

THE LATEST BATCH of FBI statistics on crime provides startling proof that much more is involved in achieving law and order than just getting cops to crack down on robbers.

Read properly, the document shows that the basic problem is a breakdown of the criminal justice system in all its components. That, as a whole series of recent events indicate, includes the prisons and the courts as well as the police.

Consider first what the FBI report for 1970 says about the relative incidence of major crime in various cities. Why did Miami have the highest rate last year? How come the San Francisco-Oakland area, which was first the year before, sank to second place last year?

Well, Miami has only recently taken on an absolutely first-class professional police chief, Bernard Garmire. Chief Garmire has been insisting that his men resist the universal temptation to understate their reports on criminal activity.

In San Francisco, when charges of Mafia associations made it seem that Mayor Joseph Alioto had no political future, the mayor used the occasion to sack a police chief he had long found uncooperative. A more friendly chief is now in office, and it is a reasonable surmise that the new chief has responded to the mayor's demands for action on crime by allowing his men to shave the statistics.

THE DISPOSITION of police departments to play games with the numbers finds an explanation in another set of statistics in the FBI report. The report shows that only 29 per cent of the reported robberies end in arrests. Only 19 per cent of the reported burglaries lead to arrests. Given the fact that many—and probably even most—crimes go unreported, this means that wrongdoers have a very good chance of getting away with crimes against property.

To put it another way, the police can do very little to deter crime—much less than most of us expect. In their frustration it is only natural for the men in blue to do a little judicious fiddling with the numbers.

A major reason why the police can do so little to cut down crime is indicated in what I found to be the most striking set of numbers in the report. These are the figures on recidivism, or the number of past offenders rearrested for new crimes.

The recidivism rate, which is now given for the first time in the FBI report, covers the period since 1965. It shows that of the people arrested since then 63 per cent of the total are second-offenders or worse.

The high rate of repeaters points a finger at two other components of the criminal justice system which have both, by no mere accident, been much in the news of late. First, there are the prisons themselves, which have recently been pushed to center stage by the deaths of three guards and two convicts at San Quentin.

Whatever one may think about that episode (and to me it seems evident that some kind of escape effort was organized around the Soledad brother George Jackson) one overwhelming fact is clear. It is that the conditions of the prisons around the country work to brutalize both the convicts and their guards—not to foster reform.

THEN there is the matter of the court system recently spotlighted by dramatic cases in Chicago and New York. So far there is only an indictment charging that the chief prosecutor of Cook County, Edward Hanrahan, worked to obstruct justice in the case of two Black Panthers killed by the Chicago police. So far there are only charges that Judge Mitchell Schweitzer, of the Court of Appeals in New York, took bribes in return for fixing sentences.

But, though the proof is lacking, the smell is very pungent. With cases like these much in evidence, it is not easy to have confidence in the judicial system. As usual, Gov. George Wallace of Alabama was only overstating what many people feel when he said the other day that he had "utter contempt" for the courts.

What all this means is that the whole system of

criminal justice is in trouble. Rebuilding it will require slow, hard, patient work. The task is particularly difficult because this country does not have the patrician elite that inspires respect for law and order in some other lands. But precisely because the task is so difficult, so much tied up with the delicate concept of fostering respect for authority, the tough-talking, hard-hat, anti-elite stance of the Nixon administration seems the very opposite of a fruitful way to restore law and order.

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Post 9.2.71
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Frustrated Justice