

Speech by: Robert Morgan  
Attorney General

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Order Committee Task Forces and  
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ON OBTAINING FINANCIAL SUPPORT FOR LOCAL  
LAW ENFORCEMENT FROM THEIR GOVERNING BODIES

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I find myself in a peculiar situation today. I was invited by Jim Van Camp to talk with you about ways to promote, particularly from local governing boards, greater support for law enforcement. This is a matter of great concern to me as I speak on behalf of law enforcement officials throughout the state, so I readily accepted his invitation. I must tell you though that I had second thoughts.

It occurred to me a little later that probably many of you are yourselves city councilmen and county commissioners, so in effect I am suppose to tell you how to solicit your own support. Certainly this is quite an order.

However, I do appreciate this opportunity to meet with this very unique group - a group of diverse persons who have one common goal: improvement of the criminal justice system in the State of North Carolina.

As Attorney General, I am by tradition, the spokesman for law enforcement in this state. Consequently, my comments will be directed primarily toward this area

of the criminal justice system. Surely there are others who can speak with much more wisdom and authority than I about such areas of concern as corrections, probation, paroles, and others.

During the last months and years the news media have been full of stories about the rising crime rate in this state and nation. The people, therefore, are aware that crime is on the increase and also that law enforcement generally is inadequate to deal with it.

It is apparent to all of us, I think, that for many years we have failed to meet the challenge of crime and criminal behavior. The fact is that the rate of commission of serious crimes in America is increasing nine times faster than the growth of our population. The fact is that three out of every 100 young people now between the ages of 10 and 17 will be adjudged a delinquent before they reach their majority. The fact is that two out of every 100 persons today will be the victim of a serious crime within the next year.

Amidst the complexity of the problem of crime and criminal behavior in America one or two things stand out. One is that crime detection has not

progressed at anything like the rate of crime commission. This is abundantly shown by the fact that no solution is ever made in more than 75 percent of all serious crimes. No arrest is ever made in three out of every four serious crimes.

If, in the light of this knowledge, we still must talk about how to solicit support for law enforcement officials something must be wrong. Obviously we have not gotten to the root of the problem.

Charles Dunn, Director of the State Bureau of Investigation, made a statement sometime ago which I think bears repeating: "To do the necessary job in crime prevention and and law enforcement, it is going to cost more money. The old saying that you get what you pay for has not held true in law enforcement. The people generally have received and are receiving today far more in law enforcement than they are paying for."

I need not tell you as leaders in your community how unfortunate this is, how unfortunate it is that

we citizens of our towns and counties send out men to perform the most dangerous duties of our society - duties which mean the difference between safety and danger for us and our families and that we send them too often with inadequate equipment, without the training they want and need and at near starvation-level salaries.

This is done in spite of the fact that in the criminal justice system the law enforcement officer is the man on the spot.

"The magistrate issues the warrant for arrest and holds the preliminary hearing - in the quiet of his office. The solicitor prepares his case for trial and draws the indictment after reflecting on the evidence - in the quiet of his office. The judge sits on the bench, at the controls, and carries on his duties - in the quiet of the courtroom. The juror sits in the jury box and the witness takes the stand - again in the quiet of the courtroom.

"The policeman is the man in the street and at the intersection where people come together from all directions for redress, for revenge, of grievances. He is the man

in the middle of the push and shove and jostle of conflicting forces. He is the man at the point where peace is a bird on the wing, and he must make up his mind at his peril on the spur of the moment, knowing that what he does and says will keep the peace, or lose it, for himself and for his city (or county). He is the man on the spot."

Thus, the police officer today must be a highly trained professional, well versed in many areas of the law, a person who must make a decision, often on the spur of the moment, that a jury, a trial judge, or an appellate judge will review months later to see if the officer's judgment was right or wrong.

What good is a confession if the officer through ignorance, obtained it in such a fashion that it will be incompetent in court.

