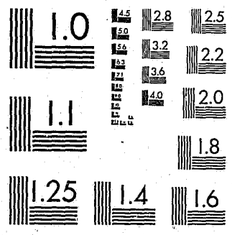

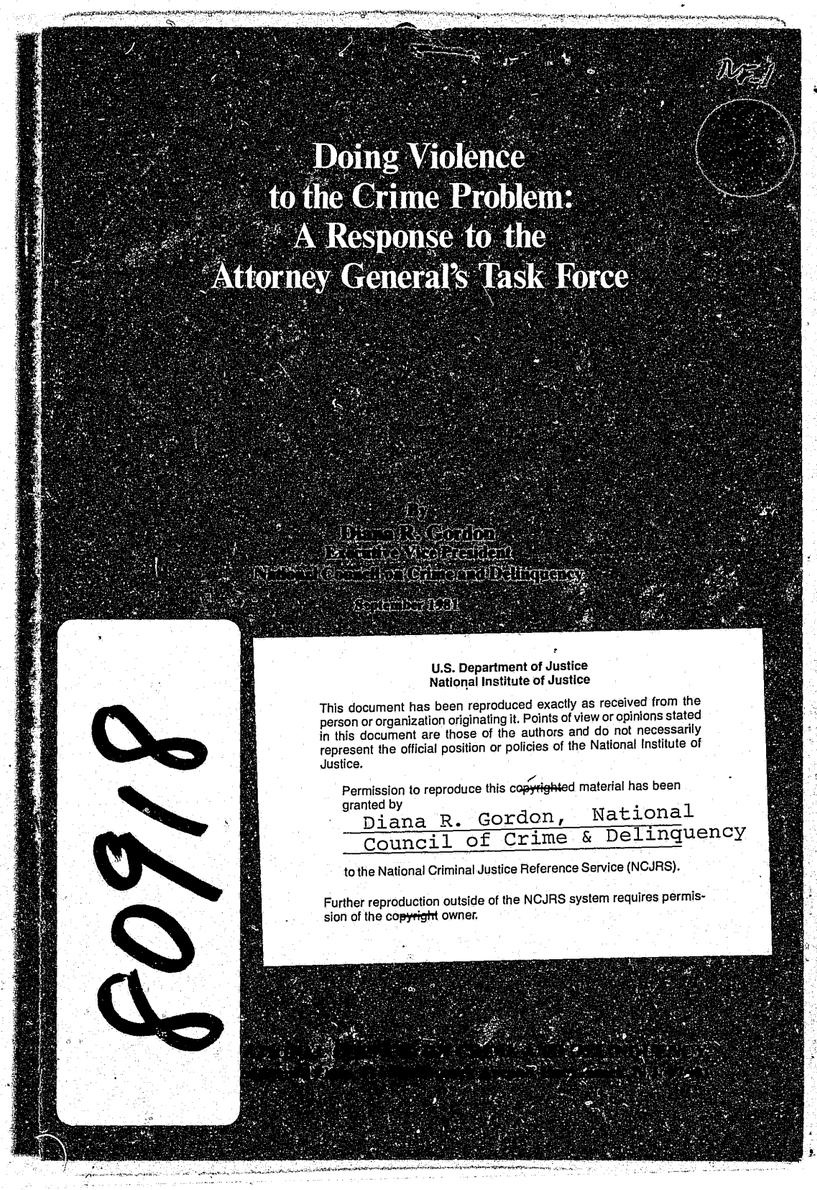

PREFACE

None can deny that the nation suffers from violent crime, and too often its most defenseless citizens, the elderly, the young, and those in our urban ghettos, suffer the most. It is clear that there is a pressing need for national leadership in dealing with this painful problem. Therefore, we commend the Attorney General for establishing a Task Force on Violent Crime and for seeking new federal initiatives in this area.

Of the sixty-four recommendations produced by the Task Force, some are clearly steps in the right direction. They should be accepted wholeheartedly by the President. Others are unfortunate. If implemented, they would be costly and counterproductive and they would not reduce violent crime. They would sacrifice legal traditions which in the past have protected personal liberty. They would enlarge police power, already formidable, without achieving compensating benefits. They would build the capacity for punishment, but this country is already more punitive than it needs to be. And they would deal with some young offenders as though they were gangsters and racketeers. None of these suggestions can fulfill the promise of "insuring domestic tranquility." But all exact a stiff price.

One of the more troubling aspects of the Task Force effort was its early decision not to examine social or economic conditions and their relation to crime. This was done because the charge of the Task Force was limited to recommendations as to "policies the Department of Justice might pursue." Even if its recommendations were made to the entire federal government, the Task Force report states, it is not sure what government "by itself," could do to affect "familial neighborhood conditions . . . social opportunities and . . . personal values."

The key phrase here is "by itself." Of course, the federal government cannot

itself do all these highly desirable things. But government can lead. It can involve and energize forces in society – local governments, business and industry, private sector organizations – in programs which can bring improvement in all these areas. This is its true role and it should not delay in assuming it.

This paper by Diana Gordon, executive vice president of the National Council on Crime and Delinquency, spells out the reasons why some of the major recommendations are without merit and why they should be rejected. Her comments are her own but they are based on explicit NCCD policies or by viewpoints long held by this agency's leadership.

We urge that a serious dialogue take place on the merits of each recommendation. Because they would have long term consequences for our country, every effort must be made to assess their benefit. None must become part of the national strategy to combat crime until we are convinced that to do otherwise would harm the nation.

Milton G. Rector
President

September 1981

Doing Violence to the Crime Problem: A Response to the Attorney General's Task Force

By
Diana R. Gordon
Executive Vice President
National Council on Crime and Delinquency

September 1981

I. INTRODUCTION

Street crime has re-emerged as a major public issue in America within the past year. 1980 was described by *Newsweek* as "the year that mainstream America rediscovered violent crime," and that discovery took many forms. Hundreds of thousands of Californians now have tear gas permits, and polls indicate that growing numbers of citizens now own guns for protection. Within a few weeks of each other in the spring of 1981, the three major national news magazines ran prominent stories on violent street crime, and in many cities local radio and TV stations now begin their daily news programs with the latest muggings and murders. Political figures are giving voice to public fears by running for office on law-and-order platforms.

Public concern, media attention, and the recent political debate over crime have all created a situation which calls for dispassionate and thorough analyses of the problem and the appropriate responses to it. Expectations that such an analysis was forthcoming were raised when, on April 10, 1981, Attorney General William French Smith created his Task Force on Violent Crime. Its members, listed below*, were to develop, as the Attorney General put it, "a more effective federal role in combating crime."

*The Preface for the Final Report lists the names, titles, and experience of the Task Force members as follows: It was co-chaired by former Attorney General Griffin B. Bell and Governor James R. Thompson of Illinois. Griffin B. Bell was a judge of the U.S. Court of Appeals for the Fifth Circuit from October 1961, to March, 1976, and was Attorney General from January, 1977 to August, 1979. Governor Thompson was U.S. Attorney in Chicago from November, 1971, until June, 1975. The Task Force also includes: James Q. Wilson, professor

of government at Harvard University and author of numerous books and articles on criminal justice; David L. Armstrong, Commonwealth Attorney of Louisville and President of the National District Attorneys Association; Frank G. Carrington, Executive Director of the Crime Victims Legal Advocacy Institute, Virginia Beach, Virginia; Robert L. Edwards, Director of the Division of Local Law Enforcement Assistance of the Florida Department of Law Enforcement; William L. Hart, Police Chief of Detroit; and Wilbur F. Littlefield, the Public Defender for Los Angeles County.

