

OPINION

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Our Criminal Justice System

It's time for change

BY JUDGE GREG MATHIS

According to a new study released by prison reform advocacy group The Sentencing Project, black Americans are incarcerated at nearly six times the rate of whites.



The news isn't so shocking: African-Americans have always known that justice is not blind. We know the system sees skin color and punishes black - and brown - skin disproportionately.

What is shocking, however, is the affect the current rates of incarceration will eventually have on our community: If trends continue, one in three black males born today will end up in prison.

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The criminal justice system has routinely sought out, institutionalized and attempted to break the spirits of our men and, increasingly, our women. When it comes to black folk, there is no justice in the system, it's just criminal. And it's time for a change.

More than 60 percent of the two million people in America's jails and prisons are racial and ethnic minorities. One in every eight black men in their 20s is in prison or jail on any given day.

The racial disparities in incarceration are not indicative of some predisposition to crime in people of color. Rather, these inequalities are a reflection of failed social policies and economic and racial oppression.

The U.S. government has, over the years - intentionally or unintentionally - created a system where people of color struggle to find decent jobs and affordable housing, where they lack access to a quality education. Lack of access

creates hopelessness. Drugs and alcohol are used to falsely ease burdens, and the addiction to drugs and alcohol fuels criminal activity. Granted, this is not the case for all incarcerated people of color. But, for most, it's not too far from the truth.

If the country's penchant to incarcerate people of color on a mass scale persists we can expect to see families weakened.

Children with parents in the criminal justice system are at risk. According to the U.S. Department of Justice, without intervention, as many as 70 percent of these children will themselves end up in prison.

Real reform is needed. Without an acknowledgement and analysis of the racial disparities in arrest, sentencing and incarceration, the criminal justice system will be, in effect, creating its next generation of prisoners.

In five Midwestern and Northeastern states - Iowa, Vermont, New Jersey, Connecticut, and Wisconsin - African Americans are incarcerated at more than 10 times the rate of whites. Change should begin here.

Perhaps a federal task force, one that examines arrests and sentencing in these five geographic areas, using a racial and ethnic lens, should be created. The lessons learned there could be applied to other states.

Laws also need to be changed. Mandatory minimum laws need to be done away with and judicial discretion needs to be restored. Judges will then be able to hand down sentences based on past criminal history and other factors, using creative sentencing to ensure low-level offenders get the rehabilitative support they need.

It took years to build our current racially-biased criminal justice system. We cannot repair it over night. But we can take big steps in the direction of reform.

Judge Greg Mathis is national vice president of Rainbow PUSH and a national board member of the Southern Christian Leadership Conference.



Promoting Blind and Fair Justice

Racial intolerance leaves mark on the law

BY U.S. REP.

CAROLYN C. KILPATRICK

Children all across our nation, stand and pledge their allegiance to our flag which waves the promises of liberty and justice for all. Yet in countless communities, across America, our judicial system is being prejudiced by racial intolerance, leaving an indelible mark on the law.

The most recent miscarriage of justice has occurred in Jena, La. After a series of schoolyard brawls involving African American and white students, six African American male students at Jena High School have been charged with attempted murder and conspiracy. However, the white students have yet to be charged, jailed, or expelled, despite testimony from witnesses

who said these students initiated some of the confrontations.



The Congressional Black Caucus does not condone violence of any kind. However, we must speak out against injustice and inequality.

This tale of two standards depicts a pattern of gross violations. First, it is unfair to punish only the African American students when all the students involved must be taught to take responsibility for their actions.

Next, the charges of attempted murder and conspiracy against the

African American students carry an 80-year sentence; such punishment far exceeds the offense. Additionally, the judge set outrageously high bails, ranging from \$70,000 to \$138,000, resulting in the juveniles being stuck in jails for months. The district attorney and the judge are abusing their power and removing the blindfold of justice.

The racial hotbed that burned

during sentencing of Mychal Bell, the first of the six students to be tried. Additionally, we appeal to the Jena District Attorney, Reed Walters, to drop the charges against the remaining five students.

The Congressional Black Caucus, 42 Members from 21 states representing Americans of all racial and ethnic backgrounds, believes

we must provide equal access and opportunity for all. This includes equal justice under the law.

If justice is truly blind, the judge and will drop the charges against all six young men and pledge their support to healing this community.

If America is to serve as the global example of racial sensitivity, we must work together to build a united America.

Congresswoman Carolyn C. Kilpatrick, D-Mich., serves as chairwoman of the Congressional Black Caucus.

The racial hotbed that burned for over nine months in Jena, La. should have been contained by school and elected officials.

for over nine months in Jena, Louisiana should have been contained by school and elected officials. Instead, the students were left to battle this rage without institutional support or resources.

Therefore, the CBC urges the judge in this case to consider all the

Days of Infamy A somber moment of reflection

BY WALLACE RYAN KUROIWA

In the aftermath of the Japanese attack on Pearl Harbor on Dec. 7, 1941, then-President Franklin D. Roosevelt called that moment, "a day that will live in infamy." Since then, the phrase day of infamy has become synonymous with that attack.

Scholars have since argued about whether the "sneak attack" was anticipated or not. Whatever the case may be, I would suggest that the real day of infamy came as one of the final strokes of the war Studs Turkel called "the Good War": the dropping of the atomic bombs on Hiroshima and Nagasaki on Aug. 6 and 9, 1945, respectively.

Approximately 140,000 people died in the Hiroshima explosion and another 40,000 at Nagasaki three days later. Most of them were civilians.

This first week in August, the 62nd anniversary of those days, provides a somber moment of reflection on those two violent days.

We cannot pretend days such as those will never happen again.

The number of nations that hold nuclear technology and retain nuclear arsenals has continued to increase since World War II. Iran obviously wants to join that club, even though they protest that allegation. North Korea has momentarily given up its threat to develop its capabilities in that regard. And we hold our breath lest some terrorist organizations attain that capability.

Of course, the U.S. has enough of an arsenal of nuclear weapons to blow up the entire world many times over. We aim our weapons at our enemies, real or perceived, hoping the doctrine of "mutually assured destruction," aptly given the acronym MAD, will protect us. MAD is the promise that if you do it to us, it will be done to you. This all gives me cause to wonder.

We are assured that if a nuclear holocaust should happen in our midst, our nation's leaders will be safely ensconced in a bunker

somewhere, so that the political and military affairs of our nation will continue unabated. That is small comfort.

I wonder how the others who will not be so protected will feel, just as I wonder how the common folk in Hiroshima and Nagasaki felt when fire rained down from the skies. I wonder how those airmen who flew those missions felt, knowing the devastation and horror they would unleash on the many innocents below.

I know we cannot put the genie back in the bottle. We cannot go back to the days before nuclear warfare. We have taken a bite from the apple on the nuclear tree, and we are the worse for it.

But, on this anniversary of the one time the United States used the bomb, I pray we will not succumb to the temptation ever to use it again. God forgive us if we ever do.

Wallace Ryan Kuroiwa is a member of Witness for Justice Ministries in the United Church of Christ.

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