by Jessica Green Sunday, October 01, 2000 12:00 AM -

Though candidates always promise to get tough on crime, most this campaign season have replaced any actual discussion of crime policy with more pressing "me" issues (such as: How will I benefit from the surplus? How will my health care improve?) Living in relatively crime-free times has helped pushed crime down on the list of priorities. New York City, since the reign of Police Commissioner William Bratton, has enjoyed some of the lowest crime rates in decades. New FBI statistics show that New York led the nation's 10 most populous states over the past five years in reducing violent crime. America as a whole is experiencing the lowest level of such crime in a generation. In a policy arena where life is generally good and voters are happy, there is no political need for extensive debate -- and, except for the usual ideological battle over gun control, there has been little.

But, whether they are being discussed extensively or not, there still are a number of issues facing New York.

**Gun control**. This ever-present debate serves as a proxy for the candidate's view on the acceptable level of government intervention in private citizens' lives. Alive and well in the Senatorial race.

**Death Penalty**. This is important not only as a window into the candidate's beliefs about justice and morality, but also because it is often closely related to his/her views on punishment versus rehabilitation, and the appropriate number and size of prisons.

**DNA Testing**. Recent proposals, including one from Howard Safir in an article in <u>City Journal</u>, advocate the creation of a DNA database of all criminals. The widespread use of DNA testing, and the permanent storage of this information in criminal databases, raises serious questions about privacy and ethics that lawmakers should carefully examine.

**Violence Against Women**. General (though meritorious) federal legislation, in the form of the Violence Against Women Act (VAWA), glosses over a local problem: How to deal with the backlog of DNA samples taken from women after they were raped, known as rape kits.

Rockefeller Drug Laws. Many have identified these antiquated laws for first time, non-violent

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drug offenders as excessive. Lawmakers must address the severity of these laws, and examine the policy implications.

To their credit, both major-party candidates for United States Senator from New York have addressed many of these issues. But their positions are steeped in centrist politics. Centrist politics is political code. It means, the more you can straddle both sides of the issue, the more likely you will win support from both Democrats and Republicans. Both Hillary Clinton and Rick Lazio have adopted this strategy, each coming from opposite sides. Clinton's policies are left-leaning, certainly, but of course, she's not soft on crime. Lazio's voting record, on the hand, paints him as an enlightened politician - tough, but not draconian. The net effect of these strategies is to confuse voters, as the differences between the candidates are blurry at best.

Both candidates are supporters of gun control, though Clinton proposes a number of stringent measures that Lazio does not support. Congressman Lazio broke with the Republican party to vote in support of the Brady Bill, and has voted to mandate background checks. He also supports mandatory instant background checks at gun shows, and a ban on certain semi-automatic assault rifles. In his support of gun owners' rights, the National Rifle Association gave Lazio a D-. Still the Long Island congressman opposes gun licensing and registration, which he feels are too "intrusive."

Unlike her opponent, Clinton has proposed a national licensing and registration system of all gun purchases and transfers, which would require photo identification. She also advocates a national database of ballistic fingerprinting, mandatory child safety locks, raising the age to purchase a gun to 21, and limiting gun sales to one a month.

In addition to stricter gun controls, Clinton also supports a number of different policies, skirting both sides of the ideological divide. She has promised to help secure \$60 million in federal funding to address and analyze the backlog of rape kits in the state. She has also spoken out against violence in entertainment, and supports the use of the V-chip. Though Clinton did not receive an endorsement by New York City's police union, the Policemen's Benevolent Association, she states that the Department of Justice should make its own decision as to whether to monitor the New York Police Department, without interference from elected officials. (Aside from calling Amadou Diallo's death a murder, which she later retracted,. Clinton has said little about the controversial behavior of the New York Police Department.) Lazio outright opposes federal oversight of the NYPD.

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Rick Lazio's voting record shows an equally mixed record on crime. In addition to supporting the Brady Bill, Lazio also supported President Clinton's 1994 Crime Bill, which funded 100,000 new officers across the nation. And while he supports DNA testing in death row cases, Lazio has voted to encourage states to prosecute teens 14 and older as adults, to federalize juvenile crime, and to increase punishment of juveniles guilty of committing crimes with guns.

In other matters of crime policy, the candidates' views are much more similar. On the mom-and-apple-pie side, Lazio and Clinton both support the Violence Against Women Act (VAWA), which funds a variety of programs to combat domestic violence, and would re-authorize it if reelected. Both support hate-crime legislation, and expansion of the scope of groups protected under the law.

In contrast with their somewhat liberal views on gun control, both candidates support the death penalty, though Clinton would mandate legal counsel and forensics testing for death row defendants. The two candidates also agree that New York should receive more federal funds to increase prison construction. So much for centrism.

## Jessica Sounds Off:

Clinton and Lazio are both to be commended for engaging in discussion about critical crime policy issues. One question remains unanswered by both: Will they repeal the Rockefeller laws? These laws, created to address a serious drug crisis that no longer exists, mandate a minimum 15 year sentence for first-time non-violent drug offenders. At a time when prisons are filling up faster than we can build them, this law should be revisited and reformed. Resources devoted to incarcerating these people could better be used in treating and rehabilitating them. Hillary and Rick: When will you take a position?

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