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OBSERVATIONS OF CRIMINAL JUSTICE PLANNING

I appreciate very much the invitation to meet with you tonight and share with you some of my observations of criminal justice planning since the passage of the Omnibus Crime Control and Safe Streets Act of 1968. As Attorney General of my State, it has been my privilege to sit on the State policy board which administers the Act - called the Governor's Committee on Law and Order in North Carolina - and to see the program from this viewpoint.

I would be less than frank if I told you that everything I have seen has pleased me. For example, I have become concerned from time to time, as I am sure other members of the Committee have, because often we know so little about projects we are asked to evaluate and approve. Actually, I suppose, I should say "concerned about projects we are asked to approve" because it is seldom that individually we have the time to really analyze and evaluate the projects proposed.

As with every other Federal program I have seen, the paper work is overwhelming. It comes to my office in volumes and I simply do not have adequate time to read and digest it all.

I do not think that other Committee members do either, and I seriously doubt whether any one member of the Staff in my State or any of your states has actually read all the material which is produced or dissiminated by the full time staff.

I have designated one person on my staff, my Special Assistant who, fortunately, served for a short while on the staff of the Law and Order Committee in North Carolina, to try to stay abreast of the work being done by the Committee and keep me briefed. I understand that other Department heads have done the same thing with varying degrees of success.

I still am perplexed by application schedules and grant requirements. I have never seen a "crash" federal program set up which was not the victim of constant re-direction and revision of policies. I concluded in my own mind that the only way for a program to function effectively while subjected to constantly changing policies and procedures is to have staff members who have been with the program since its inception and have seen and understood each policy change as it occurred.

I am afraid that programs such as those you operate are very different from the old Saturday afternoon serials when you could come in the theatre and in a couple of minutes understand everything which came before and led up to this exciting new episode. Everyday in Criminal Justice planning is in a very real

way "an exciting new episode", but those in policy and administrative positions who have grown with the program, in my opinion, are best equipped to deal effectively with the events of the day and render greatest service to their State or planning region.

I think you should realize that if it is difficult for you as full time staff members to keep up with the evolving program, then it is even more difficult for us who sit on your policy boards and meet with you a couple of days a month. We must rely upon you for guidance and continuous briefing on matters which directly concern our agencies and our particular spheres of activity.

My major complaint over the period of some two years that I have served on my Board is that there has been too little contact between the Board members and the professional staff and that too often pressing deadlines and expediency have excluded us from participating in much of the decision-making process. We want to know more about what you are doing and why you are doing it. I must confess that I do not tonight have the formula for accomplishing this, but I believe that working together we can find ways of achieving greater input from the Committee.

We took a giant step in this direction not long ago when our former Director Jim Van Camp organized a two-day retreat

here at this same hotel for members of the Law and Order Committee and its staff. For the first time many of our members met and talked with our staff members. For the first time we saw the persons who do the homework - and do it well - so that we, the Committee members, can carry on the formal business of criminal justice planning at regular meetings.

For the first time we had a chance to talk with them person to person about our ideas and our concern. For the first time, I think, some of them began to get an idea about what makes some of us tick. For the first time, I think, the staff received some concrete guidelines about planning and developed a feeling of the direction the planning board wanted the staff to follow.

This is important. Prior to that retreat we had made much progress in criminal justice planning in North Carolina. We had a good program going that had received national recognition and approval. But because we know each other better, I think we have a better program now and the potential for a great program in the future. If there are states represented here tonight who have not tried the approach which Jim Van Camp used in this retreat, I recommend it to you.

Some of you may be thinking by now that I was invited to speak tonight because I have a reputation for tossing bouquets to the staff of the North Carolina Law and Order Committee and

they decided they would like to catch a few here in the presence of their colleagues. I assure you this is not the case. I am not noted for concealing my feelings and on several occasions I have spoken out in opposition to ideas, programs, or proposed courses of action proposed by the staff. I believe this is the responsibility of every member of every policy board.

The amount of money being distributed through your respective offices is tremendous. I frankly am appalled each time we meet by the sums dispensed at "routine" meetings of the Committee. The handling of these funds is in every sense of the word a public trust, and I have never been one who subscribed to the notion that because it is (quote) "federal funds" (end of quote) one has license to dispense it recklessly and without planning toward realistic objectives. I believe the other members of our Committee here in North Carolina share this feeling and because they do, I think North Carolina's program can be described as both "responsive" and "responsible".

We have been blessed in my State with exceptionally talented directors of the Law and Order Committee. I am sure that some of you knew our first director, Charles Clement, who set our program on the firmest kind of foundation. Charles was succeeded by Jim Van Camp who served and served well until he decided to return to private law practice a couple of months ago.

You know what an outstanding young man Jim Van Camp is. He has my sincere appreciation for the work he did for us.

