

Chapter 8:

Crime

Public Safety and Gun Control

Bush

Gore

Criminal Justice Process

Bush

Gore



IN THEIR OWN WORDS
SOURCEBOOK FOR THE 2000 PRESIDENTIAL ELECTION

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Public Safety and Gun Control - Bush

George W. Bush

The Fraternal Order of Police

Media, Pennsylvania

September 20, 2000

Illegal Weapons

A lot of endorsements are important, of course, but I especially value the endorsement of the men and women who risk their lives on a daily basis for citizens all across America. I'm particularly grateful to Gil and his leadership and the rank-and-file, who thought long and hard about who best to lead us into the 21st century and who stood up by an over two-thirds vote -- I think it was a two-thirds vote -- by a two-thirds vote and said, loud and clear -- and said, loud and clear, "In order to make America a more peaceful place, George W. Bush needs to be the next president of the United States."

I believe in tough love. I believe in tough love. I think one of the reasons why the men and women who wear the uniform know full well that I believe in our society, people need to be held accountable for the decisions they make in life; that the men and women of the uniform understand that tough love means if you break the law, there will be a consequence. We must say, loud and clear, in order to have a safe society, we're going to stand by the men and women who wear the uniform.

And so I say to those who think they can -- to those who illegally carry a gun in society, we're going to find you and hold you accountable. To those who illegally sell guns, we will find you and hold you accountable. And to those who commit crimes with guns in our society,

there will be certain accountability when George W. Bush is president of the United States.

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George W. Bush

Republican National Convention 2000

Philadelphia, Pennsylvania

Party Platform: Public Safety

Most Americans over the age of fifty remember a time when streets and schoolyards were safe, doors unlocked, windows unbarred. The elderly did not live in fear and the young did not die in gunfire. That world is gone, swept away in the social upheaval provoked by the welfare, drug, and crime policies of the 1960s and later.

We cannot go back to that time of innocence, but we can go forward, step by difficult step, to recreate respect for law — and law that is worthy of respect. Most of that effort must come on the state and local levels, which have the primary responsibility for law enforcement. While we support community policing and other proven initiatives against crime, we strongly oppose any erosion of that responsibility by the federal government. Our Republican governors, legislators, and local leaders have taken a zero tolerance approach to crime that has led to the lowest crime and murder rates in a generation.

At the same time, we recognize the crucial leadership role the president and the Congress should play in restoring public safety. The congressional half of that team, in cooperation with governors and local officials who are the front line against crime, has been hard at work. Within proper federal jurisdiction, the Republican Congress has enacted legislation for an effective deterrent death penalty, restitution to victims, removal of criminal aliens, and vigilance against terrorism. They stopped federal judges from releasing criminals because of prison overcrowding, made it harder to file lawsuits about prison conditions, and, with a truth-in-sentencing law, pushed states to make sure violent felons

actually do time. They have also provided billions of dollars, in the form of block grants, for law enforcement agencies to hire police and acquire new equipment and technology.

The other part of the team — a president engaged in the fight against crime — has been ineffective for the last eight years. To the contrary, sixteen hard-core terrorists were granted clemency, sending the wrong signal to others who would use terror against the American people. The administration started out by slashing the nation's funding for drug interdiction and overseas operations against the narcotics cartel. It finishes by presiding over the near collapse of drug policy. The only bright spot has been the determination of the Republican Congress. Its Western Hemisphere Drug Elimination Act of 1998 has just begun to restore the nation's ability to strike at the source of illegal drugs. Now the Congress is taking the lead to assist Colombia against the narco-insurgents who control large parts of that country, a stone's throw from the Panama Canal.

A Republican president will advance an agenda to restore the public's safety:

No-frills prisons, with productive work requirements, that make the threat of jail a powerful deterrent to crime.

Increased penalties and resources to combat the dramatic rise in production and use of methamphetamine and new drugs such as ecstasy.

An effective program of rehabilitation, where appropriate.

Support of community-based diversion programs for first time, non-violent offenders.

Reforming the Supreme Court's invented Exclusionary Rule, which has allowed countless criminals to get off on technicalities.

A constitutional amendment to protect victims' rights at every stage

of the criminal justice system.

Reservation of two seats on the U.S. Sentencing Commission for victims of violent crimes.

We will reopen Pennsylvania Avenue in front of the White House as a symbolic expression of our confidence in the restoration of the rule of law.

