



## Law and order issues make a political comeback

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The Republican and Democratic conventions showed that crime, justice and law and order issues are once again front and center in American politics, although it's too soon to say which party's solution to these issues will be favored by voters in November.

The return of law and order issues to politics is a potentially worrisome development for Democrats, since the issue was key to the Republican Party's victories in prior decades. But Democrats have found their own take on the issue, and it's gained traction among Democratic voters.

Clinton's speech leaned strongly leftward on crime, focusing on the need to protect minority rights and to restrict private gun ownership. "I just don't want you to be shot by someone who shouldn't have a gun in the first place," she declared Thursday night. She then urged people to "put ourselves in the shoes of young black and Latino men and women who face the effects of systemic racism, and are made to feel like their lives are disposable," before calling for an "end-to-end" reform of the criminal justice system.

Trump's speech, by contrast, argued that law enforcement is not being aggressive enough, which is making the country less safe. After invoking the recent shootings of police officers in Louisiana, he declared: "I will work with, and appoint, the best prosecutors and law enforcement officials in the country to get the job done. In this race for the White House, I am the law and order candidate."

He went on to accuse President Obama of using the bully pulpit "to divide us by race and color." That, he argued, has "made America a more dangerous environment for everyone. This administration has failed America's inner cities. It's failed them on education. It's failed them on jobs. It's failed them on crime. It's failed them at every level."

David Kopel, associate policy analyst for the libertarian Cato Institute, called it the first election in decades where crime-related issues have been front and center. "It has returned as an issue, at least for a significant number of voters," he said. The reason is simple: Crime has increased, particularly in large urban areas. Trump is banking that voters no longer feel as safe.

The most recent FBI Uniform Crime Report released last year, found that violent crime had risen 1.7 percent nationally between 2014 and 2015, while murder was up 6.2 percent. But that could

be a statistical blip, and last year's statistics follow a long trend of declines, with crime rates overall still lower than in previous decades.

Nevertheless, many voters feel less secure. An April Gallup poll found that 53 percent of Americans say they worry "a great deal" about becoming a victim of crime. That was an increase of 14 points in two years and the highest level of public concern since 2001. Gallup noted that there was an economic divide on the issue, too: "Those with no college education are roughly twice as likely as those with a college degree to worry about crime."

Said Ames Grawert, counsel with the liberal Brennan Center for Justice: "Law and order is back as an issue, but the really unfortunate thing is that 'tough on crime' is making a return too." He argued the concern was misplaced. While the rates have increased, "They don't show anything like an actual crime wave."

It is a tricky issue for Clinton. "She and her husband have been all over the map on this," Kopel said, noting that Bill Clinton signed the 1994 Violent Crime Control and Law Enforcement Act. The law vastly increased spending on prison building and increased penalties for repeat offenders, among other provisions. Many criminal justice reform advocates argue the legislation was a mistake, and Sen. Bernie Sanders attacked her over it during the primary season.

Clinton has distanced herself from the 1994 law and has tried strike middle ground. After reaching out to the Black Lives Matter movement in her speech Thursday, she urged the audience to put themselves "in the shoes of police officers, kissing their kids and spouses goodbye every day and heading off to do a dangerous and necessary job."

While Trump has stressed the law and order issue, it is not clear what he would do. "The policy specifics are highly lacking," Kopel said.

Crime became a major political issue in the late 1960s. Rates that had been historically low for decades — the percentage of people who were victims of violent crime had remained steady at about 1 percent from mid-1930s through the late 1950s — suddenly began to climb, according to Justice Department figures. Exactly why remains a matter of lively debate among social scientists, but the numbers themselves were stark.

In the decade from 1960 through 1970, the violent crime rate rose 126 percent. It rose by another 64 percent between 1970 and 1980 and another 25 percent between 1980 and 1990. In the space of a single generation, Americans went from having a 1 percent chance of being a victim to having a close to an 8 percent chance. The murder rate doubled over the same period, reaching its height in 1991 at nearly 10 per 100,000 people, though it briefly spiked above that in 1981.

That had a profound effect on the nation's politics and culture. People grew afraid. Major cities came to be seen as blighted, prompting waves of residents to flee to the safer suburbs. The cities then became poorer and more crime-ridden as a result. Movies and crime drama television shows echoed these fears. Films such as "Dirty Harry" and "Death Wish" gave audiences a new hero to cheer for, the urban vigilante who took out the hoodlums. Private gun ownership rose as citizens sought to protect themselves and the National Rifle Association, once primarily a hunter's association, became a major political lobby.

Republican Richard Nixon was the first to grasp the public's darkened mood. He won the presidency in 1968 running on a platform of law and order. Republicans followed his lead for decades, embracing tougher sentencing laws, embracing the death penalty and becoming defenders of private gun ownership.

"We do not seek to violate the rights of defendants. But shouldn't we feel more compassion for the victims of crime than for those who commit crime?" asked President Ronald Reagan said in his 1985 State of the Union address.

Democrats, especially liberal ones, on the other hand, reflecting their earlier embrace of the civil rights movement, generally opposed that. Liberals typically denounced the tough on crime laws as draconian and unfair to minorities. Opposing the death penalty became a major cause on the Left. Their main solutions to the rising crime rates were to restrict private gun ownership and address the "root causes" of crime, which they argued were poverty and inequality.

"None suffer more than the poor: an explosive mixture of blighted prospects, drugs and exotic weaponry has turned many of our inner city communities into combat zones. As a result, crime is not only a symptom but also a major cause of the worsening poverty and demoralization that afflicts inner city communities," the Democrats' 1992 platform declared.

Such rhetoric helped Democrats win in ethnically diverse urban areas such as New York and Boston where civil rights support was strong, but it often alienated other voters. The Republicans won four out of five presidential elections between 1968 and 1988, losing only in 1976 following the Watergate scandal.

Matters didn't turn around for the Democrats until Bill Clinton won the nomination in 1992. He ran right on law and order, supporting tough sentencing laws and the death penalty, even returning to Arkansas in mid-campaign to allow a state execution. "Nobody can claim I am soft on crime," Clinton said. He followed up by signing the 1994 crime bill, which stiffened penalties for a vast array of offenses.

Then just as starkly as it rose, crime rates began a precipitous fall in 1990s. As with the earlier rise, the cause remains a subject of dispute. By 2010, the violent crime rate and murder rate had both been cut in half. By the next decade, even Republicans stopped raising law and order as a campaign issue. The decline of the issue coincided with the GOP's diminishing fortunes at the presidential level. It has won only two presidential elections since 1992 and only won a majority of votes once, in 2004.