

## Chapter 1

# The President's Secret Crime Report



**R**ONALD REAGAN WAS ELECTED PRESIDENT in November 1980 with an agenda that included making the country safer from violent forms of street crime. This goal seemed quite sensible to most voters at the time. The Reagan administration promised a “get tough” approach to the punishment of crime. There would be reasons for questions later, especially about the very punitive response to crack cocaine, the drug whose epidemic use spread rapidly through America’s racial ghettos and spiked a fearful, massive, and enormously expensive growth in American reliance on imprisonment that has lasted for more than a quarter century.

But there was steadfast agreement in the innermost circle surrounding President Reagan in 1980, a circle that included his personal lawyer, William French Smith, who became attorney general, and Reagan’s closest political adviser, Edwin Meese, who succeeded as attorney general when Smith returned to his California law practice. Both Smith and Meese believed it was time to lift what a presidential board soon called “the veil of fear over crime.” *Fear* of crime was the administration’s overriding concern.



Early in his administration Ronald Reagan appointed a presidential advisory board with the mandate to, in conjunction

with the National Institute of Justice, recommend justice system policies and research priorities. The appointees were replacements for board members selected by Jimmy Carter before he left office, some of whom filed lawsuits about their removal. The nineteen Reagan appointees consisted of a former speechwriter, campaign contributors, and criminal justice officials, as well as enduring political figures such as Mitch McConnell, presently the U.S. Senate minority leader from Kentucky. The board held hearings in Los Angeles, Atlanta, New Orleans, and Nashville, and met with police chiefs from all over the country. The experience of the board offers instructive insights into how crime policies and priorities are often advanced in America.

The president's advisory board reported finding great fear of crime wherever the members went. The board chairman reported that Attorney General Smith had walked the streets of Newark and "talked with residents and shopkeepers and heard their daily concerns about the peril in their community and threats to their lives and property." Board members visited high-crime areas of Los Angeles, where they "saw the barred windows, locked storefronts, graffiti-ridden buildings, a walled-in shopping center and felt the apprehension of the people on their streets." They found that homicide was the leading cause of death in Los Angeles, with some 1,700 criminal assaults occurring daily.

The advisory board members were convinced that fear of crime was growing and that the president urgently needed their input. They wanted to give clear voice to their concerns and recommendations. They took as the subtitle of their report "The Police, Court, and Correctional Officials Who Administer America's Criminal Justice System Speak Out for Change."

### **A Hired Pen**

Given the gravity of the topic and the circumstances, the board was determined to write a persuasive report with recommendations that would "strengthen the hand of the law in the contest with the lawless." The board took this commitment so

seriously that it decided to hire a professional writer to sharpen their message and the power of their recommendations. Their choice was Joseph Persico.

The board's choice of Persico was somewhat surprising in that he came to the task with a measure of skepticism based on his firsthand experience with Nelson Rockefeller's passage of drug laws in the state of New York. Persico later would write award-winning books about Franklin Roosevelt and the Nuremberg Trials, and he co-authored Colin Powell's autobiography. He had already displayed a capacity to write non-fiction with a best-selling biography of Nelson Rockefeller that included a chapter titled "The Imperial Governor." Persico was in an ideal position to write about Rockefeller because he had been his principal speechwriter for more than a decade and had observed firsthand the development of New York State's drug laws.

New York's drug laws were among the most punitive ever passed in the United States and have only recently been moderated. New York's laws foreshadowed Reagan's war on drugs, as reflected in an anecdote told by Persico. He recalled that Rockefeller was warned about the consequences of his punitive proposals by an adviser who presciently predicted that "the jails could not hold all the prisoners that this law would generate, and that pushers would recruit minors to carry their dope" (Persico 1982:146). I will have reason to return to this prediction later in the book. At the time, this advice had already led Persico (148) to wonder about the role of research in the development of crime policy: "Where did Nelson Rockefeller get this idea? Had penologists and jurists (like the President's Advisory Board) urged him along this course? Was it the product of professional investigation and research?"

