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Repeal mandatory minimum sentences

By Ron Walters

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I am often asked what is the black agenda for the 2004 elections and what issues should be asking the candidates to pay attention to. High on the list is the repeal of Mandatory Minimum Sentences.

I was watching a hearing of the House of Representatives subcommittee on Appropriations on the needs of the Supreme Court. It was chaired by Virginia Rep. Frank Wolf and featured Justices Anthony Kennedy and Clarence Thomas. I was noting that there seemed to be a division of labor between the two justices. Thomas apparently was sent there to testify about the administrative and technological needs of the high court, while Kennedy explained staffing needs and other issues.



Walters

Well, they were talking about their respective issues when Wolf asked Kennedy about his pursuit of eliminating mandatory minimums. I was startled at the passion with which Kennedy plowed into the subject, stating that the United States now incarcerates people at eight times more than any industrial country in the world and that 55 percent of those in the federal system are there for petty drug offenses.

Kennedy plowed on, saying that such sentences were "unfair, unjust and unwise..." and that the guidelines were put into place at a time when politicians were trying to outdo one another being "tough on crime." The goal was to give everybody the same sentence since it was thought that no one actually served the sentences meted out by the courts, so long sentences would be a deterrent.

Kennedy also suggested that the sentencing has been too expensive. In California, they were spending \$26,000 on inmates locked up for this purpose and spending just \$6,000 on education per child at the level of elementary education.

Wolf struck back saying that we are becoming a violent society and that he would be for possibly adjusting the sentences for nonviolent offenders, but not for violent ones. For example, he talked about taking the money used to incarcerate offenders and putting in into drug rehabilitation programs and if people violated their drug rehabilitation program, then they would do time - or some other such formulation.

Kennedy shot back with the thought that supervised release has been found to be 40 percent more effective and cheaper than having someone in full-time custody and that since the court system has to spend more money to allocate resources for mandatory minimums, we are not doing a good job. Kennedy ended his passionate charge to the conservative lawmakers in front him by praising the courage of justices who served lower level courts that were not following the minimum guidelines.

Today, there is a group called Families Against Mandatory Minimum Sentences that has grown up to confront and repeal this pernicious law. The Hip-Hop mogul Russell Simmons has been waging a campaign in New York City to bring heat and light to the opposition to this issue. But I have not seen the rest of our leadership out front on this issue that, more than any other, has contributed to locking up an entire generation of Black youth who are targeted and punished at a greater rate than Whites.

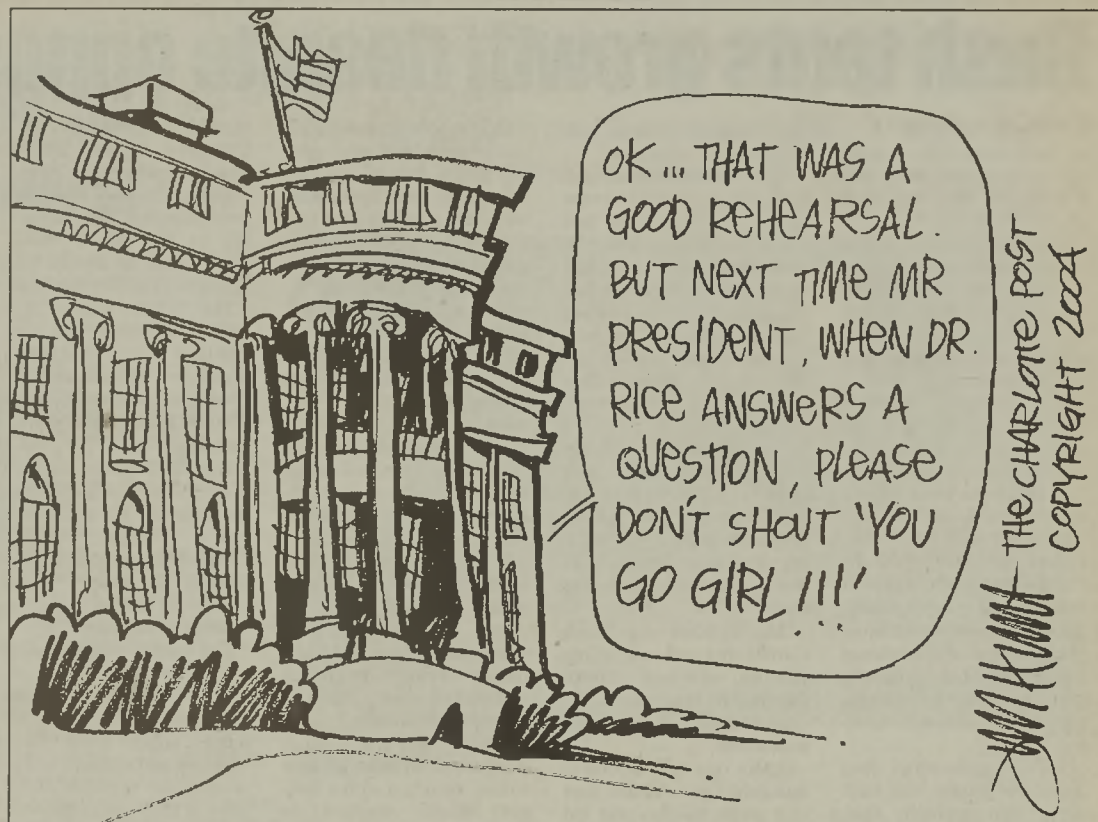
These young people have become caught up in a nasty period of ideological fervor where White males had to prove that they in fact controlled society by fashioning a set of laws in the 1994 Omnibus Crime Bill. It has had a disastrous effect on our community, even at a time when crime has been going down. So, even though 6,000 of them will be coming out this year, most will not be eligible for public housing, student loans and other public goods that will enable them to get a fresh start in society.

