

Campaign 2008

- News & Politics
- Arts & Life
- Business & Tech
- Health & Science
- Style & Shopping
- Travel & Food
- Sports
- Slate on NPR
- Video

Disable Flyout

BizBox Promo OPEN

- PRINT
- DISCUSS
- E-MAIL
- RECOMMEND
- NEWSLETTERS
- PODCASTS
- RSS

Sponsored Links

Artery Clearing Secret

Hugh Downs reports on breakthrough from Nobel Prize Winning Doctor
Healthsecrets.com

"Prepare To Be Shocked"

Amazing Chinese Weight Loss Secret. As Seen On CNN, NBC, CBS & Fox News.
www.Wu-YiSource.com

Obama Campaign Website

Sign-up Now for Invitations to Barack Obama Campaign Events. Join Us!
BarackObama.com

I HATE the Dentist

I found you can whiten your teeth PROFESSIONALLY at home and save \$\$\$!
WhiteningReview.com

"Your Credit Score Stinks!"

A good credit score is 700+. View yours online instantly now, FREE.
www.CreditReportAme...

Buy a link here

JURISPRUDENCE: THE LAW, LAWYERS, AND THE COURT.

Bad Cop

WHY OBAMA IS GETTING CRIMINAL JUSTICE POLICY WRONG.

By Radley Balko

Posted Monday, Oct. 6, 2008, at 3:57 PM ET



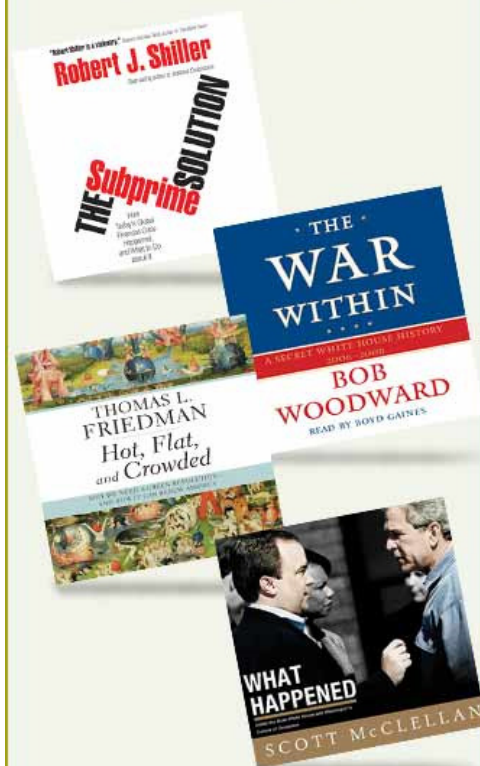
A rally against 1999's massive drug bust in Tulia, Texas

When Sen. Barack Obama expressed concern early in the primary season that there are more young black men in prison than in college, he raised hope that he might be the first major-party candidate in a generation to adopt a more nuanced criminal policy than the typical "longer sentences, more prisons, more cops." As it turns out, Obama **was wrong on the numbers**. But the sentiment was right—one in nine black men between the ages of 20 and 34 **is currently behind bars**.

Obama has also heartened advocates for criminal justice reform by expressing reservations **about mandatory minimum sentences**, at least for nonviolent offenders. He said he would **end federal raids** on medical marijuana dispensaries in states where they're legal. And he has expressed some welcome dismay about America's incarceration rate, which is the highest in the world.

But in the last month, Obama's line on criminal justice has been a lot less encouraging. His running mate selection of Joe Biden, long one of the Senate's **most strident crime hawks** and **staunchest drug warriors**, was telling. Since the vice-presidential pick, Obama and Biden have embraced criminal justice policies geared toward a larger federal presence in law enforcement, a trend that started in the Nixon administration and that has skewed local police priorities toward the slogan-based crime policies of Congress, like "more arrests" and "stop coddling criminals."