Crimes against women and children demand an emphatic response. That is why the Republican Congress enacted Megan's Law, requiring local notification when sex offenders are released, and why we advocate special penalties against thugs who, in assaults against pregnant women, harm them or their unborn children. Federal obscenity and child pornography laws, especially crimes involving the Internet, must be vigorously enforced — in contrast to the current administration's failure in this area. We urge States to follow the lead of congressional Republicans by making admissible in court the prior similar criminal acts of defendants in sexual assault cases.

Millions of Americans suffer from problem or pathological gambling that can destroy families. We support legislation prohibiting gambling over the Internet or in student athletics by student athletes who are participating in competitive sports.

On both the federal and state levels, juvenile crime demands special attention, as the age of young offenders has fallen and their brutality has increased. We renew our call for a complete overhaul of the juvenile justice system that will punish juvenile offenders, open criminal proceedings to victims and the public, make conviction records more available, and enforce accountability for offenders, parents, and judges.

With regard to school safety, we encourage local school systems to develop a single system of discipline for all students who commit offenses involving drugs or violence in school, not the federally imposed dual

system which leaves today's teachers and students at risk from the behavior of others.

Any juvenile who commits any crime while carrying a gun should automatically be detained, not released to someone's custody. We urge localities to consider zero-tolerance for juvenile drinking and driving and early intervention to keep delinquency from escalating to crime. While recognizing the important role of both parents to the well-being of their children, we must acknowledge the critical need for positive role models to put a generation of fatherless boys on the right road to manhood. We affirm the right of public schools, courthouses, and other public buildings to post copies of the Ten Commandments.

Finally, continued assistance to state and local law enforcement is critical. Through research, grants, and joint task forces, the federal government should encourage smarter, more effective anti-crime efforts. In particular, we advocate assistance to police for their personal protection, continuing education and training, and family care.

George W. Bush

Republican National Convention 2000

Philadelphia, Pennsylvania

Party Platform: Right to Own Firearms

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We defend the constitutional right to keep and bear arms, and we affirm the individual responsibility to safely use and store firearms. Because self-defense is a basic human right, we will promote training in their safe usage, especially in federal programs for women and the elderly. A Republican administration will vigorously enforce current gun laws, neglected by the Democrats, especially by prosecuting dangerous offenders identified as felons in instant background checks. Although we support background checks to ensure that guns do not fall into the hands of criminals, we oppose federal licensing of law-abiding gun owners and national gun registration as a violation of the Second Amendment and an invasion of privacy of honest citizens. Through programs like Project Exile, we will hold criminals individually accountable for their actions by strong enforcement of federal and state firearm laws, especially when guns are used in violent or drug-related crimes. With a special emphasis upon school safety, we propose the crackdown on youth violence explained elsewhere in this platform.

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Public Safety and Gun Control - Gore

Al Gore

NAACP 91st Annual Convention

Baltimore, Maryland

July 12, 2000

Public Safety

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Another change that's needed: We need to stop the violence and make our streets safe and battle the scourge of drugs and get the guns out of the schools and out of the neighborhoods.

It's time for this Congress to stop blocking progress and pass a bill that closes the gun show loophole, and has mandatory child safety trigger locks, and gets these guns out of the hands of the people who shouldn't have them. This Congress is blocking progress even on hiring more prosecutors to enforce the gun laws that are already on the books.

And I know how much power is arrayed on the other side. I saw Charlton Heston on television the other night. And he named me enemy number one, target number one. Held up a gun, said something about prying his cold dead fingers off it or something like that.

Well, it didn't surprise me because two weeks earlier he had said that if my opponent was to be elected, then Heston and his group will be working right out of the Oval Office in the White House. But I advised him not to pack his bags yet because the last time—the last time Moses took advice from a bush his people wandered in the wilderness for 40 years, and he may not be packing his bags right now.

At least he shouldn't be. We've got a few things to say and do. We've got some work to do....

Al Gore

National Association of Police Organization

Washington D.C.

August 5, 2000

Standing by Law Enforcement

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Anyway, I honor all of the families here and, every time I have been able to participate in the event surrounding this award, I have been humbled, truly humbled, by the courage, the heroism, the self-sacrifice by the winners of this award, by those who are being acknowledged. As much as any soldier who every fought in any war, you are the guardians of America's freedom.

While others are at home with their families, you are out walking the beats and patrolling the streets, and taking risks to keep us all safe and secure. And we are grateful for that. While others flee from danger, your mission to track it down and face it.

Some say that the age of heroes has passed.

No way. I say, just look around this room and read the stories; listen to the testimonials about what these men and women have done. Heroism is really a part of your job description.

