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I S S U E S A N D A N S W E R S

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SUNDAY, JULY 16, 1967

GUEST: The Honorable Ramsey Clark
Attorney General of the United States

INTERVIEWED BY: Irv Chapman, ABC News Washington
and
Jim Burns, ABC News New York

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MR. BURNS: General, the Governor of New Jersey has called the recent rioting in Newark an insurrection. Now this generally means a revolt, a revolt against organized society with all the connotations involved. Do you consider the incident there to be an insurrection or revolt?

GENERAL CLARK: I consider it to be lawlessness of the worst kind. Insurrection has other implications that don't quite fit the situation in Newark, as I see it.

MR. BURNS: The Governor apparently spoke to you last night about the situation there, sir. Would you tell us what he asked? Did he ask for federal aid?

GENERAL CLARK: I talked with Governor Hughes several times and with members of his staff and other officials in New Jersey and Newark. Specifically, about four o'clock this morning, Governor Hughes called and had questions

1 regarding any assistance that the Federal Office of Emergency
2 Planning could give, or any assistance that the Small
3 Business Administration could give. He further queried us
4 regarding our information about the capabilities of the
5 Red Cross.

6 MR. BURNS: General, in an at least thought-provoking, if
7 not disturbing editorial in the New York Times today, it said
8 that the threat of confrontation between Negroes and whites
9 in the United States -- open confrontation in the streets --
10 is the most serious problem this nation faces, more serious
11 even than Vietnam. Do you agree with that statement, sir?

12 GENERAL CLARK: Certainly this is a problem of immense
13 magnitude that Americans in all of our major cities and
14 throughout the country have to address themselves to. We have
15 had a situation continuing over a period of time that has given
16 rise to present conditions that we must address ourselves
17 to with our greatest efforts, energies and devotions.

18 MR. BURNS: Is it the gravest problem we face, sir, as a
19 nation?

20 GENERAL CLARK: As a nation I am not sure it is the
21 greatest problem we face. It is a problem of such grave
22 magnitude that we have to give it all that we have.

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1 MR. CHAPMAN: General, in your discussion with Governor
2 Hughes, you talked mainly about rebuilding assistance, but
3 there is no role for federal law enforcement personnel, for the
4 Justice Department, in dealing with these summer riots?

5 GENERAL CLARK: During the riots themselves, there is very
6 little that the Federal Government can do until such time as,
7 first, local and regional and then state resources are inadequate
8 to the need. As America well knows, this situation has not
9 arisen; we do not expect it to arise. We have practiced local
10 law enforcement throughout the history of this country and it
11 is important that we continue to do so. Police resources in
12 the federal establishment are very, very small outside of the
13 Army, and the Army has not be necessary.

14 MR. CHAPMAN: Well, you say you don't expect the situation
15 to arise where federal resources may be necessary on a large
16 scale. Yet there is much fear that we may even be having a
17 foretaste of a kind of internal Vietnam war between American
18 whites and blacks. Do you think that exaggerates the serious-
19 ness of what is up?

20 GENERAL CLARK: That certainly exaggerates anything that
21 the evidence today indicates and I would have to worry about
22 tomorrow, but I think we better look on the constructive and
23 positive side of the docket and not on the negative side and
24 start building lines of communications and working constructively
25 to relieve tensions and to alleviate situations rather than

1 worrying about insurrection throughout the United States.

2 On the basis of the present evidence, this is not insur-
3 rection that is going to be widespread throughout the United
4 States.

5 MR. CHAPMAN: Well, from your observations, if I could
6 continue for a moment, is there any pattern of the actions,
7 that you see any link between one city or another, or any
8 evidence of outside agitation?

9 GENERAL CLARK: We use our best investigative resources,
10 our best intelligence resources constantly. We find very,
11 very little evidence of inter-city activities, of people
12 traveling from one state to another, that are deliberately
13 activating these situations. Of course, there are many people
14 that are traveling all the time; there are many people in
15 the general area of black power and other movements that are
16 traveling all the time, but we find very little evidence that
17 they are directly responsible or even indirectly responsible
18 for these riots as such.

