

CRIME MOUNTAIN

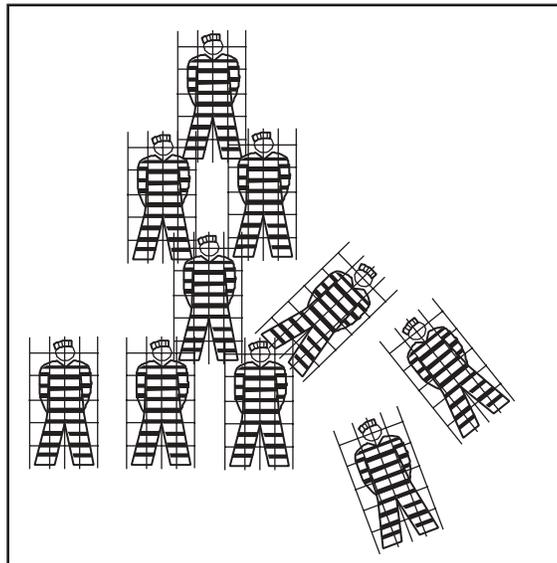
FORTY YEARS OF LIBERAL CRIMINAL JUSTICE

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For decades the political left has engaged in ideological warfare in the arena of crime policy, making anything like objectivity the first casualty. Additionally, many on the right have been surprisingly wishy-washy about the efficacy of tough prison sentencing. Prominent conservatives like William Bennett, Robert Bork, and John Dilulio, Jr. predicted exploding crime rates in the late 1990s because of youth demographic increases, and in spite of toughening sentencing standards.¹ These predictions were wrong.

This article documents when and why the contemporary crime wave started, some idea of the magnitude of the disaster, when and why crime started its dramatic fall, the left's gobbledegook and ever changing explanations, and why the left will not admit its soft crime policies are a failure.

America is recovering from an epic criminal justice disaster. In the 1950s crime was low and sentencing tough. But a revolution was sweeping the country. Elitists, sure they knew better, gained control of the criminal justice system. They believed criminals were misunderstood and prisons a waste.



Circuit Court Chief Judge Bazelon called prison dehumanizing, vindictive, primitive, and irrational; and criminals the scapegoats of failed society. Supreme Court Justices Brennan and Douglas called for rehabilitation from experts in behavioral sciences. Attorney General Ramsey Clark labeled prison an angry response that would not reduce crime. The Earl Warren Supreme Court and other courts

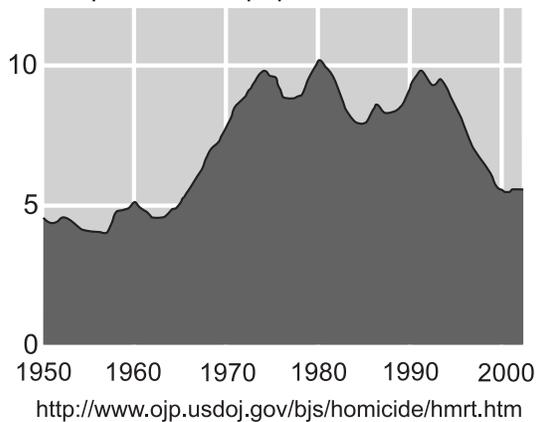
professionalize criminals with many new rights.² And so sentencing fell and crime exploded.³ The revolving door justice system was born, where the predators were back on the street before the paperwork was filled out.

In little over ten years the homicide rate doubled, murders of police officers tripled, and the overall violent crime rate also tripled.⁴ Rather than remorse, many liberals were gleeful, saying it proved how evil America is. They demanded more rehabilitation, more free housing, poverty programs, job training, etc.

Criminologists dreamed up new explanations every year: failing schools, changes in the drug trade, demographics, the economy, lack of gun control, or failing social institutions. Inadequate street lighting was touted as a root

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Homicide victimization, 1950-2002
Rate per 100,000 population



cause of crime, and enormous expenditures followed to “take back the night”. The left’s soft crime policies and the abused criminals were never responsible. Waves of rehabilitation programs were dreamed up, funded, and claims of success made. But crime in fact kept skyrocketing.

