

LAW ENFORCEMENT IN NATIONAL DEFENSE
GOVERNORS' CONFERENCE

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Boston, Massachusetts

THIS subject is of especial interest to me because for 17 years I have served in the offices of State's Attorney and Attorney General of Maryland. Before attempting to detail just what the states are doing and further might do to aid in law enforcement as applied to National Defense, it might be timely to consider the problems as revealed by the activities of the Department of Justice during periods of National stress.

In two great war emergencies this Country has been fortunate in having as executives of the Department of Justice, men of ability, of unswerving integrity, men who exercised sound judgment in handling the difficult law enforcement problems of the time. This was true during the World War, when Attorney General Thomas W. Gregory was head of the Department of Justice, and we can be assured that it will hold true under the present administration.

At the time of the World War, all efforts to set up separate Federal agencies for the purpose of handling cases of subversive activities and espionage were blocked, with the result that all work of this type was centered under one head. A War Emergency Division was set up with authority over the Draft Act, the Sabotage and Espionage Acts, the registration of aliens, the investigation of internment cases and all matters having to do with the enforcement of civil laws, proclamations and regulations relating to the war.

I should like to touch briefly on some of the problems handled by this Division as background for what we, as Governors, may be called on to face during a period of full emergency.

As head of this Division, the Attorney General appointed John L. O'Brien, who, as many of you know, had made a brilliant record both as a lawyer and in the public service. Mr. O'Brien, in describing the law enforcement problems of that day, emphasized particularly the difficulty caused by well-intentioned citizens and patriotic groups who constantly hampered the work of the officials by setting up volunteer organizations for the purpose of hunting out alien enemies.

In addition, many organizations with official status at this time assumed law enforcement functions, which added to the confusion. Some of them had unlimited power and they didn't hesitate to use it, with the result that many innocent people were injured and civil rights violated. Certain actions of this type are to be expected during any emergency, but there were far too many examples of them during the last war.

The matter of law enforcement during the height of that war, of course, continued to remain a local responsibility—and this is as it should be!