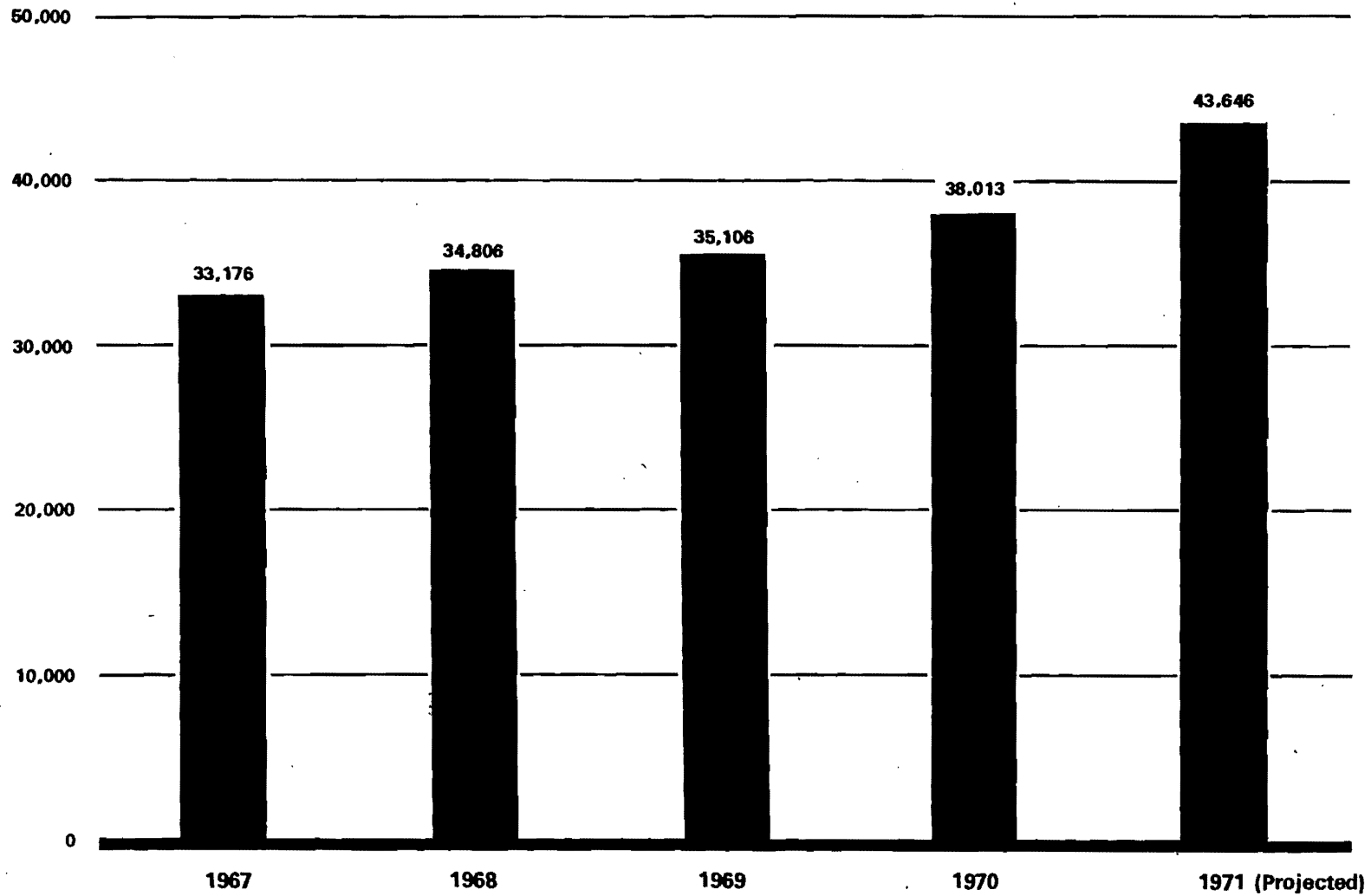
PERCENTAGE BUDGET INCREASES
BETWEEN FY 1968 and FY 1971

(SELECTED DIVISIONS, ETC.)

