

The Crime Report

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[Crime, Politics, and The 24-Hour News Cycle](#)

By Margaret Colgate Love

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For better or worse, pardons are associated with holidays, particularly Christmas. Yet this year any impulse by a president or governors to forgive may be chilled by media coverage of the Seattle coffee shop murders.

When Maurice Clemmons shot to death four law enforcement officers on the morning of November 29, the media zeroed in on Mike Huckabee's decision some ten years before, as governor of Arkansas, to commute the 108-year prison sentence that Clemmons was then serving, making him eligible for parole after 11 years in prison. Once again a sensational crime was attributed to the personal act of a politician with presidential aspirations.

Commentators (notably those sharing Huckabee's conservative views) were quick to pronounce the end of his political career. His rivals (notably several former governors) boasted of their own refusal on principle to show mercy to criminals. Not even prisoner advocates spoke up in Huckabee's defense, gloomily predicting another deep-freeze on pardoning.

Not so fast. Unlike some less able politicians in the past, Huckabee vigorously defended his decision to commute Clemmons' sentence, noting the unanimous official recommendations favoring clemency, and pointing out that there had been no indication Clemmons would later turn murderous. Huckabee made a strong case that he had acted reasonably, and even said that he would do it again in the same circumstances. Some editorial writers and columnists commendably, if somewhat belatedly, stepped forward to defend the routine exercise of clemency. Polls and blog postings suggest that many are persuaded by Huckabee's handling of the matter, both then and now.

Of greater concern than Mike Huckabee's political career, however, are the implications of the Clemmons case for long-overdue criminal justice reforms currently underway, and for the nascent revival of pardoning by a few courageous governors. The episode is a reminder of how costly America's war on crime has been for our institutions of government, and for our justice system. For the past 20 years, despite dropping crime rates and escalating prison budgets, politicians have been cautious to the point of paralysis when it comes to rolling back overbroad laws and unreasonably harsh punishments, or easing up on their enforcement.

Needless to say, pardoning does not thrive in such a climate. Presidents and most governors have found it expedient to neglect what has been described as among their toughest jobs, at a time when clemency has never been more necessary to a just system.

Journalists have played an important part in creating this climate, in which politicians live in fear of being labeled soft on crime, and it is time they owned up to it. While the public's fascination with sensational crimes tests the integrity even of the mainstream media, some greater balance could have been introduced in the reporting of the Seattle murders. Any system involving the exercise of discretion will occasionally produce a decision that can later be criticized as unwise or even irresponsible. Why not report on the overall operation of the system, rather than leap to conclusions based on the one case that went horribly wrong? Why not commend and encourage governors like those in Michigan, Ohio, and Illinois when they exercise their pardon power responsibly?

Only time will tell if the prophets of doom are right about Mike Huckabee's future in politics, or about the future of pardoning in the wake of the Clemmons case. A lot depends upon the message that elected officials take away from the episode, which in turn depends on how the issues are framed by journalists. Let us hope that this time past will not be prologue.

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