Campaign 2000: The Presidential Candidates on Crime Victim Issues

The next president will guide the nation’s actions on many important issues facing crime victims. With that in mind, we posed a series of questions to the six leading presidential candidates. Republican candidate Texas Governor George W. Bush and the campaign of Democratic candidate Vice President Al Gore responded. We reprint their answers verbatim as a service to our readership.

1. Some candidates have already indicated support for an amendment to the U.S. Constitution to protect the rights of crime victims. Do you believe such an amendment should be limited to victims of violent crime, as was the most recently debated proposal, or should it be extended to include all victims of crime?

Response of Governor Bush
I strongly support the Victims’ Rights Amendment. Two years ago, I joined my colleagues on the National Governors’ Association in calling for a national amendment, like the one we have in Texas and 30 other states. The language of the Texas Amendment, which I support, does not specifically limit its protection to victims of violent crime. For too long, courts and lawyers have focused only on the rights of criminal defendants and not on the rights of innocent victims. We need to make sure that crime victims are not continued on page 2

Response of Vice President Gore
Al Gore believes that all crime victims deserve a system that respects their rights, not just the rights of the criminals. Violent crime has decreased by 10 percent since 1998 and the murder rate is at its lowest point in 33 years, yet these statistics do not comfort those Americans who are victims of crime. As president, Gore would support an amendment to the U.S. Constitution to protect every crime victim’s rights. These protections include the right to be heard in the public proceedings and sentencing process, the right to have their safety continued on page 2
Victims of crime have been given rights to be notified, present, and heard at certain points during the criminal justice process in every state and at the federal level. Should crime victims be given the legal standing to enforce their rights?

Response of Governor Bush
A legal right has no meaning without a legal remedy. I fully support giving victims the standing they need to protect their rights and obtain justice through criminal convictions.

I do not agree with the Clinton-Gore Administration that the rights of crime victims should always be subordinated to the rights of criminal defendants. Unfortunately, this view reflects the way courts and lawyers have focused exclusively on the rights of their victims. It is not enough to make statements supporting victims rights, or to claim support for victims while pardoning terrorists. When President Clinton granted clemency to 16 violent FALN terrorists - without so much as consulting the victims of their 10-year bombing spree - I publicly condemned his actions. As president, I will always side with our law enforcement officials and the victims of crime over the criminals who prey off them. Those who insist on placing the rights of criminals over those of law-abiding citizens will have a determined enemy when I am elected President of the United States.

Response of Vice President Gore
Al Gore has proposed a comprehensive Crime Victim’s Bill of Rights that will, among other things, propose a Constitutional amendment to give victims the legal standing to be present at public proceedings and sentencing hearings. In addition, the Bill of Rights will strengthen the enforcement of current victim’s rights laws, provide additional funding to victim’s advocates, recruit 10,000 prosecutors and 50,000 police officers to give greater attention to each case, and ensure leave for crime victims without fear of losing their jobs.
Response of Governor Bush

I believe women should be protected from violence in all circumstances. In my first race for governor I said that we must act decisively to send the message to people who feel that abusing women is their right - that we will not accept it in our society.

As governor, I passed a tough anti-stalking law and increased penalties for domestic violence. I signed laws effectively abolishing parole for violent offenders and establishing the “two strikes and you’re out” law to protect women from sex offenders. I required better notification for victims - requiring law enforcement officials to notify victims of violence upon the offender’s release from custody. In addition, I provided for the voluntary castration of sex offenders. During my watch, funding for the Texas Family Violence Program increased by almost 85 percent.

As a result of these tough laws and a commitment to their enforcement, we achieved results. Violent crime in Texas is down 20 percent, and violent juvenile crime is down 44 percent. I know that young women can be especially vulnerable to violence in dating relationships, and, as both the president and a concerned parent, you have my solemn word that I will fight to ensure that our laws are used to protect all of America’s women from violence.

Response of Vice President Gore

Al Gore is committed to ending all forms of violence and crime against women. That is why he fought for the passage of both the Violence Against Women Act (VAWA) in 1994 and an earlier version in 1991 while in the U.S. Senate. He will continue the fight by working to reauthorize VAWA and proposing legislation to include gender-motivated crimes under the Hate Crimes Prevention Act.

When originally passed, VAWA sought to reduce crimes against women by addressing domestic violence and sexual assault. As stated in the Act, domestic violence “includes acts ... committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, [or] by a person similarly situated to a spouse of the victim.” In addition, sexual assault covers “offenders who are strangers to the victim and assaults committed by offenders who are known to the victim or related by blood or marriage to the victim.” As president, Al Gore will continue to press Congress to reauthorize VAWA in his fight to end violence against all women - no matter who the offender.
4. Elderly victims of fraud are often left destitute as a result of the crime. They may have lost a lifetime of savings, and at their advanced age be unable to work. Do you believe that there should be a federal source of financial assistance for these or other victims of fraud?

