

# **From Nelson Rockefeller to Eric Adams: The Evolving Politics of Crime and Punishment in New York**

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## **Abstract**

Despite calls for the “defunding” of the police and the reimagining of policing following the death of George Floyd in 2020, many New York politicians, in response to rising rates of violent crime, have begun to embrace “law and order.” All of this bears a great similarity to the politics of crime and punishment during the governorship of Nelson Rockefeller. Examining several documents in the gubernatorial records of Nelson Rockefeller at the Rockefeller Archive Center, newspaper articles, and public opinion, this report documents the political response to violence and drug addiction in the 1960s and 1970s and compares it to the present, reviewing contrasting arguments of influential Black leaders and “white liberals.” It concludes that the present crime context, much like the one during the Rockefeller-era, has divided the left and Black leadership while solidifying Republican commitment to “law and order.” It argues that the history of the Rockefeller drug laws illustrates that these divisions and the legitimate fears of working- and middle-class minorities can produce haphazard policies that harm rather than save these communities.

New York City finds itself caught once more in the throes of rising crime rates. From 2018 to 2019, murders rose by 7.5%. From 2019 to 2020, the number of murders climbed 32%, rising another 4% the following year.<sup>1</sup> Although violence has yet to hit the highs of the early 1990s, the fear of violence on the streets is palpable. Indeed, it played a critical role in New York City's 2021 Democratic mayoral primary. When asked which issues should be the top priority of the new mayoral administration, 31% of respondents in a poll of likely Democratic voters conducted right before the primary said "crime." That was followed by "police reform" (12%), "housing" (12%), and "jobs" (11%).<sup>2</sup> A plurality of individuals who prioritized "crime" (38%) listed Eric Adams, an African American former police officer who ran on a "law and order" agenda, as their top choice. Adams eventually won the primary and the general election to become mayor, vowing to end the scourge of street violence. "We will not surrender our city to the violent few," he later declared.<sup>3</sup>

This moment stands in stark contrast to the rebellions of 2020 when people, angered by the death of George Floyd, took to the streets to demand police reform and, in some instances, the "defunding of the police." While Republicans are coalescing around punitive "law and order" rhetoric, there is a growing racial and class divide on crime among Democrats. In one poll of New York City Democrats, 62% percent of whites agreed that the number of uniformed officers on the subway should be increased. Though high, that was less than the 77% of Blacks and 69% of Hispanics endorsing an increase. A higher proportion of Democrats without a college education (80%), compared with those with a college degree (62%), supported an increase.<sup>4</sup>

Criminal justice reformers remain committed to "root cause" solutions, while regular Democratic politicians and many Black leaders, including the city's African American mayor, are turning to police and punishment. Several African American leaders have accused white liberals of imposing "police abolition" on communities of color. Laurie Cumbo, a Black councilmember from Brooklyn, described the push to defund the police as akin to "colonization." "Political gentrification" is what Robert Cornegy, Jr., another African American councilmember from Brooklyn, labeled it.<sup>5</sup> Adrienne Adams, a Black New York

City councilmember from Queens, mused, “When those with privilege put down their torches and return home, our Black, Latino and Asian communities will remain.”<sup>6</sup> While this moment might feel strange to some, it is, to borrow a phrase, “déjà vu all over again.”

The politics of crime and punishment today is eerily similar to the politics of crime and punishment in the 1960s. Under Governor Nelson Rockefeller’s leadership, the state had become a national leader in rehabilitative strategies with the passage of 1962’s Volker-Metcalf bill that allowed drug users arrested for use or possession of illegal narcotics to select treatment at a state hospital, instead of serving time in prison. Then drug addiction and crime in New York City began to accelerate. In 1960, New York City recorded 127 deaths due to drugs, and 536 in 1980, after hitting an all-time high of 867 in 1971. In 1960, New York City recorded 425 deaths due to homicide and 1908 deaths in 1980. Though not as high as 1980 levels, the city’s death rates due to homicide in 1972 and 1973 were more than four times the rate in 1960.<sup>7</sup> In response to rising crime rates, the national Republican party had made “law and order” a core component of its more conservative creed. As my book *Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* shows, New York Governor Nelson Rockefeller’s need to compete against the newly minted prophets of “law and order” in the GOP, like Richard Nixon and Ronald Reagan, pushed him to abjure his prior progressive commitments.<sup>8</sup> The center left was subsequently divided. Influential Black leaders began to countenance punitive solutions for the ills of violence and addiction, while many white liberals remained steadfast in their devotion to rehabilitation. Black leaders provided local pressure for a drastic response to crime, and helped the governor define and defend his draconian program.

