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THE TRUTH UNBRIDLED

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# Merry Christmas and Happy New Year

## Legislature, Congress maps upheld by NC high court

By Gary D. Robertson

RALEIGH (AP) - The North Carolina Supreme Court Dec. 17 upheld the boundaries for General Assembly and congressional districts drawn by Republicans three years ago that helped the GOP strengthen its grip on legislative seats.

Nearly a year after hearing oral arguments on the maps, a majority on the state's highest court ruled that a three-judge panel was correct last year in determining the lines were lawful under the state and federal constitutions.

Two of the six sitting justices ruling in the case disagreed and said lawmakers wrongly packed black voters under the belief it would provide them protection from litigation, and the maps should be revisited by the three judges. The case could wind up at the U.S. Supreme Court.

The maps, which were first used in the 2012 elections, have helped strengthen the grip of Republicans in state politics. The GOP holds comfortable margins over Democrats in the General Assembly and will carry 10 of the 13 seats in the state's U.S. House delegation starting in January.

Election and civil rights advocacy groups and Democratic voters sued over the maps, arguing the boundaries illegally clustered black voters in districts to benefit Republicans, creating oddly shaped districts. Republicans said the districts were lawful and designed to protect the state from legal claims under the U.S. Voting Rights Act. The litigation focused on 30 districts - 27 for the General Assembly and three for Congress.

"We are proud to have broken the cycle set by previous legislatures that repeatedly saw their maps tossed out by the courts as illegal," Rep. David Lewis, R-Harnett, and Sen. Bob Rucho, R-Mecklenburg, who oversaw the drawing of the maps in 2011, said in a release. During the 2000s, lawmakers were required to redraw legislative boundaries three times.

For 26 of the districts deemed subject to the Voting Rights Act, the trial court panel determined that race was the predominant factor in forming their boundaries and thus required a higher level of scrutiny. Writing for the majority, Associate Justice Bob Edmunds said the panel didn't offer enough findings of fact to determine race was the leading factor and thus a lower level of scrutiny was applicable.

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President Barack Obama, First Lady Michelle Obama, daughters Sasha and Malia, in a Christmas Family photo. (Official White House Photo)

## Muhammad Ali hospitalized with pneumonia

By Bruce Schreiner  
LOUISVILLE, Kentucky (AP) - Boxing great Muhammad Ali

was hospitalized with a mild case of pneumonia that was caught early and should result in a short hospital stay, an Ali spokesman said Dec. 20.

The three-time world heavyweight champion, who is battling Parkinson's disease, is being treated by his team of doctors and is in stable condition, said his spokesman, Bob Gunnell.

# With a Criminal Record, it's One Strike and You're Out

By Jazelle Hunt

NNPA Washington Correspondent

Ronald Lewis was standing on a street with his brother, who was selling drugs. When police were approaching, Lewis warned his brother. Both were arrested. That minor, almost reflexive reaction, led to Lewis sharing a drug possession charge with his brother as well as charges of being an instrument of a crime.

His lawyer advised him that he could win a trial. Later, that advice became a plea offer. Without being tried, Lewis accepted a B-class misdemeanor conviction, served no time in prison, and was released from probation early for steady compliance.

That was 10 years ago. Lewis, now 35, feels he is paying again for his past mistake.

"I paid that lawyer \$10,000" didn't know what [the deal] entailed. I didn't know the impact it would have on my life," he says. After going through the criminal justice system, Lewis entered a vocational program and earned an engineering license.

He says, "I thought life would begin for me - but I have had so many doors slammed in my face, I know what wood tastes like."

According to a new report from the Center for American Progress (CAP), as many as one in three Americans has a criminal record. Despite being commonplace, this status can cause lifelong socioeconomic challenges.

The report, titled, "One Strike and You're Out: How We Can Eliminate Barriers to Economic Security and Mobility for People with Criminal Records," paints the picture with an array of numbers:

- \* Ninety-five percent of people who are incarcerated at any level will be released.
- \* Each day, this is the case for more than 600,000 Americans who served time in prison.
- \* Each year, nearly 12 million people move through local jails.
- \* As of 2012, more than 4.7 million Americans were on probation or parole. Most will be confronted with their record as they attempt to rejoin society.

Research cited in the CAP report estimates that 87 percent of employers, 80 percent of landlords, and 66 percent of colleges use criminal and credit background checks to screen applicants.

By 2012, the Federal Bureau of Investigations released six times as many background checks for employers as it had the previous decade. The federal law that regulates the criminal and credit background-check industry was enacted in 1970, before the Internet; it generally applies to credit screening, as opposed to criminal records.

Thus, millions of people who have been arrested - even for exer-

cising their constitutional right to protest - and were never convicted or incarcerated, still carry the stain of having criminal charges come up in a background check.

"Even a minor criminal record can serve as an intractable barrier to employment as well as utter basics such as housing, such as building good credit, education, job training, and more," said Rachel Vallas, co-author of the report.

Low-income and people of color with criminal records are often most likely to fall into a cycle of poverty as a result of their records. The transgression, plus a common lack of skills and/or education, often merge to bar them from employment, and then from the social safety net that keeps people from sliding into deep poverty.

In addition to the employment challenges, difficulties with housing, public assistance, education and training, and economic stability and mobility compound their predicament.

In the case of public housing, for example, federal guidelines bar people with certain convictions and criminal activity - mostly

drug-related, but also violent and sexual offenses - from receiving assistance.

However, local agencies manage federal housing programs and have authority to create their own guidelines. In many areas, agencies go beyond the federal guidelines to evict or deny housing to entire families if any one member has an encounter with the criminal justice system, regardless of whether they were ever convicted.

Similar restrictions exist on receiving food assistance, federal grants, and need-based aid for college. There's also the significant challenge of debt incurred from moving through the criminal justice system.

"Examples include various types of 'user fees' that get tacked onto a conviction, public defender fees for defendants who exercise their right to counsel, and 'pay-to-stay' fees to offset the costs of incarceration, among many, many others. Total criminal justice debts can rise into the hundreds, thousands, and even tens of thousands of dollars," the report reads, adding that in many states, one must clear all criminal justice debt before clearing his or her record.

The difficulties often extend past the person with the record. The report notes that as of 2012, more than half of incarcerated adults have minor children. Currently, more than one in four Black 20-somethings have had a parent incarcerated during their childhood.

"It affects everybody close to you," says Lewis. "From the moment you get in trouble, it's a disappointment, it affects your mom." Then your family sees you trying to turn your life around and enduring rejection after rejection. Then that spills over to your wife and your kids because your mood is not the best, and your sense of self-worth is not the best."

There's a form from his daughter's school that he still hasn't signed and returned. It includes a question on criminal background.

He says, "I don't want them to see her differently because of my record, or things that I did."

The report makes several recommendations to both public and private sectors on improving outcomes for Americans with criminal records. Most recommendations center on new or updated legislation in employment, background check regulations, public assistance, criminal justice debts including child support, educational aid, and more.

"Providing a clean slate is the single most powerful tool to resolve the obstacles documented in this report," the authors write. "Congress and the states should enact legislation to automatically seal low-level, nonviolent convictions after an individual has demon-

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Ronald Lewis still faces challenges from a brush with the law ten years ago. (Courtesy Ronald Lewis)