



Department of Justice

REMARKS

BY

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As individuals, as groups, as a government and as a nation, we are constantly confronted with challenges. Personal, professional, and social challenges test the strength of our commitment and the level of our ability to deal with the problems we face both in the short term and over the long haul.

For the Department of Justice those challenges today are very real and very pressing. Drugs, organized crime, white collar crime, and violent crime are all critical concerns carrying with them a public expectation that action will be taken to meet those challenges and to restore the security and order which crime threatens or destroys.

To restore security and order to streets and neighborhoods throughout this country which are beset by the deadly evils of illegal drug trafficking and violent crime.

To restore security and order to the nation's financial community where fraud, embezzlement and insider trading has robbed countless Americans of millions of dollars.

To restore integrity to a government beset by allegations of political favoritism, fraud, and outright theft.

And to restore security and order by stripping away the facade of organized criminal activity which spreads throughout the nation and the world.

As you well know, these challenges and the public cry for action they have generated are not new. The call for a restoration of law and order has long been high on the list of what the American people demand from their government at all levels.

But as you also know, it is a difficult demand to satisfy because of the simultaneous public demand for less spending, and a public lack of appreciation for the full dimension of necessary government resources to effectively address the crime problem.

As each of you are no doubt keenly aware, nowhere has that been more the case than in the area of correctional facilities.

The public demands more arrests, but makes no demand for more jail space. They seek increased rates of prosecution without concern for increased inmate populations. And they call for longer sentences, without calling for larger prisons.

That, to say the least, has been frustrating, for the ACA as well as for state and federal administrators who have struggled trying to satisfy the demand without the resources.

But the key to that statement are the words "has been," because much of the frustration of years past is coming to an end as Americans demonstrate the strength of their commitment to meet, comprehensively, the challenges of crime.

No where is this commitment felt more strongly than in the war on drugs. Drug offenders today make up 43% of those imprisoned within federal correctional facilities. And today's report of the Department of Justice Drug Enforcement Task Forces discloses that nearly 900 indictments naming 3,000 defendants were returned last year as a result of investigations and prosecutions conducted by the Department of Justice; meaning, that over the six-year history of this program almost 5,000 indictments, naming nearly 17,000 defendants, have been returned. These 13 Task Forces are making significant inroads in crippling and dismantling major drug trafficking organizations and helping to fulfill this Administration's promise to end what President Bush has called the "scourge" of drugs.

The striking results reflected in this annual report not only underscore the effectiveness of this effort but provide notice to criminal organizations dealing in drugs that our resolve to destroy them is unwavering.

Last year this program was responsible for almost \$300 million in seizures of property and cash, which was considerably more than the program's expense.

And drug kingpins convicted as a result of Drug Enforcement Task Force cases were sentenced to an average of 16.4 years, up 20 percent from the year before.

Through their support of this and other enhanced law enforcement initiatives across-the-board, Americans are showing an understanding that our criminal justice system exists on a continuum -- from investigation and arrest, to indictment and prosecution, and finally to incarceration of the guilty -- and an understanding that if justice is to be fully realized, each link in the chain of law enforcement must be of equal strength.

That concept, and Americans' support for it, is no better illustrated than in President Bush's anti-crime bill.

In his proposal for a comprehensive attack on crime, the President's package would:

- provide more investigators and prosecutors,
- increase penalties for the criminal use of firearms and end plea-bargaining in these cases,
- allow for reasonable exceptions to the exclusionary rule
- and, of greatest interest to most of you, provide an additional \$1 billion for federal prison construction in this, the 1990 budget, which, together with construction funds already authorized, will result in the doubling of the federal prison capacity that existed when this decade began.

With this package, no longer need investigators forgo promising leads for fear that there will not be enough prosecutors to handle the case.

No longer need prosecutors hesitate to bring cases to trial for fear judges will not impose appropriate sentences.

And no longer need judges hesitate to impose maximum prison time for fear that adequate capacity in our correctional system is wanting.

In short, in the test of the strength of our commitment and of our ability to meet the challenges of crime, this package shows a strong commitment which will give us the ability to effectively advance on all fronts in our war against crime.

The design of this package is clear. As stated by the President it is to ensure that:

- if you commit a crime, you will be caught;
- if you are caught, you will be prosecuted;
- if you are convicted, you will go to prison.

Such a comprehensive approach, if replicated at the state and local level, can go a long way toward restoring much-needed credibility to the deterrent capacity of our criminal justice system. And with equal attention having been given to each of the critical aspects of this attack, no longer will our corrections system be a weak link in the chain because of underfunding.

That is also the very encouraging case in many states. Many of you in this room are in the midst of major prison construction programs. In California, Ohio, Georgia, New York and in many other states, a forthright approach to this challenge has been taken through prison construction programs totaling billions of dollars. In my home state of Pennsylvania, work is being completed on the 30% increase in prison space which began during my term as governor.

But as necessary as construction is, it is not the total answer to our problems. It is neither financially, nor politically, practical to rely completely on ever-expanding prison space to respond to the need to hand down just punishment.

