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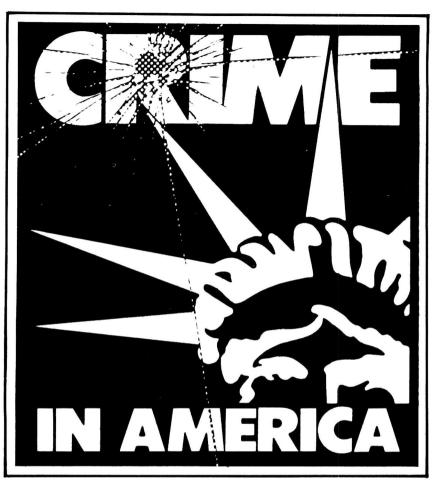
### REPORT

By Donald MacGillis and ABC News Introduction by Richard Threlkeld

## CRIME IN AMERICA THE



**REPORT** 





by

Donald MacGillis and ABC News
Introduction by Richard Threlkeld
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#### Introduction

or me, the single most exciting scientific revelation of the twentieth century was the discovery some years ago that radio waves have very special qualities. Unlike daffodils or squirrels or TV newscasters, radio waves are not bound by gravity, or much of anything else. They don't grow old, they don't die—they just sail out into space. Everything ever spoken on the radio, everything you ever saw go by on the TV, is still *out there* somewhere, chugging along through the cosmos, indefinitely. This is a heady realization for a newscaster. It affords a kind of comforting immortality. Even after you are long gone, all your old reruns will still be playing Somewhere East of the Milky Way.

That notion is particularly comforting for those in TV news. Necessarily ephemeral, news is on the screen long enough to inform and excite people, distress them or amuse them, and then it is gone. In an instant, it is older than yesterday's newspaper. So there is always a certain melancholy associated with any TV news effort. Every news program, every documentary, becomes a beloved child that must die in infancy.

What follows is a happy exception to that rule of TV news mortality. In the autumn of 1982, ABC News embarked on a reporting project quite unprecedented in network journalism. It was an examination of our nation's crime problem and the state of our criminal-justice system. It required eight months of the best work of hundreds of ABC newspeople, who covered the country. And when we finally put it on television, it occupied all or part of sixty hours of ABC-News programming during two weeks in February of 1983. We called it "Crime in America."

Crime is such a broad subject that, even with all that time and effort, we could deal with only one facet: crime against people and their property, better known as street crime. White-collar crime, organized crime and official corruption are all serious problems in this country. But what *most* frightens us as citizens (as we quickly discovered from the results of an ABC-News Crime Poll commissioned for the series) and what we as a nation spend so much of our time and resources fighting is violent crime—the work of the desperadoes among us.

The FBI, which measures that sort of thing, defines violent crime as the following: murder, rape, robbery, assault, burglary and car theft. Perhaps you've been luck enough not to have been a victim of any of the crimes on that list. Perhaps you've never walked out in the street to an empty space at the curb where your car used to be. Perhaps you've never opened the front door and felt that awful wrench in the pit of your stomach on discovering your home has been ransacked and everything in it that was really important to you has been expropriated by burglar or burglars unknown.

Perhaps not. But every living American—man, woman and child—has been frightened by a strange footfall on a lonely street or thought twice about passing by a dark corner or trembled for a moment at something that went bump in the night. This book has something to tell you.

Donald MacGillis, a talented author and editor, has done much more than simply snatch those sixty hours of TV journalism off the screen and put them into print. TV news is the prisoner of time. There's never enough air time to tell you everything we want

to. ABC News interviewed hundreds of criminals and cops and iudges and lawyers and criminologists in the course of making this series, and 90 percent of all that material wound up on the cutting-room floor. It always does. So Don MacGillis has taken the best of what we told you, and what we didn't have time to tell you, and combined it with his own research to fashion a primer on crime in America today.

Why is there so much crime in this country? Is it getting worse? Who are the criminals? Why can't the police ever seem to catch them? And if they do, why do the courts let them go? And if criminals do wind up behind bars, how is it they always seem to get out too soon? Will tougher laws, tougher punishment, more police stop crime? Is there any hope?

There are answers to all those questions in the pages that follow. You will find yourself surprised, intrigued and perhaps angered by what you discover on this journey through the mean streets, the precinct houses, the crowded courtrooms and the prison cellblocks of America. You'll also be somewhat wiser for taking the journey. We were.

And a little wisdom applied to our crime problem wouldn't hurt. Too often our national argument about it has been characterized more by heat than light. We're not the first nation to be afraid of the criminals among us—and confused about what to do about them. Three centuries ago, John Locke, the great English political philosopher who was as much an author of our Constitution as any of the Founding Fathers, offered some advice to his fellow citizens, then suffering through times far more violent and crimeridden than our own.

A just and fair society, Locke observed, requires that no one do harm to another in his life, health, liberty or possessions. So criminals must be caught and punished, for the security of honest men and women. But punished, Locke cautioned, only "so far as calm reason and conscience dictate."