19 MR. BURNS: That would indicate, sir, that you feel that
20 this anti-riot bill, so-called, that is in the Congress now,
21 is really not necessary, or that it is pointing in the wrong
22 direction, pointing the finger of blame in the wrong direction.
23 Is that true?

24 GENERAL CLARK: I think there are several problems with
25 the anti-riot legislation. First, I think we have to look to

1 local law enforcement and we have to remember that. They have
2 arrested nearly a thousand persons in New Jersey and Newark
3 at this time in connection with this riot situation there and
4 in the whole federal marshall system we have fewer than 800
5 people. They are scattered throughout the United States. They
6 are not trained in depth for this type of activity. so
7 we have to look for protection at the local level.

8 MR. BURNS: Well, do you feel, sir, in your experience, and
9 from field reports from your agents, that the average big city
10 police department is equipped by training or indoctrination to
11 cope with the kind of rioting that has taken place in Newark?

12 GENERAL CLARK: We think great progress has been made
13 in the last several years. Up until that time I think the
14 training was grossly inadequate. There are still many areas
15 where there are inadequacies but, both with and without the par-
16 ticipation of the FBI and other federal agencies, by and large
17 the major metropolitan police departments have engaged in firm
18 activities in the area of community relations that have been
19 most beneficial and also in the area of riot control. They
20 have utilized the FBI riot control manual quite effectively,
21 I should add.

22 MR. BURNS: We have a great many complaints from Negroes
23 of police brutality. In the reports that have filtered back
24 to you from your field people, have you seen much indication
25 this summer of widespread police brutality?

1 GENERAL CLARK: We don't have any sense of any different
2 relationship between the police and the public, and particularly
3 minority groups in the public, than has existed heretofore.
4 Police brutality has been both an outcry and a difficulty in
5 this area for a long time. We see no increase in it.

6 As the situation intensifies the probability of strong
7 police action being more necessary, as it then does, and the
8 consequent police brutality outcry increases.

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MR. CHAPMAN: General, the Anti-Riot Bill will become a part of the House of Representatives' business this week and it is very likely to pass, but the suggestion is heard that the way it is worded, requiring you to prove that somebody traveled or used the phone with intent to incite a riot -- rather than just an intent to make an inflammatory speech -- that this would be very difficult to prove, that the bill would be unenforceable if not unconstitutional. How do you feel about that?

GENERAL CLARK: I think without question the bill as worded, or any bill really that tries to reach this interstate activity of this type, which requires you to prove the state of mind of an individual when he travels in interstate commerce, is very difficult to prove. I think it is also important that the American people not believe that a piece of legislation before the Congress directed at empowering federal prosecution of people moving in interstate commerce to cause riots could really reduce riots in the United States. It will have very little impact in that area.

MR. CHAPMAN: Well, now, the bill's sponsor, Congressman Cramer, plainly aimed the legislation at Stokeley Carmichael, who he called a free lance insurrectionist who works up his audiences to a fever pitch, and so on.

Now if the bill passes both House and Senate, will it

1 be in effect a mandate to you to go out and arrest
2 Stokeley Carmichael and do something about that man?

3 GENERAL CLARK: Well, if that were a mandate
4 it would then be unconstitutional, I think. However, I
5 don't believe that the Congress as such intends to
6 pass any bill designed to prosecute a single individual.
7 We will apply the bill uniformly, we will enforce it with
8 as much vigor as we can muster, and we will read the
9 evidence as it comes to us as fairly and deliberately as
10 we can.

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1 MR. BURNS: In terms of enforcing laws, General, do you
2 see an increasingly large role for your department and division
3 in the handlings of riotous-type situations in this country?