The work of the Task Force took four months. Testimony was heard from nearly 80 witnesses in seven cities, many criminal justice experts submitted written testimony, and the Task Force staff conducted literature searches and interviews. Phase I recommendations, presented in June, dealt with measures which could be undertaken immediately and administratively. The Phase II report, issued on August 17, proposed changes which would necessitate new legislation and new or reallocated funding.

The Task Force Final Report contains 64 recommendations covering a very broad range of criminal justice issues. Generally intended to raise the costs of crime as perceived by potential offenders, the proposals, if enacted, would provide mandatory prison terms and expanded prison capacity, institute procedural changes to increase convictions, and extend federal jurisdiction over some kinds of criminal investigations and prosecution.

This response to the Attorney General's Task Force Report is not comprehensive. The Report contains a number of recommendations on which the National Council on Crime and Delinquency does not presume to be expert. This paper addresses a group of proposals on which the organization has taken positions in the past and which are likely to damage the cause of effective and fair criminal justice. In general, these changes would not reduce violent crime and could be implemented only at great social and economic cost.

II. RESPONSE TO SELECTED RECOMMENDATIONS OF THE TASK FORCE REPORT

The Final Task Force Report contains some welcome endorsements of such measures as continued research on crime and its causes, more extensive training for local corrections and law enforcement personnel, exploration of gun control measures, and victim assistance. But the Report, as a whole, does not guide the new Administration toward constructive federal involvement in the control of violent crime. This response to the Attorney General's Task Force will be limited to commentary on selected recommendations: preventive detention (Recommendation 38); the exclusionary rule (Recommendation 40); the sentencing provisions of the Federal Criminal Code (Recommendation 41); federal funds for state and local prison construction (Recommendation 54); and the extension of federal jurisdiction over juveniles (Recommendations 58-61).

Preventive detention. Section a of Recommendation 38 calls for amending the Bail Reform Act of 1966 to allow the denial of bail to those found "by clear and convincing evidence" to be dangerous to others. Section b would withhold bail from one who had committed a "serious crime" while previously released pending trial. These proposals may well be found unconstitutional. They will surely be impractical to implement and ineffective in reducing violent crime.

Denial of bail and the detention that results constitute punishment of one who has not yet been found guilty. To rule that such punishment is justified requires turning away from nearly a century of judicial interpretation of the due process clause of the Fourteenth Amendment.[1] Certain Supreme Court decisions on which current practice is based cite as well the Eighth Amendment prohibition of excessive bail to support the principle that detention is justified only to ensure appearance for a trial.[2]

Predictions of human behavior for the purpose of determining dangerousness have been demonstrated to be notoriously unreliable. Prediction of dangerousness is difficult partly because, as a matter of statistical frequency, violent or dangerous events are relatively rare. Even where a defendant has been known to engage in violent behavior in the past, the risk of overpredicting dangerousness is very great indeed.[3] Estimates of the number of defendants who must be detained in order to prevent the violent behavior of one person vary widely. Some scholars think the number is as low as four, but many think it is as high as ten.[4] One researcher expresses the conclusion of many when he says, ". . . available research has demonstrated that predicting a defendant's propensity to commit (dangerous) crimes while on pretrial release is at present nearly impossible."[5]

It is unclear from the Task Force recommendation what would constitute dangerousness justifying pretrial detention. While some might consider any propensity toward felonious behavior sufficient evidence, others would include only behavior that caused permanent physical harm to a victim. The inherent subjectivity of standards of dangerousness illustrates well the concern of Supreme Court Justice Robert H. Jackson when he said many years ago that preventive detention is "fraught with danger of excesses and injustice."[6]

The Report's provision for denying bail to one who has proved his or her untrustworthiness by committing a serious crime while previously on pretrial release is no more precise. Similar problems of defining what is a "serious" offense pertain. In addition, that provision would have very little effect on violent crime, simply because such a small proportion of defendants are arrested for violent crimes while on bail. The most recent major study of pretrial release in the United States found that, while about 16 percent of pretrial releases were rearrested before their trial dates, only 2 percent were people who had been initially charged with a violent crime and were picked up during their pretrial period for either a property or a violent crime.[7] Furthermore, fewer than half of all rearrests occurred during the first four weeks on release. The Task Force notes that the federal system brings defendants to trial promptly, and relatively few charged with federal offenses have demonstrated a propensity to engage in violence. These facts suggest that the serious crime prevented by detaining defendants would be minimal. If detaining those charged with a narrow range of violent crime does not significantly reduce the incidence of violent crime, disillusionment may open the door to appli-

cation of the policy to those charged with only minor offenses. Preventive detention could quickly become a legal and fiscal nightmare. The problem of pretrial crime could be much more effectively addressed with further efforts to ensure speedy trial.

This proposal, along with several others, is far more relevant to the states than to the Federal government — since most violent crime is prosecuted at the state level — and seems to have been promoted less for its impact on the Federal system than for the message it might send to the states. But preventive detention could potentially have a greater negative effect locally, as the Task Force acknowledges. The pretrial detention period is often much longer at the state level, and is likely to cause a defendant to lose his job and force his family onto the welfare roles. Imprisoned defendants have less opportunity to work on their cases with their lawyers, and research suggests that defendants in custody are more likely to be found guilty and tend to receive longer sentences than those who have been released before trial, regardless of the seriousness of the charge.[8]

The exclusionary rule. Another important Task Force proposal would allow evidence acquired in violation of the Fourth Amendment prohibitions against unreasonable search and seizure to be admitted at trial if it "has been obtained by an officer acting in the reasonable, good faith belief that it was in conformity" with constitutional standards for search and seizure. The recommendation further provides that evidence obtained pursuant to a warrant should be *prima facie* evidence of good faith on the part of the officer obtaining it. The NCCD has not taken a formal position explicitly in support of current interpretations of the exclusionary rule, but has generally supported the Supreme Court rulings on criminal procedure with regard to the protections of the Bill of Rights. The Task Force recommendation would eviscerate the exclusionary rule without significantly increasing the number of convictions for violent crime.