No document better illuminates the tension between Black leaders from Harlem and white liberals than the transcripts of a debate between Reverend Oberiah Dempsey, pastor of Harlem’s Upper Avenue Baptist Church, and Gordon Chase, Health Services administrator for New York City, on WCBS in February 1973, after Rockefeller unveiled his anti-drug program.<sup>9</sup> Dempsey supported the measures, which originally included life sentences for drug dealers, while Chase

opposed them. The disputes in that debate are so familiar: a tension between data and experience, long-term solutions and immediate remedies, and the needs of the individual and the desires of the community.

Dempsey began by emphasizing the urgency of the moment. “We’re in the midst of one of the worst crises that has been known to human beings,” he said. According to him, this “crisis” demanded “a tough program.” While the Reverend insisted that “judicial enforcement” and “treatment” were not “able to adequately cope with this dilemma,” Chase stressed, “[w]e’re making some headway.” He added, “Now is the time not to throw in the towel which I regard Governor Rockefeller as doing.” To support his position, Chase cited a decline in overdose deaths and drug-related crime.<sup>10</sup> “We’re not saying the problem is over,” Chase noted, seeking more time and resources for structural solutions such as drug treatment and job creation:

There are things that have to be done. For example, we’re now reaching out into the communities with mobile vans through the hospitals, through the welfare centers to reach people who haven't been in treatment before. We have to do something about jobs. Thirty thousand of those people in our programs today are unemployed. We’ve gotta get ‘em jobs.<sup>11</sup>

Dempsey, on the other hand, challenged the veracity of “certain statistics which do not actually reflect the real depths of the problem,” and advised haste: “We’ve got to have [Rockefeller’s drug proposal] pass in a hurry.” He doubted Chase’s treatment strategy would have any effect on the “million additional drug addicts in New York City right this moment,” a figure which Chase disputed.

Dempsey and Chase also wrangled over the perceived efficacy and cruelty of the proposal. Chase attacked Governor Rockefeller for ignoring the concerns of every major law enforcement group, including the New York Bar Association, district attorneys across the state, and “anybody involved in the criminal justice system” who said, “it can’t work.” According to him, Governor Rockefeller was saying “I can’t do anything else, I don’t care,” and “Let’s throw everybody in prison.” Overall, he called it “cruel.”<sup>12</sup>

Chase was correct that Rockefeller's actions ignored the concerns of the criminal justice system, with legal experts and law enforcement officials coming out against the governor's plan. Manhattan District Attorney Frank Hogan called the proposal "impractical, inequitable, and inexplicable." He remarked, "It offends my sense of equity to give the same punishment to the addict selling a few bags to support his habit and to the wholesaler dealing in kilo or half-kilo lots." Echoing these sentiments, a former Bronx district attorney described it as a "totally unacceptable, simplistic, irresponsible attempt at a solution to the drug problem." A judge from Queens encouraged legislators to focus on "[unclogging] the whole criminal court system" instead of enacting "hasty makeshift measures that won't work." He said, "Mandatory life sentences without parole for drug pushers is not the answer."<sup>13</sup>

For his part, Dempsey scoffed at the experts. "I'm not so concerned about what the DAs and the judges and [others] say about the legislation being unworkable or what the results will be.... Because first of all, we have a crisis," he explained. The Harlem pastor also disregarded the proposal's extreme consequences for users and steered his ire towards the cruelty of drugs for the community members that had to endure their repercussions:

I have to think in terms of the eighteen million people in New York State who are unaddicted. I've got to think in terms of the millions of young people who are in the state who are trying to make it... It is true that the individual maybe has to suffer a little bit, but if the law is complied with, the drug addict has nothing to worry about, not even the drug pusher. Just comply with the law.<sup>14</sup>

At the bill signing ceremony, Dempsey was more emphatic: "To the criminal pushers, we say, 'Stop, or get out New York State, and better still get out of the country.'<sup>15</sup> He had a similarly harsh message for users: "We say this, that the addict is a sick person, but we want the addict to get into treatment programs. [Yet] we are not going to stand by any longer and see decent citizens brutalized or subjected to punishment because somebody is out there sick. That won't happen anymore]."<sup>16</sup>

Rev. Dempsey was not alone in his sentiments. Others drew attention to the devastation heroin brought on the city's Black neighborhoods. At a hearing on Rockefeller's plan, Rev. George McMurray, pastor of AME Zion in Harlem, told legislators, "The drug traffic is destroying the vitality and influence of the black church in Harlem, which is our stabilizing institution." He also told them about its financial hit on the church. Because members were so afraid to leave their homes, they "cannot attend the religious services and various social and fund-raising functions."<sup>17</sup> Dr. Robert Baird, a Harlem physician, testified: "I think someone has to speak out for my constituency, the patients I treat at night – not the drug addicts, but the legitimate patients who have been mugged, who had fractured jaws."<sup>18</sup>