4 GENERAL CLARK: Certainly we will of necessity be involved
5 in both intelligence and advice and in federal preparation in
6 any riot area. If riots do increase to a considerable degree,
7 our activity will, by that fact, necessarily increase too.

8 MR. BURNS: Is your division at the present time drawing
9 up any plan to cope with potentially large, really large-scale
10 outbreaks of insurrection in this country, sir?

11 GENERAL CLARK: We have had fairly comprehensive plans
12 that have been worked on over a period of two years now. I
13 have been involved in them for over two years and we refine
14 them, naturally, as our learning about this situation
15 improves and as conditions change.

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17 (Announcement)

18 MR. CHAPMAN: Mr. Attorney General, Senator Edward Brooke
19 told the National Association for the Advancement of Colored
20 People this week, "Only the most optimistic civil rights advo-
21 cates believe there is a chance that all or even some of the
22 provisions of the 1967 Civil Rights Act will be adopted this
23 year by Congress."

24 Are you optimistic that any or all of it will be adopted?
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1 GENERAL CLARK: I am an optimist. Civil Rights Commission
2 extension seems clearly a probability. Title V, which has to
3 do with the protection of federal rights in jurisdictions where
4 they are not adequately protected has a high chance of passage
5 in my judgment.

6 Title III, which would amend the Equal Employment Oppor-
7 tunity Commission Act, which is so vital in all of our problems,
8 particularly in Central Cities, has a good chance of enactment.
9 The other two -- federal jury legislation -- and what could be
10 more important than a fair jury among a people who believe as
11 we do -- seems to have a good chance. That is four of the six
12 titles there.

13 MR. CHAPMAN: Yes, but the most controversial one, the one
14 on fair housing, you would seem to include in the category of
15 dead letters.

16 GENERAL CLARK: Not in the category of dead letters. We
17 were talking about those I was most optimistic about. I would
18 not write off fair housing. We will do everything within our
19 power to secure its enactment at this time. We think it is
20 vitally important because, while we live as a segregated people
21 in these cities, we can't expect equal opportunity to those that
22 are segregated. This affects our schooling, it affects our
23 jobs, it affects our health, it affects all the aspects of our
24 life, and housing is essential; it has got to come to America
25 and it has got to come soon.

1 State jury reform, which I failed to mention, too is
2 awfully important and it will in time come. It may come at this
3 session. We will do our best to see that that is the case.
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1 MR. BURNS: Do you feel, sir, that refusal of
2 congress to pass even a diluted fair housing law and to
3 provide increased protection for civil rights workers has in
4 fact caused or in part has helped to cause the current
5 unrest in Negro communities?

6 GENERAL CLARK: I would certainly not associate it with
7 the extreme unrest as characterized by rioting in
8 Newark or any place like that. I think it does tend to
9 cause many Americans, both Negro and white, to doubt that we
10 are really sincere in our commitment as a people to
11 end discrimination in the United States. I think it is
12 more important now than at any other time and that we
13 demonstrate this firm commitment and that we
14 move forward.

15 MR. BURNS: Do you think it is illogical for the average
16 Negro man in the street to believe, as many of them do,
17 that only through rioting is he going to get anywhere?
18 I would like to cite two examples. In Buffalo, for example,
19 the Mayor said when rioting was at a height "Give me a
20 week. I will find 300 jobs." Apparently he found 300 jobs.

21 In Cincinnati the Mayor -- someone said "Give us some
22 time, we will build you a park." The park is being built.
23 Now this kind of thing, isn't it almost inevitable that the
24 average Negro is going to feel "The only way I can get anywhere
25 is by going out and throwing Molotov cocktails or bottles"?

1 GENERAL CLARK: I think that is the most erroneous
2 type of thinking and I think it is terribly important that we
3 demonstrate how erroneous it is. Everybody suffers from
4 riots. If you pick up 300 temporary jobs, you might lose
5 3,000 permanent jobs doing it. You might also so further
6 alienate and polarize the communities in America that it
7 will take us years to get back where we were.