One of the justifications for the change proposed is that the original, legitimate purpose of the rule — to deter illegal police activity and promote respect for the Fourth Amendment — has been abused by the courts in allowing its application where there has been merely trivial investigative error. But the evidence does not support this allegation. The exclusionary rule is infrequently invoked and has been found by one Federal General Accounting Office study to have a "minimal" impact on federal prosecutions.[9] The study found that in only 1.3 percent of court cases was evidence excluded as the result of an illegal search. (It can be inferred that the exclusionary rule is seldom invoked because it keeps police searches within legal bounds. If enforcement of the Fourth Amendment protections were weakened, more evidence might be collected illegally.) The GAO study is confirmed by others, one of which concludes that the exclusionary rule has "little impact on the overall flow of criminal cases after arrest."[10] Where it is invoked, the circumstances generally indicate very substantial violations of the Fourth Amendment.[11]

Objections by law enforcement officers to the exclusionary rule are generally based not on the rule itself but on the limitations to the police power inherent in the Fourth Amendment. The Task Force appears to share these reservations. It

would allow "unintended or trivial" violations of the Fourth Amendment in the interest of getting at the truth as proved by the evidence. But that approach begs the issue. Loosening the enforcement mechanism for illegal searches is not merely a means of strengthening legitimate cases against serious criminal offenders; it is an acknowledgement that we are willing to extend the police power at the cost of the right of the people guaranteed in the Fourth Amendment "to be secure in their persons, houses, papers, and effects. . . ." This erosion in federal law would become a model for the states, in which the majority of police agencies are small departments, which experience large turnover and whose members receive far less training than is given to federal officials. Proscribed conduct does not become less offensive because entered into a spirit of "good faith"; one's home or person is no less violated because the violator mistakenly thought he was acting under color of law.

It has been suggested by some that a better means of enforcing the Fourth Amendment protections than the application of the exclusionary rule is to punish police officers who conduct illegal searches. This practice is followed in England. But English training and discipline for police differs greatly from ours. Furthermore, the exclusionary rule protects a judge from implicitly becoming a party to violations of the law by allowing illegally seized evidence to taint the proceedings they oversee. To weaken or abandon it in favor of disciplining police would diminish the rule's protection of judicial integrity.

One of the difficulties inherent in making hard choices about how the Bill of Rights applied is that the application of its protections is most evident where the conduct of someone under suspicion is concerned. Because debate over the desirable extent of Constitutional standards generally arises only when the government is eager to get a conviction, we tend to think these standards are beneficial only to criminals. Their fundamental significance lies in the protection they provide all of us, most of which is never noted because it falls into the intangible category of harm prevented. It is particularly important to reaffirm the significance of that larger benefit, however, when we feel threatened by crime. For it is then that our passions prompt us to regard scrupulous adherence to the Bill of Rights as the observation of mere "technicalities."

Federal Criminal Code. The Task Force Report proposes the enactment of the sentencing provisions of the proposed Criminal Code Reform Act of 1981 (S. 1630). These provisions would abolish the United States Parole Commission and establish a Sentencing Commission to develop guidelines for sentences for all federal offenses.

The Task Force commentary states correctly that there is widespread agreement on the need for reform of the federal criminal laws. It also properly endorses the idea that structuring the discretion of those who impose criminal dispositions (whether judges or Parole Commission members) can add certainty and reduce disparity in the sentencing process. But, like its predecessor bills S. 1, S. 1743, and S. 1722, S. 1630 is fundamentally flawed in not addressing the excessive use of imprisonment for less serious offenses and not providing for a range of non-incar-

cerative sanctions. This was one of the sources of opposition that prevented all three bills from being enacted.

The American Bar Association was one of many organizations that criticized the sentencing provisions of the proposed Federal Criminal Code. The NCCD and others concurred with the ABA recommendations delineating seven sentencing alternatives which judges should be required to consider in every case in which a sentence is imposed: fine, restitution, suspended sentence, discharge, reparation, community service order, and probation.[12] Finally, if incarceration were the sentence of choice, first consideration should be intermittent incarceration, then nonsecure incarceration, and finally imprisonment. To include a broader and more progressive perspective on sentencing alternatives, especially restitution sentences requiring offenders to repair the harm done to victims or community, would be consistent with the Task Force's expressed concern for victims of crime.

The Task Force commentary labels the proposed code "a truth in sentencing" package because the imposition of determinate sentences with "modest good time credits" would make it possible to inform both the public and the offender of the real sentence to be served. In terms of the Task Force's focus on violent offenders, this designation of the proposal as "truth in sentencing" is ironic. A major consequence of the provisions — a large number of nonviolent offenders being swept into the federal prisons for longer terms than under present law — is unstated.

With the exception of Russia and South Africa, where there are many political prisoners, the United States imprisons a larger proportion of its people than does any other industrialized country. On a per capita basis, this country locks up more than twice as many people as does Canada, three times as many as Great Britain, and four times as many as West Germany.[13] A federal sentencing policy which overlooks the use of alternatives to imprisonment can only worsen this situation. Increasing the imprisonment rate is particularly inappropriate at the federal level, where only 11 percent of prisoners during the 1970's were convicted of crimes classified as violent.

The Task Force Report speaks to a cost-conscious administration and public. During the 1970's, expenditures for government programs at all government levels, excluding defense, rose 37 percentage points more than disposable income.[14] The Reagan Administration is trying to address this problem by cutting government spending in many areas. Taxpayers should not be asked to support greater government expenditure for correctional policies which will not reduce violent crime. The report of the U.S. Senate Appropriations Committee on federal sentencing policy and practice put the issue of alternatives to prison in this context when it said:

> Because cost makes imprisonment a scarce resource, it is essential that imprisonment only be used where necessary to assure the protection of society or the administration of just punishment. In those cases in which imprisonment is not necessary, the range of alternatives currently available in S. 1722 is clearly unsatisfactory.[15]

Funds for prison construction. There are several proposals in the Task Force Report that would provide extra resources for corrections. Recommendations 3 and 56 would allow the use of surplus federal property, including abandoned Army bases, for local incarceration; Recommendation 41 would add to the federal inmate population by supporting sentencing provisions of S. 1630; and Recommendation 36 would allow federal assistance for "enhanced jail capacity to handle the increased burdens of recent years, including overcrowding." But the principal recommendation in this area calls for $2 billion to be made available to states for the construction of prisons and jails. Governor Thompson calls this proposal the "linchpin" for all the other recommendations and, at the August 17 press conference releasing the Report, underscored its importance by saying that the "bottom line" of the Task Force's findings is that "we have to lock up more violent offenders and we have to keep them locked up." This proposal will not do that. Furthermore, even if it could do so, violent crime would not be significantly reduced. Finally, the cost of this proposal far exceeds $2 billion and renders it an impermissible drain on the taxpayer.

The $2 billion proposed (which would actually be $2.7 billion worth of cells, assuming the 25 percent local matching contribution called for in the recommendation) would pay for only 38,000 one-person maximum security cells, at an average cost of $70,000 per cell, which the Report itself cites and many experts now use in calculating building costs. These 38,000 cells would house less than 12 percent of the present state and federal inmate population of 329,122 and less than two-thirds of the 60,000 increase in that population in this country over the past three years. The added cells would leave 68,000 places still needed to close the gap between the 1978 rated capacity (at a standard of 60 square feet of floor space per inmate) of our state and federal prisons and the number of prisoners.[16] In short, that number of cells might reduce the current overcrowding somewhat, but it would not accommodate new offenders brought into the system. Furthermore, overcrowding would continue to be a serious problem during the time required to build prisons, usually four years.

The provision of new cells might not even relieve overcrowding, under any one of several situations.