Recently we lost a case in the United States Supreme Court, where the defendant had raped and killed a woman, simply because of the manner the officer obtained a confession from the defendant. This case had been in the state and federal courts six years in an effort to

Ask yourself - what kind of man is our policeman? How is he selected and trained? How is his police department structured and managed? What are the policeman's duties, and how do we recruit, select, train, and equip him to perform them?

In 1933 a California study of police service concluded that over three thousand types of skill and applications of knowledge were required of a police officer. That was a number of years ago, when life, complicated as it might have seemed then, was simple compared to its complexity today.

I thought you would be interested in hearing what I read recently on a few random examples of situations in which a policeman may have to determine instantaneously what to do:

uphold the conviction of an obviously guilty man. Now the person cannot be retired.

Guilty persons have been turned loose because the officer did not give the defendant the required constitutional warning, or the search warrant did not contain the information to show probable cause, or the identification of defendant was improper, or the search of the defendant or his premises was unconstitutional, or the defendant confessed under circumstances where the officer cannot show that defendant's constitutional rights were fully protected and afforded.

Cases are being reversed in the appellate courts because the officers did not follow the simple rules of procedure laid down by the courts.

The point I am trying to make, once again, is simply this: We are not getting the most for our money by maintaining law enforcement agencies which are staffed by untrained personnel, or trained personnel that has not been given proper equipment and facilities.



Apprehending a fleeing or cornered suspect, possibly armed.

Pursuing a motor vehicle.

Dealing with an obstreperous drunk or a mentally disturbed or potentially dangerous person.

Questioning or searching the occupants of a house or motor vehicle.

Investigating any of a number of suspicious conditions in a residential or commercial building.

Subduing one or more persons threatening an officer.

Controlling boisterous, unruly, or destructive crowds or even mobs.

Controlling or removing sit-ins, sit-down strikers, or illegal demonstrators.

Breaking up gangs gathered for a fight.

Protecting VIPs, celebrities, or unpopular figures.

He may also have to settle domestic arguments, direct traffic, catch stray dogs, escort the aged, deliver babies, sober up drunks, help lost children, umpire ball games, and bring cheer and a warm sense of security everywhere he goes. The range of his discretionary powers is awesome. Such discretion extends to issuing summonses, arresting, warning, releasing without charge, using force, using deadly force, persuading gently, or requesting politely. He may have to handle a dozen or more such varied situations in the course of a week - or even a single day. And presumably he is to shift his own emotional reactions immediately from one to another of these tension levels, as needed.

Recently I was disturbed by an article written by a reporter in one of our small towns in the east. The article is entitled, "He Got the Call," and is as follows:

"Good law enforcement officers, like churchmen, realize that their profession offers few financial benefits while demanding countless work hours in all types of weather. In other words, a police officer (like a minister) must have the "call" to become a credit to his organization. Such a call was received here last week.

"The city's newest patrolman - who started work Tuesday - headed a discount store's produce section in June when he joined the Police Reserve. His salary was well above what he can reasonably expect with the police department in the next several years.

"Nevertheless, he resigned the store job to become a patrolman on the city force. His monthly pay, not counting deductions, is less than \$450. per month.

"He is working a 48-hour week. Like fellow officers, he is required to attend court sessions where

his testimony is needed - and there are no provisions for "time off" or "extra pay" for court time.

"More than ever today, it requires a dedicated man to wear a police officer's uniform.

Let me hasten to say, that I am pleased that the law enforcement profession has been referred to as a "calling," as a profession which requires unique qualities of its members and almost a religious fervor. However, I do not believe that law enforcement, by necessity, should require such financial sacrifices of qualified men who want to enter it.

We are courting disaster, in my opinion, when we continue to ask these officers to make unbelievable sacrifices - which they willingly do - while at the same time holding tight the public purse strings and denying them even minimum reasonable compensation for their services. By doing so, we are being neither wise, nor fair, nor reasonable. We must be sure the people understand this also.

