

**THE IMPROVEMENT AND REFORM OF LAW ENFORCE-
MENT AND CRIMINAL JUSTICE IN THE UNITED STATES**

243

HEARINGS
BEFORE THE
SELECT COMMITTEE ON CRIME
HOUSE OF REPRESENTATIVES

NINETY-FIRST CONGRESS

FIRST SESSION

PURSUANT TO

H. Res. 17

**A RESOLUTION CREATING A SELECT COMMITTEE TO
CONDUCT STUDIES AND INVESTIGATIONS OF CRIME IN
THE UNITED STATES**

**JULY 28, 29, 30, AND 31; AUGUST 4, 5, 6, 7, 11, AND 12;
SEPTEMBER 17 AND 18, 1969**

Printed for the use of the Select Committee on Crime



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1969

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**STATEMENT OF HON. SHIRLEY CHISHOLM, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK**

Mrs. CHISHOLM. Thank you very much.

I come here this morning as a woman representing many women in this country that are concerned about what is happening to their children, and also as a person that has had the opportunity to have visited over 25 campuses in the past 9 months and listening and speaking to and with the young people.

I am not here to deal with any technicalities or procedures, because I think our government, both on the local, State and Federal level has tried in many instances to do something about this problem which is destroying our country. I come to you this morning to tell it to you just as it is on the basis of my experience.

Mr. Chairman, as you know, I come from the 12th Congressional District of New York. My district is the Bedford-Stuyvesant Crown Heights area which some claim has the highest crime rate per capita of any urban area of comparable size anywhere in the world.

There are many reasons that have been given for the crime rate in Bedford-Stuyvesant, in Harlem, in Watts, in South Side Chicago and in many similar communities. It is not my intention to jog the memories of the members of this committee, you have heard those reasons time and time again.

I desire to address myself to the real crime of America which is the waste and destruction of our youth.

It is not known exactly how many youth under 20 reside in my district; I do know, however, that they accounted for 55 percent of the increase in arrests for drug felonies and drug misdemeanors from 1967 to 1968. I do know that among the youth under 16 the increase was even steeper, a 94-percent increase for drug felonies and a 62-percent increase for drug misdemeanors.

These statistics can be interpreted in many ways. Such as to suggest that the police are becoming more efficient; that youth are not cautious any longer; that the police are making arrests simply to accumulate a record on certain young people, that a greater percentage of young people are using drugs. This latter interpretation I believe to be the correct one.

This conclusion is based on a number of personal observations, talks to constituents and some understanding of the people in the area in which I have spent most of my 44 years.

Comparing the same statistics for 1967 and 1968, I find that arrests for crimes for money, robbery, burglary and larceny, both grand and petit, also increased significantly in the age brackets I mentioned.

Youths under 20 accounted for 75 percent of the increase in arrests for robbery; for 43.8 percent of the increase in arrests for burglary; and for 42.7 percent of the increase of arrests for petit larceny. The only category in which they did not account for a significant part of the increase was grand larceny.

I believe that the major reason is that grand larceny has been traditionally the province of the older, more experienced criminal. Please note that I speak only of those arrests that represent the increase.

Mr. Chairman, need I tell you that drugs of any kind cost money. For the youth of my district, drugs cannot be obtained simply by raiding mom and dad's medicine cabinet; nor can the money be secured by asking dad for an extra \$5 or by slipping an unmissed \$10 from mom's purse.

There are only a few ways to raise money in my district and crime, especially petty crimes, is one of the easiest, favorite ones.

If there is a difference between the youth of my district and the youth of America's suburbs it is the amount of money available and how one gets it. The difference certainly is not the tendency toward drugs, especially marijuana.

If there is a difference between many of the parents in my district and many of the parents of the suburbs, it is the difference between rent and mortgage because both are deeply involved—one maintaining an illusion that masquerades and parades as the American dream—the other is maintaining some semblance of family life so that their sons and daughters might eventually have a chance to maintain the illusion.