The Task Force commentary notes that more than half the states have one or more prisons where conditions have been held unconstitutional, and for this reason "replacement or renovation" of existing cells is deemed an appropriate use for the federal dollars which would be spent. As the Task Force itself states, "The provision of assistance in building or renovating correctional facilities need not necessarily mean that the total capacity of institutions be increased. . . ." Surely, many states will regard the new federal money as a chance to get out from under court orders by upgrading what they have, rather than using it to increase cell capacity.

The cells built might not reduce overcrowding if the current trend in criminal justice policies continues. Many people — including those who drafted the Task Force commentary — mistakenly believe that it is the rising crime rate which increases incarceration. In fact, there appears to be no relationship between crime

rates and incarceration rates. A 1976 study by the American Foundation's Institute of Corrections found that while some states with high reported crime rates had high incarceration rates, others had low rates of incarceration; the group of states with low reported crime rates also contained some with high and others with low incarceration rates.[17] In many states the incarceration rate in the 1970s went up far faster than the reported crime rates. Between 1972 and 1979, the reported violent crime rate in New York State went up 23 percent and the incarceration rate 87 percent; in Ohio the reported violent crime rate went up 53 percent and the incarceration rate 62 percent; in Illinois, the reported violent crime rate actually decreased by 5 percent, but the incarceration rate rose by 97 percent.[18]

Various policies are pushing the incarceration rate up. In California, where mandatory sentences for serious crime has gone into effect, time served has increased and the imprisonment rate is rising.[19] Between 1975 and 1980, states which had moved toward determinacy experienced substantial increases in state prison populations: Florida had a population rise of 68 percent; Illinois a rise of 73 percent; and Arizona a rise of 59 percent.[20] Even the states which continue to use indeterminate sentencing, with the judge setting a minimum and maximum penalty, and the parole board exercising its discretion with respect to the point at which the offender will be actually released, judges have been more willing to give prison terms. If this trend continues, prison populations will continue to rise without encouragement of the federal government and without any systematic effort to see that these increases represent a higher detection and conviction rate for violent offenders. Overcrowding is likely to be just as serious after construction of the 38,000 cells made possible by the Task Force recommendations.

A serious effort to provide more space for handling violent offenders should include in the strategy support for alternatives to incarceration for *non*-violent offenders. The implementation of a rational process for sentencing lesser offenders to restitution and probation, for example, can be an important tool for managing convicted populations so that proper priority is given to violent offenders. The severe overcrowding that characterizes many state systems will prevent them from concentrating attention on predatory criminals as long as the only policy solution taken seriously is the impossibly costly one of increasing bed space. Far more feasible is the development of classification procedures which separate property offenders from personal offenders and find less restrictive solutions than confinement for the former. Experiments with alternative sanctions for lesser offenses have shown that recidivism is no greater following the imposition of such sanctions than it would be if offenders were sent to prison. Public expense is reduced, but not at the cost of public protection.[21]

Even if the federal subsidy proposed by the Task Force were spent on new cells to increase state prison capacity and all the cells were filled with violent offenders, the proposal would barely touch the violent crime problem. Victimization studies conceived and supported by the Federal Bureau of Justice Statistics and conducted by Census Bureau survey teams have found that only about 30 percent of serious crimes are reported to the police; of reported crimes, only about 20 percent lead

to an arrest.[22] Only six percent of court cases involving serious crimes, therefore, even enter the criminal justice system. Many other cases dropped for lack of evidence or dismissed for other reasons would not be affected by increasingly tough stances taken by prosecutors and judges.

The recent experience of California and New York suggests the lack of causality between increased imprisonment and reduction in reported crime. In California, the average daily prison population is up 7,000 since 1978. Because of tougher sentencing policies, those convicted of felonies stand an 83 percent chance of going to jail or prison.[23] Yet reported crime has risen very significantly there. Similarly, New York has, for several years, been implementing "get-tough" policies enacted by the legislature — longer and mandatory terms for drug offenders, repeat felons, and violent youth. The proportion of felony defendants sentenced to at least a year more than doubled in the 1970s; the state's new career criminal program has been meting out longer sentences to serious repeat offenders; and the state's prison population has almost doubled.[24] Yet the New York Police Department reports a 1980 increase in robberies of 21.7 percent.[25]

The belief of the Task Force that more incarceration will reduce violent crime seems to be based on two of the classic rationales for punishment — deterrence and incapacitation. For the violent street crimes that the Task Force is most eager to control, neither of these rationales is likely to be valid.

The deterrence rationale is often supported with a kind of economic calculation. As James Q. Wilson, a Harvard professor and member of the Task Force, puts it, "If the expected cost of crime goes up without a corresponding increase in the expected benefits, then the would-be criminal... engages in less crime...."[26] To a certain extent, we would agree with this formulation. But the likelihood of a prison sentence — and of apprehension — is only one element in the potential criminal's calculation of the risks of the act he is contemplating. While it is impossible to tell how each person will weigh the costs and benefits of crime, we can assume a wide variety of calculations. Each individual, for example, will place a different value on the time he might have to spend behind bars, according to how he perceives his opportunities and pastimes in non-prison society.

Perhaps the threat of incarceration is particularly meaningless for the street criminal the Task Force is most eager to deter. Low income repeat offenders often describe the city streets from which they come as a kind of prison. This attitude is not likely to be measurable by economists as they assess the decision-making of potential offenders.

The Task Force has declared its intention to keep violent inmates locked up, but some of the policies the Task Force supports would probably prove counterproductive. As Professor Wilson points out, "The more severe the penalty, the more unlikely that it will be imposed."[27] The truth of this observation is apparent in looking at the strict drug law that went into effect in New York in 1973. While incarceration became more likely for those convicted (up from 33 percent to 55 percent), there was a corresponding decline in the percentage of felony drug cases that resulted in indictment (down from 39 percent to 25 percent) and conviction (down from 86 percent to 80 percent); researchers attribute that decline

to the unwillingness of prosecutors and judges to give free rein to such a harsh law.[28]

Incapacitation – that is, the imprisonment rationale that holds that at least the community is protected from crime while the criminals are locked up – is theoretically valid only if those imprisoned would, in fact, have continued to commit crimes if left at large. The problem here is like the problem with preventive detention: behavior cannot be predicted. If we assume that some convicted offenders will commit further crimes in the community, but we do not know which ones will do so, incapacitating the future criminals will require locking *all* the others up, too. While we cannot say what level of imprisonment would be necessary nationally to accomplish that amount of incapacitation, estimates exist for some states. One study has estimated that a 57 percent increase in New York State imprisonment would be required to reduce violent street crimes by only 10 percent.[29] Another study holds that sending all Ohio felony offenders to prison for five years would reduce violent crime in that state by only four percent.[30]

The costs of significantly reducing violent crime through incapacitation would exceed the expenditure for prisons recommended by the Task Force by many billions of dollars. The social costs would also be enormous. America would become a garrison state, with huge numbers of *non-violent* people imprisoned along with the violent. Vastly increased police surveillance over the innocent as well as the guilty would be needed to arrest a significantly higher proportion of offenders.