The answer was perhaps surprising. Rockefeller had simply heard from an interested family friend about low rates of drug addiction in Japan and the use of life sentences for drug pushers in that country. The friend was William Fine, president of the Bonwit Teller department store, who had a drug-addicted

son and who chaired a city drug rehabilitation program. Rockefeller later attended a party at which Reagan asked Fine for further information about Japan's drug laws. Worried about his reputation as a liberal and his limited credentials as a crime fighter, Rockefeller diverted Reagan's request and moved swiftly ahead with his own severe state drug legislation. This gave Persico an answer to his question about the role of research in Rockefeller's crime policy: "the law under which thousands of narcotics cases would be tried in the courts of a great state had been . . . improvisation without the deadening hand of oversophisticated professionals" (Persico 1982:148).

So Persico approached the president's crime report with the skepticism of a hired pen and a disillusioned political speechwriter, yet he also brought a notable writing talent to the task of drafting a presidential report. He crafted an interesting title, "Too Much Crime . . . Too Little Justice," and introduced the then innovative technique of interposing provocative quotations from members of the board as bolded sidebars throughout the report.

The recurring theme of the report was captured in a quotation from the president of the National Organization for Victims Assistance, who ominously remarked that "If there is any problem as destructive as crime, it is the fear of crime" (National Institute of Justice [NIJ] 1984:5). James K. "Skip" Stewart, the director of the National Institute of Justice, noted in his preface to the report two research literatures that channeled this fear: (1) data revealing that the majority of crimes were committed by a small minority of highly active offenders, and (2) studies challenging the value of indeterminate sentences in reducing criminal behavior. Chapter 4 shows just how important these two research sources were to a "developmental criminology" that set a foundation for crime policy during the age of Reagan. Indeed, much that has gone wrong in American criminology, and the role it has played in the formation of national crime policy, may be traced to the misguided influence of the above two areas of research.

Yet these research lines were not what focused Persico's drafting of the report to the president. Rather, the very first highlighted quotation, from Houston's police chief, in the opening chapter of the report reflected a sense of uncertainty in Persico's approach, perhaps resulting from his past experience with Rockefeller. He chose to lead in bold lettering on the first page of the report with the following overview by Houston police chief Lee Brown of the advisory board's work: "We have looked at the causation of crime from perspectives ranging from economic factors and phases of the moon to biological phenomena. . . . Do we know what we need to know? Are we asking the right questions? I am afraid at the present time we are not" (NIJ 1984:4).

The Reagan administration never allowed "Too Much Crime . . . Too Little Justice" to see the public light of day. Although the Institute used its own budget to print more than a thousand copies of the report, which were dramatically bound in a dark, blood red cover, these copies of the report never left the loading dock for distribution. At the last moment, someone in the Department of Justice halted the release of the report. The only bound copy I was able to find is preserved in the collected papers of Joseph Persico at the State University of Albany Library. The board quietly went out of existence when the Reagan administration passed the Anti-Drug Abuse Act of 1986.

### **Too Much Crime . . . Too Little Justice**

Why would the work of nineteen prominent Americans and a talented professional writer on a topic as important as serious and violent crime have been suppressed when the work was already completed and the report was bound and ready for public distribution? Joseph Persico's answer is perhaps discernible from his reaction to his own exposure to Governor Nelson Rockefeller's earlier development of drug enforcement policy. Persico (1982:149) writes:

I never fully understood the psychological milieu in which the chain of errors in Vietnam was forged until I became involved in the Rockefeller drug proposal. This experience brought to life with stunning palpability psychologist Irving Janis' description of group think: "the concurrence-seeking tendency which fosters over-optimism, lack of vigilance and sloganistic thinking about the weakness and immorality of outgroups."

It may have been the déjà vu nature of this experience that framed Persico's writing of the president's report. It was probably the uncertain tone and content of the report that caused Reagan's Justice Department to block its distribution.