<u>Name</u>	<u>Percentage</u>
LEAA	6400 %
Community Relations Service	125 %
Criminal	112 %
Civil Rights	107 %
United States Attorneys and Marshals	76 %
Bureau of Prisons	76 %
Bureau of Narcotics	74 %
Tax	49 %
FBI	48 %
Antitrust	38 %
Immigration and Naturalization Service	38 %

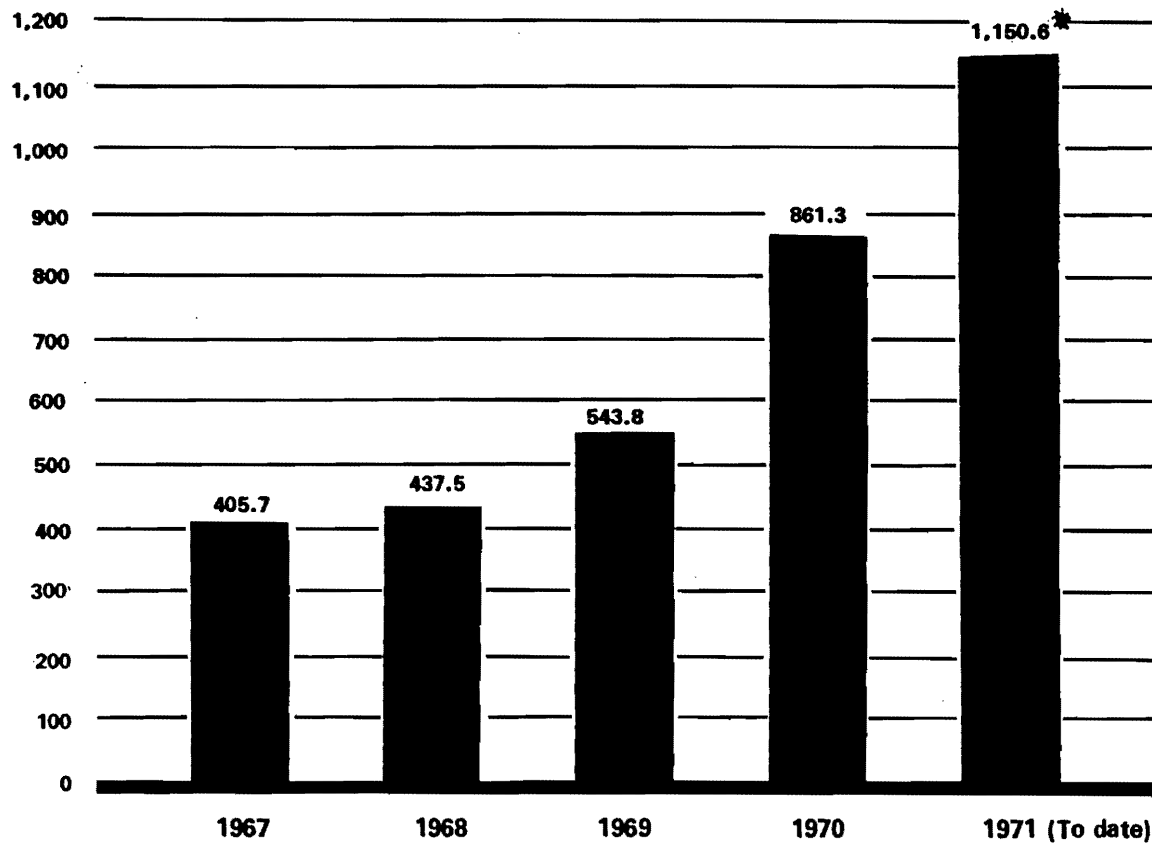
**UNITED STATES DEPARTMENT OF JUSTICE
EMPLOYMENT IN PERMANENT POSITIONS**

(At June 30)