It is vain to pretend the improvements will not be costly, but the police system, as it is, already

accounts for two thirds of the total national expenditure for the criminal justice system. But, in the long run, if improvements can lead to greater efficiency and effectiveness in police work, the gains will offset some of the other expenses that must be shouldered - private, personal and social losses resulting from crime.

Right now the public feels that they are more vulnerable to crime than is tolerable. Poll after poll indicates that crime and lawlessness rank first among all domestic problems cited by citizens. Perhaps we, as leaders in our community, have failed to show clearly the relationship between preventing crime and providing the financial support necessary to upgrade law enforcement.

Public support needs to be mobilized if new programs are to be instituted, but we must necessarily first understand the problem which exists.

Few, if any of us, know the ultimate solution. And, I would not pretend for one moment that the people of North Carolina are of one mind about how to prevent crimes or more easily solve those committed. Many people

in our larger cities who for good cause are alarmed by the crime rate are calling for increased police protection through such plans as preventive or tactical patrols. Other persons, such as younger people and disenchanted members of minority groups, at the same time, demand more freedom to express their views and resent the presence of the police or any other symbol of authority.

Citizens, in many low income areas, are not of a single mind about the police. At the same time, some police departments receive demands for less "police harrassment" and more police protection from different elements in the same community.

Some argue that to improve the efficiency of police services that they should centralize their services and withdraw officers from regular day-to-day contact with the people they serve. Others say that to improve community relations, more officers should be sent in to work on a person-to-person basis with local people.

In light of high crime rates, arguments are made that limited police resources available should be devoted

to crime solving alone. Others contend that since the police are the only 24-hour-a-day government agency, that they should expand their services wherever possible to provide specialists in delinquency prevention and the resolving of family crisis.

Some say that we need more officers while others contend that additional equipment is the answer. Many place top priority on training and others say that increased salaries is the only way to upgrade the quality of officers serving us. The list of conflicts could go on and on. Nevertheless, these examples indicate in a small way the problems which face persons such as you, who are involved in law enforcement planning, and the determination of priorities. They point out the problems facing those in positions of leadership who want to speak out and prompt action to curb the crime rate.

However, we must begin to advance possible ways of attacking the problem, and advance more positively with the full intention of putting them into effect.

Even if we discover that we have been wrong and that our answers are not the best ones, at least by provoking public discussion and debate we will have done

a great public service. In the words of Voltaire, "We must not be guilty of the good things we didn't do."

For too long we have been content to point out the problems, but too hesitant to advance solutions and to put forth the energy and devotion necessary to implement them.

The people will support the efforts of governmental officials to make secure the rights of person and property. This security is, in fact, a cornerstone of our nation.

I am reminded of Governor Robert Scott's statement in his Inaugural message that: "Government that is unable to afford all of its citizens the security of person and property is not likely to be able to do much more for them." The people in our day believe this, and I think it will only take going to the people in a firm and positive manner to solicit their support for additional aid to law enforcement.

Let's involve the citizens in our communities directly in law enforcement related activities; let's invite them to the police stations; let's ask them to ride in our patrol cars; let's let them see the situation so they, as impartial observers, can tell the story of law

enforcement firsthand.

Let's collect data and prepare it so carefully and so attractively with diagrams, charts, illustrations that public officials and private citizens alike can understand the dimensions of the problem and its relation to individual communities.

Let's follow the relationship to continued increase in crime and disorders to the loss of property and lives. Let's show that crime is no longer merely a problem which effects the poor and the underprivileged but people in every strata of our society and in every walk of life.

Let's talk with public officials and political candidates and make certain that they have an adequate understanding of the problems and some concrete notions of how to deal with them. Let's get them staked out publicly in favor of improving the criminal justice system throughout and law enforcement in particular.

The United States faces, at this moment, a challenge to its ability to effectively preserve law, order, and justice. How we meet this challenge will provide both



a test and a portrait of our national character. It is by our approaches and solutions to these problems in the years to come that we shall largely be judged - by the world and ourselves. We must move forward with detailed planning and well-researched theories and strategies.