In bold contrast to the report, there was stirring certainty to Ronald Reagan's message to the voting public about crime. Reagan voiced a strong conviction that there was altogether Too Much Crime, just as the title of the report indicated. But the subtitle, "Too Little Justice," sounded a note of fatal ambiguity. Was there too little justice for the victims? Or was it also, or alternatively, too little justice for the defendants accused of the crimes? Or was the problem the taxes paid by the public for the justice system? The report signaled uncertainty from the outset, admitting that "traditional approaches—the addition of more police, detective work, more judges, probation, parole and rehabilitation—as commonly practiced—have not been proven substantially effective in preventing crimes, solving crimes or weaning repeat offenders from a life of crime" (NIJ 1984:4).

Furthermore, the report acknowledged that U.S. prisons were already extremely costly and overcrowded. The number of Americans imprisoned had more than doubled over the previous decade, and the report lauded certain jurisdictions in which "prison crowding [had been] reduced through research-inspired management innovations." The advisory board probably could not have imagined that the number of Americans

in prison would more than quadruple over the next several decades, but the board members were already worried about the financial if not human costs of a growing reliance on imprisonment. The report was fundamentally uncertain about what to do about this situation. This uncertainty undermined the administration's strong views and "can do" message about crime control.

The report looked to further research for its answers to the crime problem and placed its greatest emphasis on the work of Alfred Blumstein, who would later become president of the American Society of Criminology. Blumstein became the age of Reagan's most influential criminologist, but he also later became one of the most quoted critics of the policies of this era. Blumstein was an operations researcher with a background in the use of engineering principles to organize and conduct major social and governmental programs. He had worked on planning for the Vietnam War and had played a prominent scientific advisory role in the earlier Johnson administration's presidential commission, named for its topic, *The Challenge of Crime in a Free Society*. I briefly introduce Blumstein's approach here and then discuss it more fully in later chapters.

The aspect of Alfred Blumstein's research agenda (Blumstein, Cohen, and Nagin 1978; Blumstein et al. 1986) that captured the advisory board's hopes involved the concept of the "career criminal" and Blumstein's broader interest in the study of criminal careers. The board was encouraged but also frustrated by the perceived promise of this research agenda. It found that

We are presently refining, through research, possibly the best crime-fighting tool available—a capacity to identify the minority of career criminals who commit the majority of crimes. Yet, too many police forces, prosecutors, judges and parole authorities still lack the resources to put this tool to work and thus concentrate on these one-person crime waves. (NIJ 1984:4)

The board blamed the unrealized potential of career criminal research to reduce crime on poor coordination in the justice system. The board saw the losers in this situation as the victims of crime who were “pawns of the judicial process” and whose rights “are subordinated to the rights—even the convenience—of their victimizers.”

All of this led the board members to an uncomfortably ambiguous conclusion. They were painfully aware of prison overcrowding and escalating costs. They also knew that crime rates in the early 1980s were not actually increasing. In fact, from 1980 until 1985, American rates of serious and violent crimes declined from their previous peak level. This was the longest sustained break in rising crime rates from the early 1960s to the early 1990s. So, despite the Reagan administration's concern about crime victims, serious and violent victimization actually decreased during this president's first term in office.

Notwithstanding this period of declining street crime and a much longer and more sustained decline beginning in the early 1990s, however, rates of imprisonment in the United States uniformly and unrelentingly increased. When Joseph Persico linked his earlier experience with the Rockefeller drug laws to the present downturn in serious violent crime, he must have realized that he was a hired pen caught in a potentially contradictory predicament.

