

THE CRIMINAL JUSTICE SYSTEM: TOWARDS THE 21ST CENTURY

On January 22, 1994, Duke University was honored to have United States Attorney General Janet Reno visit our campus to deliver the Keynote Address for the Fifth Annual Frontiers of Legal Thought Conference. Every year, Duke Law School students organize and conduct this conference, addressing current legal and societal issues of interest to our students. This year's conference addressed "The Criminal Justice System: Towards the 21st Century." Attorney General Reno's speech stressed the need for interdisciplinary solutions to the criminal and social problems facing our country today. The DUKE JOURNAL OF GENDER LAW & POLICY hopes to foster the sort of dialogue through which such solutions may be found.

Below is a brief description of this year's conference by its co-chairs, followed by a Comment by the Attorney General based on the text of her speech.

When we began planning this year's Frontiers of Legal Thought Conference, we set for ourselves one very simple goal: to focus the attention of the Duke University community on criminal justice issues. We selected that topic for several reasons. Both of us intend to pursue careers in criminal justice; that personal interest clearly played a role in our decision. But we also felt that any proper discussion of criminal justice would necessarily involve broader social questions of race, class, and gender. We feel strongly about those issues as well and we were confident that a conference focusing on criminal justice would provide an excellent forum for a discussion of those social concerns.

We should not have been surprised, then, to find at the close of the Conference that social concerns continually recurred in the panel discussions and in Attorney General Janet Reno's keynote address. We had failed, however, to fully realize the fundamental role that social issues play in the criminal justice system. In opinion polls, Americans are citing crime as the one issue they are most concerned with, even above the budget deficit. Politicians have responded to this atmosphere as electoral politics requires them to: they have implemented "tough on crime" policies that have near-sighted objectives, re-election being chief among them. Social concerns like racism, economic inequity, education, child care, and health care played little or no role in the debates that produced the "tough on crime" policies.

No matter what politicians think the public wants, however, the thirty or so experts that gathered at Duke Law School for the Fifth Annual Frontiers of Legal Thought Conference agreed that if we are going to be serious about solving the problems in our criminal justice system, we have to be serious about social issues. Repeatedly, social problems were identified as the source of criminal behavior or the source of the current system's failures, even by the Attorney General herself. Gwendolyn Chunn, Director of North

Carolina's Youth Services, echoed the Attorney General's sentiments at a panel on Juvenile Justice: "What I don't want to see is the notion that getting tough will alleviate the problems." The other panelists agreed, calling for a better education system, better health care, and counseling programs.

Panelists assembled for a discussion of Race and the Death Penalty, focusing on the landmark Supreme Court decision *McCleskey v. Kemp*,¹ urged that racism pervades every level of the criminal justice system. Stephen Bright, Director of the Southern Center for Human Rights, explained that in its *McCleskey* decision, the Supreme Court could not have found the death penalty unconstitutional even though statistical evidence proved that the penalty was disparately imposed against blacks. Such a finding, Bright argued, would have suggested that racism operates throughout the criminal justice system, not merely in capital proceedings. Julius Chambers, Chancellor of North Carolina Central University and past Director of the NAACP's Legal Defense Fund, summarized the holding in *McCleskey* with these words: "A little bit of discrimination doesn't make a difference, especially against black folk."

Similar issues emerged at a panel discussion of Citizens's Justice that focused on a recent incident in Durham, North Carolina. Michael Seagroves, a white Durham resident, shot two black youths who had broken into his garage. One of the boys died and Seagroves was tried for manslaughter. The jury deadlocked over the case and a mistrial was declared. Seagroves' trial left unresolved many of the questions that arose after the incident, and the panel provided a forum for addressing some of those questions. Duke Law School Professor Jerome Culp moderated the charged discussion, which moved from the topic of racism, to gun control, to education, and then back to racism. Steve Twist, Executive Director of the NRA's Crime Strike, added valuable balance to the panel, calling for a consideration of the rights of crime victims.