President Bush adopted a program created by Jesse Jackson that propose to put churches in a relationship to those coming of prison to make their transition easier. But nothing would make it easier than to eliminate those punishment laws that has made it tough for them to get a new start and easier for them to consider giving up and going back to the old ways. In fact, Bush ought to make it harder for them to get in, rather than easier to get out, but impossible to get on with their lives.

The Black leadership has said a lot about getting convicted felons to vote, but not much about getting them a life and we are giving the politicians a pass on this issue. For example, if you go to John Kerry's Web site, there is a list of issues, but nothing about the repeal of mandatory minimums - or any other criminal justice issue. Democrats have also played the game of being "tough on crime" to stay viable in the race for votes. But it is time to know where Kerry stand (we know where Bush stands) on this issue.

Justice Clarence Thomas said not a mumbling word at the hearing, but Kennedy and his colleague Justice Steven Breyer are fighting hard. We should join them.

RON WALTERS is the Distinguished Leadership Scholar, director of the African American Leadership Institute in the Academy of Leadership and professor of government and politics at the University of Maryland-College Park. His latest book is "White Nationalism, Black Interests" (Wayne State University Press).



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MUMFORD

District 40 race will be competitive

As I See It
GERALD O. JOHNSON



Rumor has it that the newly created district 40 was drawn by the North Carolina General Assembly to get Fountain Odom back to the Senate.

Odom lost his seat to Republican Robert Pittenger in 2002. He reportedly moved into the district shortly after its creation. District 40 is predominantly Democratic and predominantly African American. Barring a legal tussle over the validity of the district, it appeared Odom would have an easy road back to the Senate.

However, the best laid plans of mice and men often go astray. The newly created

district just happens to be the stomping ground of veteran city councilman Malcolm Graham. Graham, who lives and breathes politics, decided to throw his hat in the ring for this Senate district seat. Why would Graham, who clearly has a safe seat on City Council, run for the Senate? Simply put, it is a smart political move.



Graham

Graham has made it known for years that he would love to be mayor of this great city. This dream is



Odom

not likely to happen in the near future because of the Pat syndrome. That's Republican Pat Mumford and Democrat Pat Cannon. Both Pats have demonstrated the ability to win at large, something that Graham has not.

Both Pats are on a collision course to run against each other for mayor. This fact has deferred Graham's dream to become mayor for at least six years.

Just when it appeared Graham's political upward mobility would be hampered for several more years, District 40 was created. Graham could not have drawn this up any better himself. This district mirrors his city council district. It allows him to campaign for the seat and if he loses he is no worse off for the effort. He keeps his city council seat.

If Graham wins, his sphere of political influence

expands. His political career moves to the next level. His effectiveness for his district, though different from that of a city councilman, is no less important.