The advisory board and its writer came to a meeting of minds by placing the emphasis of the report on fear of crime rather than on crime itself. They fudged the facts by claiming crime rates were steady when they were actually falling, and they reasoned that even steady crime rates at an unacceptably high level were a source of damaging fear. Rather than use the crime decline to reduce the fear of crime, they emphasized what they discerned as a fearful spiral of community decline:

Fear of crime continues to rise even though actual crime rates have tended to be steady (at unacceptable levels). This fear by itself has produced tangible negative economic



and social costs particularly for our inner cities. Crime-wary residents and business people make decisions about where and when they will work, shop, locate, open and close stores which can hasten a declining neighborhood's descent into decay. (NIJ 1984:5)

The board worried that “despair has begun to set in that anything can be done about this condition.” The report tried to argue that a reasoned pursuit of research-led innovations could prospectively show a way to more hopeful solutions. However, for political advisors in the Reagan administration, such as Edwin Meese, this conclusion must have sounded like *Waiting for Godot*. The report never left the loading dock and has remained an essentially secret document for the past third of a century.

I argue in this book that the suppression of President Reagan's secret crime report coincided with a missed opportunity. The missed opportunity was the rationale that the downturn in crime could have provided for shifting resources away from the rapidly rising reliance on imprisonment that was still gaining momentum. However, this policy option was the “path not taken” throughout the last quarter of the twentieth century, when imprisonment increased to historically massive levels. To understand this outcome requires a better understanding of the politics of crime in America.

### **From Roosevelt to Reagan and Beyond**

There was a time when it was thought that presidential politics had little to do with crime in America. Most crimes were prosecuted under state laws and in state and municipal courts, with those convicted of the crimes then sent to local and state jails. However, Jonathan Simon (2007) argues that this began to change during the Great Depression and with the election of Franklin Roosevelt. Even earlier, perhaps beginning most obviously with the national passage of Prohibition nearly a

century ago, crime became an increasingly important focus of federal as well as local politics.

In his book, *Governing Through Crime* (2007), Simon argues that crime, and even more so the fear of crime, is today the defining problem of government. Indeed, Simon goes so far as to say that the federal role of the U.S. attorney and his leadership of the Department of Justice has become the late modern equivalent of what the Department of Defense was during the cold war: "the agency within . . . the federal government that most naturally provided a dominant rationale of government through which other efforts must be articulated and coordinated" (45).

As I show in this book, the scholarly understanding of crime is closely tied to the politics of crime in the two respectively progressive and more conservative eras that I call the age of Roosevelt (1933–73) and the age of Reagan (1974–). The modern classical theories of crime, which I take up in chapter 3, mostly evolved during the rather persistently progressive age of Roosevelt, while a more recent and dominant form of "developmental criminology," discussed in chapter 4, emerged during the more conservative age of Reagan. To be sure, there are preludes and postludes to both of these eras, and our categorization runs some risks of overgeneralization. Still, there is considerable value in organizing our understanding of the evolution of modern American criminology over much of the past century along this political fault line.

### **The Age of Roosevelt**

I will have more to say in this book about the age of Reagan than the age of Roosevelt, but it is important to understand the earlier period too, in part because Ronald Reagan began his own political life in the movie industry's union politics of the late Roosevelt era. In chapter 2, I discuss the major increase in the national government role with regard to crime control that began in response to immigration during the Prohibition era.

Then as now, immigration was an important “hot button” issue that was linked in the public mind and in stereotypes with crime. Here it is enough to say that Prohibition unlocked a door that Franklin Roosevelt opened more widely with his New Deal agenda during the Great Depression.

Roosevelt’s first attorney general, Homer Cummings, played a major role that began with a crime conference in 1934. Roosevelt (1934:17–18) may have been the first president to use the “war on crime” metaphor at this conference. He asked the participants to help mount a “major offensive” in “our constant struggle to safeguard ourselves against the attacks of the lawless and the criminal elements of our population.”

Roosevelt was signaling his willingness to use law enforcement and the justice system as part of his economic recovery effort. He saw that the law itself could be a valuable weapon, to be used against the “banksters” in the suites as well as against the “gangsters” on the streets. (I discuss the use of framed images in apposition in chapters 5 and 6.) Roosevelt encouraged Attorney General Cummings to use the law both as a symbol and as an instrument for change, the latter use manifested in the Securities Act of 1933, the Glass-Steagall Act of 1933, and the Securities Exchange Act of 1934. Roosevelt also worked closely with Cummings to pack the Supreme Court in defense of his New Deal legislation.