UNITED STATES DEPARTMENT OF JUSTICE APPROPRIATIONS

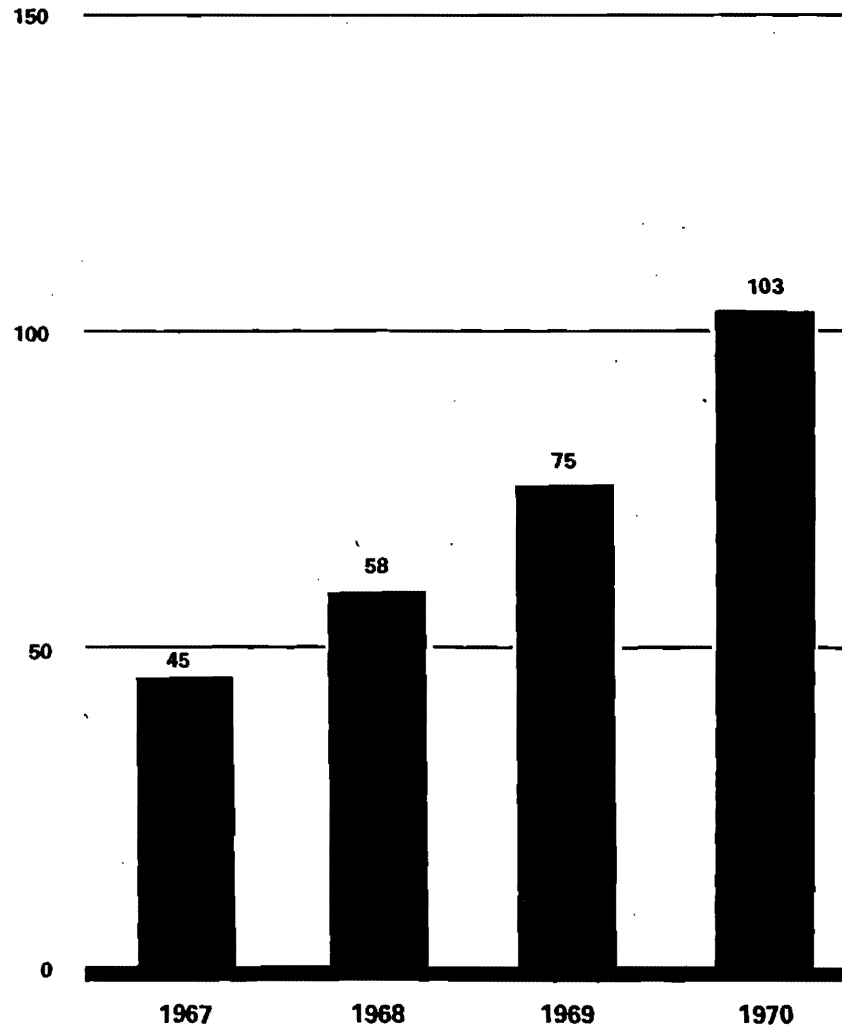
(In Millions)



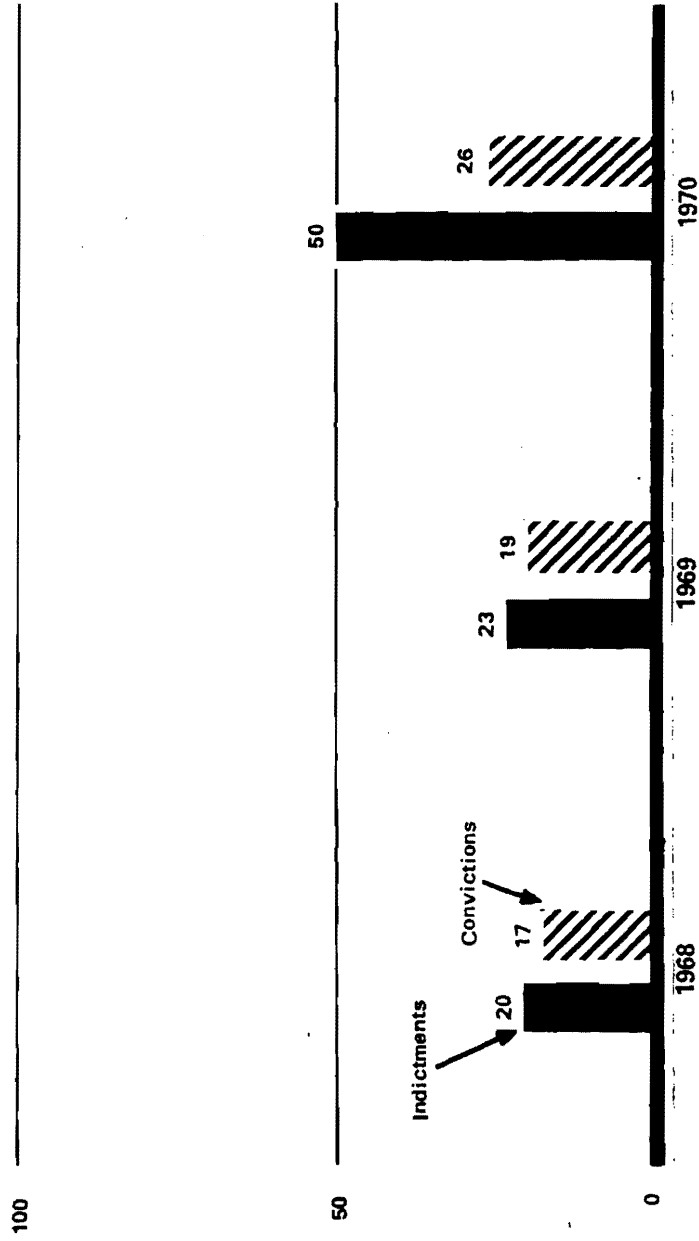
* Includes \$480 million for the Law Enforcement Assistance Administration (compared to \$63 million in fiscal 1969).