Calm reason and conscience are necessary ingredients in whatever we debate, whatever we finally do about Crime in America.

-Richard Threlkeld





#### A nation of laws and outlaws

I came here in 1918, and people used to sleep outdoors all night, especially in the summertime. Used to go down on the river and sleep. But you can't do it now. If you do you'll wake up and find yourself dead.

-Lois Wade of Washington, D.C.

iolent crime—the stranger on the street with a gun—is no stranger in American history. Yet, in what historians Hugh David Graham and Ted Robert Gurr have called a case of "historical amnesia," we have not owned up to this fact. As a result, of all the myths and illusions that distort Americans' views of criminal violence, the most deep-seated is certainly the notion that the country is by nature a peaceful land inhabited by a law-abiding Chosen People. Seen through this rose-colored lens, the sharp rise in crime since the early 1960s appears to be a total break from an innocent past in which law and order were taken for granted as ground rules of the American Dream.

Nothing could be further from the truth. The United States has an unacknowledged tradition of collective and individual lawbreaking that stands out among the industrialized countries. Historians believe the reason that this tradition has not received the attention it deserves from the public, government officials and scholars is because violence has rarely touched at the core of national political life. Notable exceptions are the Civil War and the attacks of assassins on presidents. Otherwise, uprisings have not challenged the federal government and, in turn, the federal government has—with the exception of the Indian wars—not used armed power against its own people in the manner of Nazi Germany or Stalin's Soviet Union.

But the fact that violence in this country has been spasmodic and generally isolated in its effects does not mean it has been unimportant in the nation's development. The most thoroughgoing attempt by historians to explore this dark side of American history came in the late 1960s when increases in street crime, race riots and antiwar violence forced the country to ask itself whether black militant Rap Brown was right when he said that violence is "as American as cherry pie." The answer of historians Richard Hofstadter and Michael Wallace in *American Violence* and Graham and Gurr in *The History of Violence in America* was a clear yes.

#### America's violent nineteenth century

In 1838, a young politician making his first important public speech in Springfield, Illinois, decried "the increasing disregard for law which pervades the country." It was Abraham Lincoln, addressing a problem that was, by 1838, already a rich source of American oratory: the danger posed to domestic tranquillity by criminals, gangs and mobs. In the decade before Lincoln made that speech, the mayor of Boston, Josiah Quincy, was once forced to personally lead a citizen posse to put down a riot that had gone on for a week. And it was only one of several during his term.

The nineteenth century was marked by brutal suppression of slave uprisings, anti-Irish mobs and enough bloody labor disputes to give the United States the dubious distinction of having the worst history of labor violence in the world. The first three decades of this century were, in some ways, even worse: By most measures, individual crime increased, and Prohibition helped to spawn organized crime.

Recalling the crime and violence of the nation's past is not done to minimize or explain away the problems of the present. The advantage of a historical perspective is that it teaches lessons about lawbreaking. The most important of these is that criminality and violence rise and fall according to a great number of factors, some of which can be affected by a concerned citizenry working inside or outside of government.

The situation is not hopeless. As recently as the late 1960s, for instance, there was fear that race riots might become a staple of the urban scene and that campus unrest might become a staple of the college scene. Although either phenomenon could reappear at any time, there are probably identifiable reasons that they have not. Inner-city tensions seem to have been eased by the integration of city police forces and by the impressive ability of black voters, usually working with whites, to elect black mayors in many of the country's biggest cities. As for campus disturbances, the success of the federal government in staying out of unpopular foreign wars in the last ten years has lowered the pitch of student activism dramatically.

Nonetheless, while historians can offer us comforting—or distressing—evidence that earlier periods in U.S. history experienced far more overall violence than ours, it is difficult for them to measure the level of criminal violence—murders, robberies, rapes that earlier generations suffered. The most reliable statistics available are for murder, the one crime that is almost always reported to the police, as many crimes aren't.

By that one grim vardstick, the upsurge in crime that began in the 1960s was at least the equal of the crime boom of the first three decades of this century. In each, the rate of murder per 100,000 inhabitants climbed to near or above the ten milestone.

Unfortunately, that comparison almost certainly understates the relative size of the crime problem the nation is now facing. The crime data that the FBI first began collecting in 1933 indicate that property crime has risen substantially since that time.

A couple of cautionary notes are in order here. For crimes other than murder, those early FBI figures are not considered very reliable. Moreover, it is at least conceivable that property-crime incidence from the more lawless 1920s greatly exceeded the 1933 totals and may even approach the high levels of the recent past. But this seems unlikely. A fair conclusion would be that, in the

twentieth century at least, the American public has never faced a higher rate of crime than it has in its most recent past. The encouraging news from the data is that the crime boom appears to have begun to abate in 1981 and 1982—the problem is serious but not, contrary to conventional wisdom, getting worse.