If Prohibition was the criminal law prelude to the age of Roosevelt, the role of Robert Kennedy as attorney general in the Kennedy and Johnson administrations was the postlude. The bold stroke with which John Kennedy would choose his brother as attorney general was itself an indication of the importance he assigned to this office. We will see in chapter 3 that Robert Kennedy’s involvement in the Mobilization for Youth program was an outgrowth of a “differential opportunity theory of crime,” and his advocacy of bail reform was a further building block in the War on Poverty, which focused many of the most progressive hopes of the Kennedy and Johnson administrations.

As attorney general, Robert Kennedy oversaw passage of the 1964 Criminal Justice Act and the establishment of an Office on Criminal Justice. This office was responsible for advancing fairness in the justice system and provided for a public defender system. Simon (2007:52) argues that more than any of his predecessors, notably beginning with Roosevelt and Cummings, “Kennedy made the attorney general ‘America’s prosecutor.’”

### **The Age of Reagan**

Although Richard Nixon is the figure that overlaps and connects the ages of Roosevelt and Reagan, his importance pales in comparison with Ronald Reagan’s. The Princeton historian Sean Wilentz (2008) is the source of the argument about the distinctiveness of Reagan and persuasive in regarding this expansive era as lasting from 1974 to 2008. Wilentz emphasizes the links that extend from Nixon through Reagan to the subsequent Bush father and son presidencies and even to Bill Clinton, but he also sees distinctions. As Wilentz remarks, “Reagan, a committed ideological conservative, attempted to push American government and politics in a more decisive direction than Nixon did—and far more so than his chief Republican rival in 1980, George H. W. Bush, would in later years” (5). Of course, Wilentz’s point is that Ronald Reagan’s influence was not only unique but also long-lasting.

The view that Wilentz further provides of the illegalities of the Reagan administration adds perspective to our argument that Reagan is a key figure in the U.S. crime experience. The importance Wilentz attaches to abuses of law in the age of Reagan stems from a worldview that stressed the political uses of threat, risk, and fear:

The Reagan White House established a pattern of disregard for the law as anything other than an ideological or partisan tool. Laws that advanced the interests of the administration were passed and heeded; those that did not

were ignored, undermined, or (if necessary) violated. The administration's sorry record of corruption, partisan favoritism, and influence peddling stemmed in part from the shabby venality that is inherent in human affairs. But it also stemmed from an arrogance born of the same ideological zealotry that propelled . . . the belief that, in a world eternally 'at risk,' the true believers must take matters into their own hands and execute. The rule of law, by those lights, would always be subordinated to, and as far as possible aligned with, the rule of politics. (286)

I spell out in chapter 5 the consequences of this worldview for more ordinary street crime, and then in chapter 6 for the interconnected crimes of financial and political elites. Thus, the age of Reagan was a turning point in how the United States regarded and punished crime that would prove costly for years to come.

Nixon's presidency was clearly a prelude to the age of Reagan. Nixon's attention to the crime issue is commonly seen as an example of "backlash" politics and an early part of the culture wars (see also Garland 2001). However, Vesla Weaver (2007) argues that the transition to a new era, especially in relation to crime control, actually began even earlier, in the Johnson administration's efforts to co-opt the angry responses of many increasingly conservative Americans to the black activism and ghetto rebellions of the late 1960s (see also Gottschalk 2006). Weaver calls this a "frontlash" stage in the changing politics of crime in the United States. A signal of this change was that although President Johnson began by supporting Robert Kennedy's reforms and making them integral to his War on Poverty, Johnson later launched his own more punitive War on Crime.