Download a FREE audiobook today!



audible.com®

Learn More

ALSO IN SLATE



NEWS & POLITICS
If You Care So Much About Israel, Stop Talking About It



ARTS & LIFE
What Red Dawn Can Teach Us About the Iraq War


TRAVEL & FOOD

**GROW FAST =
GROW GREEN**
Find out how
on BizBooks.



Join us Oct. 9
at 3 p.m. ET for an
online conversation
with Scott Cooney,
author of
*Build a Green
Small Business*.

THE BIG MONEY
From Slate



SRI Stock Screener
Build your own
ethical portfolio.

[LEARN MORE >>](#)

MORE
JURISPRUDENCE
COLUMNS

Bad Cop

Why Obama is getting
criminal justice policy
wrong.

Radley Balko
posted Oct. 6, 2008

Ten To Toss

Readers nominate the
10th Bush order that
the next president
should scrap.

Emily Bazelon
posted Oct. 3, 2008

**Where the Trail
Leads Next**

What does the
inspector general's
report on U.S.
attorney firings really
mean for the Justice
Department?

Dahlia Lithwick
posted Sept. 29, 2008

**The Downsides of
Diversity**

What Clarence
Thomas might have to
say about Sarah
Palin.

Dahlia Lithwick
posted Sept. 27, 2008

**All for a Brookstone
Massage Chair?**

Ted Stevens on trial.
Charles Homans
posted Sept. 26, 2008

**Search for more
Jurisprudence
articles**

**Subscribe to the
Jurisprudence**

In particular, Biden and Obama have promised to beef up two federal grant programs critics say have exacerbated many of the very problems Obama expressed concern about earlier in the primaries. Obama and Biden's position shows an unwillingness to think critically about criminal justice. They are opting instead for the reflexive belief that more federal involvement is always preferable to less.

The first program Obama wants to revive is President Clinton's Community Oriented Policing Services, which provides federal grants to local police departments. Biden sponsored Clinton's 1994 crime bill initiating COPS and has boasted since then that the bill was responsible for the dramatic 15-year drop in violent crime that began in the early 1990s. The Bush administration began phasing out the program in 2002.

To be sure, most criminologists think community policing is a good idea. It gets cops out walking the beat in the neighborhoods they patrol, talking with the people who live there, and generally acting like part of the communities they serve rather than mere enforcers. The idea is to avoid the more aggressive, reactionary methods of policing that have given rise to the us-vs.-them mentality that divides the police and the policed in many cities. (For fans of *The Wire*, think more Carver, less Herc.)

But there's little evidence COPS has worked, and there's some evidence it has actually encouraged police tactics completely at odds with the objectives of community policing. [A 2005 report](#) by the Government Accountability Office concluded that the program may have contributed to a minor reduction in crime—a little more than 1 percent—but at a cost of \$8 billion. A peer-reviewed study in the journal *Criminology* concluded that COPS "[had little to no effect on crime.](#)"

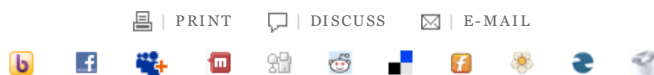
The main problem with federal block grants is that once they're issued, Congress can't monitor them to be sure they're spent properly. [And that's certainly true](#) of COPS. A 2000 report by the *Madison Times*, for example, found that COPS grants, along with a federal program through which local police departments obtain surplus military equipment from the Pentagon, led to a mass expansion of SWAT teams throughout Wisconsin in the 1990s. SWAT teams popped up in absurdly small communities like Forest County (population 9,950), Mukwonago (7,519), and Rice Lake (8,320).

And not just in Wisconsin. In a survey conducted by criminologist Peter Kraska, two-thirds of responding police chiefs said SWAT teams and paramilitary tactics "play an important role in community policing strategies."

PAGE: [1](#) [2](#) [NEXT >](#)

[BACK TO TOP](#)

[VIEW AS SINGLE PAGE](#)



Radley Balko is a senior editor for *Reason* magazine.

Photograph of the Tulia rally by Joe Raedle/Newsmakers.

JOIN THE FRAY: OUR READER DISCUSSION FORUM
What did you think of this article?