To be sure, we must and will build every cell we need to ensure public safety. But somewhere between probation and prison, options for alternative punishment must be formulated and pursued.

For non-violent lesser offenders there must be other ways.

Programs which are not incarceration in the traditional sense but which would still greatly limit inmate freedom, may be one answer; or programs which confine offenders to a facility at night but which allow them to work during the day to support their families and pay for their room and board in the facility.

Electronic monitoring and home confinement may also be reasonable options in restricting non-violent offenders and in meting out fair punishment to achieve justice.

None of which is to ignore current innovative efforts in this area nor to forget the role of those ACA members whose work lies outside the prison walls.

Just as prison personnel are not the only ones represented here today, prisons and the confinement of violent criminals are not our only concerns.

Those of you who deal with juvenile delinquency face the pressures and challenges of vastly increased workloads as drugs and the violent crime it breeds reach all the way down to pre-teens, setting far too many of our nation's young on paths of social mayhem and personal destruction.

Here too, innovative programs for demand reduction and for the treatment of youthful drug abusers -- both in prison and in the community -- are playing a vital role in effectively dealing with this problem as positive intervention strategies help change the lives of countless lost youths. That must be understood by the public.

And for all of you working in the area of probation and parole, your accomplishments in aiding the individual as well as in bringing an important balance and relief to the criminal justice system, is an aspect of our work that must not be overlooked by the public.

Indeed, with two out of every three offenders today serving their sentences under some type of community supervision, were there to be no community-based programs, there would be no way our prisons could handle the increasing population of offenders.

As I said at the outset, the challenges we face test not only our commitment and ability to deal with problems in the short term, but in the long term as well. In facing those twin challenges the ACA has stood at the forefront in advocating positive correctional change -- change with relevance for both today, in 1989, and for the future as we look ahead to the new decade.

In emphasizing training and staff development, the ACA has helped raise the level of professionalism among our nation's correctional personnel and has gone far in, not only identifying, but in developing the human resource potential that will be needed as we expand the nation's correctional network.

In its Standards Program the ACA has been preeminent in bringing improvements to America's current correctional system. And as now we face a future of rapid growth, ACA's standards will play an important role in efforts in designing new and functional facilities, in maintaining constitutional conditions of confinement, and in expanding and enhancing important community programs.

The ACA's willingness to tackle tough issues like prison industrial programs, privatization and the death penalty reflect the kind of commitment that is necessary to carry us into the future.

And, as I discussed a moment ago, your efforts to gain the public confidence, understanding and support that is, and will continue to be, so necessary for carrying out our goals also reflects the ACA's appreciation for the demands of the present and of the future.

The need has never been greater for the public and elected officials to understand the full mission of corrections, and to understand also your problems and how they can best be solved in the interest of public safety. Pay, benefits, and working conditions for staff, as well as the application of new technologies and programs for inmates, all require public support and allocation of scarce resources.

And with the strong voice of the ACA, the corrections community can be assured its views will receive the attention they deserve.

We have our problems, of course, and they won't be solved overnight or over the next year. Overcrowding, human resource problems, non-competitive law enforcement pay and benefits -- all are serious issues and all must be dealt with. But the good news is, they are being dealt with.

Directly, through the allocation of funds to meet the specific needs of the America's correctional system. But more importantly, the problems we face are also being dealt with, not just at one link in the chain of justice, but at every link in that chain. A chain in which America's correctional system plays a vital role in ensuring the fair and necessary application of justice in America.

In this long-waged battle against crime, our renewed and comprehensive efforts mark a turning point for all of us in law enforcement and particularly for each of you -- a turning point which will allow you to pass the tests I spoke of earlier.

With the support of the public, this administration and the administrations of countless state and local governments, to pass the test of our commitment.

And, as increased funds become available for facility modernization and construction, and for program continuation and development -- to pass the test of our ability to deal effectively with the challenges that face us in our work.

And finally, to pass that test, not just today, but in the future.

Ten years ago when, as governor of Pennsylvania, I had the opportunity to speak to the ACA's membership, I talked about the challenges to in our nation's corrections system; and about the need to give corrections the attention it deserved in order to bring about positive change.

Then, my specific concerns rested with serving the needs of my state, and as some of you will remember I took the occasion of my address to the ACA to announce my intention to work toward establishing Pennsylvania's Bureau of Prisons as a cabinet level department.

I'm happy to be able to say that that work paid off, and that as governor, I was, in fact, able to achieve the goal of elevating the Bureau of Prisons from what I had called the "invisible world of corrections," to the very visible and very active world of policy-making within the governor's office.

Today, as was the case ten years ago, I have again talked about the challenges to the nation's corrections system, and about the need for giving corrections the attention it deserves. And although now I speak from the vantage point of serving as America's Attorney General, my view toward, and my commitment to, the corrections system remains the same: to give it the attention it deserves and to work for -- and to achieve -- the goals of positive change.

Thank you for your hard work and dedication, and for your contributions to justice and to the peace and security of this nation, and may God bless you in your future endeavors.