



## Making Crime Pay

by Grover G. Norquist

For half a century, the views of candidates on Soviet Communism were paramount. Cuban-Americans would not even listen to a candidate's position on health care if they thought he viewed Castro as a misunderstood progressive. Polish-Americans would write off candidates who did not consider Soviet occupation of their ancestral lands an American concern. The left could not appeal to refugees from Communism's advance in Asia, Latin America, and Europe because the American liberal's faith in the good intentions of socialism and antipathy to American strength horrified voters. The left was unwilling to recognize evil where it reared its head, and could not even ape Republicans when they simply voiced the legitimate fears and enunciated the resolve of ordinary Americans.

George Bush's loss in 1992 was thus due to more than his betrayal of taxpayers with the 1990 tax increases and the regulatory explosion born of the Clean Air Act revisions and the Americans with Disabilities Act. It was also due to the collapse of the Soviet Union, which made a vote for Bill Clinton less dangerous. Clinton's corporate statism might cost the U.S. a few points in economic growth, but he couldn't lose Europe or Latin America the way Carter, Mondale, or Dukakis might have.

It is difficult to imagine a Bill Clinton winning the presidency in any year before 1992. His "loathing" of the American military, his demonstrating against America's defense of South Vietnam (but not the aggression of the Communists), his dissembling to avoid the draft, and his lack of gravitas in world affairs would have made Mike

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Dukakis astride his tank look like General Patton.

But as the worldwide struggle against Soviet imperialism faded, another issue began to emerge that might well replace it in the conservative arsenal: crime. Last November 3, five states passed constitutional amendments that empower victims of crimes to be heard at various stages in criminal justice proceedings. The power of the crime issue was demonstrated by the overwhelming popular support for ratification: in Kansas, the amendment won 84 percent; in Illinois, 77 percent; in New Mexico, 68 percent; in Colorado, 82 percent; and in Missouri, 85 percent.

In 1990, Oregon passed, with 74 percent support, an anti-crime initiative led by former Congressman Denny Smith that would require a criminal convicted of a second violent offense to serve the entire sentence—no parole, no probation.

Apart from confounding liberals who hope conservatives have lost their anti-Communist trump card, the crime issue offers five important opportunities to the conservative movement and to a Republican Party smart enough to act quickly.

First, crime is a real issue, not a symbolic one. It affects millions of Americans. Every year nearly 5 million people are victims of violent crime: murder, rape, robbery, or assault. Another 19 million are victims of property crimes: arson, burglary, or theft. Just as Polish-Americans and Cuban-Americans had first-hand knowledge of Soviet imperialism that made liberal platitudes about negotiations and peace talks ring hollow, so too have millions of Americans come to know that our present judicial system serves lawyers, bureaucrats, and crimi-

nals rather than the victims and their families.

Second, it is an issue on which the Democratic Party is institutionally incapable of following—or even mimicking—the opinions of the American public. Just as the hard left hobbled efforts within the Democratic Party to take a sensible view of the Soviet threat, so does the criminal rights lobby make it impossible for the national Democratic Party to take a sensible stand on stiff sentencing and more prisons. The financial reports from the Clinton campaign contain pages of contributions from defense lawyers and trial lawyers. It is indicative that Janet Reno, Clinton's new attorney general, has been more articulate in defining the rights of criminals than in defending the legitimate rights of crime victims and the community at large. She seemed to have it backwards in her confirmation hearings when she testified that she wants to make sure "that all America understands that victims have rights, too."

Third, the crime issue gives the Republican Party a tremendous opportunity to reach out to minority communities that have traditionally voted Democratic. Black Americans are disproportionately victims of violent and property crimes, and they cannot look to Democrats or the traditional black leadership for a serious attack on crime and criminals. Crime allows Republicans to speak directly to the real experiences and needs of black Americans in cities where Democrats refuse to protect their lives and property. Crime is also an issue that concerns women sufficiently to make them the fastest-growing market for new gun sales. Arresting, convicting, and incarcerating criminals is a real women's issue. And just as abortion, special privileges for homosexuals, and prayer in school allow

Republican candidates to reach deep into the New Deal coalition, crime speaks to many traditional Democrats who find no modern Democratic leaders willing to take criminals off the streets.

Fourth, the crime issue will increase in importance for Republicans in the next four years because it will be fought out largely in the states, where Clinton has no veto. Victories can be won through the initiative process in the twenty-three states with initiative and referendum laws. State legislators can be targeted for support or defeat based on pre-incarceration laws.

