

# Our Judicial System. What's Right And Wrong With It.

By George A. Burns

## \*Our Penal System\*

Nearly 20 years after Congress passed the Civil Rights Act of 1964, the criminal justice systems in at least three states, including California, are not entirely colorblind, according to a study some 3 1/2 weeks ago.

In a report by the Santa Monica based Rand Corp., it was found among its other conclusions that in California, Texas and Michigan,

charges, the races have a roughly equal chance of being prosecuted on those charges and about an equal chance of being convicted. But after convictions, the system treats blacks and hispanics more severely than it does whites. If they are convicted of misdemeanor charges, blacks and hispanics are much more likely to go to jail, while whites are more likely to receive

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Superior Court sentences by race, Los Angeles County, 1980  
Percent of arrested incarcerated at state level

	White	Black	Hispanic
Homicide	66	74	75
Rape	45	64	40
Robbery	37	45	38
Burglary	13	16	14
All felonies combined	28	33	35

Includes prison, California Youth Authority, California Rehabilitation Center, and state hospitals.

Time served in months by conviction offense, race and prior record

Prior Record	White	Black	Hispanic
No prior prison	47	59	55
1 or more prior prison	56	77	62
<b>Serious personal crime</b>			
No prior prison	41	46	45
1 or more prior prison	46	59	66
<b>Robbery</b>			
No prior prison	44	42	47
1 or more prior prison	47	40	54
<b>Property crime</b>			
No prior prison	23	21	28
1 prior prison	22	21	25
2 or more prior prison	26	30	34
<b>Miscellaneous</b>			
No prior prison	37	16	13
1 prior prison	27	15	—

\*Serious personal crimes include rape, kidnapping, and aggravated assault.



Harold Freedland/Herold artist

Blacks and Hispanics receive longer prison sentences and serve longer terms than whites convicted of similar crimes and with similar records.

Plea bargaining and probation reports were singled out as strongly contributing to the disparities noted in the report. Said criminologist Joan Petersilia in her report entitled, "Racial Disparities in The Criminal Justice System," "Once arraigned on felony

probation." Petersilia goes on by saying that "if convicted of felony charges, blacks and hispanics are more likely than whites to receive longer sentences." What were the rebuttals to those findings on the part of judges and other legal officials and experts when they were asked their opinions? Said Ron George, presiding Superior Court Judge in Los Angeles County, "They're com-

pletely inconsistent with my own observation and experiences in 11 years of my sitting on the bench." California's Attorney General John Van De Kamp said that he would study the findings and comment later. Samuel Paz, president of the Board of Directors of Southern California's American Civil Liberties Union had a different view. He said, "For those of us who do a lot of

criminal law with blacks and latinos, this isn't a surprising find. In some areas of employment, the situation for minorities is getting better, but there's been an acceptance of racism in the judicial system. This is what we've been saying all along."

In the same study, it was found to be the case, that in some areas of our criminal justice system, non-whites are favored. For example, blacks are more likely to be released before arraignment for lack of

# TIME INC. HONORS THREE EMPLOYEES WITH HEISKELL AWARDS

NEW YORK -- Time Inc. has named three employees as winners of its second annual Andrew Heiskell Awards for "exceptional contributions to equal opportunity and human rights" in their workplace and communities.

The awards, established by the diversified communications and forest products company in 1982, are named in honor of its former chairman who retired from the company in 1980 and continues a long career in public service.

The 1983 winners, selected from among the company's 25,000 employees, are Gerard R. Pitman assistant vice president and personnel director of Book-of-the-Month Club, Camp Hill, Pa.; Rita Robinson, special events manager for Time magazine in New York; and Donna Woodard, regional director for Home Box Office in Kansas City, Mo.

At a luncheon yesterday in the Time & Life Building the winners were saluted by Heiskell and by Ralph P. Davidson, chairman of the board of Time Inc. Davidson presented

evidence. Also, it was found that victims of all races have difficulty making positive identifications of black suspects. Also, minority offenders commit more crimes against people they know, who in turn may be less likely and willing to testify against them.

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\*Sentencing\*  
In California, the average sentence is 6 1/2 months longer for hispanics than for

each of them with an emblematic scroll, a \$1,000 contribution for the community group or charity they select and -- as an innovation in this year's awards program -- a \$1,000 personal check.

Pitman was recognized for "applying principles of affirmative action long before it was

"dedicated public service, particularly in the areas of human rights and education of the disadvantaged." A director of the New York Urban League for 12 years, she is currently a vice chairman and chairman of its public affairs committee. In the late '60s and early '70s she



Rita Robinson

acceptable or fashionable to do so." He is current chairman of the Opportunities Industrialization Center (OIC) of Carlisle, Pa., one of the country's model self-help vocational training centers for the underemployed. Under his guidance, Book-of-the-Month Club has consistently led all other companies in its region in the hiring of OIC trainees, people formerly dependent on unemployment support or welfare.

Rita Robinson was given her award for many years of

helped establish a pilot program on education alternatives in Harlem. More recently she has helped raise funds for sports and scholarship programs at black colleges as co-chairman of the annual Whitney Young, Jr. Football Classic at Yankee Stadium. She also served as a regular recruiter for Time Inc. at black colleges across the country.

Donna Woodard was cited for "the dedication, intelligence and energy she brings to the improvement of living and work environments." Working through the International Institute of Cultural Affairs, she is currently involved in "Education Alive" and "Westport Alive," two related civic projects to improve Kansas City public education. "Westport Alive" is intended to turn a cluster of mid-city schools into a model of community involvement and self-improvement for its district.

As designated by the three award winners, Time Inc. will make \$1,000 contributions to the Carlisle area Opportunities Industrialization Center of Carlisle, Pa. (Pitman), the New York Urban League (Robinson) and The Institute of Cultural Affairs, Chicago (Woodard).

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of judges follow the recommendations of reports by probation officers in determining sentences.

Petersilia's conclusion was simply this: Government planners now need to look behind the scenes. They need to focus on the key actors and their decision making; what information they use; how accurate it is, and whether its imposition affects particularly racial groups unfairly."