Mr. Chairman, pardon me for that slight digression. But it is important to point out that I believe the youth are saying something very important to us, the leaders and the older generations of this country through their use of drugs as well as in other ways. What they are saying almost makes this committee and its proceedings a digression.

They are saying that a quality of life that creates a desire to be alienated from it, to escape from the hypocrisy of it, is responsible for the use of drugs.

It is not heroin or cocaine that makes one an addict; it is the need to escape from a harsh reality. There are more television addicts,

more baseball and football addicts, more movie addicts and certainly more alcohol addicts in this country than there are narcotics addicts.

The major difference between those who are hooked on TV, baseball, football or movies, and those who are hooked on alcohol or narcotics is a built-up physiological dependence in the latter cases. The only difference between the alcoholic and the junkie is the degree of dependency.

Addiction is a psychological state of mind, first and foremost. I believe the message of the youth. Life in this country is becoming more and more intolerable to many people in our Nation. The gap between what the country says it is and what it is in reality is widening. The conditions of our cities deteriorate daily, our streams and the air we breathe become less and less conducive to life. Criminality and criminal actions do not always consist of breaking man's laws.

Yes, I think that our youth are telling us that it is the hypocrisy and the inferior quality of our life that is responsible for the increased use of drugs. This has been true for years in what you are wont to call the "ghetto." It is rapidly becoming true in suburbia and the middle-class American society as well.

I think that the war on "pot" is being intensified because it is now readily apparent that it is seemingly having a greater effect on middle and upper-class white American youth. The generations that are the heirs-apparent who will some day rule the Republic now seem to want to abdicate their positions unless there are significant changes made and we the legislators and leaders seem bound and determined to force them to acquiesce to our designs and plans for them.

Deputy Attorney General Richard Kleindienst last week seemingly confirmed that that is the situation by delivering up a classic example of Orwellian Newspeak.

The task force that Mr. Kleindienst co-chairs says that it is directing its efforts at marijuana because it claims to have found that, despite Mr. Egeberg's statement to the contrary, "marijuana is physically harmful, leads to more dangerous drugs and works as a substitute for adjustment to reality among youth at critical stages of the maturing process."

Gentlemen, the final part of that statement "substitute for adjustment to reality among youth" represents the crux of the problem. Our youth are telling us that our reality is a fraud and we must change it, but we hold on blindly, screaming that it is the only one available and that they must accept it or else.

A curiously ironic aside that I might make is this: In the same paper, this Sunday's Washington Post, on the same page, A-6, was a story about a popular prescription pain-killer, Talwin: the maker was notifying the medical profession that the drug in its injectable form had been linked to "psychological and physical dependence."

In short, after 2 years on the market and, I assume, testing by the Federal Food and Drug Administration the drug was found to be addictive. Is it any wonder that our youth often laugh at our attempts to wean them away from the weed?

One of the prime inducements for youth to experiment with and continue to use marijuana is the relative lack of physical and psychological danger to them. Almost all recent studies and many older ones have indicated that marijuana is not addictive, does not encourage the

use of stronger drugs, is no more dangerous than alcohol and perhaps less toxic than a common cigarette.

In terms of the drug problem, which is most often a euphemism for marihuana, we seem to have another prohibition era.

Mr. Kleindienst in another fine example of Newspeak seemingly confirms that opinion.

Saying that the purpose of the crackdown was to drive the prices of marihuana up thereby making it "too expensive to be in common supply on American college campuses," he went on to say "that he did not fear that they would drive marihuana prices so high that they would attract the Mafia. Nor would the crackdown encourage other crimes because marihuana, unlike heroin, is not addictive and young people will not react in a state of desperation."

If the price of marihuana surpasses that of other, more dangerous drugs, we will have infinitely more problems.

Trying to dry up the supply is very reminiscent of the "Bathtub Gin Era" and will undoubtedly produce some of the symptoms common to that era.