**HIGH ECHELON PROSECUTIONS-ORGANIZED
CRIME SYNDICATES**

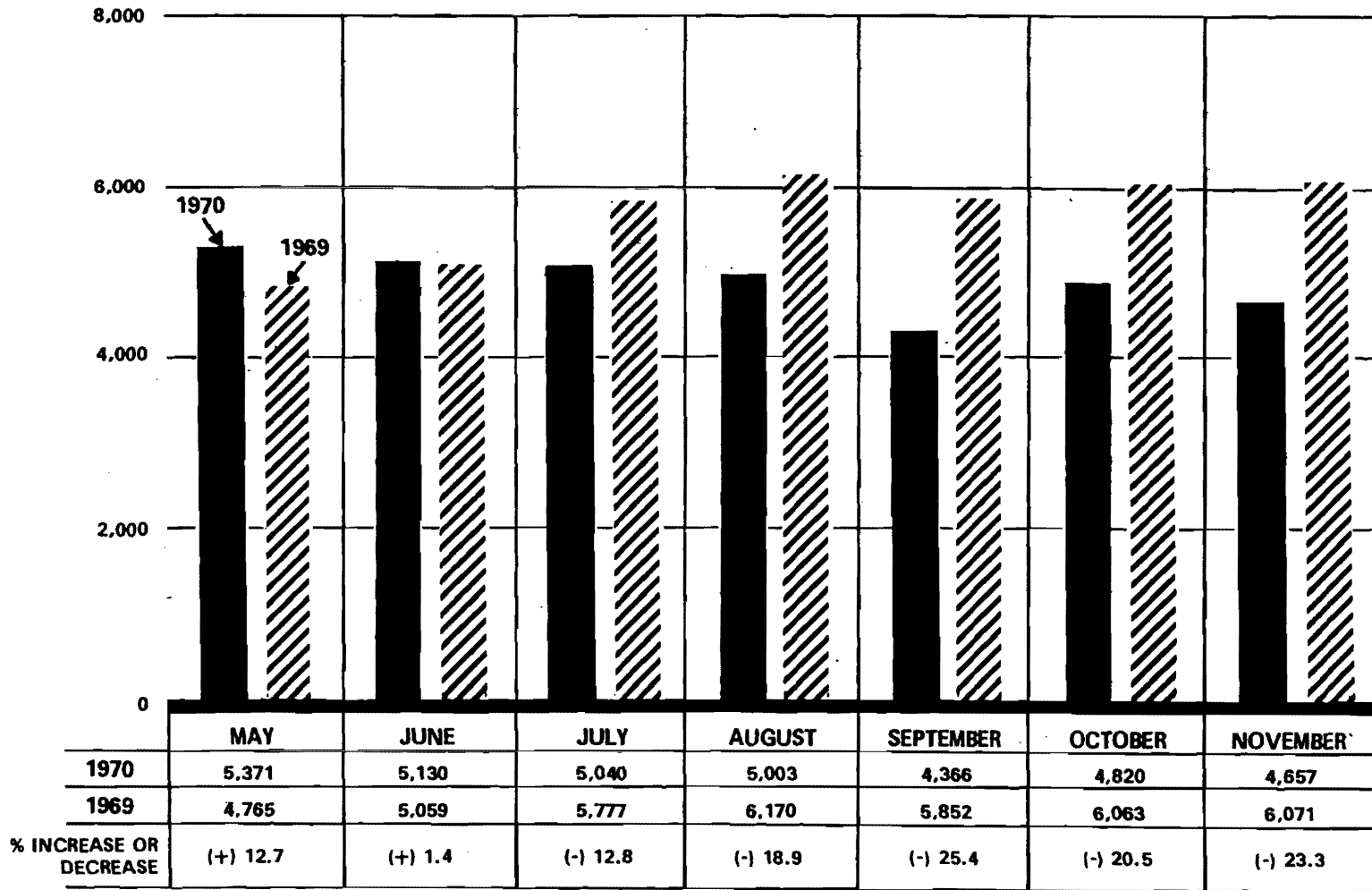
(Defendants Indicted)



