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Colleges Flunk Fair Admissions Test

It's the beginning of a new year and that means it is time for high school seniors to begin completing college applications. Increasingly, whether they get admitted will have nothing to do with their grades, their SAT scores, or their overall aptitude for college. They may end up getting denied admission to the college of their choice because of a criminal record.

Whether a person's past should continue to be held against them — even after they have completed their sentence — has long been an issue of public debate. Some states hamper an ex-offenders' rehabilitation by denying them the ability to vote or to hold certain trade licenses.

The trend among colleges to use a person's criminal history against them in the admissions process is being perceived as a new civil rights issue because a college degree increases people's ability to obtain a job commensurate with their skills and abilities.

A survey by the Center for Community Alternatives (CCA) in collaboration with the American Association of Collegiate Registrars and Admissions Officers (AACRAO) sent out a 59-page questionnaire in late 2009 to 3,248 institutions. Of those, 272 responded.

A majority of the responding colleges (66 percent) collect criminal justice information, although not all of them consider it in their admissions. The survey found, "Private schools and four-year schools are more likely to collect and use such information than

THE CURRY REPORT

George E. Curry



their public and two-year counterparts."

In most cases, colleges depend on applicants to self-disclose their criminal history.

The report by CCA notes that African-Americans and Hispanics are disproportionately hurt by the admissions policy because they are overrepresented in the criminal justice system.

"Racial disparities have been documented in the processing of every type of crime, from juvenile delinquency to low-level misdemeanors to the imposition of the death penalty," the report stated. "So pervasive is the criminal justice system in the lives of Black men that more Black men have done prison time than have earned college degrees. Because racial bias occurs at every stage of the criminal justice system, screening for criminal records cannot be a race-neutral practice."

It explained that the use of criminal records "has become a surrogate for race-based discrimination, serving the same function, albeit unintentionally, as the Black Codes and Jim Crow laws in earlier times." The report continued, "Hyper-aggressive law enforcement in low-income communities

of color has led to the overrepresentation of African Americans and Latinos among those with criminal convictions. Excluding otherwise qualified applicants from attending college because of a criminal record has the effect of depriving large numbers of people of color from opportunities that form the core of the 'American Dream.'"

The move to consider criminal records originated from a concern for campus safety, especially in the aftermath of the Virginia Tech shooting.

"While college campuses are not immune from crime, the data show that they are remarkably safe places compared to the community-at-large," the report observes. "This is particularly true for serious crimes that involve personal violence. ... The Virginia Tech incident, a tragic but aberrational event, was committed by a student who did not have a criminal record."

The report found that there is no measurable difference in the campus safety of colleges that examine a person's criminal past and those that don't.

"Our argument for eliminating the collection and use of [criminal histories] in admission decisions is in large part based on the absence of any empirical evidence showing that students with criminal records pose a safety risk on campus," the report said.

If colleges are determined to use the records, there are ways they can limit the adverse impact on applicants lives. For example, the colleges can limit disclosure to

specific types of convictions, such as felonies, but not misdemeanors or infractions; convictions that occurred only within the last five years or only felonies committed after the applicant's nineteenth birthday.

Additionally, colleges can provide applicants with an opportunity to document personal growth and rehabilitation. They can also remove barriers to admission for applicants still under some form of community supervision.

The push to get colleges not to consider criminal backgrounds in college admissions is an extension of "ban the box" movement to prevent employers from discriminating against ex-offenders. Even the American Bar Association (ABA) has passed a resolution calling for increased opportunities for people who got into trouble as juveniles.

Our communities — on-campus and off-campus — will be safer if ex-offenders are effectively eased back into the society.

The report concluded, "Depriving people of access to higher education based on a criminal record does not make campuses safer; instead it undermines public safety by foreclosing an opportunity that has proven to be one of the most effective deterrents to recidivism."

George E. Curry, former editor-in-chief of Emerge magazine and the NNPA News Service, is a keynote speaker, moderator, and media coach. He can be reached through his Web site, www.georgecurry.com.

