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January 17, 1966

REMARKS ON CRIME AND LAW ENFORCEMENT
TO BE INCORPORATED INTO A SPEECH BY
CONGRESSMAN GERALD R. FORD
BEFORE GRAND RAPIDS, MICHIGAN,
POLICE SCHOOL GRADUATING CLASS,
JANUARY 21, 1966

This is an important day for you as you graduate from police school and begin your careers as law enforcement officers. It is also an important day for ^{my} ~~your~~ city, which is proud of you for having completed the rigorous training and expectant of the talent, strength and resolve which you bring to your important duties.

The hard, exacting and sometimes dangerous career you have chosen places on each of you a tremendous responsibility. The citizens of Grand Rapids have hired you to protect them. They have placed you in the forefront of the battle for an orderly and decent society with the expectation that you will meet the challenge of modern crime and that your every action will reflect the highest ideals of respect for and dedication to the law.

Respect for the law is basic to a police officer, as it should be to all good citizens. Unhappily, however, this vital trait is on the ebb in many segments of our population today, and it is this fact which is at the heart of many of the gravest problems facing law enforcement. It is clear to me that the apathy of many Americans to the preservation of law and order is a key factor in this Nation's soaring crime rate.

Collective indifference is breeding disrespect for the law, and this can only result in the continuing acceleration of our crime problem.

Let us consider for a moment statistics relating to the rise of serious crime in this country, as compiled in the FBI's Uniform Crime Reports.

In 1964, there were over 2,600,000 serious crimes reported in the United States, a 13 percent increase over 1963. Of all the persons arrested for these crimes in 1964, 62 percent were under the age of 21. Our juveniles alone, who comprise less than 20 percent of our national population, account for almost 50 percent of all arrests for serious crimes.

These crimes are outpacing our population growth by 6 to 1 with new records being set almost yearly. And it should be kept in mind that serious crime is not measured in terms of traffic violations or other minor incidents but rather in the major offenses of murder, robbery, forcible rape, burglary, aggravated assault, larceny over \$50 and auto theft.

These chilling statistics serve as a barometer of ~~the Nation's moral climate.~~ The message they contain is explicit: ~~indifference to the safety of one's fellow citizens and the general~~ *This* ~~community~~ aids and supports the underworld and encourages more crime and violence. It is a grim merry-go-round in which the criminal always catches the brass ring and the honest citizen pays the bill.

And for you police officers, these crime figures have a very special meaning. They translate into the basics of your profession, the contact you have with the public in your day-to-day operations.

You see these statistics in the making. For you, they are translated into the sullen witnesses who refuse to furnish information; the citizens who turn away because they do not want to become involved; the young punks who hurl taunts or worse.

And they also are translated into the crowds in any of a hundred cities who ignore police officers in distress while the officers attempt to forestall the commission of crimes.

"I don't want to get involved." This statement has become the byword of far too many Americans with regard to matters relating to law enforcement. They will go out of their way to avoid observing any incident which might involve them as a witness to a crime. Some, when there is no other way out, will even resort to outright lying to escape involvement, claiming they saw nothing or giving a false name and address so they cannot be located when their testimony is needed.

A classic example of this cruel non-involvement creed occurred in New York City on March 13, 1964. On that bleak morning, Kitty Genovese was fatally assaulted while 37 of her neighbors watched from their windows. Miss Genovese fought for survival. She was twice freed by her assailant, then attacked again over a period of some few minutes. Yet not only did the witnesses make no effort to assist her, they did not even take the simple action of phoning the police.

One man did go to his telephone. He called a friend miles across town to ask what he should do. He was advised

to call the police, but instead he called a neighbor and this man finally notified the authorities. Officers were on the scene within five minutes but it was then too late.

I fear this widely publicized tragedy did not teach a lasting lesson, however, for exactly one year later a woman reporter re-enacted Miss Genovese's slow and agonizing death. And what happened? As you may have surmised, the same thing happened--no one made any move to help.

Greater need for upgrading citizen moral and civic standards is interwoven in the crime statistics I have cited. This is a tremendously complex problem but it must be solved if our Nation is to continue to flourish. FBI Director J. Edgar Hoover has stated, "This breakdown in our national moral standards can only render us impotent as a people and as a Nation. Law and order are the foundations upon which successful government must stand. Without law and order, society will destroy itself."

