

C O M M E N T A R Y

Time is now to reform Rockefeller Drug laws

By Marc H. Morial
Special to Sentinel-Voice
May was the 30th anniversary of the New York state legislature's enactment of the so-called Rockefeller Drug laws.

Proposed by Governor Nelson A. Rockefeller, the "get tough" laws were supposed to solve the burgeoning drug and crime problem by locking up significant participants in the drug trade and thus deterring others from involvement.

But it hasn't worked out that way.

To be sure, the sentences are harsh. For example, a single ten-dollar sale of cocaine brings a minimum sentence of one to three years in prison—and four and a half to nine years if the offender has a prior conviction.

A first-time offender convicted of participating in the sale of two ounces of cocaine will draw a minimum sentence of fifteen years—and, possibly, a life-term sentence.

However, contrary to the original justifications that they would target the major traffickers and violent individuals, the laws have largely been ineffective in thwarting the drug trafficking and violent crime they were designed

To Be Equal

By Marc H. Morial
President and CEO
National Urban League



to stop.

According to Ernest Drucker, Professor of Epidemiology and Social Medicine and Professor of Psychiatry at Montefiore Medical Center /Albert Einstein College of Medicine, in New York City, 60 percent of those incarcerated were convicted of offenses in the three lowest classes of drug felonies, which involve very small amounts of drugs. And less than a quarter of these inmates had any prior violent felony convictions for any crime. Nearly a third had a prior felony conviction at all.

Since May 1973, more than 150,000 people have been sentenced to New York's prisons for nonviolent drug offenses—helping to fuel the state's astounding boom in both inmates, from 14,400 then to more than 70,000 today, and in prison expenditures.

But the misery hasn't been confined only to New York.

James Lanier, senior resident scholar for Community Justice Programs at the National Urban League's Institute of Opportunity and Equality, points out that "more than any other single legislative act, New York's adoption of the Rockefeller Drug Laws (symbolized) the beginning of the massive surge in incarceration" in states across the country.

Lanier and Drucker are writing separate essays on the nation's disastrous addiction to "mass incarceration" as a policy of law enforcement for the Urban League's forthcoming scholarly journal, *The State of Black America 2003*. Both assert that because police drug enforcement is concentrated on the street-level trade in Black and Hispanic communities, the effect of the Rockefeller drug laws and the laws it inspired across the country

(See Morial, Page 12)

FCC ruling to expand media ownership will curb dissent

By George E. Curry
Special to Sentinel-Voice

If you think that people holding unpopular views largely are now missing from the airways and daily newspapers, expect things to grow worse now that the Federal Communications Commission (FCC) has voted to permit media companies to gobble up more stations and newspapers as part of their perpetual quest for higher profits.

Led by FCC Chairman Michael Powell, who veers from his father's support of affirmative action, the commission voted on Monday to lift federal restrictions that had provided some protection against a company essentially determining what the public will see, hear and read in a certain market.

In an editorial prior to the vote, the "Bergen County (N.J.) Record" observed, "The strength of a democracy lies in the diversity of its voices, in the lively exchange of informed views battling out in the open marketplace of ideas. That's where our liberties are tested, refined and reinvigorated for each generation."

But now, with a ruling that will give a few powerful conglomerates greater control of the media, the Federal Communications Commission is preparing to deliver a severe

blow to this type of public discourse."

In a 3-2 vote along party lines, the FCC declared that a single company can now own TV stations that reach up to 45 percent of U.S. households, a 10 percent increase. It also ended a ban on joint ownership of a broadcast outlet and a newspaper in cities that have nine or more TV stations.

With this rule change, it's not inconceivable that as few as three or four media giants could penetrate nearly 100 percent of American homes. Would you trust such a small group, even if they've had a good record in the past, to exercise that much control over what's carried over what we thought were public airwaves?

The chairmen of Congress' Tri-Caucus, representing Blacks, Hispanics and Asian Pacific Americans, issued a statement after the vote calling it "a blow to diversity, competition, and the public having access to multiple sources of information."

The three groups are headed by Rep. Elijah Cummings (D-Md), Ciro Rodriguez (D-Texas) and David Wu (D-Oregon).

"Major findings of a 1999 study by Santa Clara University and University of Missouri indicate that there is a positive correlation between

minority ownership and diverse content in the media," the three said in a joint statement.