Liberals sneered about the evils of American society and those obstructionist conservatives. They controlled Congress, *with Democrats holding both houses for twenty-six straight years from 1955 to 1981*,⁵ and an increasingly frightened public went along. Between 1960 and 1990 social spending grew 380% more than defense spending.⁶ High crime was good for the left, they got all the programs they wanted.

I live in Milwaukee and watched in disgust as homicides rose year after year. In 1958 there were eleven homicides for the year. In the early 1960s the murder rate was five homicides per 100,000. By 1991 it had rocketed 500% to 25.6 per 100,000⁷ with 168 killed. The politicians are now thrilled it is down to 88 dead for 2004.⁸ They might be more restrained if they knew only thirty-seven people were murdered in 1962 in the entire state of Wisconsin, population 4,000,000.⁹

Forty years of liberal criminal justice created the greatest social disaster in U.S. history. And a highly racist disaster that has devastated minorities the most. The homicide moun-

tain that resulted can be seen at the US Bureau of Justice web site. It represents a terrible truth. Subtracting the 1950’s rates from the 1960’s through the 1990’s rates puts the size of the mountain at over 300,000 additional homicides.¹⁰ That is even more than American deaths in World War II.¹¹

And homicide rose less than any other category of crime. While the homicide rate was doubling; property crime, burglary, larceny, and motor vehicle theft were tripling; rape and robbery were quadrupling; and aggravated assault rate was quintupling.¹² The overall crime mountain for the 1960s to 1990s is 100 million crimes above 1950’s rates. The serious crime mountain of violence and burglary can be seen plotted against expected punishment in the NCPA Reynold’s Report.¹³

Perhaps it seems impossible that such madness could go unchallenged, but it did. The liberal media carried the water, reporting the views of radical social critics, and the latest theories of criminologists. To them the criminals were more victims than those who’s lives were shattered by crime. The media glorified some criminals like the Black Panthers, treating them like freedom fighters. By 1993 violent crime had risen 470% nationwide.¹⁴ The incarceration rate per crime had fallen to less than 1%, with forty-three million crimes resulting in only 400,000 prison sentences.¹⁵ A telling symbol of big city life were the pathetic little signs in parked cars saying NO RADIO, telling thieves there was nothing left inside to steal.

The big crime story of the late 1990s was the incredible turnaround in New York City. It seemed that new mayor, Rudy Giuliani, and his police commissioner, Bill Bratton, had worked miracles. In only a few years homicides had dropped from over 2200 a year to under 800,¹⁶ and other crimes like auto theft had dropped even more. They had made important changes by cracking down on what liberals call victimless and petty crime.¹⁷ It turned out that many of the petty criminals were also committing horrific crimes, or carrying guns or drugs.

COMPARISON OF HOMICIDE RATES: 1950s VERSUS RECENT DECADES

Decade	Average U.S. population millions ^a	Average Homicide Rate per 100,000 population ^b	Actual Homicide average per year	Calculated average at 1950s 4.42 rate	Difference Actual-Calculated times 10 years per decade
1950s	165.5	4.42	7,315		
1960s	191.5	5.51	10,552	8,464	20,870
1970s	215.0	9.06	19,479	9,503	99,760
1980s	237.5	8.74	20,758	10,498	102,600
1990s	265.0	8.14	21,571	11,713	98,580
Total Increase					321,810

a. US average population: <http://www.census.gov/prod/www/abs/ma.html>
 b. Homicide rate average: <http://www.ojp.usdoj.gov/bjs/homicide/hmrt.htm>

The media misnamed it the "Broken Windows" policy, as if it was about the perception of social order and not the enforcement of law. Factually, much more than this was wrong with the explanation. The media slant was that new police tactics and computerized tracking were key, and the police and the mayor were only too eager to take the credit.

