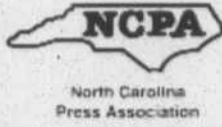


OPINION/ FORUM

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Let's Not Give Haley Barbour Too Much Praise



E.R. Shipp
Guest Columnist

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



Barbour

Barbour is not only a governor; he is the former national chair of the Republican Party and heads the GOP Governors Association. He 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, White Citizens' Council alums and Tea Partiers -- to give him some love (and votes) because the sisters "no longer pose a threat to society."

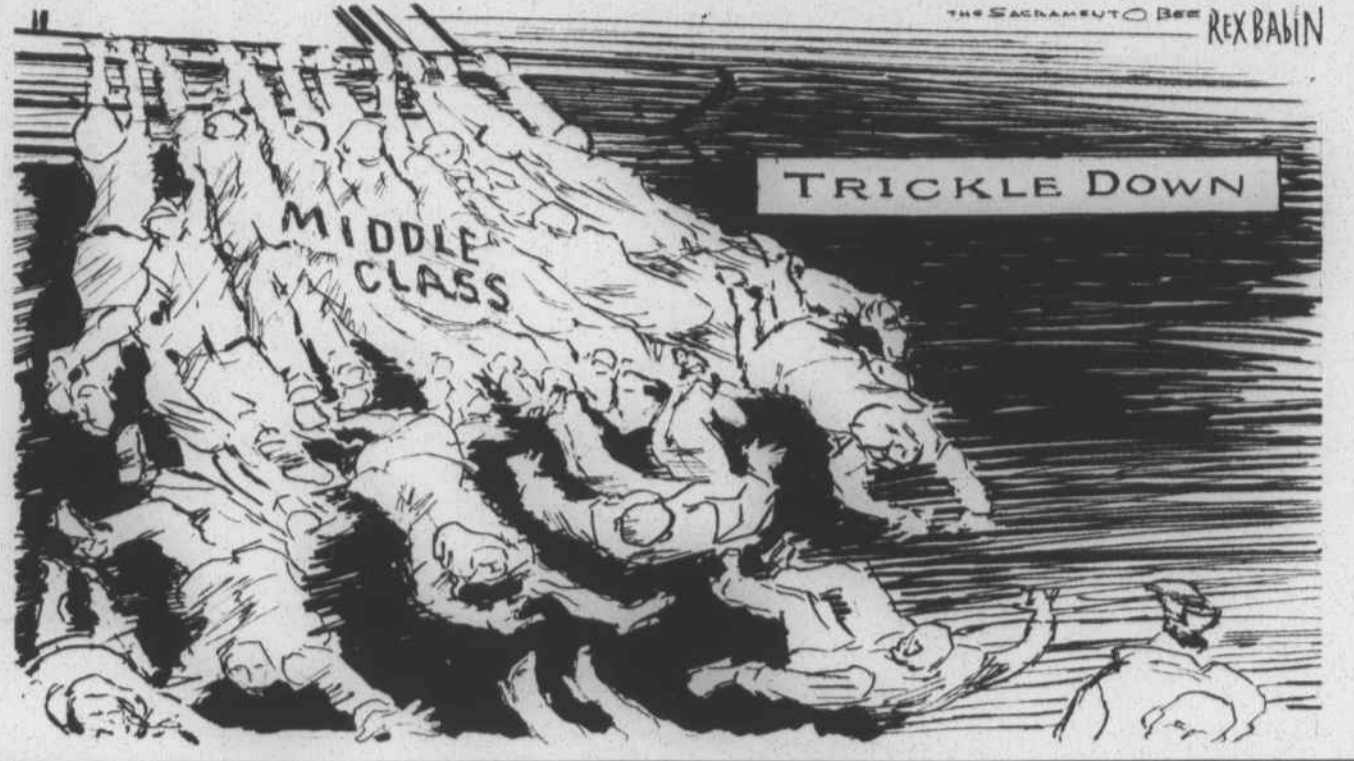
Ben Jealous, president of the NAACP, gives Barbour props for pressing the state parole board that did not -- does not -- want to release these women. "While it's been a long time coming, he could have waited if he wanted to." Most governors, Jealous said, are afraid to use their powers to grant clemency.

