

Lawbreakers Get Benefit of Law

IN THE continuing war between citizens and outlaws, criminals use every weapon they can get their hands on, but the public must fight crime with one hand tied.

Under our system, accused persons are presumed innocent until proven guilty. From there on, our penal system seems to favor criminals more and more. The public is suffering severely from crime.

The latest national report shows an 11 percent increase in serious crime reported, and violent crimes are up 17 percent.

Officials said they couldn't explain the jump, but citizens might suspect it is due in large part to the fact that the odds of "getting away with it" are so heavily weighted for the outlaws.

Studies show that arrests are made in only a small proportion of crimes reported. Of those arrested, many are not charged or charges are dismissed for one reason or another.

Of those actually tried, some are found not guilty as charged, others

escape punishment by technicalities or suspended sentences.

If and when a convicted criminal enters the "revolving doors" of a penitentiary, he knows that the probability he will stay there for the full term specified by his sentence is very small.

The public knows this, too, and last year Oklahomans voted to set mandatory terms for habitual criminals. Legislators immediately set out to modify the edict to benefit criminals.

Prisoners almost universally are given "good time" credits for behavior behind bars, reducing the length of their sentences.

Beyond that are parole boards, which, in effect, have authority to overrule judges and juries. If a court sets a sentence of 10 years, a parole board may decide that 10 months or two years is adequate.

Detective show fans are familiar with the "rights" read to suspects at the time of arrest. Police also work under severe limitations on search and seizure of weapons or evidence

at crime scenes.

Now other tools are being set up to aid lawbreakers further. New federal guidelines would shut out the public in the handling of criminal cases prior to conviction. The Oklahoma attorney general has ruled that criminal records do not fall under the open records law.

Under the ruling of the Supreme Court of the United States this month, it has been estimated that up to 90 percent of criminal court cases could be settled in secret.

When the public is prevented from finding out about criminal activities, the potential for corruption is magnified. Secret records and secret trials might make it easier for lawbreakers to tempt greedy officials to accept payment and forget the whole thing.

Jurists have declared many times that what criminals fear most is a speedy trial and certain punishment. Their fears are being allayed by court rulings, new laws and sharp defense lawyers.