



Opinion

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Crime and race fears still fuel death penalty mania

by Earl Ofari Hutchinson
for The Portland Observer

Long suffering death penalty opponents are in a euphoric mood these days.

And with good reason. For the past two decades they have been sneered at as pacifists, bleeding heart liberals, and even apologists for murderers. Now more Americans than in recent years agree with them that the death penalty should be abolished. Polls now show that about one in three Americans oppose capital punishment, up from one in ten in 1994. A whopping 92 percent say that DNA testing should be available to all prisoners.

It's easy to see why there's been a sharp turnabout in sentiment. In recent months we've been deluged with reports of accused murderers being represented by inept, shoddy, even dozing lawyers, blatant racial typecasting, threadbare and even horribly tainted evidence, colossal judicial and prosecutorial errors in capital cases, and the jump in death row prisoners exonerated by DNA testing.

The stench from the death penalty prompted a moratorium by Illinois governor, a vote by New Hampshire state legislators to dump the death penalty (the governor vetoed it), and a three year standing call by the American Bar Association for a temporary halt to all executions. It prodded George W. Bush who has presided over nearly one fifth of the

executions in the nation since the death penalty was reinstated in 1976 to briefly turn the switch off on Texas's killing machine by granting a 30 day stay to allow time for a condemned man to get DNA tested.

Despite the good news for death penalty opponents, the public is still far from ready to scrap the death penalty. There are two reasons why. One is publicly stated: fear of crime. Even though crime figures are way down, the fear of crime isn't. That fear is fueled by high-profile shooting rampages, a crime-gorged media that stuffs the public with mega-doses of crime and violence stories, politicians who pound away on lawlessness, and a Supreme Court flatly rejects any reconsideration of the death penalty.

The other reason that the death penalty is still alive and well is privately whispered: race. The death penalty has always been white America's ultimate legal weapon against black men accused of violent acts (mostly against whites). Between 1930 and 1996, more than half of all those executed have been African-Americans. When the crime (or accusation) is rape, the death penalty has almost always been exclusively reserved for blacks. Of the 453 men executed for rape since 1930, 405 have been black. Nearly all of them were executed in the South. They were arrested and convicted on the flimsiest evidence, usually no more than the word of a white woman. At the same time, not one white man

received the death penalty for raping a black woman. There is no official record in any Southern state of a lack man ever being executed for raping a black woman. The victims of all but 44 of the blacks executed in the South from 1930 through 1984 were white. Not much has changed over the years. According to the NAACP Legal Defense Fund a black is still eleven times more likely to get the death penalty than a white when the victim is white. At present nearly half of those currently sitting on the nation's death rows are black. And that number has remained steady for three decades. The only real change in the top heavy racial make-up of death row prisoners is the jump in the number of Latinos awaiting execution. In Texas and California, the runaway leaders in the number of prisoners on death row, a significant number of the condemned are Latinos. A recent report from the Leadership Council on Civil Rights revealed that Latinos have outstripped blacks as the fastest growing imprisoned group in America. The same glaring racial bias that insures many black men wind up on death row also ensnares Latinos.

The appellate court that recently reviewed the death sentence for convicted Texas murderer Victor Hugo Saldano noted that a psychologist casually listed his Latino background as an "aggravating factor" in recommending that he get the death penalty. Saldano was lucky. The court overturned his sentence. But for hundreds of other men victimized by the same outrageous racial bias there will be no last minute rescues.

In the coming days there will almost surely be more atrocity tales of sleeping lawyers and condemned men getting 11th hour DNA escapes from the executioner. This may well push the number of Americans who want to abolish the death penalty even higher. But as long as violent crime remains a prime national fixation, and

many Americans cling to the even more insidious fixation that the death penalty is a punishment reserved for blacks and Latinos, the death penalty will be down but not out. Earl Ofari Hutchinson is the author of *The Disappearance of Black Leadership*. email: hutchi344@aol.com

Letter to the Editor

Dear Editor

Re: your Decision to Reject the First Recommendation of the Police Study Group

Dear Mayor Katz:

We are writing to express our concern over your statement that the police accountability study group would not be permitted to expand its membership. When we met for the first time on Tuesday, May 30, practically the first order of business was to change the composition of the group itself. Members of the group voted overwhelmingly to add four new seats, so as to better represent the Latino, Asian American, youth, and Native American communities. On June 7, at the group's second meeting, you announced that the composition of the group would not be changed.

We feel this is a mistake for two reasons. First, if you're talking about addressing police misconduct, you need to include those people most affected by police misconduct.

Though Copwatch has contact with roughly 100 people per year via our Incident Report Line directly witnesses incident of police misconduct, and conducts extensive research and networking, we do not presume to speak, of everyone in community.

While the committee includes representatives from the homeless, African-American and sexual minorities communities, the presence of two young people who gave input during Wednesday's public comment period made clear the need to have broader representation at the table. Our second concern is that you have rejected the recommendation to broaden the committee membership, which came from a majority - if not a consensus - of the group. We hope that you will not treat proposals regarding the structure of PILAC in the same manner.

As you know, the Police Accountability Campaign, or PAC 2000, decided not to join your group citing concerns that their recommendations might not be taken seriously. PAC 2000 is collecting signatures for a city-wide initiative to restructure the civilian review board, and increase its powers. Members of the work group, including Copwatch, the National Lawyers guild, and the NAACP, have presented similar proposal seriously, and we urge you

to reconsider the addition of the four seats - Asian-American, Latino, Native American and youth - which the group advised.

Dan Handleman
Portland Copwatch

Dear Editor,

How often have you dropped money into a donation can, given used furniture or old clothes to a charity thrift shop, or responded to a fund-raising appeal through the mail? For most people, the answer is probably, "dozens of times," but have you ever really thought about where your money goes?

People for the Ethical Treatment of Animals (PETA) has compiled a guide that categorizes health charities according to their animal experimentation policies. As a nation of animal lovers, most Americans would be horrified to learn that millions of animals are killed in experiments funded by health charities.

One such charity, the March of Dimes, has bankrolled a litany of experiments using primates, cats, dogs, rabbits, sheep, and countless other animals. In one experiment, kittens' eyes were sewn shut, they were left in horrifying conditions for a year, and then they were killed, despite the fact that it is well established that humans' and nonhumans' optical development is so fundamentally different as to render the findings of this study meaningless.

Like so many other animal experiments, this one not only caused the death and suffering of innocent animals, it also bore no relation to the human condition. In fact, through the years, animal tests have often led scientists in the wrong direction, thus holding back medical progress and prolonging human suffering.

Please write to PETA at the address below for a free health charity guide. You can ensure that your next donation to a health charity is put to good use funding humane research to prevent and cure diseases - all without hurting a living being.

Yours truly,
Jay M. Kelly, Coordinator
International Grassroots Campaigns

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