Some examples: walking through a hail of gunfire to protect innocent lives; diving into icy water to rescue a man in a sinking automobile; breaking up deadly drug rings that poison our communities. I know that for this year's top cops -- and I could tell you lot of stories -- but you will hear them, and you know them.

For this year's top cops, and for all who widen our thin blue line, its a lot more than a job, it's a calling. It is a commitment. And I am here above all to honor and salute the men and women of NAPO. I make this

pledge to you today: I will always stand with American law enforcement.

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Al Gore

Democratic National Convention 2000

Los Angeles, California

Party Platform: Fighting Crime

Democrats believe government's most basic duty is to establish law, order, and freedom and keep citizens safe from crime. When crime is rampant, families are forced off the streets and behind closed doors. When children are ducking for cover, they have a hard time reaching for their dreams. When people are afraid to walk in their own neighborhood, communities are robbed of the basic sense of decency and togetherness. When an overburdened justice system lets thugs off easy, good parents have a harder time teaching their children right from wrong.

Bill Clinton and Al Gore took office determined to turn the tide in the battle against crime, drugs, and disorder in our communities. They put in place a tougher more comprehensive strategy than anything tried before, a strategy to fight crime on every single front: more police on the streets to thicken the thin blue line between order and disorder, tougher punishments - including the death penalty - for those that dare to terrorize the innocent, and smarter prevention to stop crime before it even starts.

They stood up to the gun lobby, to pass the Brady Bill and ban deadly assault weapons - and stopped nearly half a million felons, fugitives, and stalkers from buying guns. They fought for and won the biggest anti-drug budgets in history, every single year. They funded new prison cells, and expanded the death penalty for cop killers and terrorists.

Here are the results of that strategy: serious crime is down seven years in a row, to its lowest level in a quarter-century. Violent crime is

down by 24 percent. The murder rate is down to levels unseen since the mid-1960's. The number of juveniles committing homicides with guns is down by nearly 60 percent.

But we have just begun to fight the forces of lawlessness and violence. We cannot go back to the finger-pointing and failed strategies that led to that steep rise in crime in the Bush-Quayle years. We can't surrender to the right-wing Republicans who threatened funding for new police, who tried to gut crime prevention, and who would invite the NRA into the Oval Office. Nor will we go back to the old approach which was tough on the causes of crime, but not tough enough on crime itself.

With Al Gore as President, America won't go back. We will move forward. We will fight to increase the number of community police on our streets. We will fight to give police the high-tech tools and the training they need to keep our streets safe and our families secure. We will toughen the laws against serious and violent crime to restore the sense of order that says to children as well as to criminals: don't even think about committing a crime here. We will reform a justice system that spills half a million prisoners back onto our streets each year - many of them addicted to drugs, unrehabilitated, and just waiting to commit another crime. We will make schools safe havens for students to learn and teachers to teach. We believe that in death penalty cases, DNA testing should be used in all appropriate circumstances, and defendants should have effective assistance of counsel. In all death row cases, we encourage thorough post-conviction reviews. We will put the rights of victims and families first again. And we will push for more crime prevention, to stop the next generation of crime before it's too late.

Al Gore

Democratic National Convention 2000

Los Angeles, California

Party Platform: Strong and Sensible Gun Laws

A shocking level of gun violence on our streets and in our schools has shown America the need to keep guns away from those who shouldn't have them - in ways that respect the rights of hunters, sportsmen, and legitimate gun owners. The Columbine tragedy struck America's heart, but in its wake Republicans have done nothing to keep guns away from those who should not have them.

Democrats believe that we should fight gun crime on all fronts - with stronger laws and stronger enforcement. That's why Democrats fought and passed the Brady Law and the Assault Weapons Ban. We increased federal, state, and local gun crime prosecution by 22 percent since 1992. Now gun crime is down by 35 percent.

Now we must do even more. We need mandatory child safety locks, to protect our children. We should require a photo license I.D., a full background check, and a gun safety test to buy a new handgun in America. We support more federal gun prosecutors, ATF agents and inspectors, and giving states and communities another 10,000 prosecutors to fight gun crime.

Al Gore

Democratic National Convention 2000

Los Angeles, California

Party Platform: Youth Crime

Discipline, Character, and Safty

Education is not just about test scores, but about passing on our values to the next generation of American citizens. Our children and teachers deserve schools of safety and classrooms free of fear. We should have a zero-tolerance policy towards guns in schools. Each school should institute strict, firm, and fair discipline policies that are agreed upon on the first day of the school year at a meeting of teachers, parents, and students. We should expand the Family Leave Law to make sure parents can attend these meetings and all parent-teacher conferences without being scared they will lose their jobs.