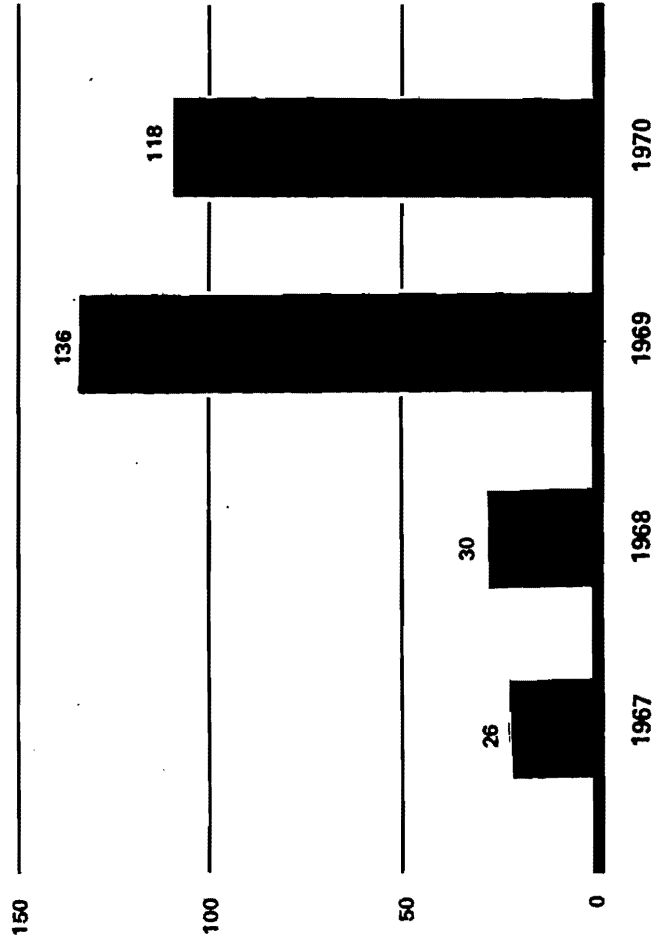
TAX VIOLATION CONVICTIONS, ORGANIZED CRIME
(Calendar Years)



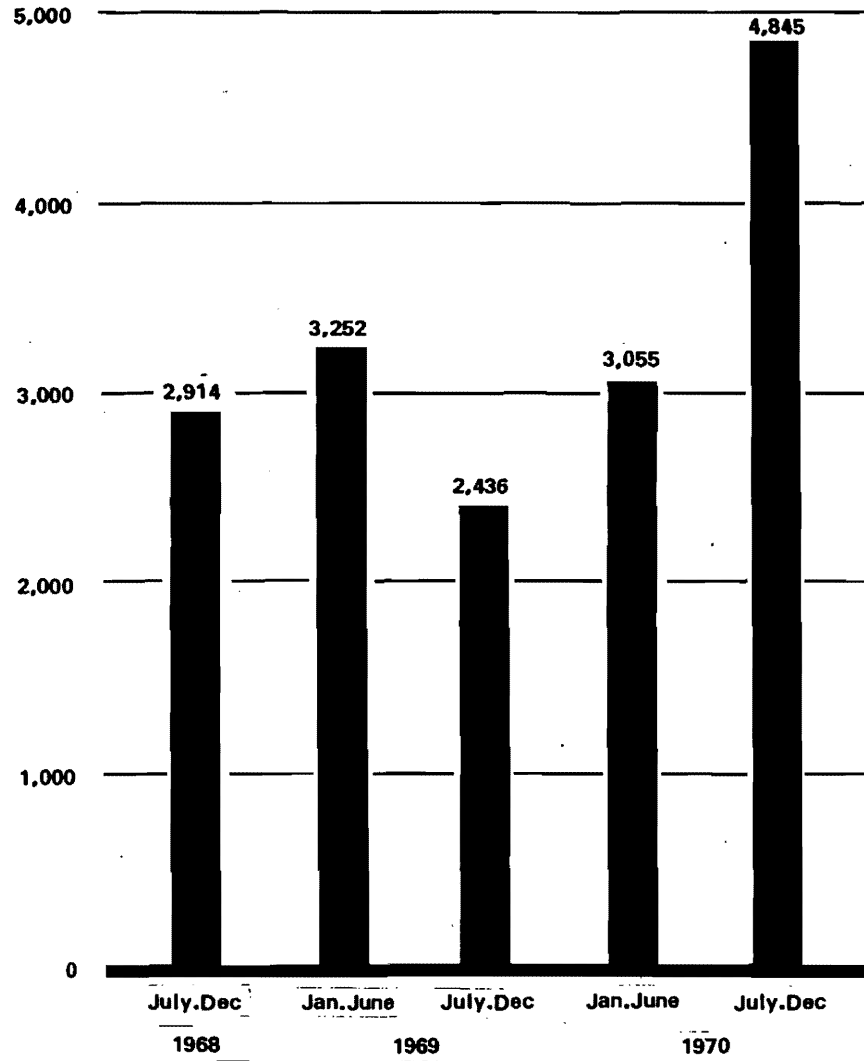
SERIOUS CRIMES, WASHINGTON, D.C.