America Wakes Up to the Importance of Sentencing

The crime reduction actually began two years before Giuliani was elected, and it was occurring all over the country. Other big cities like LA, Washington, and New Orleans soon had similar reductions in crime without changing police tactics.¹⁸ The real reason crime was falling was tougher sentencing; with many new laws reducing judicial discretion, requiring longer and mandatory sentencing, and restricting parole.¹⁹

From 1990 to 1996, the number of offenders sent to prison per 1000 arrests rose 33%. Additionally parole releases fell during the same period. By 1999 forty states had passed "truth-in-sentencing" laws after a 1994 federal law tied funding to it. Prison time served also increased because some states had restricted early release, eliminated parole, or adopted get-tough measures that returned increasing numbers of paroles to jail.²⁰

One change in the political climate that contributed was the birth of conservative talk radio starting in the late 1980s. With every judicial candidate in the country claiming they were tough on crime, conservative broadcasters helped separate for their listeners the liberal sheep in wolf's clothing from those who really would crack down on crime.

With stunning hypocrisy big government liberals turned to economic arguments against prison expansion. The left showed little compassion when it came to protecting honest citizens from the crime epidemic they created. Furthermore studies show that protecting law abiding citizens is actually a bargain for society.

Violent crime in the U.S. costs over \$400 billion a year. Locking up criminals rather than letting them roam the streets eliminates property theft and damage, cash loss, medical expenses, and lost pay from lost work. Indirect costs include pain and suffering, insurance, decreased work productivity, and moving expenses. The *Milwaukee Journal*, in 1993, concluded that one gun shot wounding could typically cost more than \$5 million over 35 years. Three separate studies each concluded that one dollar spent on incarcerating felons actually saves the community about two dollars.²¹

Prison expansion has gone on despite the screams of protest. How expensive are prisons really? After a decade of prison expansion and

the passage of the toughest "truth-in-sentencing" law in the nation, the Wisconsin corrections expense is only 6% of the state budget. For 2004-2005 the corrections budget is \$730 million in a state total budget of almost \$12 billion.²² With tougher policy has come a flattening out of the incarceration totals. Between 1993 and 2003 the Wisconsin incarceration rate per 100,000 rose from 173 to 392. Very importantly almost all of that rise occurred in the first few years, since 1999 incarcerations have barely risen as crime continues to fall. Wisconsin's "truth-in-sentencing" law passed in 1998 has done what it should. It's made sentences meaningful and brought greater accountability to the criminal justice system. Since its passage crime has continued to fall.²³

Do liberals admit their policies caused catastrophe? No, many do not even admit that there ever was a crime wave.

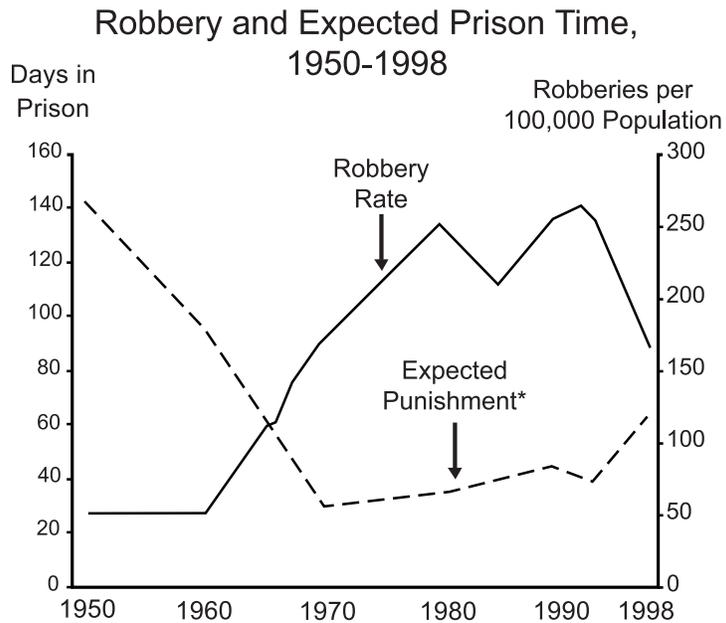
The extreme of liberal denial is illustrated by their refusal to admit crime was skyrocketing in the 1960s. With the left wing revolving door justice system putting criminals back on the street, all categories of crime were shooting up. So liberals simply denied it, saying that increased reporting or better collection of data were responsible for the statistical changes.²⁴ As James Q. Wilson said, "By 1970, enough members of the liberal audience had had their typewriters stolen to make it difficult to deny the existence of a crime wave."²⁵

Left wingers seem to be getting away with their fraudulent explanations, as most Americans seem oblivious to this history of carnage. The left's policies led to millions of additional crimes. They blocked efforts to reverse course for decades. Excepting only the Civil War, they caused the worst bloodbath in American history. But high crime was their

engine for getting \$100 million in government programs.