The conference also featured panels that undertook Prison Reform and Criminal Legal Theory. The Criminal Legal Theory panel featured Abbe Smith, Deputy Director of Harvard Law School's Criminal Justice Institute, who presented her paper in progress *Criminal Responsibility, Social Responsibility, and Angry Young Men: Reflections of a Feminist Criminal Defense Lawyer*. The paper argues that juries ought to have access to more information about defendants, including information about the social conditions in which they were raised. Gil Garcetti, District Attorney for Los Angeles County, responded by emphasizing the need for the courts to produce justice within the framework of law, not through examination of ambiguous, though sympathetic, social circumstances.

There is little question that we succeeded in accomplishing the goal that we set for ourselves last April when the planning for this year's Conference began. For three days this January, Duke Law School focused its collective attention on the criminal justice system; the substance of the Conference panels and the Attorney General's speech continues to spark discussion in the

1. 481 U.S. 279 (1987).

Duke Law community. But that can only be a beginning. As concern for crime increases, it takes on the face of the major social crises that have threatened the foundation of this nation in the past. At every turn, we have confronted these crises with, among others, legal solutions. The Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution set about healing the wounds left by a legacy of slavery and the bloody Civil War fought to end it. Supported by law, the New Deal was implemented to salvage a nation racked by the Great Depression. Again, the law will be called upon to help America solve the criminal crisis that has overtaken us. It is clear that this will require that we think about the law more holistically, keeping its obvious social implications in mind. The current generation of law students will be the judges, scholars, and practitioners who will face this challenge; we cannot begin thinking and talking about it soon enough. Fortunately, the Fifth Annual Frontiers of Legal Thought Conference at Duke Law School, titled *The Criminal Justice System: Towards the 21st Century*, has already set Duke Law students down that path.

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JANET RENO*

I cannot tell you what it is like to come back to law school. I have the best of all worlds. I never have to take another exam, and I can still feel the wonder and the inspiration that I felt at law school as I looked out to what my future might be. To have the opportunity to talk with students today, and to think about what your next thirty years will be like, has been a source of inspiration to me.

Faculty members, I cannot tell you how important it is to touch the lives of your students. Faculty members from my law school days and from Cornell have stayed with me. They have answered questions about me. They have given me encouragement. They have made a difference in my life. Students that I went to law school with have been part and parcel of my professional development.

This is such an exciting time in your life, and it gives you such a wonderful base for the future. I love the law, and I love lawyers. I cannot stand indifferent, greedy, and uncivil lawyers, but the law offers a wonderful op-

* Attorney General of the United States. A.B. 1960, Cornell University; L.L.B. 1963, Harvard Law School. This Comment is based on a speech made by Attorney General Reno at Duke University on January 22, 1994. Minor editorial changes have been made to the text, but in all cases, every effort was made to retain the original voice of the speaker.

portunity to explore so many different paths of human life and existence. I wish for you all that the law has been for me.

I swore I would never be a prosecutor. I thought prosecutors were more interested in securing convictions than in seeking justice. My predecessor [as State Attorney] gave me the opportunity to do something about that by hiring me and telling me that I could try to change that perception. When he resigned, the governor appointed me as State Attorney for Dade County, its Chief Prosecutor. I served in that post for fifteen years. I have asked for the death penalty, to which I am personally opposed, which has created a moral and ethical dilemma for me. I have sent people away to prison. I have helped people. I have developed drug courts. I have had an opportunity to watch the system.

Most particularly, I have had an opportunity to watch children who were born after I became State Attorney being prosecuted by my prosecutors thirteen and fourteen years later. I have had an opportunity to read their pre-sentence investigations and to understand where the criminal justice system failed them along the way.

Just before I came here this morning, a student graduating this year said, "I want to do public service, but I'm idealistic, and I'm worried that my dreams will be frustrated." Never, ever give up on your idealism. Never, ever, stop changing things. Sometimes it may get frustrating. Sometimes you may think that your work has no impact, but unless we try to change, unless we try to reform, to make things better, and to focus on people, we will never bring about change.

