

# Corruption Said to Hinder Crime Fight

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A Nixon administration commission says corruption of public officials "stands as a serious impediment to the task of reducing criminality in America."

The public perceives official corruption as widespread at all levels of government—federal, state, and local, the National Advisory Commission on Criminal Justice Standards and Goals says in a 364-page report released today.

"The existence of corruption breeds further crime by providing for the citizen a model of official lawlessness

that undermines any acceptable rule of law," says the commission, which was set up by then-Attorney General John N. Mitchell in October, 1971. Mitchell is under indictment with former Commerce Secretary Maurice H. Stans in an obstruction of justice case involving financier Robert L. Vesco.

Thomas J. Madden, the commission's executive director, said the report makes recommendations to states and localities only. The congressional mandate for the Law Enforcement Assistance Administration, which has provided about \$2

million for the commission's work, is "to deal with state and local rather than federal problems," Madden explained.

The commission urged states to require public officials to disclose their financial holdings and professional interests, to adopt an ethics code for public officials that would be administered by an ethics board, to enact stringent campaign finance disclosure laws, and to define certain conflicts of interest as crimes.

Madden, asked if the commission had the Watergate scandals in mind when it made its recommendations,

said they were essentially completed by September, 1972, before Watergate became a big issue. But in working on the report, "I didn't have blinders on," he added.

The commission offered citizens a questionnaire to aid in determining "whether official corruption or an atmosphere that is conducive to official corruption might exist in their state or city government."

Among the 74 questions were these: Do respected and well qualified companies refuse to do business with the city or state? Are

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municipal contracts let to a narrow group of firms? Is competitive bidding not required?

Is it common knowledge that architects add a sum to their fees to cover "research" at the city's planning and building department? Would officials benefit financially from projects planned or under way? Have public officials accepted high posts with companies having government contracts? Do business establishments give certain public employees free meals, passes, or discounts?

In another section stressing responsive government and citizen participation, the commission recommends creation of metropolitan area governments like those in Indianapolis and Jacksonville, Fla., and small neighborhood governments.

But the study acknowledges that financing the neighborhood units and defining their functions might be problems.

While three-fourths of the report, called "Community Crime Prevention," deals with citizen action, drug abuse treatment, and education (calling for 11 rather than 12 years of required schooling), its most dramatic language came in a section called "Integrity in Government."

"As long as official corruption exists," it says, "the war against crime will be perceived by many as a war of the powerful against the powerless; law and order will be just a hypocritical rallying cry, and equal jus-

tice under law' will be an empty phrase."

The commission cites a 1970 University of Michigan study showing that nearly 30 per cent of whites and 50 per cent of blacks believe that "quite a few of the people running the government are a little crooked." It also notes that a 1971 Louis Harris poll showed 80 per cent of Americans believe that "organized crime has corrupted and controls many politicians in the country."

The commission says, "It would be presumptuous to conclude that Lincoln Steffens' mordant observation of over half a century ago—'The spirit of graft and of lawlessness is the American spirit'—might be equally true today. But there is evidence that the public at least believes this is true."

Calling the direct costs of corruption "incalculable," the report mentions the wry comment of one unnamed high Justice Department official: "When we finally stop payoffs to public officials at all levels in this country, we will have found the cure to inflation."

It then adds: "Other, perhaps greater, indirect costs of public corruption lie in its stimulus to further criminality. It does not deny the enormous effect of poverty, mental disease, racial discrimination, and inadequate education as root causes of crime to suggest the role official corruption plays in fostering other criminal acts.

"Public corruption makes an especially sinister contribution to criminality by

providing an excuse and rationalization for its existence among those who commit crime . . . Simply put, official corruption breeds disrespect for the law.

The commission said states should require public officials to disclose, within 10 days after assuming office and annually every Jan. 31, all their assets, sources of all income, the nature and amounts of all debts over \$1,000 and the names of the persons or institutions to whom they are owed, identities of all firms the official is associated with, and — if in a law firm — a list of clients whose fees exceed \$2,000 or 5 per cent of the firm's business.

State ethics boards, under the commission's proposal, would consist of members representative of the public. They would initiate and/or investigate complaints against officials, conduct hearings on an official's misconduct, and publish reports of their findings.

States should enact campaign disclosure regulations "at least as stringent" as those of the 1971 act governing federal elections, the commission says. That law requires federal candidates and campaign committees to disclose their finances periodically.

The commission also urges states to define as felonies the following practices:

- An official's use of confidential information for his own or any other person's gain during his term and for two years afterward.

- An official's acceptance

of a gift or loan or other favor for the performance of his duty.

- An official's representation of another person before a court or government agency when the client is claiming rights against the government.

- An official's or his firm's acceptance of a government contract during his term and one year afterward unless the contract is awarded through competitive bidding with adequate public notice.

- An official's or candidate's failure to file a disclosure statement or his filing of one that is false.