Republicans can take advantage of national organizations that already exist. CrimeStrike, affiliated with the National Rifle Association, is working with hundreds of state and local groups to enact victims' rights constitutional amendments and tougher sentencing laws. It has already had great success in enacting legislation and in using the press to highlight efforts to release career criminals prematurely. The Safe Streets Alliance, meanwhile, was founded by Jim Wooten to enact truth-in-sentencing laws. Today, criminals serve an average of 27 percent of the sentences imposed on them. The Safe Streets Alliance model sentencing act reads: "Notwithstanding any other provision in state law a convicted felon shall serve at least 85 percent of the sentence imposed by the judge or jury, which shall hear from the defendant's victim(s) on the issue of sentencing before being eligible for . . . early release."

Fifth, the conservative solution to crime—putting violent offenders in prison for longer periods of time—works, is cost effective, and is easily understood by anyone who hasn't graduated from Yale Law School. In a report released by the National Center for Policy Analysis, Texas A&M economist Morgan Reynolds points out that crime has increased as the expected costs of committing crimes has fallen. Today, for a burglary, for example, the chance of arrest is 7 percent. If you are unlucky enough to be one of the 7 percent arrested, relax; only 87 percent of arrestees are prosecuted. Of those, only 79 percent are convicted. Then only 25 percent of those convicted actually go to prison. Multiplying out all these probabilities gives your would-be burglar a 1.2 percent chance of going to jail. Reynolds

points out that "once in prison, a burglar will stay there for about 13 months, but since more than 98 percent of burglaries never result in a prison sentence, the average sentence for each act of burglary is only 4.8 days." Similar calculations yield an expected punishment in 1990 of 1.8 years for murder, 60.5 days for rape, and 6.7 days for arson. For every crime, the expected punishment has declined over the decades and continued to decline between 1988 and 1990. When punishments rise, crime falls. California increased its prison population 314 percent between 1980 and 1991, and the crime rate fell by 13 percent.

A National Institute for Justice study found that putting a criminal in prison for one year costs roughly \$25,000. A Rand Corporation study of 2,190 professional criminals found that the average career criminal commits 187-287 crimes a year. The Rand study calculated the total costs to society at \$430,000 a year for every career criminal left on the



street. Thus society is \$405,000 better off for every career criminal kept behind bars an additional year.

In December 1991, there were 823,414 convicts in state and federal prisons, and another 422,000 in local jails. Meanwhile, 530,000 were on parole and 2.7 million on probation—3.2 million criminals walking the streets. Thirty percent of all murders, 25 percent of all rapes and 40 percent of all robberies are committed by persons on bail, probation, or parole.

With the implosion of the Soviet empire, the greatest threat to American life is the American criminal. Former Attorney General William Barr points out that more than 6,500 murders are committed each year by criminals on bail, probation, or parole. Since World War II, more people have died at the hands of criminals who should have

already been in jail than died in Vietnam and Korea.

There remain two opportunities to fail. First, Republicans cannot afford to follow the illusory path of gun control. Just as liberals sought to focus not on Russian Communism but on negotiations over the number of missiles we had, today they argue that the problem in America is not criminals but guns. The left wishes to discuss guns because they do not wish to discuss crime.

The widespread ownership of guns is not only not a problem but in fact a large part of the solution to crime. Several studies have confirmed that more than 600,000 Americans each year deter a criminal by brandishing or using a firearm. Cities that have publicly trained and armed women have seen rapes decrease. A National Institute of Justice study found that 56 percent of criminals would not attack someone they thought was armed; 39 percent of the felons had actually decided not to commit a crime because they thought the victim might be armed.

Conservatives must avoid suggesting that gun control might be even one percent of any anti-crime initiatives, for the left will then insist on gun control *first*. Richard Darman said "some" taxes might be acceptable and ended up with a package that contained many tax hikes and increased spending and deficits. Gun-control-too means gun-control-only.

Second, conservatives must call the bluff of the left, which tries to avoid discussing the victims of crime by labeling all focus on crime "racist." The Bush campaign fatally hurt itself in 1992 by not responding quickly to charges arising from the William Horton ads in 1988. Mike Dukakis's letting murderers sentenced to life in prison out for weekend furloughs was a very real, fair, and telling issue. Sadly, every state has several William Horton stories of those released too soon who kill and rape again.

If the Republicans decide to be as serious, determined, and unapologetic about locking up criminals as they were about destroying the evil empire, the streets of America can be liberated and those who have built and defended the present unacceptable and dysfunctional judicial system at the state and federal level can be swept into the dustbin of history. □



# Ring, Ring, Ring

by Benjamin J. Stein

Wednesday

**W**hen the moon is in the seventh house, and Jupiter aligns with Mars, then I'll get lots of commercials, and my voice will be one of the stars . . .