We must do all we can to encourage active parental involvement in our schools - after all, parents are a child's first and best teachers. A parent's job does not end when they drop their child off at the schools front door. They have a responsibility to actively participate in their children's education, to read to their children, and to help their children with their homework. Schools need to do their part by welcoming parents into the education process and giving them a voice in the education of their children.

Democrats believe in "second-chance schools" where kids expelled from school and those headed for trouble can get the concentrated help, services, and guidance they need to get back on the path to success.

If we are serious about fighting school violence, we need a dramatic increase in after-school care for America's children. The average two-parent family works 500 more hours a year than they did a generation

ago. Children often come home from school to empty houses. We know that the most dangerous hours for children are those between the end of the school day and the end of the work day. It is in these afternoon hours that children are most likely to get into trouble and fall under bad influences. Democrats have increased after-school assistance 500 times over in the last four years. Al Gore believes in expanding after-school programs and providing Americans with an after-school tax credit so that children have a safe, supervised after-school environment where they can continue to learn and learn right from wrong.

Too often, our culture offers our children a virtual crash course in violence and degradation. It is sometimes a culture of too much meanness and not enough meaning. That's why character education is so important in our schools. Education should not be a morals-free zone. Schools can teach our kids about honesty, hard work, openness to new information, strong discipline, willingness to reason, personal responsibility, and tolerance for different points of view. Teachers can help children develop the values and the character - as well as the intellectual tools - it takes to succeed and contribute to their communities. The traditional three R's are not enough. Schools need to make sure they teach kids respect, reliability, and responsibility as well.

We must also remember that our schools are not just training the next generation of workers, they are also educating the next generation of citizens. That's why Democrats support democracy education, civic education, and service requirements in our schools.

Stopping Crime before It Starts

Democrats also know that all Americans are better off if we stop crime before it claims new victims, rather than focusing single-mindedly on pursuing perpetrators after the harm is done. That is why we are firmly committed to sound and proven crime-prevention strategies that

are good for all Americans. Solid investments in children and youth, in job creation, and in skills development are powerful antidotes to crime.

Criminal Justice Process - Bush

George W. Bush

Austin, Texas

June 22, 2000

Death Penalty

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My job is to ensure our state's laws are enforced fairly. This is a responsibility I take very seriously because the final determination of innocence or guilt is among the most profound decisions a governor can make. I recognize there are good people who oppose the death penalty. I've heard their message and I respect their heartfelt point of view.

On October 28, 1981, Mr. Gary Graham was found guilty of capital murder and later sentenced to death by a Harris County grand jury, which concluded beyond a reasonable doubt that he shot and killed Mr. Bobby Lambert during the course of a robbery.

The murder of Mr. Lambert marked the beginning of a week-long crime rampage during which, by his own admission, Mr. Graham committed at least 10 armed robberies involving 13 different victims. Two of his victims were shot. One was kidnapped and raped at gunpoint.

Over the last 19 years, Mr. Graham's case has been reviewed more than 20 times by state and federal courts. Thirty-three judges have heard and found his numerous claims to be without merit. In addition to the extensive due process provided Mr. Graham through the courts, the Board of Pardons and Paroles has thoroughly reviewed the record of this case as well as all new claims raised by Mr. Graham's lawyers.

Today, the Board of Pardons and Paroles voted to allow Mr. Graham's execution to go forward. I support the board's position.

Mr. Graham has had full and fair access to state and federal courts, including the United States Supreme Court. After considering all the facts, I am confident justice is being done.

May God bless the victims, the families of the victims and may God bless Mr. Graham.

George W. Bush

Republican National Convention 2000

Philadelphia, Pennsylvania

Party Platform: Judicial Reform

The rule of law, the very foundation for a free society, has been under assault, not only by criminals from the ground up, but also from the top down. An administration that lives by evasion, coverup, stonewalling, and duplicity has given us a totally discredited Department of Justice. The credibility of those who now manage the nation's top law enforcement agency is tragically eroded. We are fortunate to have its dedicated career workforce, especially its criminal prosecutors, who have faced the unprecedented politicization of decisions regarding both personnel and investigations.

In the federal courts, scores of judges with activist backgrounds in the hard-left now have lifetime tenure. Our agenda for judicial reform is laid out elsewhere in this platform, but this is the heart of the matter: Whom do the American people trust to restore the rule of law, not just in our streets and playgrounds, not just in boardrooms and on Wall Street, but in our courts and in the Justice Department itself? The answer is clear. Governor Bush is determined to name only judges who have demonstrated respect for the Constitution and the processes of our

republic.

