



Everything Jersey

Opinion: Gov. Chris Christie makes compelling case for denying bail to repeat offenders

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Not surprisingly, the proposal for an income tax rate cut and the forceful reiteration of the need for a dramatic and fundamental change in the state's public education system attracted most of the attention, but the more compelling part of Gov. Chris Christie's State of the State address last week was his call for denying bail to violent repeat offenders and keeping them jailed until trial.

Compelling, because it was a response to a plea from a woman who lives in Newark and who — along with her neighbors — asked the governor for help in confronting violent street crime, including gunplay, in the city.

The woman sat in the gallery in the Assembly chamber, breaking into a wide smile as the governor recounted his meeting with her and listening to her cry for help.

The usual government response would have been to empathize with her while pointing out that combating crime is a uniquely local government responsibility, arrange a meeting for her with city government and law-enforcement officials and wish her well.

Christie, though, sensed an opportunity to deliver a message of concern over rising crime rates in urban centers, and as the woman rose from her seat in the gallery to receive a standing ovation, the governor soaked up the warm reaction as well.

He destroyed, for that moment at least, the perception that government is a cold, unresponsive, uncaring group of people interested only in undertaking those things that help them remain in power or to satisfy the demands of outside special-interest pressure groups.

His response was that one person can, indeed, make a difference, that it is possible to take your fight to City Hall and come away a winner. Christie said, in effect, that government is capable of responding and, by acting decisively, can restore faith in the system.

While conceding that it may require an amendment to the constitution to revise a defendant's right to bail and subsequent release from custody, the governor seized the opportunity to rage against a system that returns violent repeat offenders to the streets, where they can commit additional crimes or intimidate witnesses against them.

By doing so, he placed himself solidly beside those like the woman from Newark, who experience firsthand the frustrations of seeing a violent criminal placed under arrest only to discover, to their shock, the person roaming the neighborhood within days.

By coupling his bail reform recommendation with an exceptionally strong and persuasive pitch for mandatory treatment and rehabilitation rather than imprisonment for nonviolent drug offenders, Christie succeeded in occupying the best of both worlds — a hard-liner on urban street crime and a compassionate and caring individual unwilling to discard individuals who can and should be helped toward a productive life.

It was a political tour de force.

The governor's bail reform recommendation will most certainly draw criticism and accusations that it is a dangerous overreach that will lead to depriving the accused — the not-yet-convicted — of his or her constitutional protections. Opponents will argue that imprisoning individuals while awaiting trial, which could easily be months or years off in the future, is an egregious civil rights violation and establishes a precedent that could be used to punish or coerce someone accused of a crime.

Christie, though, has seized the high moral ground in the debate. He will be able to cite instance after instance in which violent thugs out on bail have committed more crimes or threatened harm to those who would bear witness against them.

Giving a judge the discretion to deny bail based on the offender's history and potential for further violent behavior protects the community and may even go a long way toward easing the fear people have of stepping forward and assisting the police — a major and frustrating impediment to curbing violent crime.

In the current legislative session, the governor's tax cut proposal and his education reform package will produce controversy, political strife and heated policy debates. The 2013 gubernatorial and legislative election will never be very far from the minds of everyone involved, as both parties maneuver for an edge, the kind of advantage that could make a difference in the outcome.

This past week, though, should be remembered as a time when the lone voice of a woman from Newark was heard, seeking help for herself as well as for the people of Camden, Trenton, Jersey City or any other community where the sound of gunfire and police and emergency sirens are part of everyday life.

And government responded.

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