We must focus on people, not pieces of paper that represent a constitution, not surgical procedures, not principles of sociology, but real people. On the wall of the Justice Building in Washington is a statement, "The common law is derived from the will of mankind, issuing from the people, framed by mutual confidence and sanctioned by the light of reason." As lawyers, we have forgotten that for too long.

There is one thing that lawyers must never forget, in addition to their idealism. We all—whether we be the estate planner, the prosecutor, the public defender, or the civil libertarian—have a duty to respect and protect individual rights. We must associate those rights with the people they are intended to protect, and we must never forget their rights.

Some young people have told me that things have changed since the olden days. When I was in law school, a case shaped my thoughts then as it shapes them now. It was *Crews v. United States*,² a case that happened in my lifetime in Florida. A town marshal forced someone off the bridge over the Swanee River knowing that he could not swim, knowing that he would drown. That town marshal was convicted in one of the first successful civil rights prosecutions. I have remembered that this happened in my state, in my lifetime.

More importantly, I, myself, have prosecuted police officers who used their badges and their uniforms to force people into the river to get their

2. 160 F.2d 746 (5th Cir. 1947).

drug proceeds. Lawyers must never forget that they stand between the people and tyranny. About five years ago, the Governor of Florida asked me to be a special prosecutor in another jurisdiction of Florida to reinvestigate the case of James Joseph Richardson, a man who had been prosecuted, convicted, and sentenced to death 21 years before for the poisoning deaths of his seven children in Arcadia, Florida.³ Many people had believed his innocence. He had been a model prisoner for 21 years. I went into the courtroom to explain to the court that my investigation revealed that the evidence had been insufficient to charge him originally, that it was clearly insufficient now, that he was probably innocent, and that he should go free. I will never forget that day as long as I live. It was a day-long hearing and I gave the prosecutor who had convicted him the opportunity to be heard.

Mr. Richardson sat twenty feet away from me, and I thought about a man who had been in prison for 21 years for a crime that I believed he did not commit. As I left, I looked over my shoulder and saw him walk out of the courthouse, a free man for the first time in 21 years. I went home and re-dedicated myself to doing everything I could to see that the law was truly a shield for all our people.

In order to achieve that, the criminal justice system of the 21st Century must change. Lawyers must lead the way with common sense, with a whole approach, and with a look at what works and what does not. The disciplines, all the disciplines, must come together to make sense of this issue.

For too long now, lawyers have pursued just their small path of process and procedure. For too long, they have looked at the words of our Constitution without looking at how the Constitution translates into people's lives and into people's very existences. Too often, the word "right" has become dissociated from the flesh and blood that rights are meant to protect.

The public defender who thinks that he or she has won a great victory for a client by getting that client off on a technical motion, knowing the client suffers from a terrible crack addiction, ignores the fact that the client is walking out into a deeper, darker prison than all the prisons in the world. We have a responsibility to look beyond our narrow area of responsibility, to look at the person we are dealing with and at his or her whole life.

The prosecutor who prosecutes someone, gets him convicted knowing that he has a substantial substance abuse problem, and sends him away to prison for three years without drug treatment, is ignoring the community that prosecutor serves. The prosecutor does this by returning that person to the community without treatment, to be recycled through the system because no one has done anything to address the substance abuse problem.

Lawyers are not the only ones to blame, however. For too long, doctors have been sewing people up, treating heart attacks, and treating cancer, rather than dealing in prevention. Doctors in emergency rooms have been setting bones and pulling out bullets instead of turning to the community to see where the bullets and the violence came from. That is beginning to change as doctors and hospitals reach out to develop conflict resolution

3. Richardson v. Florida, 247 So. 2d 296 (1971).

programs in violent neighborhoods. Too often, teachers are limited by that bell at three o'clock in the afternoon. The greatest, most creative teacher imaginable still lets children walk into a world that is dangerous and unsupervised, because we have not focused on afternoon and evening programs for our children. Social workers may do a great job on the psyche, but the person restored by a social worker who goes home to a house falling down around him in a ghetto is not well-served. We must all come together to look at the whole picture. Instead of just being lawyers on one hand, and doctors on the other, we must come together and look at people, at flesh and blood, at the families that make them, and the communities that surround them.