8 There is nothing further from the civil rights
9 movement which has as its purpose the establishment of
10 equal rights under law for all citizens, there is nothing
11 further removed from that than rioting itself, and
12 rioting is profitless to everyone. It is the most harmful
13 thing that could possibly be done in terms of good will in
14 our society.

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1 MR. CHAPMAN: General, if we may turn to another area of
2 your concern, you issued a couple of weeks ago a rather stringent
3 restriction on the use of bugging and eavesdropping devices
4 except in national security cases.

5 The District Attorney of New York County, among others,
6 has called wiretapping the most effective possible weapon in
7 the fight against organized crime. Why then give up such a
8 weapon?

9 GENERAL CLARK: For a number of reasons. First, in our ex-
10 perience, the damage that it does in terms of invasion of
11 privacy in terms of the confidence of the American people in
12 their government is tremendous, and this is not the type of
13 society that we live in. We think that has to be weighed
14 against, always, protection of the public against criminal
15 elements.

16 But when you look at what has happened in areas where
17 wiretapping has been used extensively, you have to question and
18 you have to question rather seriously how effective it is and
19 how productive it is.

20 Now, I have admired Mr. Hogan since I was a very, very
21 young man. I think he is a great District Attorney, but in the
22 ten years that he most frequently cites for his highest era of
23 wiretapping activity, which is 1950 through 1959, he had an
24 average of 21 investigations going on a year. He made, he
25 says, as a result of these investigations which had about 70

1 wiretaps a year, about thirty-three and a half, on the average,
2 convictions, resulting from those wiretaps, a year. This
3 against more than 35,000 on the average and up to 50,000 in
4 the more recent years, criminal cases resolved during that same
5 period. It is a very small part of the whole, and a tremendous
6 amount of resource had to go into the placement and the
7 monitoring and the utilization of that evidence. It might have
8 been much more effective to use other techniques, but at the
9 very most it was a very small part of their activity.

10 MR. BURNS: But Mr. Hogan did say that crime lords,
11 such as Luciano, Louis Lepke Bucholder, and Johnny Dio, were
12 convicted only because of wiretapping. He also said that the
13 basketball scandals of the fifties were exposed only because
14 of the wiretapping and Frankie Carbo's underworld control of
15 boxing was exposed only because of wiretapping. Now, this is
16 pretty strong evidence, isn't it?

17 GENERAL CLARK: He picks a handful of cases where there
18 has been some utilization of wiretap. Luciano, 1936. That has
19 to go a long way back to make a point. That had to do with a
20 house of prostitution. Now, we have been able to control that
21 in society before we had telephones and I think we can control
22 it now through more and better police and through a lack of
23 corruption in your local police departments, and in your local
24 government generally.

25 There can't be a house of prostitution where police are

1 on the job, doing the job.

2 I think it is also interesting to note that during the years
3 that the FBI, in the organized crime activity, was using some
4 bugging and some wiretapping, that our convictions at the high-
5 est year -- fiscal year 1964 -- totaled 64. This year just
6 ended, June 30th, fiscal year 1967, we had 197 convictions
7 under the Organized Crime and Gambling Statutes of the same
8 quality as the 64 in 1964. That is better than 300 per cent
9 increase without wiretapping, without bugging.

10 MR. BURNS: But you are throwing out not only wiretapping,
11 you are throwing out all these -- to some people -- marvelous
12 new devices that enable us to shine beams of light in people's
13 directions and pick up their conversation, not to physically
14 trespass in their hotel rooms, their cars, or anywhere else.
15 You are kind of making a blanket indictment against all
16 possible types of eavesdropping, isn't that true?

17 GENERAL CLARK: No, that is not true. If you are talking
18 about the order --

19 MR. BURNS: That is right.

20 GENERAL CLARK: -- that came into the federal establishment,
21 it prohibits illegal use of wiretapping or bugging. It requires
22 that all other usages receive the consent of the Attorney
23 General of the United States except in the case of an emergency
24 when it must be reported to the Attorney general within 24
25 hours.

