

# Tuocille GOVERNOR

## CRIMES WITHOUT VICTIMS

The proper purpose of laws is to prevent individuals from using force or fraud to injure each other. No actions taken with the consent of all parties concerned should be illegal. Therefore, we support the immediate abolition of all laws which create "crimes without victims," that is, all laws which prevent individuals (or groups of individuals) from doing what they choose with themselves and their property, so long as their actions do not directly injure others. Among such laws we include: laws against the sale, possession, or use of narcotics and other "dangerous drugs"; laws against gambling, prostitution, abortion and pornography; laws regulating the sale, advertisement, or use of contraceptives; "blue laws" which, for religious or other reasons, regulate hours of business; laws making particular voluntary sexual acts illegal; and laws permitting involuntary commitment of those judged insane, but not convicted of any illegal act.

Laws of this sort do injury in two ways. First and foremost, they prevent people who are not directly harming others from doing as they like with their own lives. Thus, they use force to injure innocent individuals (and that is precisely what laws are supposed to prevent). Even if such laws had no other bad effects, they should be opposed as gross violations of the proper limits of government.

But these laws do have other effects. The attempt to enforce them is one of the major reasons for the high rate of violent crime in New York State. It is one of the major reasons why proper laws — laws against theft, rape, murder and the like — are not enforced very well. In New York, as in other states, the police spend a large part of their time attempting to enforce unnecessary laws. Of all arrests last year, 50% were for victimless crimes. The abolition of such laws would give the police more time to spend protecting us against crimes that *do* have victims.

These laws also create an enormous opportunity for police corruption. It is no secret that prostitution, gambling, and narcotics sales occur on a large scale, often with the covert permission of the policemen who are supposed to stop them. Much of the

corruption in New York's police departments consists of bribes offered to cops to ignore violations of victimless crime laws.

In addition, by putting certain activities, such as gambling and prostitution, outside the law, present laws guarantee that those activities will be controlled by criminal groups, and bars people in those activities from any recourse to the law in their own defense. A prostitute or gambler who has been assaulted or cheated can hardly call the cops.

There is at least one other way in which victimless crime laws encourage crime, especially in New York City. The laws against narcotics make the price of the drugs enormously higher than it would be if they were legal. A habit that would cost literally pennies a day if the drugs were sold openly and legally, costs tens of thousands of dollars a year when they must be purchased illegally. In New York City, some 60-80% of all the robberies, muggings and burglaries are committed by drug addicts trying to get money for their next fix. If drugs were legal (and therefore cheap) addicts would be a minor source of crime, just as alcoholics, users of a drug that is already relatively cheap, commit relatively few crimes today. Narcotics addicts might still injure themselves, but that, we believe, is their own affair. They would no longer victimize the rest of us as they do now.

The usual arguments against repealing victimless crime laws are that it would lead to immorality and to an increase in crime. Our answer to the first claim is that we believe that the state has no business concerning itself with the immorality of anyone that is not using force on others. Our answer to the second is that it is not drug addiction, or gambling, or prostitution that causes crime, but the laws against them. The drug addict who commits a crime is stealing to support a habit that is expensive only because it is illegal. Gamblers get beaten for not paying their gambling debts only because their creditors cannot take them to court. Prostitutes and homosexuals are subject to extortion only because their acts are illegal and covert. Making these activities legal would do more to reduce crime than doubling the time and money now spent fighting them. And it would not cost a cent.

In summary, we believe that everyone has the right to live his or her own life in any way he or she chooses, so long as no one initiates the use or threat of physical force against anyone else. We believe that the police should be protecting us against those who would use force or violence against us. They should leave everyone else alone.

#### Post Script on Involuntary Commitment

Under present laws, in New York as in most states, it is possible to commit someone to a mental hospital even though that person has committed no crimes. In practice, commitment is often used to put away people not because they are dangerous, but because they are inconvenient or embarrassing. We oppose all such involuntary commitment. We do not believe that individuals should be deprived of their rights just because their neighbors, relatives, or doctors think they're crazy.