The real costs of the prison construction assistance the federal government would provide are difficult to assess, but the states' financial burden would surely be massive. $667 million in matching funds would have to be raised by localities already facing extreme fiscal pressures. The debt service they would have to pay would inflate local operating budgets for many years to come. Taxpayers might end up paying several billion dollars for the local contribution alone, depending on the maturity date and the interest rates on the bonds that would be floated. To qualify for the assistance, states would have to show that they could afford the maintenance costs for the cells to be constructed. That cost could run close to $1 billion a year if the cells cost $25,000 a year to maintain and were all additions to present capacity. The Task Force commentary itself points out that "some states have found (prison construction) so costly that they cannot complete their efforts or have vacant facilities because they cannot afford staffing and operation." And yet the Task Force is prepared to ask the states to incur staggering additional costs.

The prison assistance program will generate other federal costs of exactly the kind the Task Force says it wishes to avoid. While the commentary says the money is to be provided with as few strings attached as possible, the recommendation does include conditions with which applying states must conform and some indication of a process to be followed in obtaining funds. This suggests a compounding of the federal bureaucracy, a phenomenon much inveighed against in other areas. During the time when inflation has doubled consumer prices, annual expenditures – federal, state, and local – for police, courts, and corrections have increased by 600 percent, from under $5 billion in 1967 to nearly $30 billion in 1980.[31] In

many states, criminal justice is the fastest growing item in the budget. The Task Force recommendation for prison expenditures, if enacted, would necessarily make criminal justice even more of a growth industry.

There are many dangers in implementing a prison construction policy which will be both costly and ineffective. For one thing, public confidence will be dealt another blow, and disillusionment and anger are likely to be keen. The Task Force hoped to strengthen the public's view of the efficacy of the criminal justice system; this proposal will work against, not for, that aim. In addition, reliance on this ephemeral "solution" distracts both the public and the decision-makers from understanding and dealing with other serious issues related to the violent crime problem: for urban black youth an unemployment rate of 50 percent, neighborhood and family disintegration, the shrinking economic base of many American cities.

Criminal justice professionals often understand the futility of such proposals as the Task Force prison-building recommendation better than anyone else. While corrections officials understandably welcome the opportunity to ease their population management problems, they do not expect that new cells will mean significantly less crime. The New York State Parole Board Chairman, Edward R. Hammock, for example, has grave doubts that changes in sentencing have an impact on crime; Amos Reed, President of the American Correctional Association and head of corrections for the state of Washington, recently told an audience of officials at the annual ACA Congress that prison construction would have "little effect on the rate of crime."[32]

Youth proposals. Recommendations with regard to youth crime are aimed at establishing the means for the federal government to reduce both individual and gang violence. Recommendation 58 provides for greater federal access to information on juveniles; Recommendation 59 would create original jurisdiction for the federal offenses; Recommendation 60 would use organized crime resources to investigate and prosecute gang activities; and Recommendation 61 would lump funding for programs for juveniles in with other criminal justice program initiatives at the federal level. These recommendations would extend federal authority over juveniles without including adequate protection for young people or for the local programs addressed to their problems. Furthermore, the proposal would be expensive and would do very little to reduce youth violence.

The commentary for Recommendation 61 dealing with funding mechanisms for juvenile justice programs says, "We believe the federal government can play an important and cost-beneficial role as a program catalyst to state and local jurisdictions in their attempts to alleviate (violent juvenile crime)." This endorsement of the usual view that juvenile justice matters are best dealt with as close to home as possible is contradicted by the thrust of all the recommendations with regard to young offenders. The Task Force is prepared to bring in the U.S. Attorney to prosecute any violation of federal law by a minor. It would disregard state information-sharing policies with regard to juveniles so that the FBI could have fingerprints and criminal histories of an undefined class of youthful offenders. It would

conflict with gang programs — prosecution and crime prevention efforts — under way now in many cities. In short, the Justice Department would take on the role of juvenile officer and prosecutor.

In no area of social policy is it more firmly established than in work with problem youngsters that local efforts are the key to a solution. Erosions of family and neighborhood bonds are widely blamed for much youth violence, and most programs — law enforcement and social welfare programs alike — stress the importance of local solutions which relate the juvenile offender to the institutions of his community. Currently, the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) is mounting a program initiative for dealing with violent juvenile offenders. While federal funds and national evaluations are provided, and technical assistance is available, local agencies will run the programs. It is assumed that they will have a better sense than do federal officials for the programs. The federal role ought not to extend beyond the provision of training and technical assistance, research and program development, and funding for special needs.

Recommendation 61 would, however, reduce the role that *does* seem appropriate for the federal government. In many respects, adolescence is a crucial period for the growth of social attitudes. OJJDP has provided the tools for local and state governments to use in giving special attention to social development. To abolish that agency and disperse youth programs, as is suggested by the Task Force, is tantamount to abandoning a coordinated effort to give special attention to youth problems.

Much attention has been given in recent years to the effects of overinstitutionalizing young people who violate the law. It has repeatedly been found that, even in the best of reformatories, the environment stimulates, rather than corrects, antisocial behavior.[33] Two midwestern studies have found that juvenile crime appears to accelerate among young offenders who have been repeatedly incarcerated.[34] The recommendations provided in the Task Force Report would increase the incarceration of young people, with the consequence of alienating them still further from the world to which they will eventually return. Prosecuting youth more harshly may thus prove counterproductive, stimulating violence rather than reducing it.

The reduction of juvenile violence as the result of Task Force recommendations seems very unlikely for other reasons. Transferring the juvenile mail tamperer to a federal prosecutor, for example, will not have a bearing on violent juvenile crime. Similarly, the substitution of federal for local police and prosecution efforts with regard to gangs has very little to recommend it by the standards of efficient law enforcement. Federal investigations of gang warfare would lack the advantages of neighborhood intelligence that characterizes local police work. It also seems unlikely that original jurisdiction over all federal crime will bring in many violent young people for non-gang related offenses. Young offenders do not usually commit the offenses, violent or otherwise, that fall under federal jurisdiction.

III. THE PERSPECTIVES OF THE TASK FORCE

This paper contends that many of the major Task Force recommendations will not be effective at reducing violent crime. In addition, the Task Force approach seems likely to perpetuate misconceptions about the problem of violent crime and the ability of the criminal justice system, acting alone, to stem it. This section considers the general perspectives and scope of the Task Force and its report.

The Final Report accepts without question certain attitudes prevalent among politicians and the media. In particular, it takes as given that the country is experiencing an unprecedented crime wave and that the best way to address that problem is to strengthen the apparatus of criminal justice — through enacting tougher laws, increasing the police power, and building new prisons to permit incarceration of more offenders for longer periods of time. There is a wide body of literature which casts serious doubt on these basic perspectives. Why, then, did the Task Force adopt its approach so uncritically?

Within the last several years, the public and the media have become more vocal about street crime and grown increasingly skeptical of the ability of the criminal justice system to control it. The Task Force also undoubtedly felt the press of recent events — the attempted assassination of the President; the murders of Atlanta children; and a series of brutal killings in California. Task Force members appear to have sought some means of reassuring the public — addressing the crisis of public confidence rather than the crisis of crime in the streets.

