

## **Real World Graduation: Question 96: Setting the Stage**

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### Question 96

Consider these two fictional newspaper stories.

#### **Ex-County Executive Gets Jail Time for Multiple Felonies**

David S. Ramsey, former Republican County Executive of Hamilton County, Arkansas, received an unusually light sentence of 8 years and 2 months in a federal prison for many sensational crimes, among which are (unsurprisingly) witness intimidation, mail fraud, and bribery.

Ramsey's defense team presented a bizarre argument for probation, claiming that Ramsey had spent many years as a public official, and was known as "a good husband and father that had made some serious mistakes but was sincerely repentant for his actions". Prosecutors had demanded that Ramsey be sentenced to the maximum 30 years as allowed for these three convictions. But U. S. District Judge Paula Wilson, who willfully ignored the guidelines, sentenced the former Republican politician to a shorter term that is in fact less than one-third of the maximum. Ramsey will also have to pay a \$100,000 fine, less than one years pay from his former \$110,000 salary, and will also have to pay a paltry \$250,000 in restitution.

Ramsey, 65, had been a state representative for the township of Richmond. When Democratic County Executive Sheila Watson was killed in a tragic automobile accident, Republican Ramsey seized the opportunity presented by the vacancy, and took over her office in a special election in 1993. He was accepted by the voters during a few of his early years in office, winning elections in 1994 and 1998 with about two-thirds of the vote. Due to a curious quirk in the law, even though he will be in jail for multiple felony convictions, Ramsey will continue to receive his \$75,000 annual pension throughout his prison term. Wilson was appointed to the bench by Republican President Richard Nixon.

#### **Ex-County Executive Receives Sentence**

Former Delaware County Executive George F. Dunaway was sentenced to ninety-eight months in federal prison in a questionable corruption case.

Prosecutors had demanded that Mr. Dunaway be sentenced to 30 years, technically the maximum allowable for convictions of this type. Dunaway's defense team respectfully petitioned the judge for probation. U. S. District Court Judge Sandra McMillan rejected the plea for leniency from the public servant's legal team, ordering Mr. Dunaway to pay a heavy \$100,000 fine and imposed an additional harsh requirement to pay a quarter of a million dollars in restitution, in addition to the long prison sentence.

Mr. Dunaway was convicted last year of mail fraud, bribery, and witness intimidation in a trial of questionable legitimacy. His defense team noted that Dunaway had been a long-time public servant who was "a good husband and father ... who was sincerely repentant for his actions". Tragically, Mr. Dunaway will be 73 years old by the time he is released from custody.

Dunaway (D) was a well-known state representative from Marlboro Heights who ran successfully for County Executive in a 1993 special election upon the death of then-Executive Thomas P. Randolph (R) in a car accident. He became wildly popular public official, winning re-elections in 1994 and 1998 by overwhelming 66% majorities in both races. As County Executive, Mr. Dunaway's annual salary was \$110,000 per year, and he will justly continue to receive a \$75,000 annual pension for his service. Judge McMillan was appointed to the U. S. District Court by Democratic President Jimmy Carter.

Which of the following is true, based on these two stories:

- a) Judges appointed by Democratic Presidents tend to give higher sentences because they are tough on crime
- b) Republican judges find a way to help other Republicans convicted of crimes
- c) Ramsey should have received the full 30 years because he took advantage of someone's death
- d) Prosecutors in the Dunaway case attempted to trick Judge McMillan by citing technicalities, which could have resulted in an unfair sentence for Dunaway. Fortunately, McMillan was smart enough not to fall for the tricks.
- e) Dunaway did not have the benefit of an adequate defense

### Answer to Question 96

This is a trick question. If both stories are read carefully, all of the following are true:

- a) Both defendants came to office on the untimely death of another official of the opposite political party
- b) Both of the defendants committed the same number of the same crimes
- c) Both received the same sentence (same prison term, same fine, and same restitution)
- d) Neither judge is bound by the sentencing guidelines
- e) Both defendants are now 65 years old, and will be 73 at the end of their sentences
- f) Both prosecutors asked for the maximum sentence
- g) Both defense teams entered the same request for leniency
- h) Both of the defendants will continue to receive their pensions as convicted felons

The only difference in these two cases is that the defendants are from different political parties (Ramsey is a Republican, and Dunaway is a Democrat). Although the basic facts in both stories are the same, they were written in such a way as to offer different views on the same subject:

- a) Republican Ramsey got a light sentence of 8 years and two months (98 months), while Democrat Dunaway has to suffer for a whole 98 months.
- b) Republican Ramsey was convicted of "many sensational crimes", while Democrat Dunaway was convicted in a "questionable corruption case"
- c) Republican Ramsey's defense team made a "bizarre argument" for probation; Democrat Dunaway's defense team "respectfully petitioned" the judge
- d) Republican Ramsey got his sentence because the judge willfully ignored the higher sentencing maximums, but Democratic Dunaway got the same sentence because the judge unfairly rejected a legitimate leniency request
- e) Republican Ramsey obtained his office because he was an opportunist who "took over" after a tragic accident, Democrat Dunaway got his by "running successfully in a special election"
- f) Republican Ramsey has to pay \$100,000 fine, Democrat Dunaway has to pay a "heavy" \$100,000 fine
- g) Republican Ramsey has to pay a lousy \$250,000 in restitution, but Democrat Dunaway has to pay an entire quarter-million (\$250,000) due to harsh treatment by the judge
- h) Republican Ramsey was accepted by the voters for a few years, whereas Democrat Dunaway was wildly popular (both won their elections by the same margins (two-thirds = 66%))
- i) Republican Ramsey gets his pension in jail through a "quirk in the law"; Democrat Dunaway gets his pension in jail for his "public service".
- j) Republican Ramsey is going to jail and prison; Democrat Dunaway is only in custody.
- k) Both will be 73 on their release, but it is tragic only in the case of Democrat Dunaway.

This is the nature of some types of bias in the media. In this instance, the two stories used different words in different contexts to paint different images, even though the two cases are essentially identical. This is what the media calls "setting the stage" - slanting the story to promote the interests of their political favorites.