One of those symptoms will be, contrary to Mr. Kleindienst's statement, the further involvement of organized crime. The assurance that higher prices will not attract the Mafia is not as soothing as Mr. Kleindienst intends it to be, the Mafia is not the only criminal organization in this country, it is simply the largest, best known one.

The task force that Mr. Kleindienst leads admits that the marihuana trade is run by organizations but mutes that by trotting out that old bogeyman, the Mafia. I wonder, is that supposed to ease our mind, make us say, "Ah, well, at least it is not the Mafia?" The implication, at least is that organized crime is quasi-acceptable as long as it is not a Mafia organization.

The thrust of much of the testimony presented by older, more established persons before this and similar committees has shown that this implication is not entirely false. But more than that it reveals that organized crime seems to be quasi-acceptable as long as it deals with gambling, women, bootleg liquor and cigarettes and other little things on which far too many of us are inclined to close our eyes.

It is not simply because in my district there is a high correlation between the increase of youth drug use and crimes committed by youth that I appear before this committee. Even if my district were completely crime free, according to police statistics, I would want to testify. I would want to testify because the criminals who create the market for drugs, by creating the sterile suburbs and the gangrenous ghetto, and the criminals who supply the market with heroin, cocaine, amphetamines, and barbiturates, the destructive drugs, go to the same church, sit in the same pew and pray to the same gold, silver and green God.

The real problem is not drugs or crimes by individuals per se, it is rather the social organization that makes both necessary.

Mr. Chairman, it is common knowledge to the people of my district that policemen take bribes to protect the numbers racket, drug pushers and prostitutes; it is common knowledge that some politicians take instructions and money from local racketeers.

We cannot expect to solve the drug problem by harassing addicts and minor pushers while openly ignoring major suppliers. We cannot

expect to prevent petty crimes of robbery and larceny while openly protecting the numbers racket, prostitution and other crimes of pleasure. Our youth will continue to reject our reality as long as it remains dichotomous and hypocritical.

The course seems quite clear. We must actively pursue domestic peace by law enforcement agencies unearthing illegal gambling, drug traffic, prostitution, and other crimes or we may just as well legalize them because they are so rampant all over our Nation today. If we are not amenable to the first course then we must take the second.

I am not, at this time, indicating a preference for the pursuit of either course. I am simply presenting them as the only rational alternatives to the present situation in this Nation.

I realize that this is just another study group of the kind this country has seen year after year; listening to witnesses, collecting data, and filling the Congressional Record with citizens' pleas for relief.

If this Congress wants to change the present situation, it must provide leadership with the courage to initiate the changes necessary to save our youth; I say courage because those who have been the beneficiaries of the peddling and distribution of drugs that are maiming our Nation's young people will not be ready to give up the "business"—and it is a business—that has reaped millions of dollars in profits at the expense of human life.

We must propose legislation that gets to the heart of the matter in terms of drug importation to this country and more stringent customs regulations. The source of the supply must be cut off. We can do it in this Nation if we really desire to do so, but the truth of the matter is that the drug traffic is a network of circumstances involving known criminals as well as respectable-looking individuals who are making money out of this insidious business that has now eaten at the core of our most precious product in this country—our children.

Above all we must demonstrate a moral commitment to whichever course of action we take indicating our pursuit of domestic peace and tranquillity once again in this Nation.

Thank you.

Mr. WARSON. Thank you very much, Mrs. Chisholm. We appreciate the very fine statement that you have made, and I certainly agree with you in your assessment of those who prey upon the young people of our Nation.

In fact, just last week when speaking to a group, I referred to them as the lowest vermin in society, and I am sure that you would agree with me in that assessment.

I would like to say this. You allege that policemen take bribes and politicians take money from local racketeers, and I have heard that accusation all along. I am sure that, speaking for all the members of the committee, we would be grateful if you, or if you know of anyone who knows of anyone specifically, who is doing that, would so advise this committee, you can rest assured that we will not hesitate to expose such an individual. I think we agree that we would be an action committee.

