

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: Feb. 24, 1955

FROM : L. B. Nichols *[Handwritten initials]*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-29-90 BY SP1 [redacted]

SUBJECT: WARREN OLNEY'S ADDRESS
NATIONAL ASSOCIATION OF COUNTY AND
PROSECUTING ATTORNEYS
BIRMINGHAM, ALABAMA
FEBRUARY 24, 1955

Warren Olney

b7C

[redacted]

Mr. DeLoach went around to the Public Relations Office and secured a copy of the speech.

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After Olney discusses the role of law enforcement, he moves the subject of organized crime and points out no agency has done more than the Kefauver Committee. He then points out the section on organized crime and racketeering in his Division and then starts referring to the handling of labor racketeering cases. No mention is made of the Bureau's efforts in such cases. He then refers to racketeering in home improvement and does give the Bureau full credit for the Federal House Administration investigations. He points out the Bureau's work in going after gangs of automobile thieves.

He then comes down to the question "Is organized crime on the increase?" "Are we holding our own? Is it on the decrease? No man in the United States can answer that question with any pretense at accuracy. The fact is that we simply do not have any statistics or sound factual information that alone can make an accurate answer to such a question possible. Our Uniform Crime Reports, which even as to the limited field they cover have been described as probably the poorest and least accurate criminal statistics kept by any country in the world, do not touch upon the categories of crime in which racketeering and organized crime flourish. There is no index kept by either federal or state government from which the amount or even the trends of racketeering and organized crime can be determined. The progress of the battle is not to be learned from an official report. Our only way of gauging our advance or retreat is by our own individual and collective experience, and who is there with so broad an experience in this field that he feels certain in his opinions?"

[Handwritten initials]

cc: [redacted]

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This shows Olney in his true light.

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I immediately called Ed Ethel since Mullen was in New York and pointed out the deprecating manner in which Olney speaks of Uniform Crime Reports and pointed out that this was incorrect; that there was no better account on crime than actual offenses committed and reported to the police. I pointed out that if Olney was going to make this statement, obviously the Bureau would have no other choice but to issue a public statement stating the true facts and that every police department in the country would probably start swinging on Olney. Ethel agreed that it was a very bad statement to make.

I further pointed out to him that it was an untrue statement since Olney does not define what he means by organized crime; therefore, used in a broad sense, it could include gangs of bank robbers, hijackers, gangs of thieves who prey on interstate transportation of property and automobile rings. Ethel stated he would get busy immediately. I pointed out that he had given copies to the three wire services.

Shortly thereafter, Ethel informed me Olney is presently en route to Birmingham; that David Luce, his assistant, was trying to reach Olney.

Subsequently, Luce called me and stated he had talked to Olney and that Olney carefully considered the matter and agreed to cut out the phrase "even as to the limited field they cover have been described as probably the poorest and least accurate criminal statistics kept by any civilized country in the world." I told Luce this still left an inaccurate statement because Olney does not define organized crime. Luce stated that this was Olney's decision; that there was nothing he could do; that if, of course, there were additional arguments, that Olney could call. I made it clear to Luce that what Olney wanted to say in a speech was his business; that we had discharged our duty by calling attention to the inaccuracies and that if Olney wanted to bring upon him a wave of complaints from the police that was his business; that we, of course, would probably be forced to say something if pressed because the statement as it now stood was not true. Luce stated that we wait and see what happens. I told Luce it was wrong; I could not agree with it, but, of course, it was up to Olney.

I had earlier tried to reach Mr. Rogers who was at hearings. Mr. Rogers did call me when he returned. I outlined to him what had happened and he agreed the statement should not be made. He subsequently told me he called Ethel and told Ethel to work it out. Ethel told me he was trying to reach

Olney and was going to drop the seven or eight lines that were offensive and would try to get Olney to drop the same lines out of his speech in Birmingham or rephrasing and defining what he means by organized crime.

In discussing the matter with Rogers, I told Rogers we, of course, hated to become involved in a controversy but there was no other choice but to see that the record was kept straight and that we might have to issue a public statement. Rogers did not want that done if it could be avoided.

In my last conversation with Ethel, I referred him to Olney's references on page 13 where he makes strictly personal and unofficial suggestion that Congress pass a law which would prohibit deduction as a business expense of the cost incurred in conducting criminal enterprises. Ethel stated he already received inquiry from [redacted]. He pointed to Olney's speech last summer before the Chicago Crime Commission wherein he stated a study was being made on taking prohibitive action on criminal enterprises with the view of seeking legislation. [redacted] inquired why was the statement official last summer and not now and what was the Attorney General going to do about it. I asked Ethel if the Department had not talked of legislation on this point. He stated he had not been able to find anything like this.

I have Mr. [redacted] getting together some material now in order that we can write a strong memorandum to the Attorney General and Rogers. I think we should send a copy to both Mullen and Olney also. b7c

Ethel HASN'T BEEN
ABLE TO REACH
OLNEY AT 5:30 PM
STILL TRYING *WON*

Nichols very promptly &
adequately handled this
matter. *J*

H,