But such reassurances can backfire. Groups like the Task Force have tremendous impact, not only on federal policy, but also on the directions state systems will take in the future. It is imperative, therefore, that their recommendations reflect their knowledge, as expressed in the Preface to the Report, that there are no easy answers, that the criminal justice system alone cannot provide all the remedies, and that there may be realistic (although perhaps unpopular) alternatives to the "get-tough" policies that must be seriously considered. It is important that commissions and task forces examine closely some of the myths and realities concerning violent crime.

Take the question of whether the country now has what Chief Justice Warren Burger has called "a vast increase in crime." While everyone should recognize that violent crime is an extremely serious matter in America, there is major confusion about its dimensions and trends.

The federal government collects two very different kinds of data on crime; the Uniform Crime Reports compiled by the FBI and based on local police department reports, and the National Crime Surveys prepared by the Bureau of Justice Statistics and based on interviews of households around the country to determine the extent to which they have been victimized. The former data base shows substantial increases during the 1970's for serious violent crimes (murder, rape, robbery, and aggravated assault), while the victimization surveys indicate that personal crime rates have remained relatively stable since 1973 when the studies were begun. Although there are methodological problems with both sets of data, crimi-

nologists warn that the UCR data are particularly susceptible to manipulation. Because UCR data are based on *reported* crime only, and reporting technology has greatly improved in recent years, some of what is perceived as a crime wave may in fact be a crime *reporting* wave. Policy prescriptions should be based on an assessment of *all* the data, not only on the most dramatic statistics.

Another problem with the Task Force approach rests in its failure to consider the sources of criminal violence. It wrote to the Attorney General two months after it began its work, "We have not addressed the many social and economic factors that . . . may tend to increase or decrease crime rates." Such a choice reduces the Task Force mandate to the promotion of mere containment measures. For, as Tom Wicker put it in *The New York Times* on August 21,

> If every person who has already committed a violent crime could be identified and convicted today, sent to prison tomorrow, and kept there for life, and *nothing else was done,* a new group of violence-prone persons soon would rise from the same economic, social, legal, psychological and class conditions that produced their predecessors.

While the focus of the Task Force was too narrow in some respects, it was too broad in others. Its definition of violent crime explicitly included residential burglaries, which, while they can be accompanied by violence and are often terrifying to their victims, are not, without aggravating circumstances, generally considered violent offenses. Many of the targets of some recommended changes in the justice system -- particularly young people who would be newly subjected to federal prosecution and to law enforcement surveillance in school -- would not be people who commit the violent crimes we all fear.

The Task Force stressed that "the control of crime and the administration of justice are primarily the concern of state and local governments, and of private citizens." But implementation of many of the specific recommendations would extend federal jurisdiction over many areas of law enforcement traditionally reserved to states and localities. State standards for the sharing of criminal history information for example, would be threatened by the proposed Interstate Identification Index; local policies with regard to the prosecution and treatment of juveniles would be overriden; even local boards of education would come under pressure from the Attorney General's proposed public education campaign against drugs and violence in the schools. This is a puzzling direction from responsible conservatives who vigorously defend state interest in other areas. The final Report conveys no message as to why increased federal activity is appropriate in criminal justice and not in other areas of domestic policy.

The Task Force also gave inadequate attention to the expenditures -- at all government levels -- necessary to carry out its recommendations. The only major item in the Report which has a clear price tag attached is the prison construction plan, but many others would be very expensive indeed. Professor Kenneth Laudon of John Jay College of Criminal Justice in New York City estimates that the criminal history system proposals, for example, would cost the federal government $350

million. Other proposals would add to the work load of federal units such as the FBI, the Drug Enforcement Agency, the Navy and Defense Department, the U.S. Attornies Offices, and the Immigration and Naturalization Service. No assessment of that factor is made, although there are acknowledgments that provisions must be made at some indefinite time in the future. Many of the agencies whose costs would increase are those cut back in the 1982 budget.

There are a number of reasons for the limitations of the Report. The Task Force was given a deadline of only four months, which must have made it difficult for members and staff to review relevant studies and take into consideration all the factors that bear on such complex problems. The Task Force also sought the opinions of a narrow range of professionals; the membership of the Task Force was heavily weighted toward law enforcement and prosecution, and it is perhaps not surprising that the group, faced with limited time for hearings, sought testimony primarily from those with the same perspectives. Few corrections officials or judges testified. Few invitations to appear went to those who defend the accused, to those who run programs that divert defendants from criminal justice processing, or to those who advocate the use of criminal justice as the system of last resort. Few scholars were asked to present their views.

The perspective and scope of such report are as important as the recommendations that define its outcome. The final Report is likely to influence not only the Attorney General and the President but also the media, local policy-makers, and the public. Its perspective will suggest policy directions for the country as a whole. All concerned groups should therefore respond to the Task Force Final Report, launching a dialogue which the Task Force has itself welcomed. This dialogue should pay particular attention to the underlying perspectives of the Task Force and popular misconceptions about violent crime.

The Attorney General and the President will be well served if the work of the Task Force can lead to greater involvement in policy formation by a wide range of criminal justice professionals and citizen groups experienced in research and analysis of justice issues. No one has all the answers to the problem of violent street crime. Expectations of perfect solutions would be unreasonable. But groups like the National Forum on Criminal Justice -- representing 29 organizations of criminal justice practitioners, advocates, and researchers -- can contribute a varied and careful assessment of the crime problem to help the Reagan Administration address violent crime effectively while preserving cherished American values. Federal officials should go beyond the Task Force Report to expand the public debate and determine the shape of final policy.

IV. CONCLUSION

In the preface to its Report, the Task Force says that the violent crime in American society "reflects a breakdown of the social order, not the legal order." That statement is surely correct. Yet the recommendations made by the Task Force are not aimed at restoring social order; instead, the enforcement measures advocated

may, at best, plug up a few leaks in the legal order. Many of the proposals, indeed, are likely to disrupt social harmony further by curtailing fundamental liberties of the innocent or by using resources badly needed for social benefits to expand official social controls.

It has been popular for many years to use military metaphor when talking about reducing crime. President Johnson talked about the "war on crime." Chief Justice Warren Burger's speech to the American Bar Association in February spoke of crime control as "national defense," and likened its importance to the Pentagon budget. The Task Force, too, analogizes the effort that must be made to investment in war. Its commentary on the recommendation of a new LEAA-type program states: "(Some) people believe that American citizens who see billions of dollars sent to fighting enemies in other lands have every right to see substantial federal sums for fighting crime — an internal enemy."

If the general perspective of the Task Force prevails, crime will be the only domestic policy area deemed important enough for new federal aid — essentially a war effort. Like some international war efforts, the Task Force program gives little evidence of concern for the preservation of peace.

It did not have to be this way. The Task Force could have analogized its role to the peaceful side of international relations. It could have supplied aid as well as defensive weapons. It would have provided technical assistance in addition to building up the militia.

Specifically, the Task Force could have invested in reducing prison overcrowding in more effective and less expensive ways than a $2 billion grant-in-aid program. It could have provided management experts to show how, through classification procedures and other techniques, states and cities could put non-violent offenders into alternative programs and give the violent ones adequate space and supervision.