Their moral temporizing throws gasoline on the fires. Liberals say crime is understandable and even justified because the criminals are victims of an evil society. They don't tell thugs to reform, instead they give them rationalizations for their crimes.

The NCPA Morgan Reynolds Report plots federal crime data against actual prison time served per offense. The report covers 48 years and measures serious crime collectively and five major categories individually.²⁶ The graphs are all similar. When actual prison time went up crime plunged even in tough economic times, and when actual prison time went



One of five crime categories graphed against expected prison time from NCPA Reynolds Report.

* Defined as probability of prison per crime times median days served in prison.

<http://www.ncpa.org/studies/s229/s229.html>

down, crime skyrocketed even during economic booms.

A December 2004 Associated Press article documents further drops in crime with the usual slant. Tougher sentencing is not men-

tioned but attribution is given to “the crash of the crack cocaine market that fueled violence.”²⁷ Who can refute the logic that crime is falling because there is less crime?

A front page New Year’s Day 2005 article in the *Milwaukee Journal Sentinel* declared “Homicides Plunge to 16-year Low, Causes cited range from weather to policing”.²⁸ This same paper only weeks before had run a four-part front page series attacking “truth-in-sentencing”.²⁹ When it came to reporting another drop in crime not one word on tough sentencing policy, but check your thermometer.

I write about Milwaukee because I live here, but the trends have been the same across the country for decades. All the convoluted leftist theories combined cannot explain the crime mountain rising in the 1950s and 1960s and falling in the 1990s. But tough sentencing standards in the 1950s and a return to tough sentencing in the 1990s match the results exactly. So great is the liberal deceit that tough crime policy is often not even mentioned as a possible explanation.

The poverty/economy/employment-supposed link to crime is stated so many times most people think it is established fact. Economic extremes like the Roaring Twenties, Great Depression, Go-Go 1960s, the early Reagan Depression with double-digit unemployment, and the booming late Reagan economy should tell us something. Not only did homicide and other crime not move as predicted, in each case it shot in the opposite direction. Factually speaking the correlation is negative.³⁰

Jewish concentration camp survivor Dr. Viktor E. Frankl observed from the most extreme conditions of suffering and cruelty,

that man chooses his attitudes and actions.³¹ Tough sanctions are the bedrock of a just and safe society. Liberal intervention before, rehabilitation during, and support after prison could coexist with a tough criminal justice system. Extremist media spin and intellectual fraud must be exposed and the left should admit its soft crime policies are a total failure.

Crime has dropped ten straight years and is down now 33% nationwide, in contradiction to predictions it would rise.³² Voters have been ignoring the wisdom of elitist intellectuals and criminologists, and have crushed liberal judges and politicians on election day. But reversals may be ahead if people forget the stakes.

Because on the left there is no remorse, no apology, no admission of failure, and no lesson learned.

Notes

1. William Bennett, John Dilulio, Jr. & John Walters, *Body Count*, (Simon & Schuster, 1996), and Robert H. Bork, *Slouching Towards Gomorrah* (Regan Books, HarpersCollins Publishers, Inc. 1996), p. 165-6.
2. Thomas Sowell, *Vision of the Anointed* (Basic Books Division of HarperCollins Publishers, 1995), pp. 21, 22, 24.
3. According to Morgan Reynolds, from 1960 to 1980 expected punishment of 29 days fell to 10.6%, with serious crime rising from 5.9% to 22.9%
<http://www.ncpa.org/studies/s229/s229f8.gif>
4. Thomas Sowell, *Vision of the Anointed* (Basic Books Division of HarperCollins Publishers, 1995), p. 27.
5. *World Almanac & Book of Facts 2005* (World Almanac Education Group, WRC Media Company, 2005), p.67.
6. David P. Calleo, *Bankrupting of America* (William Morrow & Co, Inc., 1992), p. 19.
7. John Hagedorn, “Getting Mugged in Electron Alley,” *Wisconsin Interest*, (Winter 2002), p. 30.
8. John Diedrich, *Milwaukee Journal Sentinel* January 1, 2005 p.8.
9. <http://www.disastercenter.com/crime/>.