Disrespect for the law and law enforcement is a bitter pill for the police officer. Often underpaid and overworked, he is maligned for doing his duty as well as for not doing it. And, of course, he is working under rigid legal restrictions that have steadily encroached on his power to operate quickly and decisively.

Let us examine this matter of restrictions. The chief judge of a Federal Court of Appeals recently asserted that there have been two distinct trends in the criminal law during the last 40 years--"to strengthen the rights of the individual and to restrict the powers of the police."

The demands on law enforcement personnel today are complex and exacting. Society expects its police officers to be far more than investigators or enforcers of the law. It expects them to handle questions of constitutional law, on a moment's notice, that would baffle law scholars poring over their books at their leisure.

Recent court decisions have shackled our Nation's police with the impossible task of deciding constitutional law instantly, often in the face of danger. And, as you graduates know, if you err, and your actions are judged in retrospect, society penalizes you and itself by freeing the criminal even if he is known to be guilty of some serious crime. The U. S. Supreme Court, in a 1961 decision, held that a police officer who is determined to have erred and made an unreasonable search or an arrest without probable cause is subject to being sued in Federal Court.



In 1964, the Supreme Court ruled that a person has a right to demand an attorney at the time he is arrested for committing a crime. Frequently the arresting officer has no one to turn to for prompt legal guidance, but one mistake on his part, intentional or not, can totally negate all the efforts expended to capture a criminal.

The irony of this is that while society requires that every accused criminal be provided trained legal counsel, it has in many areas of our country refrained from providing the funds needed to properly man law enforcement agencies with adequately trained personnel.

In recent years, our courts have been severely criticized for some of their rulings which seemed to elevate the rights of the individual above the rights of society. ¹ A classic case in Chicago illustrates this point vividly.

Two plainclothes Chicago police officers were en route home after completing a tour of duty. They heard a man shout that a "crazy guy is trying to cut people with a bottle." Stopping to investigate, the officers came upon two men, one holding a broken beer bottle. The officers identified themselves, drew their guns and instructed the man to drop the bottle. The man

*not a
copy
illustration*



responded with a vile oath and shoved the jagged bottle into the face of one of the officers, inflicting wounds requiring 27 stitches to close. The officer was hospitalized for 23 days and will bear permanent scars on his face.

The two men were subdued and five months later, in March, 1965, they were brought to trial on charges of aggravated assault upon law enforcement officers. The judge acquitted both defendants, contending that they were merely protecting themselves from an attempt by the officers to illegally arrest them. The judge also assailed the officers for having used "excessive force" by drawing their weapons. He asked, "What is a citizen to do when he is approached by two officers with a gun?"

It is certainly hoped that other judges take a dim view of this judicial decision. There are more than enough attacks on police officers already.]

Some criminals have used the right to counsel to make a mockery of our system of justice. A popular scheme these days is for an accused person to request a trial delay on the claim that he does not have an attorney.

A school teacher in an eastern city who was charged with a morals offense against two young girls sought and was granted five postponements of his trial on the claim that he had no lawyer. He remained free on bail until a disgusted judge finally ordered him to jail until he secured an attorney.

In another case, a man charged with a sex crime managed to avoid trial for almost three years. After obtaining three continuances of his case because he had no lawyer, he hired one on the fourth date set for the trial. But this lawyer needed time to prepare his case, so trial was put off again. The defendant then disappeared and was not apprehended for 13 months. On the new trial date he fired his attorney and was granted a delay to hire a new one. This he did on the day the trial was to start and again a postponement was granted for the lawyer to prepare the case. A judge finally halted this farce when he refused to allow the defendant to again fire his attorney on the next date of trial.

Law enforcement has been hindered by some of these decisions, of that there can be no doubt. They must be obeyed, however, and law enforcement must do everything possible to minimize their impact.

It is, therefore, incumbent on you in this graduating class to direct your best efforts toward gaining the full support of the public. The citizen good will which provides increased appropriations for better salaries, training and equipment is not easily come by. It must be earned through your actions and words.

Each of you is responsible for building the image of law enforcement. It must be an image based on integrity that can demand respect and confidence.

This is a 24-hour-a-day job because your every act will be under constant scrutiny. Let your future performances reflect the training you have received in this class, and never forget the trust which has been placed in you by your department and your community.

I wish you Godspeed and good fortune in your new careers.

Franklin