To accomplish this, the law must look at the problem of crime in a rational way. I came to Washington thinking that there would be some clear information about trends and patterns in crime. It had always been difficult for me to get such data in Miami. It becomes clearer to me that we must join the efforts of other agencies, such as those of the Center for Disease Control, and together form an understanding of what is happening in America. The Center for Disease Control is finally approaching violence from a public health point of view. It is developing sound research that shows that, at this point in time, there is escalating violence in which young black men between the ages of fifteen and 24 are both victims and perpetrators. This is something we can change, in terms of pulling people back from violence, in terms of making a difference. We have to understand the data so that we can know how to deal with it.

We can make a difference if we start looking at crime as a problem that needs research, good data, and a strategy to combat it based on both public health principles and criminal justice principles. That strategy should include a commitment to identifying career criminals and making sure that we have enough prisons in which to put them away and keep them away.

Let us understand the dimensions of drug trafficking. Instead of just tooting horns and throwing money after the problem, let us make a reasoned analysis of what works and what does not work in drug enforcement. If interdiction is too costly, let us put our resources into another commitment. But let us stop the partisan rhetoric that has too often plagued the criminal justice system. Let us stop the thirty second sound bites. Let us start thorough discussion, thorough research, and thoughtful response in terms of strategies and tactics that can make a difference. Let us understand that sixty to eighty percent of the people booked into jails around this nation have a substance abuse problem, and that it makes no sense to send such a person into the criminal justice system and return him to the community without drug treatment. It is a big waste of money, and it creates a further revolving door.

Travelling around this country, I see dangerous criminals getting out of prison after serving only twenty to thirty percent of their sentences. In other jurisdictions, including the federal jurisdiction, people are serving substantial time when they have been nonviolent first offenders charged with possession of drugs, have drug abuse problems, and could be returned to the community with treatment in a far more effective manner. It makes no sense to me.

We have to understand that drug treatment can work. Lawyers need to become advocates for that. When I first started dealing with treatment efforts and treatment initiatives many years ago, people would say, "But Janet, you know drug treatment doesn't work." I suspect that everyone in this room now knows someone—a loved one, a family member, a friend, a neighbor—who has had a substance abuse problem and who is now recovering because of treatment. Through drug court initiatives, where we provide a carrot-and-stick approach, we can have a real impact. We have evaluated the data with respect to drug courts that say, "Look, you're going to get punished, or you can go through treatment, job training and placement, and return to the community with a chance of success." The scientific evaluation of these programs indicates that they can work. All of us, as lawyers interested in the criminal justice system, have a responsibility to convey that message and to see that it is done.

A drunk driver gets in an accident, breaks his arms, kills three people, and is taken to a public hospital to have his arms set at the taxpayers' expense because he has neither insurance nor money. At the same time, people are pleading for help for substance abuse treatment, but they cannot get it because they cannot afford it, and there is a waiting list for community programs. It makes no sense to me.

As I focused on the problem of who was committing crime in Miami, I found that some of the most difficult cases involved those who were homeless and mentally or emotionally ill. Ladies and gentlemen, this does not have to happen. I have prosecuted too many people, and I have heard "not guilty by reason of insanity" in too many cases involving crimes that occurred because this nation turned its back on those who are mentally ill.

About three years ago, the Governor of Florida asked me to conduct hearings around the state and make recommendations as to how to revise the delivery of Florida's social services. The Florida Mental Health Association rallied its troops, and mentally ill people appeared at hearings around the state. The mentally ill were eloquent. They pointed out how they had been institutionalized. They pointed out how they had tried to commit suicide, and how they had sometimes been frozen into inaction. Then they pointed out how community initiatives that involved them in their treatment enabled them to live in the community, provided 24 hour hot lines, respite services, and drop-in services. Support services had made a difference in their lives, reducing the cost to the government and reducing their chance of violence and despair.