CIVIL RIGHTS - NUMBER OF SCHOOL DISTRICTS SUED



NARCOTICS AND DANGEROUS DRUG CASES FILED
(Number of Defendants)



DRUGS REMOVED FROM ILLICIT MARKET
IN THE UNITED STATES BY BNDD

	Fiscal years	
	<u>1969</u>	<u>1970</u>
Heroin	140 lb.	427 lb.
Cocaine	73 lb.	197 lb.
Marihuana	8,825 lb.	17,402 lb.
Hallucinogens	24,579,436 d.u.	7,127,742 d.u.
Stimulants	4,831,458 d.u.	7,196,481 d.u.
Depressants	748,850 d.u.	2,339,590 d.u.

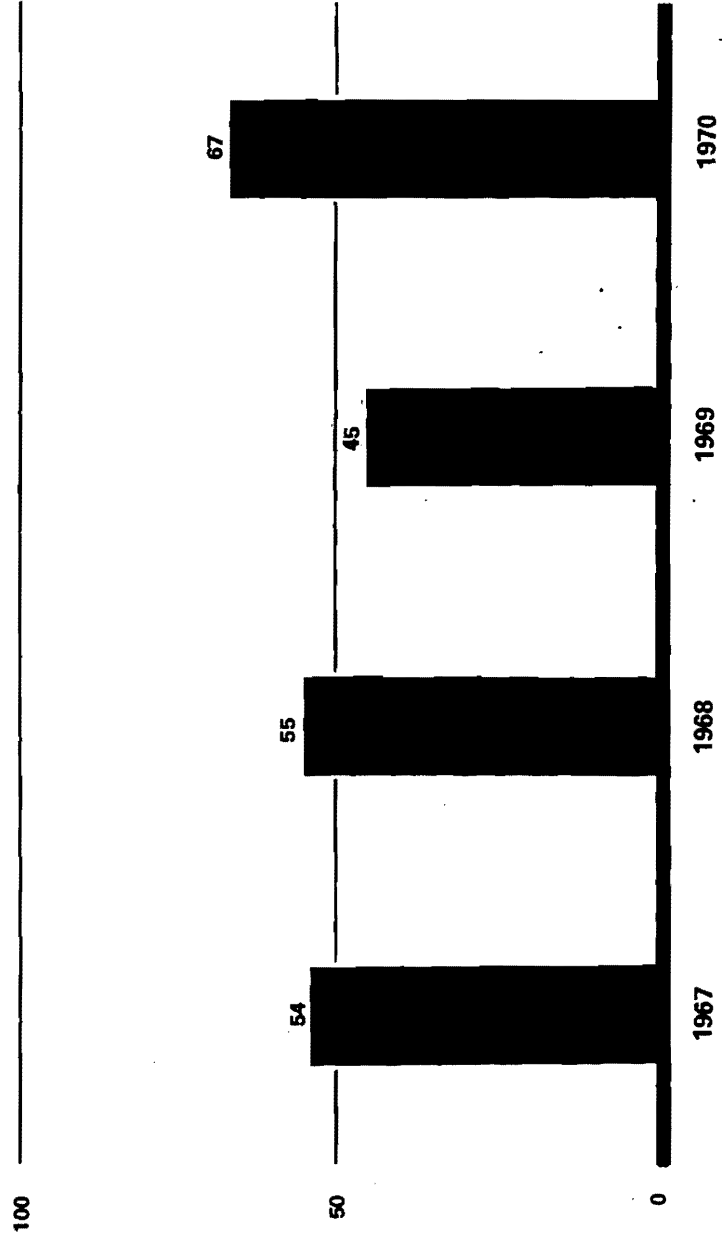
(d.u.=dosage units)