#### The industrialized world's leader in crime

hy the United States, why now? The first question is worth asking because there is no doubt that the United States leads the industrialized world in crime. While most other nations have seen their crime rates rise in the recent past, none even approaches the U.S. level. To use, once again, the most solid statistic: The U.S. murder rate is almost 10 per 100,000, Japan's is 1.6, Britain's is 1.3 and West Germany's is 1.3.

To explain why the United States is the world leader among developed countries in crime is to answer the question of what causes crime—something that criminologists have found extremely difficult to do. There is a whole list of pat explanations, virtually all of which can be refuted, at least in part, by contradictory evidence from the United States's own experience.

For instance, one frequently cited explanation for the high crime rate of the United States is that the process of urbanization—the transformation of the United States from a rural country into a largely city-dwelling one—was more traumatic and disruptive here than elsewhere. This theory may explain some of the nation's social problems, but a fascinating study of nineteenth-century criminal records in the state of Massachusetts by historian Roger Lane directly challenges the notion that the city is, by itself, a breeder of violent crime.

In his essay, "Urbanization and Criminal Violence in the Nineteenth Century: Massachusetts as a Test Case," Lane looked at four indices of crime in the state—the number of lower-court cases, jail commitments, grand-jury cases, and imprisonments—and found that they indicated a gradual per-capita decline in serious crime between 1834 and 1901 (figures for two of the indices, number of lower-court cases and jail commitments, were not

available until 1860). The incidence of grand-jury cases fell by more than one-third during this time of rapid urbanization, the incidence of imprisonment by no less than 65 percent.

The trend evident in these court statistics cannot be simply explained away by saying that Massachusetts had grown less punitive during those decades. On the contrary, offenses that in the 1830s would have resulted in a two-year sentence were punished later in the century by three-to-four-year confinements. Also, society became much less willing to tolerate drunkenness and brawling as the century progressed. While the incidence of arrest for serious crimes clearly declined, the rate of arrests for more minor offenses against public order zoomed.

This evolution of Massachusetts from a largely rural, freewheeling society to a more straitlaced, urban one was not, according to Lane, uninterrupted. According to his research, the one period when urbanization did not work its civilizing influence was in the twenty-five years immediately preceding the Civil War. During this time, the state—and especially Boston—was swamped by immigrants both from the New England countryside and also from Ireland, which was suffering the privation of the "hungry forties." Economic development during this time, he said, was "not fully able to keep pace with migration." And, "Without the discipline imposed by regular employment, this first large-scale flow of migrants into the city was a kind of mutual disaster."

The weight of Lane's evidence is that urbanization, far from spawning violent crime, will reduce it—if there is sufficient economic growth to absorb the immigrants into cities. That is an important qualification and may help to explain the consistently higher rates of crime in U.S. cities than in small towns or rural areas. But movement from the farm to the city need not in itself be associated with crime increases—if the city can offer gainful employment.

Another analysis of the problem is that crime has been accentuated in the United States by the difficulty of assimilating wave after wave of immigrants, many of whom have language problems that complicate their fitting into industrial society. There may be some merit to this notion, particularly for the second generation of immigrants whose behavior appears to be more affected by the trauma of growing up in a foreign environment. But it so happens that the section of the United States that has, over the decades.

received the fewest immigrants and has in fact had the most stable society is the one that has been plagued by the highest rates of violent crime—the South.

A further explanation of the American weakness for violent crime is that it was fostered by the experience of living on civilization's frontier, with loosely enforced laws and a tradition of individuals taking the law into their hands to settle their own disputes. But other countries that have gone through a similar stage of development, such as Canada and Australia, do not have our crime problems. Moreover, some of the states that have had the highest rates of violent crime are, again, the southeastern ones, such as Georgia and the Carolinas, whose residents are generations removed from frontier life.

The fact that for decades residents of the South, both whites and blacks, have been committing violent crimes at rates noticeably higher than other Americans has led to some interesting inquiries that may shed light on the problem of criminality in the nation as a whole. Sheldon Hackney's essay, "Southern Violence," in *The History of Violence in America* suggests that the pattern may be attributable to the history of the South's Civil War defeat and its long period of economic stagnation. "Being Southern then," Hackney writes, "inevitably involves a feeling of persecution at times and a sense of being a passive, insignificant object of alien or impersonal forces. Such a historical experience has fostered a world view that supports the denial of responsibility and locates threats to the region outside the region and threats to the person outside the self." Hackney also suggests that blacks may have a similar world view born of years as second-class citizens.

Hackney's thesis points to another answer to the "Why America?" question—our tragic history of slavery and the long legal, political and economic subjugation of blacks. While the South may lead the nation as the region most plagued by violent crime, blacks, as a group, are responsible for the highest rates of this kind of crime. In 1981, blacks made up 45.7 percent of all those arrested for crimes of violence, a percentage way out of proportion to their 12 percent share of the population.

The explanations for this are, again, complex, but it is hard to quarrel with the conclusion of Charles E. Silberman, author of the insightful *Criminal Violence, Criminal Justice*, when he wrote: "If criminal violence is to be reduced to a tolerable level, those who