I feel that all too often we are inclined, and I include myself, to speak in generalities rather than speak in specifics, but the way to get to the problem is if you know of any politician or any policeman who is doing such as that, we of course would plead with you and with any-

one else who has any information or knowledge of that to so advise the committee, and we will certainly pursue it with this staff that we have here.

Mrs. CHISHOLM. May we say, Mr. Chairman, that we have begun to pursue this in our community with respect to the exposing and bringing out into the public these persons.

Mr. WATSON. I would have only one question in reference to the Deputy Attorney General's statement, recent statements. Apparently in your statement you think that Mr. Kleindienst's approach is not the best one. But would you not agree with his statement, and you quote him, that marihuana is physically harmful, or would you?

Mrs. CHISHOLM. No, I do not.

Mr. WATSON. You do not?

Mrs. CHISHOLM. No, I do not agree with that.

Mr. WATSON. And you do not agree with his statement that it leads to more dangerous drugs?

Mrs. CHISHOLM. No, I do not agree with that. Too many tests and surveys over the past 10 years in this country have indicated quite clearly that marihuana on a comparison with other things that are known to use are not addictive. It is not addictive.

Mr. WATSON. Our course, you are aware that there are many experts and others—

Mrs. CHISHOLM. Yes.

Mr. WATSON (continuing). Who differ with that position?

Mrs. CHISHOLM. Yes, I am.

Mr. WATSON. In other words, since we have differing positions as to whether or not it is addictive, whether or not it leads to harder drugs, still you would be of the position that we should not discourage its use among young people?

Mrs. CHISHOLM. Yes.

Mr. WATSON. Just let them go ahead and take the chance?

Mrs. CHISHOLM. No, it is not a question of letting them go ahead and take the chance. I think that what we are doing, we tend to place the focus in the wrong direction. Marihuana is the symptom of many other symptoms that are going on in this country that are destroying not only the country but destroying our youth, and we seem to have latched onto marihuana when there are other situations and other things in this country that are of greater concern, and the question is not the marihuana or the cocaine or the heroin per se.

The question is the sincere desire of our Nation to cut off the root of the reasons for this kind of social ill that has invaded our country.

We keep harassing the peddlers and the pushers and we keep lashing out at the young people.

Mr. WATSON. Of course you are in favor of prosecuting the peddlers and the pushers, are you not?

Mrs. CHISHOLM. Oh, definitely.

Mr. WATSON. Let me ask you one question since we agree that certainly those who traffic in these narcotics are the vermin of the earth. Mr. Kleindienst recommended, and also has moved to implement that recommendation, to have a real crackdown on those who are bringing marihuana and other drugs across the border. Do you support him in this crackdown against the peddlers and so forth?

Mrs. CHISHOLM. I certainly do. I only hope that in the future we really do see this crackdown so that it has a positive effect on what will happen in our society.

Mr. WATSON. Of course he did make the statement that, by cracking down on the supply, it would naturally drive the prices up and would make it too expensive to be in common supply on American campuses. You do not believe that these young people are so hooked on it that they would go out and commit crime in order to get it? Don't you believe that, by driving the prices up, if it is nonaddictive, if it is harmless and so forth, this in and of itself would have a salutary effect?

Mrs. CHISHOLM. Well, let me put it this way. If we look back at what has been happening, we realize that when you do try to eliminate some things such as marihuana, cocaine or what-have-you, organized crime is in business with other respectable-looking individuals, as I have mentioned in this report, that they are going to try to find a way to still continue to carry on the distribution and the sale of these drugs.

The heart of the matter as far as I am personally concerned is getting at the root of the difficulty, and that is having the customs regulations and the moral commitment of this Government to cutting off drug supplies coming into this country from other parts of the world, because so long as we have that, all of these rules, regulations and stopgap measures are not going to help our children in society. That is my humble opinion, sir.

Mr. WATSON. I certainly commend the Attorney General in his