ARRESTS AND SEIZURES BY FOREIGN
AUTHORITIES IN COOPERATION
WITH BNDD

Fiscal Years

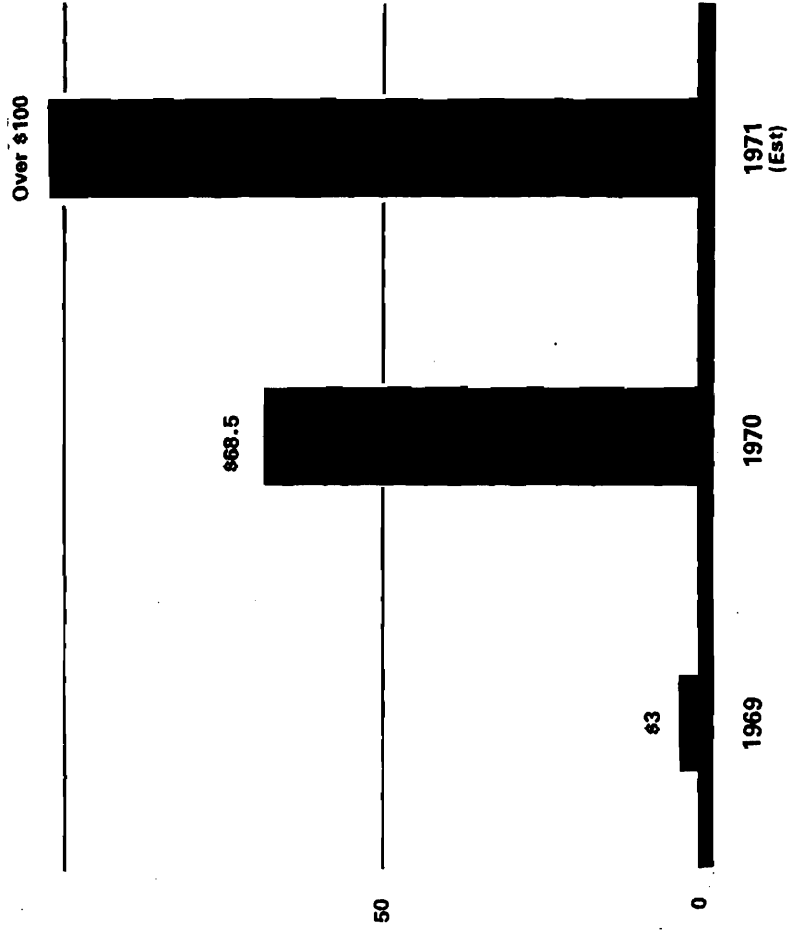
	<u>1969</u>	<u>1970</u>
<u>Arrests</u>	214	207
<u>Seizures</u>		
Opium	290.4 lb.	3,382.8 lb.
Morphine Base	371.8 lb.	584.8 lb.
Heroin	195.8 lb.	299.7 lb.
Cocaine	19.9 lb.	78.5 lb.
Marihuana	13,028.4 lb.	62,080.0 lb.
Hashish	200.2 lb.	664.1 lb.
Stimulants	0 d. u.	5,000,000 d. u.

ANTITRUST CASES FILED
(Calendar Years)

