

# Huckabee Hysteria

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by Dr. G. Terry Madonna and Dr. Michael Young

Huckabee hysteria! What else can you call it?

Nine years after a dubious decision that eventually freed future cop killer, Maurice Clemmons, the once and no longer future presidential candidate is taking his lumps. All hell has broken loose for the former Baptist minister, and the raging political fire threatens to melt away Huckabee's chances for a second run for president - in 2012 or ever.

Huckabee's problem? Does the name Willie Horton sound familiar? Horton was the violent convict furloughed from prison under then Massachusetts Governor Mike Dukakis. Once out, Horton committed several heinous crimes. Dukakis's strong support of the furlough program became an issue in the 1988 presidential campaign. Many believe it cost Dukakis the race.

Nor was the Dukakis experience unique in American politics. Many other state and federal political candidates have been attacked for being "soft on crime" or "not tough enough on criminals." In 1994 the Pennsylvania gubernatorial election may have turned on such an issue. Democrat Mark Singel lost political support - and maybe the election - when he was implicated in the parole of convicted murderer Reginald McFadden who went on to rape and murder again after his release.

As for Mike Huckabee, scholar Robert Dixon summed up for the *Washington Post* all that probably needs to be said about his presidential chances. If Huckabee ran, "The Willie Horton-style ad would be on every channel, on every cable news venue, on every billboard. Mr. Huckabee's political career is now toast." *New York Times* op-ed writer Tim Egan was even gloomier: "If this case does not sink the presidential aspirations of Huckabee...it should."

So, it looks like there will be one less presidential candidate on the hustings in 2012. If you like Huckabee, it's a loss. If not, does it really matter?

And besides he probably did make a bad call - just as did Dukakis and Singel. They left some very bad guys out who did some very bad things. What's wrong with holding these politicians accountable?

Not a thing. Holding our politicians accountable is something we need to do more of, not less. And certainly problems pervade the criminal justice system. Indeed Americans probably spend more on criminal justice and get less for it than any other country in the world.

And that's the problem. In the penetrating phrasing of criminal justice scholar Scott **Thornsley**, we have been "tough on crime" but not "smart on crime." The nation has been scammed by an entire generation of politicians who have promised that we can feel safer and be safer if we just get tough on crime by instituting mandatory sentencing, locking up more people for more things, and locking them up for as long as we can.

And we've been taught contempt for any politician, like Huckabee, like Dukakis, like Singel, et al., who try, however imperfectly, to navigate through the morass of uninformed ideas and plain wrong-headed notions that make up contemporary public opinion on criminal justice.

The Huckabee brouhaha only makes it worse. In its wake, American politicians are going to be even less likely to seek creative solutions to the burgeoning problem of overcrowded jails, even more likely to continue to propound the mindless solutions that have left us one of the least safe countries on the planet, and even more afraid to tell the American people the truth about their criminal justice system.

And what is the truth? There are many truths here, all troubling:

- The truth is the United States has both the highest incarceration rate and the highest prison population in the world.
- The truth is that mistakes like Huckabee's involving a dangerous convict will happen. Life is unpredictable and despite what some politicians promise, we cannot be completely safe from crime or criminals. Too often; however, our legislators react to these tragedies with robotic responses that only make a bad situation worse.
- The truth is that we are locking up too many low risk and nonviolent offenders. *The National Journal* reports that we have jailed 2.3 million, about half for nonviolent crimes, including about 500,000 locked up for nonviolent drug offenses.
- The truth is that mandatory sentencing - while certainly appropriate for violent and vicious predators - more often represents a knee jerk reaction by pandering politicians seeking to ingratiate themselves with frightened voters. In one state alone, Pennsylvania, over a 10 year period, some 100 laws were passed providing mandatory sentences for specific crimes.
- The truth is that current policy is virtually bankrupting state budgets that provide the lion's share of the funding for prosecuting crime and maintaining prisons.

These truths are politically unpalatable to many. So instead of dealing with them, we prefer to obsess about exceptional cases like Huckabee's. Worse than obsessing on them, we make criminal justice policy predicated upon them, locking away far too many people, dangerously overcrowding our jails, and virtually wrecking state and local government budgets in the process.

This ultimately is the bitter fruit we continue to harvest from the way criminal justice policy is made today. Mike Huckabee didn't intend to remind us of that. But he did.

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