Johnson, ironically, was led to a punitive response to crime in the aftermath of his 1964 electoral victory over Barry Goldwater and Goldwater's "law and order" campaign (Beckett 1997). Johnson attempted to co-opt the law and order attack on

his own presidency, which refused to disappear with Goldwater's defeat. The most important of Johnson's efforts was the creation of the Law Enforcement Assistance Administration (LEAA), which at least in part was also a response to a growing organized movement by and for crime victims in the United States (Gottschalk 2006).

Malcolm Feeley (2003; Feeley and Sarat 1980) explains that the importance of the LEAA was that it set the foundation for federal aid to state and local law enforcement, indirectly and dramatically expanding the federal role in crime control. The effect of this new federal program and the legal bureaucracy it created was to mute critics of Johnson's support for civil rights legislation. Critics claimed there were connections between this support for civil rights laws and the black power movement and ghetto riots, as well as links to increases in African American involvement in crime in the late 1960s. One quarter of the first year of funding from the LEAA was for state and local control of race-linked riots and civil disturbances, while the overall LEAA budget grew from about \$100 million to nearly \$700 million by 1972 (Schoenfeld 2009).

An irony of Johnson's War on Crime was its unanticipated effect on official crime rates and the following Nixon administration's attempts to pick up on the law and order theme. Nixon delivered strongly worded speeches on the topic of law and order during his 1968 presidential campaign. He attacked the progressive perspective on the root causes of crime in a "Freedom from Fear" position paper that argued, "we cannot explain away crime in this country by charging it off to poverty" (cited in Weaver 2007:259). Meanwhile, Johnson's new LEAA grants to states and local governments had created incentives for these governments to actually inflate their crime statistics in bolstering their claims for assistance.

A result of the new incentives was that official crime rates kept increasing when Richard Nixon was elected president. Nixon's attorney general, John Mitchell, eventually was forced to diffuse the law and order issue in the Nixon years by calling

the increases a “paper crime wave.” The fact was that crime rates were substantially higher when Nixon left office than when he entered. A further irony was that this was also true for Ronald Reagan, who left California and the nation with crime rates that were rising rather than falling.

Like Nelson Rockefeller, who entered political life as governor of New York, Ronald Reagan launched his career as governor of California. He arguably defeated the incumbent governor Pat Brown in 1966 with his stand in favor of the death penalty. Jonathan Simon (2007) speculates that a reason why governors have done so well recently in American presidential politics is the unique involvement they have in the use of the death penalty.

When the Supreme Court nullified all existing death penalties in the 1972 *Furman v. Georgia* case, state governors had the opportunity to become instrumental in passing and enforcing new state death penalty statutes. Pat Brown had imposed the death penalty in California but also opposed it on religious and moral grounds. Reagan responded that Brown was valuing cold-blooded killers’ lives over their victims’ lives. This may have been Reagan’s first taste of the possibilities of what Simon calls “governing through crime,” or more specifically governing through the fear of crime (see also Savelsberg, King, and Cleveland 2002; Scheingold 1984).

Reagan picked Edwin Meese, a California district attorney, first as his closest political adviser and later as his attorney general. Meese was already a veteran crime warrior when Reagan began to rely on his advice in California. His initial attraction for Reagan was his reputation in the 1960s for fighting University of California student radicals and ghetto activists. During Reagan’s governorship, Meese helped shut down the work of radical scholars and students at the University of California’s School of Criminology. During the Reagan presidency, Meese led fights against defendants’ rights and successfully reduced constitutional protections for defendants. Meese also spearheaded legislation increasing the role of victims in the criminal justice system and focusing on organized crime.

Yet much of Reagan's approach to governing through crime was more subtle and covert than Meese's frontal assaults on the Supreme Court and the Constitution (Garland 2001). These efforts also involved Meese, for example, in the Iran–Contra arms affair, which entailed ignoring the smuggling of cocaine into the United States, and in the passage of criminal sentencing guidelines that mandated extreme penalties for the possession of crack cocaine, ratcheting up mass incarceration for years to follow.

