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Top Buzzwords for 1994: Death Penalty

The massacre on the Long Island Rail Road last week kicked off New York's 1994 gubernatorial campaign. Crime and punishment will be to New York's electorate what taxes were to New Jersey voters in 1993. Since the tragedy in Garden City, politicians have flooded the public with proposals for gun licensing, taxes on ammunition, police on commuter trains, and that old favorite, the death penalty. Although the death penalty doesn't automatically reduce crime, capital punishment is gaining favor among New Yorkers frustrated with the criminal justice system's inability to control the spread of violence. Revenge has replaced deterrence as the new rationale for the death penalty. It is the ultimate quick fix - a solution that eliminates the problem, provides an outlet for anger and avoids the high cost of maintaining prisoners.

Gov. Mario Cuomo's thoughtful and intelligent opposition to capital punishment will be Republicans' chief campaign weapon in 1994. No other politician in the state - or even the nation - has been so unambiguous and consistent in opposing the death penalty.

As an alternative, Cuomo advocates life imprisonment without any possibility of parole. The State Legislature has refused to support the governor's position, since if it did, the death penalty would be neutralized as a political issue. Meanwhile, the governor has expanded the state's prison system while successfully making his opposition to the death penalty a sign of true machismo. Cuomo is also experienced in running against opponents who try to use the death penalty against him, as Ed Koch did - without success - in the 1982 gubernatorial primary.

In upstate New York, the criminal justice system has actually become a source of job creation. Prisons provide full-time employment for high school graduates and are often "growth industries" in towns that cannot attract private investment. Ironically, the dollars that New York City spends to hire more police often flow to suburbia where many officers live, while the state's investment in prisons favors rural areas. No wonder New York City has a projected deficit of almost \$2 billion! We don't even reap the economic benefits of crime-fighting expenditures.

If the governor does run for a fourth term, Republican and Conservative challengers may follow Sen. Al D'Amato's lead and campaign for the death penalty, since there is no issue of greater salience today. The problem the nation faces is that many of the old approaches to punishment - penal colonies, stockades and banishment - are not viable. And new solutions aren't on the horizon.

Just as it is difficult for government to remove hardened criminals permanently from society, private citizens find it impossible to insulate themselves from killers, kidnapers and rapists. The

uproar over the Garden City murders is not due to the race of the alleged killer, but to the site of the crime. Parks, schools and living rooms have traditionally been considered sacred soil, where we can put our psychic antennae down and feel free from fear. The bombing of the World Trade Center added office buildings to the roster of places that no longer are safe. With last Tuesday's massacre, we can now add commuter railroads to the list. And the clamor over New York City's squeegee people reflects the loss of security that used to come with driving a car. The squeegee people have managed to break the hermetic seal of the automobile, making it feel just as dangerous as a subway station teeming with panhandlers.

So, what are we to do? The 1994 gubernatorial race will be a fight over ways to reduce crime. Politicians are searching for solutions such as this week's cure, tougher gun licensing. But will borrowing the family gun become as commonplace as using the family car? For New Yorkers, the family value that counts most is family safety. The winner of next year's election will be the candidate who can best reduce - or worse, exploit people's fears.

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