We can make a difference in the lives of the mentally and emotionally ill. We can give them a chance to survive and to live in the community as constructive people if we will only reach out, and care, and look at them as people. Too often, the tendency of the lawyer is to get a person out of an institution. Having achieved that goal, the lawyer will then fail to follow up and make sure that community support services will really look at that person as a person, and give her a chance to succeed.

Let us understand the dimensions of the domestic violence problem. When I took office, I did a study of who had been killed in Dade County for the previous twenty years. That study revealed clearly that forty percent

of the people killed in Dade County were killed as a result of a domestic violence argument: Husband-wife, boyfriend-girlfriend, ex-spouse. We developed intervention programs and now have a domestic violence center that can focus on this area. But as I travel to community policing initiatives around the country, community police officers tell me that one of their major problems is responding to the domestic problems that continue to plague their communities. Domestic violence is something that people would like to kick under the rug, but it has always been my belief that the child who sees his father beat his mother comes to accept violence as a way of life. It is essential that we interrupt this cycle of violence. Instead, we see it proliferating in other areas.

We see an ever increasing amount of elder violence. The doctors have enabled us to live longer, but, as lawyers, we have not taken steps to ensure that we live with dignity and self-respect. This is a problem that we must focus on and develop alternatives for, or else it will become a plague on all our houses.

Youth gangs are also very frustrating for me. I make it a point as I travel across the country to talk to young people in detention facilities, to ex-gang members, and even to current gang members. I ask them two questions: "What can be done now to get you off on the right foot?" and "What could have been done to prevent your detention in the first place?" What they tell me about prevention is repeated wherever I go, whether it be Salt Lake City or New York City: "Someone who could have talked to me, someone that I could talk to, someone that could help me cope, that could address my problems, and something to do that was positive in the afternoons and evenings." But we stand and wait until the problem occurs.

What do we do then? Too often we threaten punishment and do not carry through with it. Or if we punish, we return them back to the community after they have been in a boot camp or a jail, having done nothing to provide them with the alternatives that will be necessary for them to cope. If we are going to make sense of this, we have to understand that we can make real inroads in the criminal justice system on youth gangs, and on youth problems, if we provide for after-care and follow-up, and return these people to the community with housing alternatives, educational alternatives, and most of all, jobs that can give them a real opportunity to have a future.

I suggest to you, after fifteen years as a prosecutor, after fifteen years of trying to make the criminal justice system work, that the criminal justice system will not work unless we change America and our approach to problems. The criminal justice system is the end of the line. I have reached the conclusion, having now walked backward into these children's lives, that I might be able to change the child I prosecuted as an eighteen-year-old, but that there will never be enough dollars to change him and others similarly situated unless we start early.

We started working on a dropout program with the Dade County Public Schools. It became clear to me that focusing on dropouts when they occur is too late. Already, that child has formed a lack of self-esteem and a sense of failure that make it difficult for him to pursue constructive pursuits. We started focusing on early intervention programs, and that was also too late.

Then, as the crack epidemic hit Miami full force, doctors took me, the prosecutor, to Jackson Memorial Hospital, our public hospital, to look at crack-involved babies who were lying in bassinets for six weeks at a time without being held or talked to, except when changed or fed. The doctors began to make me understand that the most formative time in a person's life is from birth until age three. Fifty percent of all learned human response is learned in the first year of life. The concept of reward and punishment is learned during those first three years.

What good are all the prisons in America going to be unless we give our children a conscience and a sense of the concepts of reward and punishment? What good are all the educational programs going to do unless we give children a firm foundation in the first year of life? What good are all the civil rights laws in the world going to do unless we raise our children so that they live, and that they live strong enough, to benefit from these rights? These are children who have had the very fabric of family and community just shred away from them.