This is the statement Barbour issued: "... I have issued two orders indefinitely suspending the sentences of Jamie and Gladys Scott ... Jamie 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."

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, some chips and a soda or two. And, definitely less than the cost of the lives of three young men whose only crime was trying to register Black folks to vote in 1964. Mississippi, goddam.

The kissing-up has already begun. One Mississippi legislator, Willie Simmons, told the Jackson Clarion-Ledger that Barbour had made a "courageous move." Jealous also considers him courageous for standing up to the parole board. I respect Jealous and others who see Barbour as a good guy in this drama, but 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.

E.R. Shipp, a Pulitzer Prize-winning journalist, is a Southern based in New York and a frequent contributor to The Root.



Black Farmers Finally Get Justice



Marc Morial
Guest Columnist

"Black farmers have waited many years for this day -- the end of denied justice, the dawn of a new era of equality." John Boyd, President of the National Black Farmers Association

As many as 80,000 Black farmers received an early New Year's present from President Obama on December 8th, when he signed the Claims Resolution Act of 2010 into law. This legislation, which has been debated in Congress for more than a decade, funds a \$1.5 billion lawsuit against the U.S. Department of Agriculture for years of discrimination against Black farmers in federal farm loan programs. It awards as much as \$50,000 each to African American farmers who were denied federal loans during the 1980's because of the color of their

skin. President Obama, who was a sponsor of the legislation as a Senator, said this closes "a painful chapter in American history." National Black Farmers Association President John Boyd, who in September rode his tractor through the streets of Washington as part of his relentless campaign in support of the legislation, called it a belated but important "vindication and justice for Black farmers."

The National Urban League, The Congressional Black Caucus and other civil rights leaders have long championed this legislation. It is an outgrowth of an original class-action lawsuit, Pigford v. Glickman, filed in 1997 and settled in 1999. The new law awards \$50,000 to tens of thousands of aggrieved Black farmers who were left out of that original settlement. Many Black farmers have lost their farms waiting for this compensation. Some have

died waiting. In August of this year, I called Senate delays a clear case of political obstructionism and a violation of civil rights. Upon passage of the final bill Attorney General Eric Holder said, "This is a settlement that addressed a historical wrong...and offers a new relationship between the many deserving Americans and the federal agencies that play an important role in their lives."

Agriculture Secretary Tom Vilsack added, "President Obama and I made a firm commitment not only to treat all farmers fairly and equally, but to right the wrongs in USDA's past. I applaud those who took this historic step to ensure Black farmers who faced discrimination by their government finally receive justice."

John Boyd said that President Obama "made good on a campaign promise...Down in places like

Mississippi, these are poor communities and they need this money to help get their lives together."

But for Boyd, this is just the first step. He will now lead the effort to educate Black farmers and help those who are eligible file their claims and have their cases heard.

"The goal is to avoid a repeat of what happened during the first settlement of this case when many found out about it too late or did not file in time."

Along with health care reform and financial reform, the National Urban League counts this settlement on behalf of Black farmers as one of President Obama's major accomplishments of 2010. But, while this victory was a demonstration of important progress, the President rightfully pointed out,

"We must remember that much work remains to be done." We look forward to working with him in the New Year to keep moving America forward.

Marc Morial is head of the National Urban League.



Holder

Criminal Checks Keep Students Out of Colleges



George Curry
Guest Columnist

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%) 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 their



public and two-year counterparts."

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

"If it is discovered that an applicant has failed to disclose a criminal record there is an increased likelihood that the applicant will be denied admission or have their admission offer rescinded," according to report, "The Use of Criminal History Records in College Admissions Reconsidered."

At the end of 2008, more than 100 million Americans had either been arrested or convicted of a crime, the study said. Another 2.3 million were in jails and prisons, giving the United States the highest incarceration rate in the world.

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

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

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 19th 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.

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.