Still more important, the Task Force could have acknoweldged the importance of all the other forces besides criminal justice that can be enlisted in community crime prevention. It might have recommended the kind of community development that would provide young people with alternatives to crime. It could have provided the opportunity for volunteer community organizations around the country to make crime prevention an integral part of their agendas.

This kind of program may not appeal to political leaders concerned that the federal government has already involved itself too much in the education, employment and welfare problems of the states. But the Task Force did not apply such principles of federalism when it recommended aid for prisons or expanded federal jurisdiction over juveniles. And the effort need not involve a massive federal bureaucracy or overregulation of local efforts. The federal government can and should play an enabling role, leaving local groups largely free to determine their constituencies' most pressing needs.

Many of those who must preside over the most extreme form of control — the prison officials — know best the dangers of concentrating the "war on crime" on the capture and conviction of the enemy. They know that they cannot — and

should not be expected to — deal effectively with the problems that brought their charges to them. Many complain bitterly that corrections is blamed for the failures of the schools, the parents, and the courts. Some go a step further and say, with Amos Reed, "We believe the greatest priority for attacking crime should be directed toward children and families and schools."

To fight the war on the narrow battlefield defined by the Attorney General's Task Force is to risk tragic failure. The war on crime, as the Task Force conceives it, is likely to become an expensive offensive waged against combatants whose identity is obscure and whose techniques are not well understood. Perhaps the greatest danger lies in the divisiveness that may result from escalating the offensive. If, as a society, we make increasing use of the criminal justice system to address what the Task Force calls the "breakdown of the social order," we run the risk of separating groups of Americans -- rich and poor, urban and rural, black and white — from one another. Restoring the social order — and thereby addressing meaningfully, the problem of violent crime — will require unity and participation. These are not values promoted by the narrow range of legal system changes recommended by the Task Force.

FOOTNOTES

1. See, for example, *Wong Wing* v. *United States,* 163 U.S. 228 (1896), and, more recently, *Ingraham* v. *Wright,* 430 U.S. 651 (1977).
2. See *Stack* v. *Boyle,* 342 U.S. 1 (1951).
3. Teri I. Martin, "The Prediction of Dangerousness in Mental Health and Criminal Justice," *Pretrial Services Annual Journal.* (Washington, D.C.: Pretrial Services Resource Center, 1981), p. 9-14.
4. For a range of conclusions and discussions of prediction problems, see Andrew von Hirsch, *Doing Justice: The Choice of Punishments* (N.Y.: Hill and Wang, 1976), Ch. 3; John Monohan, "The Prediction and Control of Violent Behavior." Testimony before the U.S. House of Representatives Subcommittee on Domestic and International Scientific Planning, Analysis and Cooperation, Committee on Science and Technology, January 10, 1978; and John S. Goldkamp, Two Classes of Accused: *A Study of Bail and Detention in American Justice* (Cambridge, Mass.: Ballinger, 1979).
5. Goldkamp, *supra,* p. 100.
6. *Williamson* v. *United States,* 184 F.2d 280, 282-283 (1950).
7. See *Pretrial Release: An Evaluation of Defendant Outcomes and Program Impact:* Summary and Analysis Volume, unpublished draft (Washington, D.C.: Lazar Institute, 1981).
8. See, for example, William M. Landes, "Legality and Reality: Some Evidence on Criminal Procedure," *Journal of Legal Studies,* Vol. 3, 1974, p. 287 and Hans Zeisel, "Bail Revisited," *American Bar Foundation Research Journal,* Vol. 4, 1979, p. 769.
9. U.S. General Accounting Office, "Impact of Exclusionary Rule on Federal Criminal Prosecution," GDD 79-45, April 19, 1979.
10. Institute for Law and Research, 1979, "A Cross-City Comparison of Felony Case Processing." See also Institute for Law and Research, 1979, "What Happens After Arrest."
11. Personal interview with Ira Glasser, Director, American Civil Liberties Union, August 31, 1981.
12. Testimony of William Greenhalgh, Chairperson of the ABA Criminal Justice Section Legislative Committee, before the Senate Judiciary Committee, September 28, 1981.
13. Eugene Doleschal and Ann Newton, "International Rates of Imprisonment," unpublished document, National Council on Crime and Delinquency, 1979.
14. Computations based on *Economic Report of the President, 1980* (Washington, D.C.: Government Printing Office, 1980), Tables B-72, B-69, and B-22.
15. Senate Appropriations Committee Report 94-964, at pp. 21-22.
16. Bureau of Justice Statistics, "Prisoners in 1980" (Washington, D.C.: Government Printing Office, 1981); Joan Mullen et al, *American Prisons and Jails,* Vol. 1, "Summary Findings and Policy Implications of A National Survey" (Washington, D.C.: U.S. Government Printing Office, 1980), p. 65.
17. William G. Nagel, "On Behalf of a Moratorium on Prison Construction," *Crime and Delinquency,* April 1977.
18. Computations based on FBI *Uniform Crime Reports* and LEAA, *Prisoners in State and Federal Institutions,* both for the years 1972-1979.
19. Albert J. Lipson and Mark A. Peterson, "California Justice under Determinate Sentencing: A Review and Agenda for Research" (Santa Monica, California, RAND Corporation: June, 1980).
20. Computations based on LEAA, *Prisoners in State and Federal Institutions.*

21. Bartell, Ted; Winfree, L. Thomas. "Recidivist Impacts of Differential Sentencing Practices for Burglary Offenders." *Criminology* (Beverly Hills, Calif.), 15(3):387-396, 1977.
Hopkins, Andrew Peter. *Return to crime: a quasi-experimental study of the effects of imprisonment and its alternatives.* Ann Arbor, Mich., University Microfilms, 1974. 150 p. (Dissertation.)

22. Bureau of Justice Statistics, *Criminal Victimization in the United States, 1978* (Washington, D.C.: Government Printing Office, 1980).

23. Barry Krisberg, "The Task Force on Violent Crime: Implications for California," *Los Angeles Times,* August 31, 1981.

24. Diana R. Gordon, "Toward Realistic Reform: A Commentary on Proposals for Change in New York City's Criminal Justice System," (Hackensack, N.J.: National Council on Crime and Delinquency, 1981), pp. 3-5.

25. *Uniform Crime Report,* 1980 Preliminary Annual Release, Table 5.

26. James Q. Wilson, *Thinking About Crime* (New York: Vintage Books, 1977), p. 197.

27. *Ibid.,* p. 201

28. Joint Committee on the New York Drug Law Evaluation, *The Nation's Toughest Drug Law: Evaluating the New York Experience* (New York: Association of the Bar of the City of New York and Drug Abuse Council, 1977).

29. Jacqueline Cohen "The Incapacitative Effort of Imprisonment: A Critical Review of the Literature," in Blumstein *et al,* eds., *Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates* (Washington, D.C.: National Academy of Sciences, 1978), p. 226.

30. Van Dine, Dinitz, & Conrad, "The Incapacitation of the Dangerous Offender: A Statistical Experiment." *Journal of Research in Crime and Delinquency* (January, 1977).

31. Speech by Milton Rector, President of National Council on Crime and Delinquency (to New School Associates), March, 1981.