We, as lawyers, working with doctors and with other disciplines, must develop an approach that can re-weave the fabric of society around children and families, and make a difference. There are so many of us that try in so many ways to do just that. The juvenile court judge will try for the thirteen-year-old. The first grade teacher will give her very best year in and year out. The pediatricians will try their best. Unless we come together as one disciplined whole, however, we are going to fail. Although one child may succeed, if the next child falls into a gap, too often that gap will swallow him or her up.

You [at Duke University] have a remarkable opportunity in this golden triangle of research and excellence, with tremendous medical institutions and tremendous law schools joining together with citizens and people who care to make a difference. I see that happening throughout America. People are focusing on what can be done in prevention. Now, some people say, "That's Janet. She's a nice, sweet, young thing; but she's more a day-care person than a prosecutor. She's soft on crime." I do not know any victim of crime who would rather have had the crime occur than have had it prevented in the first place. If preventing crime is soft on crime, I plead guilty. All lawyers must join together with other disciplines to develop a national approach that first looks at a child's beginning, and then combines our efforts to do everything possible to ensure that parents are old enough, wise enough, and financially able enough to take care of their children.

The passage of the Family and Medical Leave Act⁴ was the first step of the administration towards effecting that goal. We must renew our efforts at child support enforcement to make sure that parents are responsible. We must trust people enough and believe in them enough to hold them accountable, and then give them the building blocks to do the job.

We must focus on parenting leave and make sure that we, as employers, understand that those first few months and years are very formative,

4. 29 U.S.C.A. §§ 2601, 2611-19, 2631-36, 2651-54.

and that we have to give parents time to be with their children. We have to make sure that every child in America has had the benefit of prenatal care. It is just plain stupid that in the richest nation in the world, we let pregnant women go without prenatal care. Every doctor tells me that if you want to make a difference in the health of a person as they grow, make sure that prenatal care is provided. This nation has failed to provide immunizations for all our infants on a current, as-needed basis. As a result, I have seen too many pre-sentence investigations trace a problem back to a high fever that was not treated, to a disease that could have been prevented, or to emotional problems that go back to early childhood health problems.

Why do we wait until the crisis occurs? Lawyers, doctors, social workers, and teachers have to join together and make an investment in children and their families. We must make an investment in people, instead of just technology, just skyscrapers, just buildings, or just institutions. We have to come back to people.

We have to become salespeople for this job. We have to explain to the businessman that he is not going to have a workforce fifteen years from now unless we make an investment in children now. To the senior citizen who says, "I've already done my bit about educating my son and grandson," we have to explain that his pension is not going to be worth the paper it is written on unless we make an investment in the workforce of the future, so that pension can be maintained.

The prosecutors around America, even the hard-nosed ones, are beginning to understand that unless we make an investment now, we will never be able to build enough prisons eighteen years from now. The doctors understand that health care institutions are being brought to their knees by the lack of preventive medical care up front. We must get health care reform passed so that we can provide appropriate care at every step of our children's growth.

What we have now makes no sense. A person at seventy is able to get an operation that extends his life expectancy by three years. A three-year-old child whose parents make too much money to be eligible for Medicaid, but who do not have health care benefits, cannot get good preventive medical care. An eleven-year-old child who is having problems cannot get good counseling. A fifteen-year-old child with a substance abuse problem cannot get treatment. We have to make an investment in people.

What is so magical about kindergarten through the twelfth grade? I remember when I was told that I had to go to school because it was compulsory. I used to run around behind the house and hide because I did not want to lose my freedom. I had a situation where my mother could work in the home, and she did her level best to always make sure that she could. She was there to lead me and to guide me. There are too many children adrift in those early years. We must ensure that educare from zero to five is as much a part of a child's life, if they need it, as K through twelve. Otherwise, all the investment in K through twelve for these people can be for naught.