Guess what? I'm in New York, to do a Coca-Cola "industrial," which is a short film to be shown in-house to Coca-Cola drivers and salesmen as a way of introducing them to their company's new ads, products, and promotions. This offer came up at the very last minute, sort of out of the blue, and here I am, flown over in lavish style, on American, with my own TV screen at my seat—where I watched a bewildering movie about crazy people in Palm Springs—and now ensconced in my room at the Parker Meridien, awaiting my limo.

I keep thinking about that movie—*Touches of Red*. It was so beautifully p.c. that it made me proud, as the inventor of the formula, to see it flourishing in real life.

Women were being murdered and left—nude, of course—with many stab wounds. Who dunnit? Choices: a crazed heiress with a major sinus problem; a cop with his own troubles (he was "touched" by his first-grade teacher, which, as anyone knows, will make you a murderer every time); a mobster with a long record of violence; another cop, with a sex addiction "problem"; or a wealthy white male businessman running for the Senate. What an original array of suspects! And

the villain is . . . for the millionth time running . . . *the businessman!* (Turns out he'd been touched by his first-grade teacher, too.)

Anyway, I'm here and now there's the phone for my limo, and so it's off to the stage at 385 Third Avenue.

The beauty of this part is not just that it's for Coca-Cola, a big, successful company, but that I am the co-star, the foil really, for Dana Carvey, about the funniest man now living, and a major idol of mine. I arrived at the set in no time at all, had my make-up put on by a professional from "Saturday Night Live," and stood around joshing with the writers and producers, a totally likable bunch from Chicago. Then Carvey showed up, looking a lot like the guy in *Wayne's World* and incredibly young. He had a cold, and was really suffering. He seemed truly burdened to be there.

Then he disappeared into make-up for

about an hour, and when he returned, it was as if he'd undergone not only a complete visual re-do, but a complete personality make-over. He now looked like Ross Perot, and not only did he look every bit like Ross Perot, skin, hair, ears, nose, eyes, but he sounded, walked, and gestured like Perot. Plus, he was animated, lively, totally the Perot of the campaign trail.

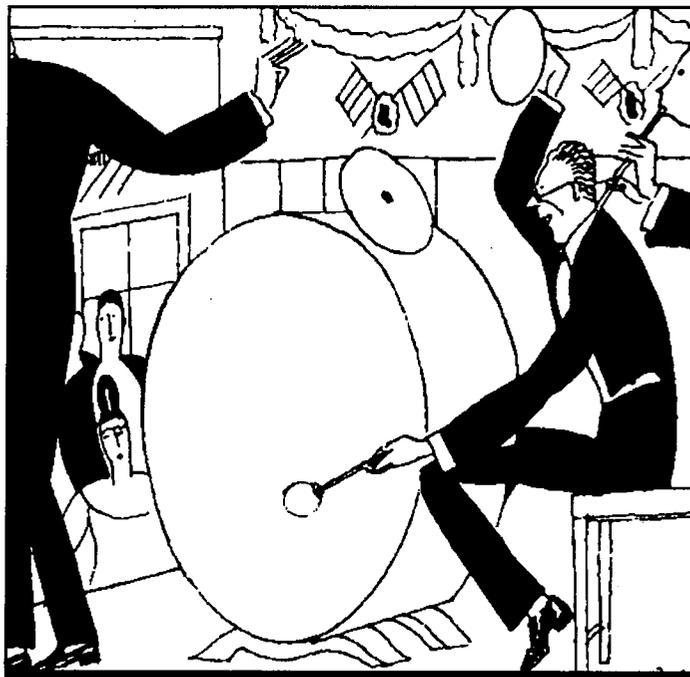
Even more amazing, his cold-based funk had vanished, and he was right on the beam. Our director, a focused fellow named Matthew, ran us through our paces for a few rehearsals, and then we shot it. My part is only about ten percent of the total, maybe less, but it was still a stone solid thrill. I play (surprise, surprise) a boring teacher, talking about soft-drink science, and get shooed off the stage by Ross, talking about the real basics of how to sell. ("Why do we love to sell to teens? It's real simple, folks. They buy a lot of it, and they buy it by the can.")

I was on cloud nine just sitting behind the set hearing Dana Carvey do his thing. After several takes Dana said to me, "Ben, you on a day rate or an hourly rate?"

"Daily," I said.

"Then let's do this real quick and get out of here," he said, and we did just that.

As I was eating my lunch, a salad and a pasta of some kind, there was a phone call for me. It was my agent, telling me she had another commercial for me to read. I got into my waiting Town Car, headed off to 21st Street, read my little heart out, feeling like the Edith Piaf of voice-overs, and then headed off into the sunset.



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