The race for the district seat is set. Fountain Odom, a veteran politician who can raise a lot of money against Malcolm Graham, an excellent campaigner who will be running in his back yard. The party-splitting race is shaping up to be a campaign too close to handicap. But there are a few things to keep in mind. The primary will be held in July. That means a low voter turnout. The candidate that can rally his supporters to the polls wins.

It sounds obvious, but getting it done is going to be both difficult and expensive. If you like politics, it is going to be a lot of fun.

GERALD O. JOHNSON is publisher of *The Post*

Revisiting the impact of integration

GEORGE E. CURRY



I recently received a review copy of Sheryll Cashin's new book titled, "The Failures of Integration: How Race and Class are Undermining the American Dream," published by PublicAffairs. Before I could open it, the back jacket captured my attention.

"...Black people do not crave integration, although we support it," it reads. "What seems to matter most to us is not living in a well-integrated neighborhood but having the same access to the good things in life as everyone else. Black people want the benefits of an integrated work place; we want the public and private institutions that shape opportunity to be integrated. More fundamentally, we want the freedom to chart our course and pursue our dreams. We bang on the doors and sometimes shatter the ceilings of corporate America not because it's largely white, but because this is how we 'get paid.'"

"We want the option of sending our children to any college we desire, but Spelman, Howard and Morehouse are often at the top of our list. We want space on the airwaves for our music, preferably aired by black-owned radio stations. We want to see and celebrate

ourselves on television, but we do not particularly care that there is no black friend on "Friends" because most of us don't watch it and don't understand its appeal. This is not separatism in the classic sense. It's an emerging 'post-civil rights' attitude that is simply ambivalent about integration. And it's a very dangerous thing."

Cashin, a law professor at Georgetown University, is the daughter of Dr. John Cashin, a well-known civil rights leader in Huntsville, Ala. Her new book arrived a week after I had returned to Washington, D.C. from a speaking engagement in my hometown, Tuscaloosa, Ala. There, I learned about a continuing controversy over where to build a third high school.

When I graduated from high school in 1965, things were clearly defined: blacks attended Druid High School on the west side of town and Whites enrolled in Tuscaloosa High on the east side, not far from the University of Alabama. That was prior to the desegregation of public schools in Alabama.

Two high schools were recently built near the outer boundaries of Tuscaloosa, far from my west Tuscaloosa neighborhood. When it came time to build a third one on the west side, original plans called for building it on an undeveloped tract on the western fringe of my hometown.

Many African-Americans objected and the compromise



site is on land that previously housed the all-white Tuscaloosa High School.

If I were still living in McKenzie Courts, my old housing project, that would mean instead of taking 10-15 minutes to walk to Druid, it would now take 30-45 minutes to walk across town. And that's supposed to be a victory? Why is it that neighborhood schools are fine for white students who do not wish to walk or be bussed across town but when it comes to blacks, that's supposed to be acceptable? Equally important, as Sue Thompson, a childhood friend and local attorney, observed: What message does this send to our young black kids?

Are we saying to them that in order to get a quality education they must go to schools that are still in largely white neighborhoods?

Those who think it's all right from black kids to be bussed across town miss the central goal of desegregation. It wasn't the bussing, but what was at the end of the bus ride that mattered the most. By law, I had to attend segregated schools in Alabama.

And black teachers were assigned to all-black schools. Next year, my senior class will celebrate its 40th

anniversary. Looking back, we were blessed to have studied under some of the best teachers in the country. We were never deluded into thinking our teachers had to be white in order to be good. As Cashin notes, it was all about having equal access to resources and opportunities. Initially, we had the best teachers and the worst budgets.

Under desegregation, many of our best teachers were re-assigned to the formerly all-white high school and some of the worst white teachers were assigned to what had been an all-black high school.

No one is suggesting that we go back to the good ol' days of segregation - which were old but hardly good. However, if integration is to be of value, it has to mean living together as equals, not having black students bear the brunt of what is passed off as progress.

GEORGE E. CURRY is editor-in-chief of the NNPA News Service and BlackPressUSA.com. His most recent book is "The Best of Emerge Magazine," an anthology published by Ballantine Books. Curry's weekly radio commentary is syndicated by Capitol Radio News Service. He can be reached through his Web site, georgecurry.com.