We must free our teachers's time to teach. The burst of human knowledge in these last hundred years—man to the moon, computers, atomic ener-

gy, telephones, telegraph, sulfur, penicillin, television, flight—has been probably the most incredible burst of human knowledge in all of history. In addition, the schools have been the institutions most responsible for ending 200 years of slavery, and the institutions most responsible for filling in when children have come to school racked by domestic dissension at home. The schools have been overwhelmed by the responsibilities of their educational challenge and by the social burdens that we have placed on them.

Let us restore to teachers the respect that I felt for them after I finally got to school and stopped running around behind the house to hide. These are wonderful people. I still hear from some elementary school teachers; one of the most wonderful things over the past year has been receiving notes from former teachers reminding me of what I did or did not do when I was in the second or third grade. Something is wrong with a nation that pays its football players in the six-digit figures, and pays its school teachers what we pay them. Something is wrong with a nation that thinks something really constructive is going to happen when a school teacher does her level best and then must watch children go out into a dangerous world unsupervised and uncared for in the afternoons and evenings.

One of the things that has made the least sense to me as I go to city and county commission meetings is to hear our community leaders being asked to build more facilities and recreational areas. Yet, as I drive down the street leaving the meeting, I see a school standing vacant at 4:30 in the afternoon or at 8:30 at night. We must use our resources as wisely as possible. People around America are beginning to rally to develop programs that can provide not only recreational opportunities, but also use the school data banks and computers to make a difference. Lawyers must lead the way. One of the principle reasons those schools are not being used is because there is worry about liability. Lawyers have been suing people without recognizing the consequences. We must sue people to protect rights, but we must develop a system that will enable us to use the resources we have in the best ways possible. That includes using schools as community service centers around the clock for children at risk.

Housing is another problem. We can do better than sending a child home from school to a house where the toilet is falling in, where people are cramped and cold, and where the stairs are broken and the children have fallen. We can give people an opportunity by ending discrimination in lending and by working together. We can do so much in terms of developing programs that provide affordable housing and reaching out to give people throughout America the understanding that there is potential for home ownership and for home pride.

We can do so much through community policing in terms of the police being that friend, that trusted firm friend, that a police officer was to so many of us during our growing up years. Community policing initiatives around this nation are proving that police, teachers, and health care professionals can come together to make a difference.

Even if we do the best job we possibly can, a youngster will still turn to me and say, "But what am I going to do for a job?" I had occasion just before I came here to talk with some people from the community and the

faculty about who my heroes were. One of my heroes was Franklin Delano Roosevelt who, in a time much darker than this, brought this nation together and began to make a difference. He did not have all the answers, but he gave America a sense of hope and a sense of purpose through programs such as the Civilian Conservation Corps. Such programs gave our youngsters a sense that they could contribute to their community and make a difference. We now have the National Service Corps, and an opportunity for youngsters around America to serve.

We all must join together to implement school-to-work programs so that our students can graduate from high schools with skills that will enable them to earn a living. We must look at this from a common sense point of view. But most of all, we must trust in people, believe in people, hold them accountable, and give them the love and understanding they need to do the job of growing and living in this world. The government cannot do that. The best people to do that are families. And no one can disagree that it is a matter of family values.

I remember my afternoons and evenings after school. My mother worked at home. My father worked downtown. My mother taught us to appreciate Beethoven's symphonies, bake cakes, and play baseball. She spanked us, and she loved us with all her heart. There is no childcare in the world that will ever be a substitute for what that lady was in our life.

I look at the young lawyers graduating from law school. I look at the young lawyers who worked with me in Miami. They would struggle to get their children's breakfast on the table and to get them off to school. They would get home at 6:30 after trying a case, get dinner on the table, the children bathed, the homework done. On Saturday, they would run errands. On Sunday, they would start all over again preparing for the trial. And too often, they did not have quality time with their children.

You, as lawyers of the 21st Century, must make sure that the work places of America are designed for both parents to have time to do the most important job of all: raising our children in the right way.

