

# OPINION/ FORUM

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## Pardon for Joyner's kin just tip of iceberg



**Diann Rust-Terry**  
 Guest Columnist

When news came in mid-October that national morning talk show personality Tom Joyner's great-uncles were posthumously pardoned in South Carolina for a murder they didn't commit, I was elated and saddened all at once - elated that justice was finally served, and saddened that his great-uncles and their families did not experience this justice.

Joyner's great-uncles, African-American landowners Thomas and Meeks Griffin, died in the electric chair in 1915, convicted by a jury for the 1913 murder of a 73-year-old South Carolina Confederate Army veteran. They were only given three days to prepare and present their case. Another man implicated the Griffins and two other men to spare his own life, but later admitted to a detective that the Griffins and the others were innocent.

The Griffins' case is all too similar to what takes place today in 21st Century America with respect to innocent people on death row. A disproportionate number of death row prisoners are people of color and poor people. Racial bias in sentencing; inability to afford effective legal representation; and prosecutorial and police misconduct are among the reasons for their presence on death row. Since 1973, 138 people - 71 of whom are African-American - have been exonerated from death row due to new information that freed them.

In our 2007 report, "Innocent and Executed," the National Coalition to Abolish the Death Penalty (NCADP) highlighted the cases of four such men whose guilt was in doubt: Carlos de Luna, Ruben Cantu, Larry Griffin (no relation to Joyner's great-uncles), and Cameron Todd Willingham. The public is paying considerable attention to the Willingham case, due to a recent New Yorker article and a much-criticized move by the Governor of Texas to bury an official report confirming his innocence.

Willingham was executed in 2004 for setting the fire that destroyed his house and killed his three children. But a new report by nationally renowned fire expert Craig Beyler, commissioned by the State of Texas, says the evidence used to convict Willingham was worthless, and the fire was accidental. The Texas Forensic Science



**Tom Joyner**

Commission scheduled a hearing this September to review the report, but days before the hearing, Governor Rick Perry removed and replaced four Commissioners before the review could take place, and the hearing has been postponed indefinitely.

In response, NCADP has stepped up its new campaign, "Shouting from the Rooftops" to increase public attention to Willingham's case and the issue of wrongful convictions and executions. We are "Shouting" because U.S. Supreme Court Justice Antonin Scalia wrote in 2006 that there is not "a single case ... that a person was executed for a crime he did not commit." Scalia challenged advocates, saying that if there were such a case, "we would not have to hunt for it; the innocent's name would be shouted from the rooftops."

Whatever one's views on capital punishment are, we can all agree that executing innocent people violates our shared American values. So I hope that you join our "Shouting from the Rooftops" campaign. Visit the campaign Web site and get more information at <http://www.shoutingfromtherooftops.org>. There, you can share Willingham's story with friends, and write a letter to the editor of your local newspaper. We are also urging you to make a short video, where you shout from the rooftop about those who were innocent and executed.

Although it's too late to save the Griffins and Willingham, we can all shout from the rooftops, literally and figuratively, to abolish the death penalty, and prevent more such cases from happening again.

*Diann Rust-Tierney is executive director of the National Coalition to Abolish the Death Penalty.*



## Tests were an injustice



**Reynita McMillan**  
 Guest Columnist

*This piece is regarding the state's recent decision to do away with its controversial competency test graduation requirement. Those who were denied diplomas for failing the tests, will now be eligible to receive them.*

I am writing this letter to celebrate with the graduates who were finally able to claim their high school diplomas after one year, 10 years, 20 years, or even 28 years without this valuable piece of paper. I applaud those who voted to pass the Senate bill that set these students free from this bondage. Special thanks go to all the parents, students and community leaders who met all summer with families about this issue: Rev. Dr. John Mendez, Rev. Dr. Felecia Piggott-Long and the members of Emmanuel Baptist Church; Rev. Dr. Carlton Eversley and the edu-

cation group that met at Dellabrook Presbyterian Church; Mrs. Lisa Harris of Guilford County and the other parent supporters in Greensboro.

According to recent news articles in *The Chronicle*, some of the students who were denied a diploma in 2009 had very good grades. Also, many of them only needed one or two points to pass only one of the competency tests. How have they managed to survive these years of injustice?

Fortunately, some students were able to pass these tests the first time they took them. However, if a student did not pass the test in the eighth grade, there was very little help for that student in high school, because their new teachers did not have a record of their strengths and weaknesses on the tests. What is more, the high school teachers have never seen the competency tests. How unfair it was for these students to be left in the dark about what they were doing correctly or incorrectly on the competency tests, because there was no technology that could identify their strengths and weakness on the test. Their parents were not allowed to see their tests, nor

were their teachers allowed to see them. How could they improve, except by the luck of the draw?