1 MR. BURNS: Well then let me understand you. You could
2 still use one of these wall mikes or whatever, even in a non-
3 national security case, provided it was first discussed with
4 you, or your approval --

5 GENERAL CLARK: That would depend on whether there was a
6 trespass into a private area. There are many types of entries
7 into private areas that are not trespasses, and this is a
8 question that they would have to submit to the Department of
9 Justice, and ultimately to me, for consideration.

10 MR. CHAPMAN: Well, your critics suggest that if you make
11 an allowance for national security cases, then you certainly
12 should go further and recognize that organized crime is a threat
13 to the national security which requires the strongest possible
14 weapons to be used against it. How do you respond to that?

15 GENERAL CLARK: Well, if we can't see the difference be-
16 tween national security, between the international conspiracies
17 and between the risks of war and domestic crime, then we do have
18 a problem. In this entire United States, state, local and
19 federal law enforcement of every type -- this means police, this
20 means prosecutors, this means courts, this means corrections
21 and prisons of every nature -- we spend barely more than \$4
22 billion a year.

23 What do we spend in the national defense area? We spend
24 tens of billions, so there is really no comparison.

25 I think it is also important that you look at the means of

1 communication that have to be used in the international area
2 and how they may fall use to this type of technique where you
3 don't have that necessity where people meet together to confer.

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1 MR. CHAPMAN: Well, that leads me, General, to ask a more
2 general question concerning the expenditures we make and
3 the approach that we take to fighting crime. Do you think
4 all of the outcry about handcuffing the police by bans on bugging
5 and wiretapping as well as by bans on confessions and
6 whatever else, that all of this really masks a public
7 unwillingness to pay the cost of an effective scientific
8 fight on crime?

9 GENERAL CLARK: I would hate to think that it represents
10 a public unwillingness. I do not believe it does. I
11 think it does represent a diversion from the main task
12 at hand. We better face it. There is no easy way to
13 control crime in America. We better face it. Crime is one
14 of the most serious problems this nation has and the only
15 way to control it is by the devotion of far more resources
16 than we do presently, by firm commitment of our people, by
17 improving our police, by providing for more police, by paying
18 police better, by investing more in corrections, by expediting
19 trials in court. All of this is necessary to control crime
20 and there is no easy way like a new rule on
21 confessions or a new authorization on wiretapping.

22 We were wiretapping in the thirties, and we had plenty
23 of organized crime. We can't see any real success there, or it
24 would have diminished. We have major cities in this country
25 that haven't had organized crime that have never used wiretapping.

1 MR. BURNS: Do you believe that the crime ratio -- I think
2 it increased 11 percent in 1965 to '66 -- are
3 we going to see a repeat of this? Is it going to go
4 up another ten or 11 percent this year in your view?

5 GENERAL CLARK: Unhappily it is my judgment we will
6 continue to see some increase --

7 MR. BURNS: Will it be in the nature of ten percent or
8 whatever, as it was --

9 GENERAL CLARK: That is hard to estimate. It was
10 about 11 percent for calendar year 1966. It is interesting
11 to note that was a decline of one percent for adults -- a one
12 percent decline for adults and a nine percent increase
13 for juveniles -- the juveniles committing more of the
14 crimes and therefore the nine percent equalling the
15 11 percent for the total.

16 MR. CHAPMAN: Mr. Attorney General, on another subject,
17 there is pending before you the matter of the merger of
18 the International Telephone and Telegraph Company and the
19 American Broadcasting Company. It is reported that
20 your Antitrust Division recommends to you that you go
21 ahead into court to forestall that merger. Do you have
22 any comment on what you might do?