The latter sentencing guidelines were part of an omnibus crime bill, passed in 1988, that included death sentences for murder resulting from large-scale illegal drug dealing. The law was expanded in 1994 during the Clinton administration to cover dozens more crimes, many of them drug-related or violent. The reach of these laws beyond Reagan's presidency, and the willingness of Clinton Democrats to govern through the death penalty, is consistent with Wilentz's argument that the age of Reagan lasted through both of the Bush and the Clinton presidencies and at least until 2008. Clinton so closely heeded lessons from the age of Reagan on crime and the death penalty that he famously interrupted the 1992 New Hampshire primary campaign and returned to Arkansas to oversee as governor the execution of a prisoner with diminished mental capacities for the murder of a policeman.

Another lesson from the age of Reagan is that the forces of popular outrage and moral panic, once unleashed, are hard to tame. Even politicians who might wish to contain and reduce the outrage and panic feel their self-fulfilling fury. President Reagan seemed bent on sustaining this fear even as he was leaving office, lamenting, "There can be no economic revival of the ghettos when the most violent ones are allowed to roam free" (1985).

Savelsberg (1994) reminds criminologists that the government funding of research that began in earnest with the LEAA and continues today creates self-reinforcing tendencies. He reminds us that "public opinion polls and speeches of politicians reinforced each other once the punitive trend had gotten under



way" (939) and that "when research is funded by political agencies, which to a large degree is the case in criminology and criminal justice studies, then it is rather likely that academically produced knowledge will follow political knowledge" (934). This point is explored further in chapter 4.

The links between and among public opinion, politics, and the funding of criminology in the United States are longlasting. The public hostility and fear that today still feed punitive penal policies spiked in the 1970s and have continued, with only a slight recent moderation that has not undone persistent support for the death penalty and the public sense often noted in opinion polls that "local courts are too lenient" (Savelsberg 1994). Neither politicians nor criminologists can ignore the recurring feedback effects of these punitive attitudes.

John Sutton (2000) has identified the distinctively American nature of our punitive politics. He notes that the United States has a highly fragmented and decentralized governing structure—a form of federalism that is intensely political, local, and particularistic. A salient manifestation of this structure is that local judges and prosecutors must constantly receive the renewed approval of voters, and this approval requires sensitivity to fearful and often panicked public responses to crime. One nationally famous American politician, Speaker of the House and Democratic congressman Tip O'Neill, made this truth iconic in his aptly titled memoir, *All Politics Is Local* (1994). O'Neill ratcheted up a longlasting national punitive response to crack cocaine with just such a localized response to the highly publicized death of a hometown Boston basketball player. Often local events resonate on a wider national stage and are a source of a broad moral consensus that responds to latent and more widely shared fears. The age of Reagan was an ongoing exercise in the recirculation of locally felt truths through more broadly projected symbols intended to recreate a sense of the "shining city on the hill" in our national life.

These were not new ideas: they date as far back as John Winthrop's God-inspired vision of building the "city on the

hill" and Beaumont and Tocqueville's (1833) argument, in their observations on the American penitentiary system, that America's localized politics and its historical obsession with punishment were two sides of the same sword used to enforce these visions. Reagan himself insisted on this moral linkage between the local and the national in one of his most famous early speeches. His formula was not complicated: "There is a simple answer—not an easy answer—but simple: if you and I have the courage to tell our elected officials that we want our national policy based on what we know in our heart is morally right" (Reagan 1964).

### **What Presidents and the Public Need to Know**

Ronald Reagan was not a man to allow factual ambiguities or uncertainties to interfere with the development of his artfully crafted rhetorical images. Instead, Reagan was preoccupied with the persuasive expression of the lofty images that he created. His gift was communicating inspirational messages. He was the "Great Communicator," best known for his mystical references to a "new morning in America" and to the ideal of America as the "shining city on the hill." Ideological purity and clarity took priority over factual accuracy or certainty.