In a February 1973 letter to Governor Rockefeller, Dr. Benjamin Watkins, the unofficial mayor of Harlem, castigated the "Neo-Socialists" who supposedly called the drug proposal "genocidal." He told the governor, "I think that those who propose leniency for the pusher, who has caused the death of junkies as well as [the] death of the victims of muggings, is certainly more genocidal than the author of the bill directed at saving lives, property and freedom to function in [a lawful society]."<sup>19</sup> At a hearing in Harlem, Glester Hinds, chairman of the People's Civic and Welfare Association, took the "bleeding hearts" to task: "These bleeding hearts will continue to shed crocodile tears [on behalf] of the distributors and pushers of narcotics but they never seem to say one word [on behalf of] the victims [that suffer from] the evil perpetrators."<sup>20</sup> At the bill signing ceremony, Dempsey also admonished the "bleeding hearts" who are "over-sympathetic with criminals and under-sympathetic with decent citizens who carry the burden of this state."<sup>21</sup>

By 1973, Governor Rockefeller had been hearing these pleas for years. Climbing crime rates had propelled the issue of drugs and violence to the top of the agenda. At a "town meeting" he attended in Harlem in late 1967, the governor learned a great deal about the scope of the problem. Ivor Moore, pastor of Harlem's Walker Memorial Baptist Church, recounted the impact of drugs and crime on his church: "Twelve years ago I had the evening service. This has had to have been curtailed because the snatching of pocketbooks and crimes against

parishioners of my congregation...The members of my congregation are afraid. Fear is the worst thing that confronts us.”<sup>22</sup> In a 1971 letter to the governor, the Manhattan Valley Spanish Civic Organization, a Hispanic advocacy group, asserted that politicians had ignored the rights of the community while attending to the rights of criminal offenders: “[A]s long as the leaders [of the government] believe that the right of the pusher is more important than the rights of the community... the problem will not be solved.” The letter underscored the importance of law enforcement: “You can spend not millions, but billions of [dollars] and the problems will continue forever.” It continued: “My personal help is not enough, the parents help is not sufficient...and the help from the Drug Addiction Centers is not sufficient. This is...about one fourth of the help needed and the rest belongs to the law and that more power be given to the [police].”<sup>23</sup>

One letter from 1973 was particularly poignant. The author confessed: “In truth I am and have been against a lot of your programs. I will probably never forgive you for Attica.” Then he pivoted: “That was my view until I heard and read about your proposals regarding life sentences for drug pushers.” He pleaded with the governor, “Man, save the community, rescue New York and damn the opposition,” whom he dubbed “the die-hard so called liberals.” “Appeal to the black community and you’ll find they’re behind you 100%.”<sup>24</sup>

Despite the richness and historical importance of these documents, it is quite plausible that the statements of these minority community leaders appeared in the archives not because they represented the views of Black New Yorkers, but because they validated Gov. Rockefeller’s positions. Fortunately, the governor aggressively used pollsters and compiled a wealth of survey evidence on the views of his constituents. While a 1970 poll commissioned by the governor indicated broad support for additional spending on the “Teenage Drug Problem,” it also showed broad support for additional spending on anti-violence initiatives.<sup>25</sup> Polling conducted by community groups and media organizations corroborated these findings. A 1969 Harris survey of residents’ view of housing in New York City showcased a litany of grievances, including crime, drug addicts, unaffordable housing, dilapidated buildings, garbage, and



rats and roaches. When asked to list the “most important problem” and a proposed solution, 40% listed “crime” or “unsafe streets” as the “most important problem” and “need more police protection or policemen.” This was followed by “drug addicts” as the next “most important problem” and “get rid of pushers and addicts” as the proposed solution.<sup>26</sup> In a 1974 *New York Times* poll of city residents, 63% listed crime, including “crime, danger, or law and order,” as the issue of “greatest concern to you personally.” Another 28% listed drugs.<sup>27</sup> Slightly more Blacks (38%) than whites (25%) mentioned drugs.<sup>28</sup> Around two-thirds of Blacks and Puerto Ricans—more than whites—endorsed life sentences without parole for “drug pushers.”<sup>29</sup>

None of this history bodes well for the fate of criminal justice reform in New York City today. Young activists, especially activists of color, continue to push for a radical rethinking of the role law enforcement plays in marginalized communities, ideas increasingly embraced by experts and educated white Democrats. While national and local Republicans are reclaiming the “law and order” mantle, the left-of-center is divided, as it was in 1973. Many influential Black political leaders have been pushing back against “defund efforts” and other radical proposals. And, like Rev. Dempsey and Glester Hinds, they use racial and class rhetoric to do so. Furthermore, these leaders have been bolstered by polling showing that rising crime rates have strengthened support for police and punishment as remedies for the city’s public safety problems. The history of the Rockefeller drug laws, therefore, makes one thing abundantly clear: this witches’ brew of variables, including the legitimate fears of working- and middle-class minorities, can produce haphazard policies that over time can harm the same communities they are meant to save.