23 GENERAL CLARK: It is literally pending before me. It
24 arrived before me -- that is, the papers from the Antitrust
25 Division, Friday afternoon, I believe. As you might expect,

1 since Friday afternoon I have been engaged in some other
2 activities. I have had the papers in my briefcase. I haven't
3 reviewed them yet. I hope to review them today and
4 tomorrow and to confer with the Antitrust Division shortly.
5 We will make a decision by mid week.

6 MR. BURNS: Well, will you confirm or deny whether the
7 recommendation was to go ahead and take the matter to court,
8 sir?

9 GENERAL CLARK: I can neither confirm nor deny. I haven't
10 reviewed the papers yet and I haven't discussed it. I have
11 discussed it with counsel for the companies in
12 the presence of Mr. Turner, who is the Assistant Attorney
13 General in charge of the Antitrust Division.

14 MR. BURNS: Well, now, Mr. Turner's view, I assume --

15 GENERAL CLARK: I am familiar with his views.

16 MR. BURNS: Will you tell us what that is?

17 GENERAL CLARK: I don't believe I can.
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1 MR. CHAPMAN: General, you told a house committee recently
2 "The people of the United States want stricter control of
3 guns. The congress is fully empowered to act. The issue has
4 been bruted beyond reason. The public safety requires action
5 now."

6 You made that statement four months ago. Automatic
7 weapons were seen in Newark. Do you think the gun lobby is
8 unbeatable on Capitol Hill?

9 GENERAL CLARK: No, I don't believe the gun lobby is un-
10 beatable on Capitol Hill or any place else. It is rather
11 remarkable to me though that we spend so much concern on
12 single issues, such as confessions and wiretaps, when guns as a
13 single issue are clearly such a major part of our crime. We
14 had 6100 murders in the United States in 1965, which is the last
15 year where we fully adjusted all of our statistics. 6100. Over
16 60 per cent were committed with firearms. Over 70 per cent of
17 that 60 per cent were committed with hand guns. In addition,
18 we had up close to 70,000 aggravated assaults, nearly all of
19 them with firearms, and we need desperately to do something
20 about it.

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22 (Annoucement)

23 MR. BURNS: General, last night the District Attorney in
24 New Orleans, Jim Garrison, appeared on television and he again
25 called the Warren Report, in his words, a "fairy tale." Have

1 you uncovered any evidence whatsoever to indicate that Garri-
2 son may be on the trail of something new or important regarding
3 the assassination?

4 GENERAL CLARK: We have no evidence to that extent what-
5 soever. I listened to Mr. Garrison on television last night.
6 I heard no evidence. We remain convinced that Oswald and Oswald
7 alone assassinated President Kennedy.

8 MR. CHAPMAN: General, the case of Congressman Adam Clayton
9 Powell and his transgressions financially has been in the Depart-
10 ment of Justice since January. Do you think there is a possi-
11 bility of some grand jury action?

12 GENERAL CLARK: The matter is before the grand jury in the
13 District of Columbia now for the purpose of securing documents
14 and other evidence that we have been unable to obtain at this
15 time. We have subpoenas out to the House of Representatives to
16 secure documents there that have not been reviewed. It is
17 returnable August 4th. We will give most intensive and expe-
18 dited review to that evidence, together with all other evidence
19 and conclude the investigation in the early fall, I would ex-
20 pect.

21 MR. BURNS: You have talked a lot in the past in many of
22 your speeches about the impact of lawlessness and crime. I
23 think you said it tarnishes the goodness of our national life.
24 Would you very briefly tell me what you think this kind of
25 rioting that has been taking place does to our national life?

1 And, we have only got about thirty seconds.

2 GENERAL CLARK: I think it really tears us up. I can't
3 think of anything that more undercuts and undermines and dis-
4 sipates the good that America believes and stands for. It is
5 the ultimate in lawlessness. It is most regrettable, and I
6 think we have got to lend ourselves constructively to bring
7 about its end and to build toward our ideals for this great
8 country.

9 MR. BURNS: Mr. Attorney General, our thanks to you for
10 joining us on this broadcast of ISSUES AND ANSWERS.

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