For Reagan, too-close attention to the facts and their explanation could lead, for example, to the kind of "malaise" about energy conservation that contributed to the unpopularity of the prior Carter administration. Resistance to fact-based policy-making was a challenge for the board that President Reagan appointed to advise him about crime policy. The board's charge was to frame an overarching crime policy. It wound up posing questions about the kinds of policies that Ronald Reagan and Edwin Meese brought with them to the White House based on their prior experiences in California.

Most challenging for the advisory board was that crime unexpectedly began to decline even before the new administration took office. The result was that at a crucial moment in the age of Reagan, a presidential advisory board chose to ignore

the fact of declining crime rates and to justify its policy prescriptions on a more ambiguous and uncertain *fear* of crime rather than on crime itself. The advisory board mimicked the fear-driven choices of the president, and with consequences that remain highly counterproductive for American society.

This book tells the story of how the age of Reagan led to a realignment of priorities from the age of Roosevelt, leading simultaneously to more severe punishment of street crime and deregulation of the financial sector. The result was a major redistribution of risk and regulation in American life. American minorities and the poor lost in several ways: they were prosecuted and incarcerated for street crimes at massively increased rates, and they were victimized by evolving forms of financial manipulation, including subprime mortgage lending and similar kinds of lending arrangements for credit cards, cars, and the like. The unsustainable subprime mortgage lending and resulting defaults and foreclosures disproportionately affected minority neighborhood homeowners and counteracted efforts to reduce street crime by stabilizing minority neighborhoods.

Policies of the age of Reagan imposed a fundamental realignment of conceptions of the “good” and the “bad” in American life. As this era, and more specifically the Reagan administration, vilified risk-taking on our city streets, it simultaneously valorized risk-taking in our nation’s financial suites. The consequences of these policies continue to unfold in growing evidence of carceral and community socioeconomic inequality. I argue that we need to more fully appraise and analyze the consequences of these policies in the streets and the suites in terms of their co-dependency, and that when we do this we can begin to see more fully the unequal redistributive effects of the age of Reagan in American life.

In the following chapters, I trace the political and racial roots of the realignment of the regulation of street and suite crimes to the early years of the age of Reagan and to the election campaign of Ronald Reagan as governor of California in

1966. I show that many policies and consequences of the age of Reagan that realigned the criminal control of city streets and simultaneously deregulated the financial suites remain in place today, and that the age of Reagan aroused perhaps surprisingly robust sources of bipartisan political support that have made the influence of this era longlasting.

My analysis poses questions about possibilities and responsibilities that extend beyond the age of Reagan. The age of Roosevelt challenged narrow ideas about street crime with broadened images of financial crimes and passage of legislation such as the Securities and Exchange Commission Act. We will see that the Congress of this era challenged bankers with hearings and legislation, and that many bankers faced both criminal and civil prosecutions when their banks failed.

It is still possible to reframe our understanding of the streets and the suites, and I argue that a key to doing so is to analyze and emphasize the link between the two. My argument is that a new cycle of reform can rebalance the ledgers of the twenty-first century by reconsidering our conceptions of the feared and the fearless in our city streets and corporate suites. I propose a critical collective framing perspective as an explanatory pathway toward this goal and toward a renewal of crime theory beyond the age of Reagan.

Crime policy often thrives on fear, and the focus of President Reagan's advisory board on the fear of crime therefore may have been predictable. Yet although the fear of crime is common and may even be inevitable, the costs of feeding this fear with steadily increasing reliance on imprisonment should by now be apparent to criminologists and citizens alike. President Reagan and his advisers already knew what they wanted to do when they assumed office. They wanted to attend to victims of street crimes, crack down on drugs and organized crime through more severe sentences, compel judges to restrict defendants' rights, and get on with their punishment. They did not need or want an overarching plan that raised as many

questions as it answered. The president's crime report was dead even before its arrival. This book is about why the nation deserves better than it got from this board, and more broadly from the age of Reagan policies that persist in the United States.