Crime Stoppers  
Affirmative Case by Drew Magness



The season is coming to an end. Hopefully, you already have your cases for Regionals and you aren’t going to be writing yourself any new ones or using a red book case in competition. This case is here to help you practice. I’ve intentionally designed a very intuitive, straightforward, run-of-the-mill aff case for you in order to help with scrimmages and prep.

Run your case against this one. See if you know all the arguments inside and out. Use this case as a template through which to explore the strengths and weaknesses of your negative in responding to a principles-based, consequentalist view of the resolution.

The anti-value is simple and intuitive. Your biggest fight will be in attacking neg values like Justice. Bring it back to the role of government. What would happen if government decided what is and isn’t just? Sounds scary. In the study I mention in the intro, it talks about how in Texas, criminals got VERY different sentencing depending on the judge they were assigned. Draw on examples like that to show the weakness of justice as an objective weighing mechanism.

Contention 1 is straight-forward. A personal story would make it stronger, but the principles at play are intuitive. You tell someone they’re garbage for long enough and they’ll start to believe you.

Contention 2 is intriguing to me. Let’s talk about the fact that rehabilitation is the only way to positively transform a criminal and turn them around AND to prevent future crimes. This stops crime.

Crime Stoppers

Imagine you’re putting a plate of pizza in a microwave. But imagine for every minute that the pizza was in the microwave, it didn’t get warmer. Instead it got colder by 5.6% percent. Would you just put the pizza in the microwave for a longer time? Or would you buy a new microwave?

According to research by a Post-Doctoral Scholar at the University of Michigan, Mike Mueller-Smith, “Each additional year that a felony defendant was incarcerated increases the probability of facing new charges post-release by 5.6 percentage points per quarter.”[[1]](#footnote-1)

Ladies and gentlemen, we’ve been had. It’s time to buy a new microwave and finally value rehabilitation over retribution in criminal justice systems.

How do you choose between the two sides? To answer that question I’m going to do something a little strange. Instead of offering you a value for the round, I’m bringing an Anti-Value into the debate. An Anti-Value is just a normal value turned upside down. Where we’d normally try to achieve a value, we’re trying to get rid of an Anti-Value.

# Anti-Value: Crime

## Value Link 1: Objective

Decreasing crime is easy to strive for. This creates clear policy goals that don’t require correctional officers and beauracrats to attempt to get to the bottom of questions that have stumped philosophers for decades. Judges don’t have to decide what the proportional punishment is for taking a baseball bat to someone’s face. They just have to know how to make sure it doesn’t happen again.

## Value Link 2: Only responsible goal

What do ideas like justice do when two people disagree? What if one judge agrees that the “just” punishment for Grand Theft Auto is to throw someone in jail for 5 years? What if another judge says 7? This leads to inconsistencies across the board. The only responsible goal for the Criminal Justice System is a consistent one.

# Contention 1: Retribution creates crime

Remember that study we talked about earlier? Well, it’s explained in Quartz Magazine like this,[[2]](#footnote-2)

“A new paper from University of Michigan economics professor [Michael Mueller-Smith](http://sites.lsa.umich.edu/mgms/) measures how much incapacitation reduced crime. He looked at court records from Harris County, Texas from 1980 to 2009.Mueller-Smith observed that in Harris County people charged with similar crimes received totally different sentences depending on the judge to whom they were randomly assigned. Mueller-Smith then tracked what happened to these prisoners. He estimated that each year in prison increases the odds that a prisoner would reoffend by 5.6% a quarter. Even people who went to prison for lesser crimes wound up committing more serious offenses subsequently, the more time they spent in prison. His conclusion: Any benefit from taking criminals out of the general population is more than off-set by the increase in crime from turning small offenders into career criminals.”

Retribution is a one-size-fits-all, malefficient, blind, unfeeling approach that does nothing to address the complex, individualized roots of crime. Most people don’t just wake up one day and decide to be criminals. There are real problems like poverty, abuse, neglect, lack of education, and oppression that go into the heart of crime. Most people who commit crimes are just desperate. Locking people up in jail for extended periods of time treats people like criminals as something subhuman. We shouldn’t be surprised when they start to act like it.

# Contention 2: Rehabilitation Stops Crime

We don’t treat crime like it’s something to stop. We’ve just accepted that crime is a part of society and attempt to shut it away in a jail to ignore it. Once we treat crime like a solvable issue, like a disease to be cured, we can start to move forward on a path to solving it.