[POST A MESSAGE](#) | [READ MESSAGES](#)



Can the World's
Wackiest Chef Get
My Kid To Eat
Vegetables?



BUSINESS & TECH
Why Twitter Doesn't
Want To Make Money

THE MOST **e-mailed** | read

Subprime Suspects

The right blames the credit crisis on poor minority homeowners. This is not merely offensive, but entirely wrong.

posted Oct 7, 2008 By Daniel Gross

**Bogus Trend of the Week: Dudes
With Cats**

The New York Times' Sunday Styles section detects a new craze.

posted Oct 7, 2008 By Jack Shafer

Diagramming Sarah

Can Palin's sentences stand up to a grammarian?

posted Oct 1, 2008 By Kitty Burns Florey

Red Dawn

Its portrait of Russia is dated. Its portrait of America is timely—and terrifying.

posted Oct 8, 2008 By David Plotz

The New Complacency

Democrats relearn how to take the presidency for granted.

posted Oct 7, 2008 By Timothy Noah

the ONION

Today's Headlines

**Historical Archives: New Whimsical Tune Helps
Drown Out Cries Of Anguish**

Thu, 09 Oct 2008 00:00:00 -0400

Historical Archives: Thousands More Teeth Lost

Thu, 09 Oct 2008 03:00:00 -0400

[» More from the Onion](#)

washingtonpost.com

OPINIONS

**PostPartisan: The
Debate**

Robinson | Punch, Counterpunch

Gerson: Two McCain

SuccessesKing: Straight Out of

a Sitcom Meyerson: Old John



- Dionne: [Who Is John McCain, Really?](#)
- Ignatius: [In Praise of Complete Sentences](#)
- Parker: [Wake Me When the Debate Starts](#)
- Editorial: [Their Pre-Meltdown Mind-Set](#)

PLUS [» Walks Like a Bush, Talks Like a Bush](#)

Newsweek

RSS feed

View our complete Jurisprudence archive

FEATURED ADVERTISER LINKS

Book Marriott's breakfast deal now with Visa

T-Shirts, Custom Jerseys, Barack Obama T-Shirts

Be Prepared. Fight Identity Theft! Equifax.com

Introducing The All-New 2009 Acura TL

Sponsored Links

Artery Clearing Secret

Hugh Downs reports on breakthrough from Nobel Prize Winning Doctor
Healthsecrets.com

"Prepare To Be Shocked"

Amazing Chinese Weight Loss Secret. As Seen On CNN, NBC, CBS & Fox News.
www.Wu-YiSource.com

Obama Campaign Website

Sign-up Now for Invitations to Barack Obama Campaign Events. Join Us!
BarackObama.com

I HATE the Dentist

I found you can whiten your teeth PROFESSIONALLY at home and save \$\$!
WhiteningReview.com

[Buy a link here](#)

Today's Headlines

U.S. Faces Setbacks on Blocking Arms Sales to Iran
Wed, 08 Oct 2008 23:55:12 GMT

Technology: Can Bloggers Save the World?
Wed, 08 Oct 2008 21:57:49 GMT

Why Fewer Americans are Adopting Overseas
Sat, 04 Oct 2008 22:12:10 GMT

[» More from Newsweek](#)



Today's Headlines

Breaking News: It's Racism
Thu, 9 October 2008 0:59:42 GMT

Kind of Blue at 50
Fri, 3 October 2008 17:36:27 GMT

To Be Nina
Thu, 2 October 2008 3:50:27 GMT

[» More from The Root](#)

ALSO IN SLATE



If You Care So Much About Israel, Stop Talking About It



What Red Dawn Can Teach Us About the Iraq War



Can the World's Wackiest Chef Get My Kid To Eat Vegetables?



Why Twitter Doesn't Want To Make Money

[site map](#) | [build your own Slate](#)
[feedback](#) | [about us](#) | [help](#) | [advertise](#) | [newsletters](#) | [mobile](#)
2008 Washington Post.Newsweek Interactive Co. LLC
[User Agreement and Privacy Policy](#) | All rights reserved