Response of Governor Bush
The best way to protect innocent victims is to fully enforce the law and ensure swift and sure punishment for criminals. There must be consequences to their actions, especially for those that prey on the elderly and vulnerable members of society.

I believe that we must make every effort to ensure that these victims of crime are made whole and that those who profit at their expense face the full force of the law. It is not enough to vigorously prosecute criminals, but to fail to vigorously fight for the restitution that is so vital to elderly victims. Today, victims suffer because criminals far too often evade efforts to collect restitution. As president, I will make sure that criminals are forced to face their full responsibility to their victims and will target programs such as the Crime Victims’ Fund and the Violence Against Women Act funds to more effectively aid victims.

Response of Vice President Gore
It is estimated that there are 14,000 illegal fraudulent telemarketing operations alone that rob U.S. citizens of at least $40 billion annually with over half of those victims age 50 or older. Al Gore believes that we must establish a new safety net for seniors who are victims of crime by increasing penalties against those who perpetrate crimes against the elderly and giving federal prosecutors new tools to fight fraud and abuse. In addition, he will shut down fraudulent telemarketers by granting the Attorney General new authority to block and terminate telephone service to those who prey illegally on the elderly and he will pass a Victim’s Bill of Rights, which includes higher limits for the Crime Victims Fund and a provision to allow victims to seek restitution from their offenders. Finally, he will continue to support and expand the 1994 Crime Bill, which included a number of anti-crime provisions designed to help and protect older Americans. As enacted by the Administration, the crime bill funded programs to help create “safety corridors” for the elderly through cooperative alliances between local sheriffs, police chiefs, and senior citizens’ organizations.

5. Apart from the criminal justice system, what do you think the federal government can do to help victims of crime rebuild their lives?

Response of Governor Bush
The best way to help victims of crime is to enforce the law and provide swift and sure punishment for criminals. This allows victims to know that they have achieved justice. It provides them with restitution they deserve. It shields them and their families from being victimized in the future by deterring crime. Overall, it helps create an environment where victims can begin to rebuild their lives in safer communities.

Response of Vice President Gore
Although Al Gore would like to see a day when there are no crime victims, he continues to fight for legislation and programs that advocate victims in the task of rebuilding their lives. If elected, he will begin by strengthening the enforcement of existing laws that advocate victims, many of which are currently ignored. He will also pass a Victim’s Bill of Rights to secure leave from work and participation in criminal proceedings so that victims are involved in continued on page 5
Bush

Crime doesn't pay in Texas, but criminals do. As governor, I have strengthened the Texas Crime Victims’ Compensation Fund, which aids innocent crime victims and their families who are dealing with the emotional, physical, and financial aftermath of crime. More than $316.8 million has been paid out to victims since the Fund was established, and more money from the Fund was paid to crime victims in 1999 than at any time in the program's 20-year history. We are aiming higher still, moving to increase the number of people eligible for help, increase the amount we can pay, and process claims even faster.

On the federal level, we can similarly provide specific help to victims through programs such as the Crime Victim’s Fund, which helps provide badly needed financial assistance to victims. Other programs such as the Violence Against Women Act funds provide critical support for victims’ services, such as counseling and victims' hot lines, and such service can be critical in both preventing crime and helping victims move forward. Federal programs also provide specific protection and services for children who have suffered from child abuse or who serve as witnesses in court proceedings.

Yet one of the most important things that the federal government can do to help victims of crime does not involve new laws or programs. Laws are nothing more than words on dry paper unless our president and officials are committed to enforcing them and back their commitments with action. When I am president, my administration will be committed to realizing the need for victims to have a full voice and to vigorously enforcing our criminal laws. I will appoint principled judges who will respect victims and won’t strive to release criminals on legal technicalities.

Again, promises kept matter more than promises made. As my record shows in Texas, I keep my word and have zero tolerance for violence against women. I will fight to make a national Victims’ Rights Amendment a reality, and will carry through on my promise with aggressive action. And I will refuse to side with criminals against the law enforcement officials and the victims of their crimes.

Gore

the delivery of justice, he will raise the maximum award for the Crime Victims Fund, and he will enact a provision to allow victims to seek recompensation from their offenders. Al Gore will hire 50,000 police officers and 10,000 prosecutors both to prevent crimes and catch and prosecute criminals. Al Gore will continue to expand the current Administration’s efforts to help victims. In 1998, he announced that the federal government would make it easier for victims of domestic violence to change their Social Security numbers to help protect them from their attackers. He will also work to increase the funding for community groups that provide victims’ advocates, shelters, employment training, counseling, and other services. Since 1994, he has worked to award over $1.6 billion in grants and he is currently fighting to include $296 million for the Department of Justice and $220 million for the Department of Health and Human Services in the FY2001 budget.