I am sure that many of these students have had doors shut in their faces. For example, they were turned away from every state university they applied to, even though they may have had a 3.5 GPA, because the students did not pass one of the state tests. All the students learned from this ordeal is low self esteem and helplessness. Because there was no way to identify their strengths and weaknesses, it was difficult to offer them focused remediation on the skills they lacked. All they could do is study and keep taking the test over and over and over, but often having the same result, or even the exact same score.

Twenty-eight years is a lifetime. Some of these students have been able to find the job they wanted and have been unable to accept scholarships and admission from the state universities, even those who had a 3.5 GPA had to get a GED and then go onto college. Many of them had taken rigorous classes and worked hard to walk across the stage with honors. Others went to

technical school and transferred to a college later, after giving up scholarships they could have had.

The competency tests have been a horror that has caused some of the best teachers to leave the classroom because of stress, and many of the students have dropped out rather than receiving a certificate of attendance after 12 long years of struggle. They simply lost hope of making it through. I'm glad that the Department of Public Instruction now offers more information to students when they take their tests. They now have technology that helps to identify student's strengths and weaknesses. I am so glad they have decided to hear the voices of the children. One member of my church looked into his mother's eyes and asked, "Momma, I could not pass that test, but do you still love me?" That broke my heart. Our children are your future, and I am so glad that this test is no longer stopping those who strive to be the best they can be.

*Reynita Marcia McMillan is a freshman at Salem College.*

## Better Off Than a Year Ago?



**Julianne Malveaux**  
 Guest Columnist

President Ronald Reagan had his flaws, but he certainly could turn a phrase. In the 1980 Presidential campaign, he asked a question that has resonated in campaigns ever since. "Are you better off than you were four years ago?" the former California governor asked in his race against Democratic President Jimmy Carter. The people answered with a resounding "no," and Ronald Reagan was elected.

The question has been asked in every election since, but President Barack Obama spun it cleverly in the 2008 election, when he said "At the rate you are going, you will have to ask, 'Are you better off than you were four weeks ago?'" And so, just one year ago, in a stunning moment of history, the former Illinois Senator Barack Obama was elected the 44th President of the United States.

I remember that election night, November 4, 2008, as if it were yesterday. I remember the tears trickling down the cheeks of Rev. Jesse Jackson at that cold park in Chicago. I remember the exuberance of some of the commentators as the numbers came in. It wasn't even close, really, and all of us who were afraid to believe in the possibility of an African American president were chastened and excited. Many of us remain excited at this Presidency, even as Obama's ratings drop to something around 53 percent in late October (from a high of 62 percent in April). The



*White House Photo*  
**President Barack Obama, First Lady Michelle Obama and First Grandmother Marian Robinson prepare to give out Halloween treats to school children.**

drops are understandable.

President Obama presides over the worst economic conditions in 70 years, with unemployment rates at all time highs and consumer confidence at all time lows. He has ambitiously tackled some of the most tractable policy challenges, including credit reform and health care reform, even as he has had to manage military action in Afghanistan and Iraq and the declining popularity of our nation in the world (Nobel Peace Prize notwithstanding). And, our President has had to manage the hostility of the tea party Republicans, whose disrespectful and obnoxious behavior has changed the tone of civic discourse and introduced an acceptable racism into what might otherwise be reasonable criticism about policy matters.

Challenges notwithstanding, there is a question that must be answered: Are the

American people better off now than we were a year ago? The answer is an ambiguous "Yes." We are better off for the possibility of health care reform. We are better off for the possibility of credit card and banking reform. We are better off, thanks to a stimulus that has saved some jobs and pumped some money into the economy. We are better off to the extent that the federal government is attempting to help with the foreclosure situation.

In terms of the labor market, we are emphatically not better off. The unemployment rate was 8.1 percent when President Obama was sworn in on January 20. It is 9.8 percent now. African Americans had official unemployment rates of 13.4 percent last January; now, the rate is 15.4, and those are only the official rates.

The Bureau of Labor Statistics says that it estimates overall unemployment as high

as 17 percent. Using the same formula, the African American unemployment rate is 26.7 percent, a Depression-era rate. If you are a renter who is also jobless, you probably have not seen any positive impact of the public policy that president Obama is attempting. Are you better off than you were a year ago? It depends on where you stand on the economic totem pole.

Is it too soon for us to have this conversation? After all, President Obama absolutely inherited an untenable economic situation. He has approached it with energy and vigor, championing stimulus packages and counting on stimulus money to trickle down to workers. My only criticism is that there are workers who would like to have the same priority that Wall Street and the bankers do. A federal employment program would make all the difference in the world for people at the bottom. An unemployment rate of 9.8 percent is all too high, and the cost of living with it is way too much.

Indeed, it is not likely that our economy can recover without a jobs program. People won't spend until they feel secure about their economic futures. We are moving into the holiday spending season, and what people spend in the next two months will make the difference between profits and losses for millions of retailers.

On election night a year ago, our nation might have gone in another direction. Are we better off than we were a year ago? For sure. But we'd be even better still if we could put American back to work.

*Julianne Malveaux is president of Bennett College for Women.*