Let's Not Praise Haley Barbour Too Much

Haley Barbour, Mississippi's governor, wants everyone to believe he is the good guy in the case of two Black women who have spent nearly 20 years in prison because of an \$11 robbery that they may not have even committed.

Once the heat over his recent civil rights flap got a little too warm for his big backside, Barbour generously decided that they should be released on the condition that one donates a kidney to the other. New York Times columnist Bob Herbert wrote in October about the cascading pleas for mercy: "This should be an easy call for a law-and-order governor who has, nevertheless, displayed a willingness to set free individuals convicted of far more serious crimes. Mr. Barbour has already pardoned four killers and suspended the life sentence of a fifth."

The judge who essentially sentenced the Scott sisters, Jamie and Gladys, to life in prison was downright lenient in 2005 when it came to sentencing one of the ringleaders of the lynching of three civil rights workers in Mississippi in 1964 — Michael Schwerner, Andrew Goodman, and James Chaney. That despicable human being was given 60 years — 20 years for each murder? — but left free while appealing his conviction.

As Nina Simone would say, if she were still among us, and see-

THE ROOT/NNPA

E.R. Shipp

ing what Judge Marcus Gordon has wrought, "Mississippi, goddam!" The NAACP, which has pushed hard for the release of the Scotts, is grateful that Jamie and Gladys are about to be freed (the process may take 45 days), but the NAACP and the NAACP Legal

Imams, do you hear me? Greeks, do you hear me? Professional athletes, do you hear me?

Barbour clearly has his eyes on the 2012 race against President Obama or whoever is the Democratic candidate. So, he's counting on Black folks giving him some love — and votes — for releasing Gladys and Jamie Scott.

He is especially counting on White people — conservative Republicans and White Citizens'

Scott requires regular dialysis, and her sister has offered to donate one of her kidneys to her. The Mississippi Department of Corrections believes the sisters no longer pose a threat to society. Their incarceration is no longer necessary for public safety or rehabilitation, and Jamie Scott's medical condition creates a substantial cost to the State of Mississippi.

The Mississippi Parole Board reviewed the sisters' request for a pardon and recommended that I neither pardon them, nor commute their sentence. At my request, the Parole Board subsequently reviewed whether the sisters should be granted an indefinite suspension of sentence, which is tantamount to parole, and have concurred with my decision to suspend their sentence indefinitely."

Well, la-di-da. Humanitarian. Tough on crime. Watching the bottom line. All in a stroke or two of the pen, after these women have been in prison since 1994 for what is less than the cost of a couple of sandwiches.

One Mississippi legislator, Willie Simmons, told the Jackson Clarion-Ledger that Barbour had made a "courageous move." I think that what Barbour did was about as courageous as my trying to make a chicken parmesan dinner for a friend's birthday the other night.

I think that what Barbour did was about as courageous as my trying to make a chicken parmesan ...

Defense and Educational Fund, as well as other civil rights organizations — and especially individual lawyers like Chokwe Lumumba — want this kind of miscarriage of justice to never happen again.

The Scott sisters, like the Scottsboro Boys in Alabama decades ago, have learned all about rural Southern justice and the politics that control that justice. We must learn from this. And, in 2010 and beyond, we must mean it when we say, "Never again!" Let's keep up with these sisters once they are on the outside; being symbols is not enough. Oprah, do you hear me? Reverends, do you hear me?

Council alums and Tea Partiers — to give him some love (and votes) because the sisters "no longer pose a threat to society."

This is the statement Barbour issued:

... I have issued two orders indefinitely suspending the sentences of Jamie and Gladys Scott. In 1994, a Scott County jury convicted the sisters of armed robbery and imposed two life sentences for the crime. Their convictions and their sentences were affirmed by the Mississippi Court of Appeals in 1996.

To date, the sisters have served 16 years of their sentences and are eligible for parole in 2014. Jamie