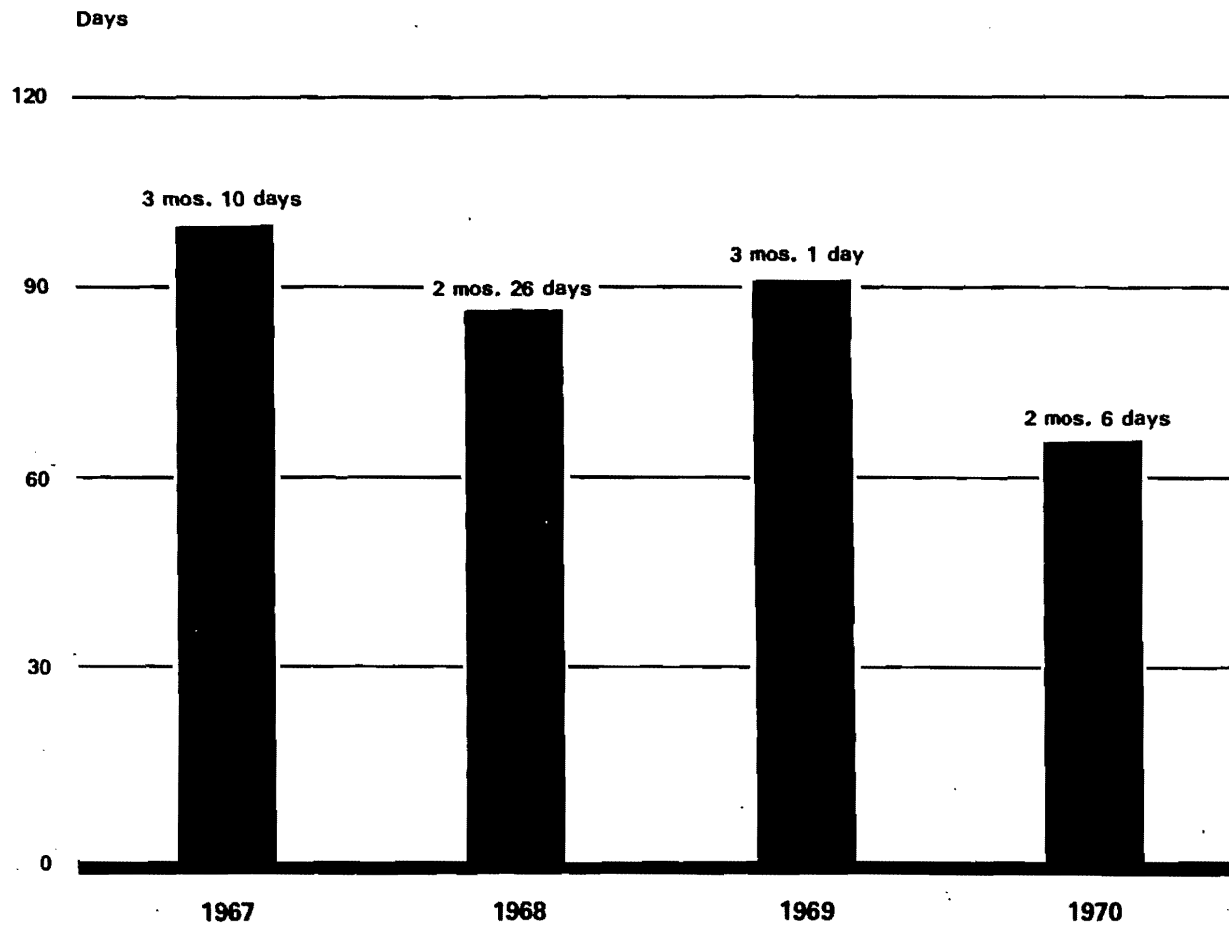


LEAA GRANTS FOR CORRECTIONS (Fiscal Years)

In Millions

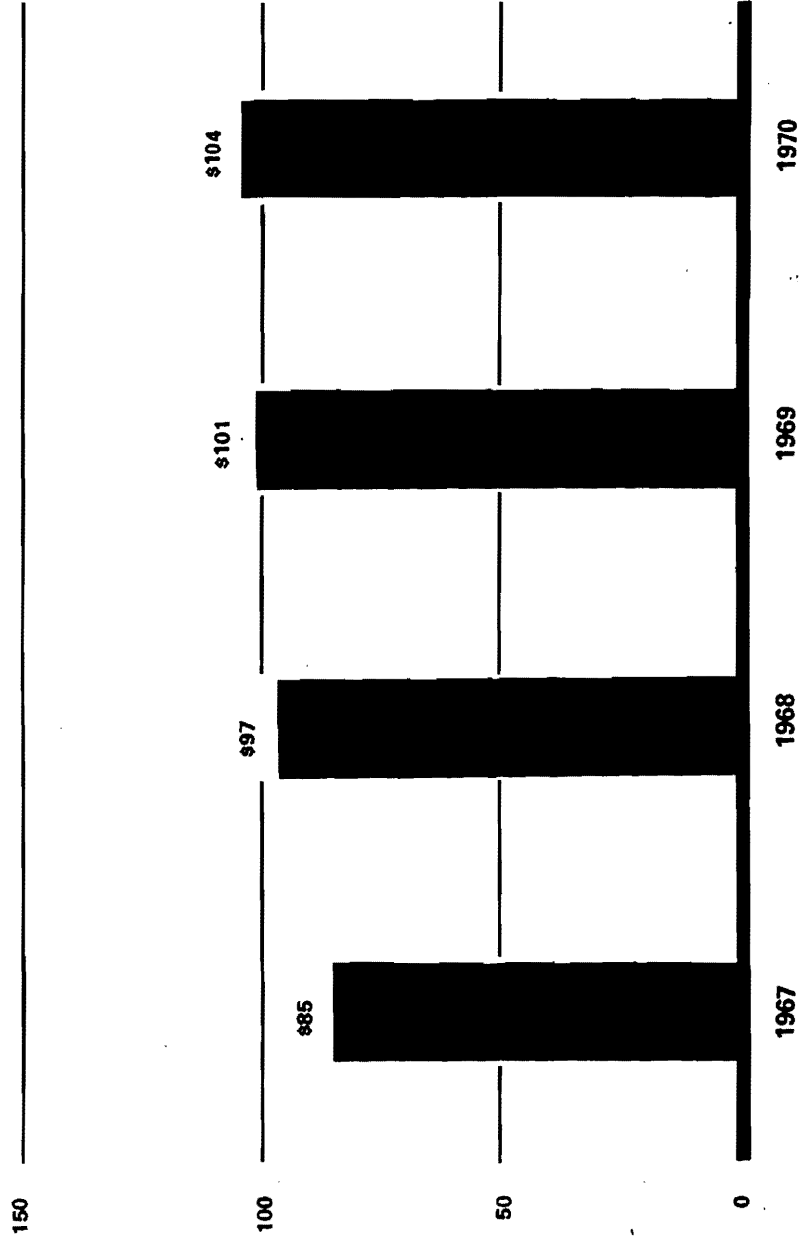


AVERAGE TIME TO PROCESS CRIMINAL TAX CASE IN DEPARTMENT OF JUSTICE
(Calendar Years)



MONEY SAVED IN TAX CASES
(Calendar Years)

In Millions



PORNOGRAPHY INVESTIGATIONS AND INDICTMENTS, MAJOR DISTRIBUTORS