According to Gary Slutkin, the founder and executive director of Cure Violence, an organization that treats violence like a disease and works to decrease crime realistically,

“At the time, people used the term “violence epidemic” as a metaphor, but I and others saw parallels that could be scientifically documented. Maps and graphs that chart the spread of violence look almost identical to those that chart infectious diseases with maps showing clusters and graphs showing waves upon wave.  Properties of transmission, though just as invisible as microbial counterparts, can be witnessed spreading from one individual to another, one community to the next. It has taken years of investigation to validate these observations. For example, brain [research](http://www.nap.edu/openbook.php?record_id=13489&page=94) tells us that brain cortical patterns are involved in copying behavior, and that damage to the limbic system can occur by victimization. These are some of the ways in which the contagion occurs. Some of these effects can make someone lose their temper quickly and respond to a situation aggressively. They turn yesterday’s victim or witness into tomorrow’s aggressor. The good news is once we recognize violence as a contagious process, we can treat it accordingly, using the same methods that successfully contain other epidemic processes – interrupting transmission, and behavior and normative change.  Cure Violence and its partners have been putting this public health approach to violence into practice in Chicago, Baltimore, New York, Philadelphia, New Orleans and more than 15 cities and 8 countries by putting specially selected workers into communities to interrupt violence and encourage behavior change through outreach. Research conducted by the U.S. Justice Department, Centers for Disease Control, Johns Hopkins University and others have credited this approach with dramatically reducing shootings and killings in neighborhoods where violence had been epidemic. The Institutes of Medicine —the health arm of the National Academy of Sciences — and the U.S. Conference of Mayors have recognized the importance of using this public health model to prevent the spread of violence. Mayor Emanuel comes from a family of doctors. He understands health very well and he values the role that the public health sector — working alongside law enforcement — can play in reducing shootings and killings, not just to help individuals but to reduce violence across an entire community. He also wants results. And we’re beginning to see them. Woodlawn is one of the communities hit hardest by violence last year.  It is also one of the communities where Mayor Emanuel invested in a comprehensive anti-violence strategy that includes law enforcement and public health. We have already seen a 100 percent reduction in homicides there this year. Based on data from the Chicago Police Department from January to April 2013, there has been a 40 percent reduction in shootings and killings across the 14 communities where both law enforcement and public health strategies are being used. Every shooting that does not happen helps to create a new legacy for Chicago and for every community that is plagued by violence. Perceptions are hard to change. But we can save lives. And because we can, we must.”[[3]](#footnote-3)

Here's the issue. When we look at crime, we can either take the comfortable approach or the effective approach. I won’t deny that it certainly feels great to lock up criminals. It satisfies this thirst for vengeance we all have inside of us. But is that the purpose of law? To feed our lust for revenge? No. It’s to stop crime. Rehabilitation is the only way to do that.

Negative Brief: Crime Stoppers

There are a multiplicity of tactics to defeat this case. First and foremost, use the tactics you have set up in your case, but here are a couple others to help:

**Value:** This value is blatantly utilitarian. You should already be familiar with how to refute it and its ilk. But the best way is to counter with a deontological framework if it fits your case. If your case has a utilitarian framework, just go ahead and accept the value. But a deontological framework like Justice, Moral Agency, or Human Rights shows the judge why the criminal justice system can’t just operate based off of outside benefits and costs. That’s the key thing you need to go after.

**Contention 1:** This argument makes it seem like criminals aren’t capable of making real decisions. Counter and show that we ought to hold criminals responsible for their decisions. Show that they are rational and have free will. Sure, retribution might make you more likely to commit a crime, but it’s still YOUcommitting a crime.

**Contention 2:** Either outweigh with morality-focused arguments or disprove through showing the sheer variety of rehabilitation efforts. The approach is up to you and your case.

1. Michael Mueller-Smith, November 2014, “The Criminal and Labor Impacts of Incarceration” <http://www.columbia.edu/~mgm2146/incar.pdf> [↑](#footnote-ref-1)
2. Quartz Media, July 22nd 2015, <https://qz.com/458675/in-america-mass-incarceration-has-caused-more-crime-than-its-prevented/> [↑](#footnote-ref-2)
3. Gary Slutkin, May 30th 2015, “How to Reduce Crime: Treat it like an Infectious Disease” <http://ideas.time.com/2013/05/30/how-to-reduce-crime-treat-it-like-an-infectious-disease/> [↑](#footnote-ref-3)