They also cited a Department of Commerce study that showed that people of color own only 4 percent of the nation's 10,577 commercial AM and FM radio stations or 248 AM stations and 178 FM facilities. According to that same report, between 1998 and 2000, there was a loss of five Hispanic and four Black-owned stations; and a gain of two Asian-owned stations. One firm, Clear Channel Radio, based in Texas, owns 1,250 radio stations—almost three times more than the number owned by Blacks and Hispanics combined.

Commercial television was even worse.

People of color owned only 23 full-power commercial television stations at the close of the last decade.

That's only 1.9 percent of the country's 1,288 licensed stations.

Make no mistake about it, conglomerates owned by ardent conservatives have a political agenda. Clear Channel, for example, is a strong supporter of George Bush. And when the lead singer of the Dixie Chicks said she was ashamed to be from the same state as Bush, the group's airtime dropped to almost zero.

(See Curry, Page 12)

Howard University DNA project holds promise for blacks

By Ron Walters
Special to Sentinel-Voice

That officials at Howard University Medical School have decided to collect DNA samples of approximately 25,000 African-Americans over the next five years is welcome news. African-Americans suffer from diseases such as stroke, hypertension, diabetes and others at a higher rate than Whites. African-Americans are not, however, generally represented in the pools from which samples are taken for use in research to find cures for these diseases.

Dr. Marion Gray Secundy, the late sister of former Congressman William Gray who was a medical ethicist at the Howard University Medical School, sponsored a conference in 1999 on the inclusion of Blacks in genetic testing.

She assumed that Blacks should be included in clinical trials as medical researchers explore cures for various diseases, an effort that will grow in scope and intensity now that the human genome has been decoded. The decoding of the human genome at the National Institutes of Health was completed two years sooner than expected and at a cost of \$400 million less than budgeted because of advances in computer technology and biomedical research.

We have entered an era in which the molecular genetic sciences have made some astounding linkages to a few diseases, giving us a hint of what is to come. But it also has been suggested that by understanding the genetic structure of an individual, one also can project aspects of that person's behavior. Al-

ready, some corporations are interested in genetic screening for their employees that they might determine in advance what diseases or other maladies their worker may exhibit. This brings up the issue of privacy of medical records and whether it is lawful for corporations to insist that prospective employees take a blood test.

This practice would be troublesome because it proposes that we live in a world where our biological make up might be used to pre-ordain certain behaviors, such as various forms of criminality and aggression. In fact, there already have been studies funded by the National Institutes of Health on whether violence or aggression in some youths is inherited. Such research has been specifically focused on Black

and Hispanic children.

In 1993, there was a project in the Department of Health and Human Services (HHS) known as the "violence initiative." HHS Secretary Louis Sullivan, an African-American, had rounded up all of the programs spread throughout the large agency and put them under one programmatic tent to emphasize the fact that he and the president were concerned about this issue. The impetus driving this initiative was the violence emanating from the drug trade, which fostered not only high murder rates, but also high rates of incarceration for Black and Hispanics youth.

The dangerous part of this project was that the National Institute of Mental Health was doing research to find genetic markers for certain behav-

iors. The head of the institute, Dr. Richard Goodwin, said that progress on finding a solution to violence among youth was within reach. All that was needed was to find the genetic marker for violence on the gene, determine who was susceptible to violent or aggressive behavior and then medicalize the carrier before the age of five.

This caused a great uproar and Goodwin was called before the Congressional Black Caucus to explain what he meant. As it turned out, his comment revealed what was occurring in the scientific establishment.

Blacks have a long history of distrusting the medical establishment, especially for the reason cited above. But there are other reasons, among them the infamous syphilis experiment at

Tuskegee, Ala., before World War II and the attempt to study the brains of Blacks who were active in the Civil Rights Movement in the 1960s.

If Howard University, a trusted institution among Blacks, is involved in the collection and preservation of DNA records and monitors their use for fairness, then the potential medical advances to benefit Blacks may have a chance.

An important by-product of this project is that Howard's DNA researchers may also find clues to the origins of many African-Americans, a feat that many in the reparations movement hope will occur.

Ron Walters is a professor of government and politics at the University of Maryland-College Park.