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<sup>1</sup> New York Police Department, “Historical New York City Crime Data,” 2022, <https://www1.nyc.gov/site/nypd/stats/crime-statistics/historical.page>.

<sup>2</sup> PIX11/NewsNation/Emerson College poll New York City, June 7-8, 2021.

<sup>3</sup> Emma G. Fitzsimmons, “Mayor Eric Adams says New York City will not surrender to the ‘violent few.’” *New York Times*, April 12, 2022

<sup>4</sup> WNBC/Telemundo 47/POLITICO/Marist Poll New York City Likely Democratic Primary Voters, June 3 – June 9, 2021.

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- <sup>5</sup> Jeffery C. Mays, “Who Opposes Defunding the N.Y.P.D.? These Black Lawmakers,” *New York Times*, August 10, 2010.
- <sup>6</sup> Bobby Cuza, “Black City Council Members Allege Outside Agitators are Driving Rhetoric on Defunding Police,” *NY1*, July 1, 2020.
- <sup>7</sup> Michael Javen Fortner, “Silent Majority’ in Black and White: Invisibility and Imprecision in the Historiography of Mass Incarceration,” *Journal of Urban History*, 40, no. 2 (2014): 252-282
- <sup>8</sup> Michael Javen Fortner, *Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* (Cambridge: Harvard University Press, 2015).
- <sup>9</sup> “Public Hearing,” February 25, 1973, Nelson A. Rockefeller Gubernatorial records, Series 21, Sub-series 1, Box 33, Folder 350, Rockefeller Archive Center (Hereafter, RAC).
- <sup>10</sup> *Ibid.*, 7.
- <sup>11</sup> *Ibid.*, 10.
- <sup>12</sup> *Ibid.*, 10.
- <sup>13</sup> William E. Farrell, “Drug-pusher Bill is Opposed Here,” *New York Times*, February 9, 1973, 70.
- <sup>14</sup> *Ibid.*, 5.
- <sup>15</sup> “Bill Signing Ceremony Narcotics Bills,” May 9, 1973, Nelson A. Rockefeller Gubernatorial records, Series 12, Sub-series 3, Box 14, Folder 265, RAC, 14.
- <sup>16</sup> *Ibid.*
- <sup>17</sup> “Notes From the State Senate and Assembly Codes Committees Hearings on Governor Rockefeller’s Anti-Drug Program,” February 1973, Nelson A. Rockefeller Gubernatorial records, Series 21.2, Sub-series 1, Box 33, Folder 348, RAC.
- <sup>18</sup> *Ibid.*
- <sup>19</sup> Letter from Benjamin Watkins to Nelson Rockefeller, Nelson A. Rockefeller Gubernatorial records, Series 21, Sub-series 1, Box 34, Folder 354, RAC.
- <sup>20</sup> Statement of Mr. Glester Hinds Testifying at the N.Y. State Legislative Hearing at the Union Baptist Church, February 16, 1973, Nelson A. Rockefeller Gubernatorial records, Series 21.2, Sub-series 1, Box 34, Folder 355, RAC.
- <sup>21</sup> “Bill Signing Ceremony Narcotics Bills,” May 8, 1973, Nelson A. Rockefeller Gubernatorial records, Series 12, Sub-series 3, Box 14, Folder 265, RAC.
- <sup>22</sup> Governor’s town meeting files, 1967–1972, Series BO919–82, Box 2, New York State Division of the Budget, New York State Archives, Cultural Education Center, Albany
- <sup>23</sup> “Letter from Manhattan Valley Spanish Civic Organization to Nelson Rockefeller,” January 21, 1971, Nelson A. Rockefeller Gubernatorial records, Series 21.2, Sub-series 1, Box 31, Folder 338, RAC.
- <sup>24</sup> Letter from Dick Oliver to Nelson Rockefeller, January 23, 1973, Nelson A. Rockefeller Gubernatorial records, Series 21.2, Sub-series 1, Box 34, Folder 354, RAC.
- <sup>25</sup> “Attitudes Toward Spending for Following Programs,” April 1970, Nelson A. Rockefeller Gubernatorial records, Series 21, Sub-series 6, Box 103, Folder 1231, RAC.
- <sup>26</sup> Louis Harris and Associates, *Transition Neighborhoods in New York City: The People’s View of their Housing Environment* (New York: Louis Harris and Associates, 1969).
- <sup>27</sup> David Burnham, *New York Times*, January 16, 1974, 1.
- <sup>28</sup> Maurice Carroll, “After Crime, Big Issues Are Prices and Fares,” *New York Times*, January 17, 1974, 36.
- <sup>29</sup> Nathaniel Sheppard, Jr., “Racial Issues Split City Deeply,” *New York Times*, January 20, 1974