32. Mr. Hancock told a N.Y. State Senate committee on criminal justice that "the sentencing system has no impact on crime at all," according to *The New York Times,* October 25, 1980. Mr. Reed's comment was quoted by *The New York Times* editor Tom Wicker in his column of August 21, 1981.

33. Bartollas, Miller & Dinitz, *Juvenile Victimization: The Institutional Paradox* (New York: Sage Publications, 1976).

34. Statement of Charles A. Lauer, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, before the Senate Subcommittee on Juvenile Justice of the Judiciary Committee, July 1981.

NATIONAL COUNCIL ON CRIME AND DELINQUENCY

National Executives' Committee

NEC Chairman:
William F. May,
Dean, Graduate School of Business Administration,
New York University,
New York, N.Y.;
former chairman, American Can Company

NEC Vice-Chairman:
John W. Hannon, Jr.,
President, Bankers Trust Company,
New York, NY

Robert O. Anderson, Chairman
Atlantic Richfield Company
Los Angeles, CA

William E. Atcheson, President
Paper Art Company, Inc.
Indianapolis, IN

Robert T. Campion, Chairman
Lear Siegler, Inc.
Santa Monica, CA

William Polk Carey, President
W.P. Carey & Company, Inc.
New York, NY

Dr. Joseph Charyk, President
Communications Satellite Corp.
Washington, DC

Robert B. Clark, Director
Hoffman-LaRoche, Inc.
Nutley, NJ

Francis L. Dale, Publisher
Los Angeles Herald-Examiner
Los Angeles, CA

George C. Dillon, Chairman
Butler Manufacturing Company
Kansas City, MO

E. Stanley Enlund, Chairman
First Federal Savings & Loan
Association of Chicago
Chicago, IL

Richard L. Gelb, Chairman
Bristol-Myers Company
New York, NY

John W. Hannon, Jr., President
Bankers Trust Company
New York, NY

Barron Hilton, Chairman
Hilton Hotels Corporation
Beverly Hills, CA

Coleman F. Hogan, Chairman
McCord Corporation
Exeter, NH

Richard J. Jacob, Chairman
Dayco Corporation
Dayton, OH

Harvey Kapnick
Chicago, IL

Ira A. Lipman, Chairman
Guardsmark, Inc.
Memphis, TN

Carl M. Loeb, Jr.
New York, NY

William F. May, Dean
Graduate School of Business
New York University
New York, NY

Donald F. McCullough,
Chairman -
Collins & Aikman Corp.
New York, NY

James W. McSwiney,
Chairman of Exec. Comm.
The Mead Corporation
Dayton, OH

Hon. Elliot L. Richardson
Milbank, Tweed, Hadley & McCloy
Washington, DC

Francis C. Rooney, Jr.,
Chairman
Melville Corporation
Harrison, NY

Henry B. Schacht, Chairman
Cummins Engine Company, Inc.
Columbus, IN

David C. Scott, Chairman
Allis-Chalmers
Milwaukee, WI

Ambassador William W. Scranton
Dalton, Pennsylvania

Richard Sellars
Former Chairman and
Chief Executive Officer
Johnson and Johnson
New Brunswick, NJ

Robert Stuart, Chairman
National Can Corporation
Chicago, IL

Allen P. Stults, Chairman of
Executive Committee
American National Bank & Trust
Company of Chicago
Chicago, IL

Fred R. Sullivan, Chairman
Kidde, Inc.
Clifton, NJ

Arthur Ochs Sulzberger
President and Publisher
The New York Times Company
New York, NY

Lawson L. Sweringen, President
Commercial Union Insurance
Companies
Boston, MA 02108

Stuart B. Upson
Chairman of the Board
Dancer Fitzgerald Sample, Inc.
New York, NY

C. William Verity, Jr.
Chairman
Armco, Inc.
Middletown, OH

Sidney Weinberg, Partner
Goldman Sachs & Co.
New York, NY

Charles B. Wilkinson, Chairman
Public Employees Benefit
Services Corp.
St. Louis, MO

NATIONAL COUNCIL ON CRIME & DELIQUENCY

National Advisory Council

NAC Chairman:
William L. Kirchner, Jr.,
Vice President, New Jersey Bell,
Newark, NJ

Hon. David L. Bazelon
Judge
U.S. Court of Appeals
Washington, DC

Mrs. Curtis Bok
Philadelphia, PA

John O. Boone, Director
Campaign on Alternatives
Atlanta, GA

Richard P. Buchman
Manager, Urban Affairs
Allis-Chalmers
Milwaukee, WI

Robert B. Clark, Director
Hoffman-LaRoche, Inc.
Nutley, NJ

Professor Morton Coleman
School of Social Work
University of Pittsburgh
Pittsburgh, PA

Leonard J. Delehanty
Vice President
Stokley Van Camp, Inc.
Indianapolis, IN

E. Stanley Enlund, Chairman
First Federal Savings & Loan
Association of Chicago
Chicago, IL

Harry E. Estell
Raster Elementary School
Chicago, IL

Jean C. Fink
Chairman
Westchester Citizens Committee
White Plains, NY

Carl B. Flaxman
Dallas, TX

Richard L. Gelb, Chairman
Bristol-Myers Company
New York, NY

Peter Hearn, Senior Partner
Pepper, Hamilton & Scheetz
Philadelphia, PA

John L. Kidde, Vice President
Kidde & Company
Clifton, NJ

Hon. Morris E. Lasker
Judge
U.S. District Court
Southern District of New York
New York, NY

Dan W. Lufkin
Chairman, Finance Committee
Columbia Pictures Industries, Inc.
New York, NY

Thomas J. Madden
Attorney
Washington, DC

Robert B. McKay, Director
Institute of Judicial Administration
New York, NY

James W. McSwiney, Chairman
Mead Corporation
Dayton, OH

Karl A. Menninger, M.D.
The Menninger Foundation
Topeka, KS

Stephen T. Murin
Honolulu, HI

Patrick T. Murphy
Attorney
Chicago, IL

Richard A. Plumb
General President
Barbers, Beauticians and Allied
Industries International Union
Indianapolis, IN

Prof. Fritz Redl
North Adams, MA

Hon. Joseph Rhodes, Jr.
Pittsburgh, PA

Hon. Elliot L. Richardson
Milbank, Tweed, Hadley & McCloy
Washington, DC

Hon. Scovel Richardson
Judge
U.S. Customs Court
New York, NY

Francis C. Rooney, Jr., Chairman
Melville Corporation
Harrison, NY

Mrs. H.M. Rozendaal
Schenectady, NY

John W. Schmitt, President
Wisconsin State AFL-CIO
Milwaukee, WI

William H. Schoen, III
Birmingham, MI

Nicholas Scoppetta
Scoppetta and Seiff
New York, NY

Frank Silverstein
Attorney
White Plains, NY

Hon. Caroline K. Simon
Attorney
New York, NY

Mrs. William Y. Smith
Shape, Belgium

John L. Stickley
Charlotte, NC

Maynard P. Venema
Northfield, IL

C. William Verity, Jr.
Chairman
Armco Inc.
Middletown, OH

J. Albert Woll
AFL-CIO Counsel
Washington, DC

END