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10. US average population:
<http://www.census.gov/prod/www/abs/ma.html>
 Homicide rate average:
<http://www.ojp.usdoj.gov/bjs/homicide/hmrt.htm>
 Decade, average population, average homicide rate per 100,000, average homicides per year, calculated average homicide per year if 1950s rate used, difference per year, differences x 10 years per decade then added.
- | | | | | | |
|--------|--------|------|----------|---------|---------|
| 1950s: | 165.5M | 4.42 | | | |
| 1960s: | 191.5M | 5.51 | 10551.65 | 8464.3 | 2087.35 |
| 1970s: | 215.0M | 9.06 | 19479.0 | 9503.0 | 9976.0 |
| 1980s: | 237.5M | 8.74 | 20757.5 | 10497.5 | 10260.0 |
| 1990s: | 265.0M | 8.14 | 21571.0 | 11713.0 | 9858.0 |
- Total: **321,810** more homicides than would have occurred at average 1950s rate.
11. 295,000 Americans were killed in W.W.II.
12. Justice Department website:
<http://bjsdata.ojp.usdoj.gov/dataonline/Search/Crime/State/RunCrimeStatebyState.cfm>
- | | |
|--------------------------|---------------------------|
| rape rate | up 455% from 1961 to 1992 |
| robbery rate | up 467% from 1961 to 1991 |
| aggravated assault rate | up 516% from 1961 to 1992 |
| property crime rate | up 310% from 1960 to 1980 |
| burglary rate | up 331% from 1960 to 1980 |
| larceny rate | up 312% from 1960 to 1991 |
| motor vehicle theft rate | up 360% from 1960 to 1991 |
13. <http://www.ncpa.org/studies/s229/s229f8.gif>.
14. <http://bjsdata.ojp.usdoj.gov/dataonline/Search/Crime/State/StateCrime.cfm> from 1960 to 1993. Actually up 600% from 117 to 746 per 100,000 if the lowest year of 1957 used. \FBI Uniform Crime Reports, Crime in the United States.
15. William Bennett, John DiLulio, Jr. & John Walters, *Body Count* (Simon & Schester, 1996), p. 87
16. 2245 homicides in 1990, under 600 by 2004: Tom Hays, Associated Press, (*Milwaukee Journal Sentinel*, December 11, 2004) p. 10A.
17. John E. Conklin, *Why Crime Rates Fell*, (Pearson Education, Inc., 2003) p. 74.
18. *Ibid.* pp. 2, 8, 77.
19. *Ibid.* p. 82.
20. *Ibid.* p. 85.
21. William Bennett, John DiLulio, Jr. & John Walters, *Body Count* (Simon & Schester, 1996), pp. 111-114.
22. In 2004-2005 \$730,091,800 (6.1%) of \$11,937,472,100: 2003-05 Wisconsin State Budget, (Legislative Fiscal Bureau), p. 50.
23. Mary Zahn, Gina Barton, *Milwaukee Journal Sentinel*, November 21, 2004 p. 1A, p. 19A.
24. James Q. Wilson, *Thinking About Crime* (Basic Books, Inc., 1975), p.14.
25. Thomas Sowell, *Vision of the Anointed* (Basic Books Division of HarperCollins Publishers, 1995), p. 28.
26. <http://www.ncpa.org/studies/s229/s229.html>.
27. Tom Hays, Associated Press, (*Milwaukee Journal Sentinel*, December 11, 2004) p. 10A.
28. John Diedrich, *Milwaukee Journal Sentinel*, January 1, 2005 p. 1A, p. 8A.
29. Mary Zahn and Gina Barton, *Milwaukee Journal Sentinel*, p. 1A, November 21-24.
30. <http://www.ojp.usdoj.gov/bjs/glance/hmrt.htm>.
31. Viktor E. Frankl, *Man's Search For Meaning*, (Washington Square Press, 1984), p. 86.
32. Tom Hays, Associated Press, (*Milwaukee Journal Sentinel*, December 11, 2004) p. 10A.