Serving with both of these former Directors was your host here in Pinehurst, Bill Julian, who ended a distinguished career in law enforcement to join the original staff of the Law and Order Committee in North Carolina. We were pleased when he was appointed as our new Director, providing the kind of continuity which I cited a few moments ago as being so important to the effectiveness of programs like those established under the LEAA.

Bill Julian's job, and your jobs, are difficult. And they are important. Your various agencies throughout the Southeast have created a new day for all those involved in the criminal justice system. This special interest, this special concern, has fostered among many lost pride and enthusiasm and rekindled efforts to improve a system which without doubt must be improved if it is to serve the cause of justice and weather constant onslaughts.

This focusing of attention on the criminal justice system has created broad public support which I believe is at last beginning to reach to the local level where decisions must be made concerning priorities, budgets, personnel, and a thousand other ingredients vital to an effective effort to combat crime and provide equal justice.

But at the same time, fortunately, this focusing of attention on the criminal justice system has demanded self-analysis by all parts of the system, and this is not an easy thing. In fact, it can be mighty risky. Let me use a situation which is very close to me to explain what I mean.

As Attorney General of North Carolina I have under my supervision and direction the State Bureau of Investigation, a force of some 70 skilled investigators who assist local officers in solving difficult crimes and who have original jurisdiction for enforcing drug laws. When I assumed office two years ago, the Bureau was understaffed, jammed into cramped quarters and morale was at an all time low. We had to do something immediately or else, in my opinion, the Bureau would become completely ineffective.

I immediately appointed a new Director for the Bureau and we sat down to analyze the situation. In a matter of days, the Legislature was coming to town and we had to decide and decide quickly how to go about obtaining the support from the Legislature that we needed so badly.

It soon became clear that we had two alternatives:

1. We could play down the desperate plight of the agency publicly and quietly try to round up the support we needed for improvements by person-to-person contacts

with legislators. If we were successful, then the improvements would be made and the Bureau would be back on its feet. If we failed, then the public would not know how desperate the situation was and perhaps the Bureau could continue to function somehow.

2. The second alternative was to admit publicly the plight of the Bureau and focus the attention of the news media upon it. This way we might be able to create a groundswell of public support from persons concerned about curbing crime through better law enforcement. This public concern certainly would be recognized by the members of the General Assembly, and this coupled with individual contacts would bring the assistance needed to revitalize the Bureau and make it a powerful weapon for fighting crime in North Carolina.

We recognized the danger inherent in the second alternative. If we exposed all the weaknesses of the Bureau and managed by doing so to generate public concern and legislative assistance, we would be in good shape.

But if we exposed all the weaknesses of the Bureau and for some reason failed in our efforts to muster public support

and obtain help from the General Assembly, we would have completely destroyed the morale of the Bureau and its reputation as a law enforcement agency.

We chose the second course. Thank goodness we were successful. The desperate state of the Bureau received a great deal of attention from the news media and it was not long before public concern became apparent. Bureau Director Charles Dunn immediately came forward with a progressive and realistic plan for revitalizing the agency and it received wide public acceptance and, of course, the endorsement of the North Carolina Legislature.

As a result, today - only two years later - we have a State Bureau of Investigation which has and deserves the highest respect of criminal justice personnel and private citizens throughout this State. And, in my opinion, it is one of the best in the nation. But achieving this required a tremendous gamble.

The same is true of any element of the criminal justice system when its leaders sit down for serious self-examination. Often if we are honest with ourselves, we have to admit that things are far from what they should be and, most of the time, could be. But if we confess this publicly, we must also be willing at the same time to dedicate ourselves to a realistic program of improvement which is capable of attracting public support. If we do not, we have laid bare the chinks in the

armour and stand waiting for the first sword to find them. If we lack this dedication to bring about the needed reforms after exposing the shortcomings, we risk an irreversible tailspin and certain disaster.

I need not tell those of you here tonight the necessity in planning for recognizing deficiencies in the present system. This is a primary ingredient. It should be accepted by everyone.

But I wonder how many of you have been stymied in your efforts by the head of some agency or the director of some program who refused to admit that all was not well with things as they were. I know in my own mind that all of you have.

I think all this points up what I have said previously: criminal justice planning requires realistic self analysis by those in the system itself. And this self analysis requires courage and a commitment to work for - and sometimes even fight for - the improvements which must come if the system is to be significantly changed.

It is an easy thing to take pride in our few accomplishments, to hide our many inadequacies, and to justify our inactivity by words chosen to sooth public concern and demands for change. But if we try to protect a system which in its entirety does not deserve protection but rather demands immediate change, in my opinion the system eventually will destroy itself.

I think that the present emphasis upon improvement in the criminal justice system is timely enough to allow for the preservation of that which is good and the replacement of that which is ineffective or is the product of another day and another age. I hope so. But the task is immense and requires dedication. I thank you for the dedication which your presence here tonight illustrates. I wish you success in your efforts.

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