Criminal Justice Process - Gore

Al Gore

July 8, 2000

TV Ad: "Protect"



[GORE]:

Accused criminals have all kinds of rights, but the victims of crimes do not have rights that are always protected and guaranteed. That's why I'm for a constitutional amendment to protect victims' rights. So that, for example, if somebody has been a crime victim and the person who committed that crime is about to be released, they ought to be notified. If there's a trial they ought to have a right to speak to the jury. The people who are hurt by crime need to be heard.

(On screen: The Gore Plan: Crime Victims' Bill of Rights; 1-877-leadnow.com; Paid for by the Democratic National Committee)

Al Gore

Memphis, Tennessee

July 18, 2000

Crime Victims

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Now I want to turn to the topic that we have before us here today. All week long, I am going to be talking about the issues related to crime. And the place to begin is with the victims of crime, who deserve more attention and more consideration than they have received in the past, a lot more.

On the issue of crime, generally, I think it's worth noting that for eight years now, we have seen a decline in the number of crimes committed in the United States in every category. And there are a number of law enforcement officers here joining us today, including the Attorney General of Tennessee, and a sheriff, and some law enforcement specialists, and I complement them on that.

The policies of the Clinton-Gore administration helped to beef-up community policing, and to make other changes that have made it a lot easier to get criminals behind bars, and reduce the crime rate. I want to continue that.

But I think that it is high time, indeed long past time, to focus on the rights of victims. And that's why today I am proposing, in the presence of some very able advocates for victims and some victims who have to— survivors, I might say, is a better word -- who have the courage to speak up and try to help others as a result of the lessons they have learned from their experiences. And in their presence, I am proud to propose a Crime Victims Bill of Rights.

And I want to tell you little bit about it. First of all, I am proposing a



constitutional amendment to guarantee that crime victims have rights in the legal process. The accused criminals have all kinds of rights, and we all understand why that is a part of our system, but here is the point. When those rights are enshrined in the Constitution and the rights of victims are not, whenever the two come into any kind of conflict, it is not even a close contest. The victims are put in the back seat and sometimes completely ignored. And you will hear from some individuals here, some very courageous individuals who have gone through that kind of situation. And we need to change that by having what Reverend Fleasure (ph) said was balance in the system, so that there is an ability to arrive at a common sense result.

Now, the second part of my Crime Victims' Bill of Rights is to make sure that the victims of a crime have the right to attend the proceedings when their attackers are on trial. And I am proposing a crime victims leave law so that, under federal law, under my proposal, a victim of a crime will have the right to take time off work to attend the trial of his or her attacker without fear of losing the job or losing a promotion.

After all, you are legally required to go and serve on juror duty. Well, if the trial is being conducted of your attacker, you ought to be able to go and attend those proceedings. Just as under the constitutional amendment, you ought to have the right being notified if someone involved in violence against you is going to be released from the criminal justice system.

You ought to be eligible for restitution for the damages you have suffered as a result of the crime.

Now third, I am pushing hard for reenactment of the Violence Against Women Act, which is designed to protect women and children against domestic abuse, against stalking, and against other crimes that have sometimes in the past gotten short shrift.

I am proposing, in addition, some new steps to give counseling for the children who were involved in these proceedings, to make sure that they are held by the hand and guided through the traumas that come even after the violence.

I am proposing new housing vouchers for those who are victims of domestic violence who need to get out of the situation they are in and find another safe place for themselves and their children. Now, next, I am also proposing that we focus on prevention of crime because so many crimes can be avoided if we do the right things in the area of prevention, and these specialist have long been leading the way in promoting that point of view. And I feel very strongly about that also.

Fifth, I am proposing that we pass the hate crimes law because crimes motivated by hatred based on gender or race or religion. Obviously, these crimes, as seen in the tragedies of James Byrd and Matthew Shepard and other individuals who have been victimized because they are somehow labeled as “different,” we need to put that on the books.

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Al Gore

Democratic National Convention 2000

Los Angeles, California

Party Platform: Victims' Rights

We need a criminal justice system that both upholds our Constitution and reflects our values. Too often, we bend over backward to protect the right of criminals, but pay no attention to those who are hurt the most. Al Gore believes in a Victims' Rights Amendment to the United States Constitution - one that is consistent with fundamental Constitutional protections. Victims must have a voice in trial and other proceedings, their safety must be a factor in the sentencing and release of their attackers, they must be notified when an offender is released back into their community, they must have a right to compensation from their attacker. Our justice system should place victims and their families in their rightful place.