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Crime & punishment

By Joseph Sabino Mistick

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When Buffalo Springfield sang the lyrics, "There's something happening here, what it is ain't exactly clear," the group could have been describing much of today's life.

There are senseless wars, constant threats and inexplicable acts of violence.

And while the international tragedy *du jour* has been commanding our thoughts, plain old-fashioned domestic crime continues its steady and inexorable march through our neighborhoods.

It is no wonder that the world's woes seem so unmanageable. Daily life among our friends and neighbors careens out of control with alarming regularity. And even if terrorism and war seem impervious to solution, there is some hope that we are finally on the right track when it comes to garden-variety crime.

The National Center for State Courts, based in Williamsburg, Va., recently presented the results of its Sentencing Attitudes Study at the gathering of the National Association of Sentencing Commissions in Philadelphia.

One thing is clear: The good old "lock-them-all-up-and-throw-away-the-key" crowd no longer holds sway as it once did.

Most Americans -- feeling beset by trouble from every direction -- still believe that crime is on the increase despite a general decline over the last 10 years. Many are not aware that the percentage of incarcerated Americans leads the world.

A skin-deep culture of anxiety abounds.

But if you dig deeper, Americans are neither too soft nor too hard on criminals as a general group. Americans, instead, have developed a discernment regarding crime and punishment that presents an opportunity for more effective public policy than ever before.

The NCSC national survey shows that nearly 80 percent of Americans believe that many criminals have the ability to turn their lives around. Whether this is rooted in a deep belief in redemption or is just further proof that "hope springs eternal," it may grease the skids for innovative sentencing policies.

Only about 10 percent of those surveyed indicated that they had no stomach at all for these rehabilitative strategies. Sometimes nothing satisfies like vengeance, but if that is all you want, you are sure to see the same criminal again and again.

More than 60 percent favored a menu of prison alternatives. These include compensation for victims, treatment for mentally ill offenders, treatment for offenders under 25 and mandatory education and job training. Nearly 75 percent would rather see their tax dollars spent on treatment and jobs instead of new prisons.

There is no doubt that the public wisely remains dedicated to treating violent criminals harshly. Research confirms this is successful and cost-effective. But for the nonviolent criminal, we seem to be in an age of social enlightenment.

The good news here is that public sentiment is usually the carrot on the stick at the front end of new public policy. When lawmakers listen to their constituents, the ship of state begins to turn.

As more offenders are successfully returned to our communities -- at a lower cost than imprisonment -- more money will be available for genuine crime prevention.

As the 16th century Dutch theologian Desiderius Erasmus stated, "Prevention is better than cure."

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