

## OUR VIEW

## Black Tuesday

Black America got hit with a triple whammy on Tuesday. There came the news that Notre Dame football coach Tyrone Willingham was fired after three years at the helm of what some still consider the most prestigious job in college football. Next, former BET news analyst Tavis Smiley announced he would not renew his contract with NPR, bringing an end to a highly successful three-year foray on public radio. And lastly, news from the nation's oldest and largest civil rights organization: Kweisi Mfume, who presided as chief executive officer of the National Association for Advancement of Colored People since 1995, told colleagues he was resigning from the post. (Dennis C. Hayes, the NAACP's general counsel, will serve as acting president).

Each event, in its own way, came as a huge shock.

Willingham transformed Stanford into a national-caliber football team, simultaneously ensuring his athletes adhered to the school's rigorous standards for academic excellence. The Fighting Irish's first Black coach did much of the same in his three years at Golden Dome-school, earning kudos for his integrity, improving the academic performance of his athletes and repairing, albeit in fits and starts, the mystique that once characterized Notre Dame football. He followed a stellar debut (10-3) with a disappointing 5-7 season and a 6-5 campaign this year that saw devastating losses as well as quality wins (over perennial powers Michigan and Tennessee. For Notre Dame, which hasn't contended for a national championship in more than a decade, that wasn't good enough. Nor, apparently, was Willingham's impeccable character good enough.

His dismissal, however, shouldn't be referendum on his coaching ability. Notre Dame's loss will be some other college's gain. Why the not Rebels' gain? Our hometown University of Nevada, Las Vegas would do well to seriously consider procuring Willingham's services.

Though voluntary, Smiley's departure from NPR is no less disheartening than Willingham's forced one.

"After all that we've accomplished towards our goal of seeking a broader, more diverse and younger audience for public radio, NPR's own research has confirmed that NPR has simply failed to meaningfully reach out to a broad spectrum of Americans who would benefit from public radio but simply don't know it exists or what it offers," Smiley said in a statement.

With his decampment, the already miniscule filter for news told from an African-American perspective becomes smaller and less powerful. In many ways, Smiley was/is our Tom Brokaw. For all of Bryant Gumble's Emmy Awards, Ed Gordon's style and Ed Bradley's gentlemanly journalism, none embody the ideal of Black America's reporter better than Smiley. Starting with his show on BET (which was cancelled after the \$3 billion Viacom buyout) and continuing through his popular NPR show (900,000 weekly listeners), Smiley served as Black America's eyes and ears, talking to the movers and shakers and asking the questions we would, if given the chance. His voice will be missed.

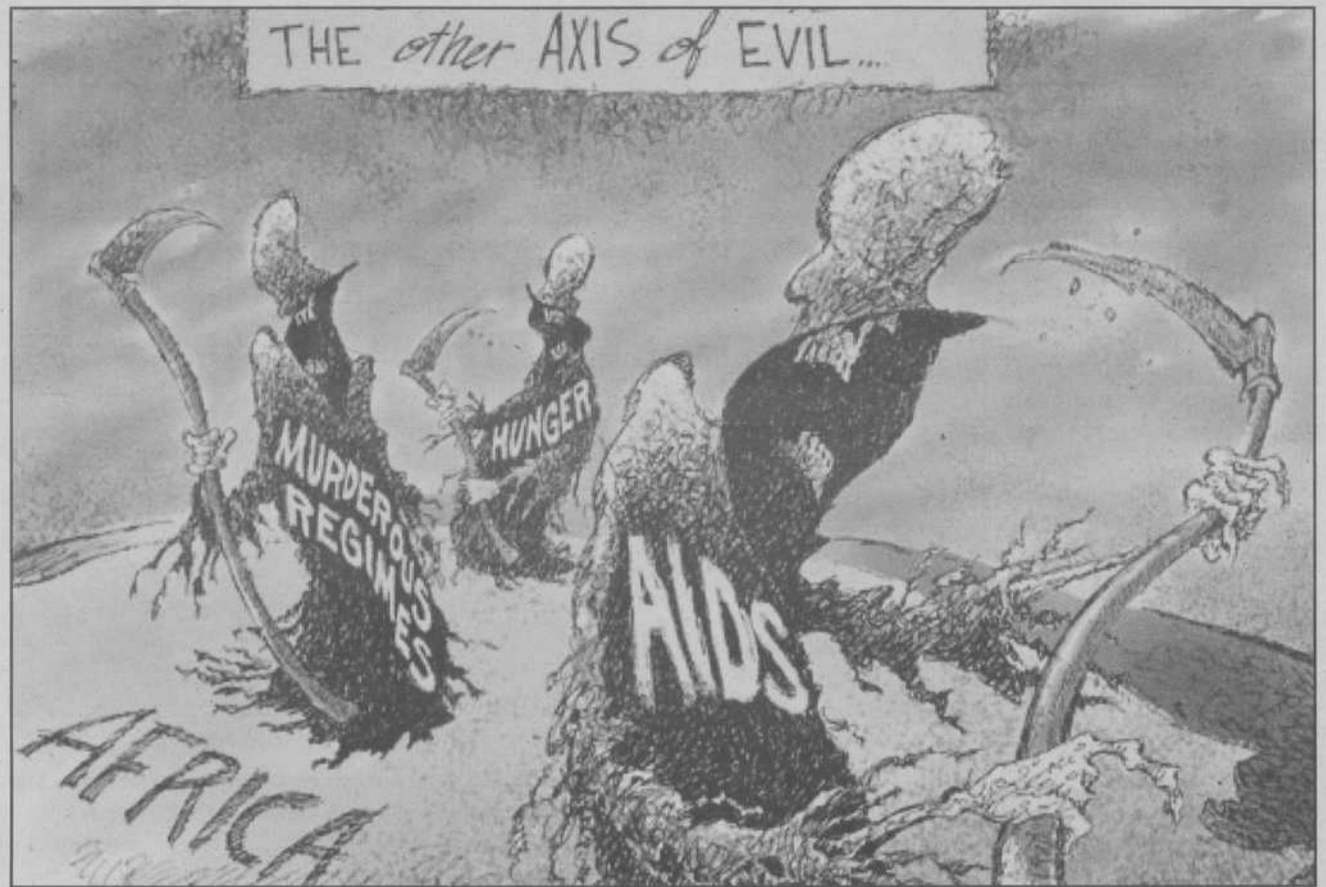
Perhaps the saddest news of all is the departure of Mfume, who inherited an NAACP rife with internal strife, saddled with \$3 million in debt and desperately trying to emerge from a sexual harassment scandal involving former leader Benjamin Chavis.

NAACP chairman Julian Bond said of the news: "We were sorry to hear he did not want to renew his contract. He brought his experience in public life. He brought his tenure on Capitol Hill, his contacts in political and financial worlds and his hard work. We needed all that."

Mfume leaves large shoes to fill, having spearheaded the NAACP's successful effort (along with other civil rights groups) to register the largest-ever number of minorities as voters and creating a civil rights report card to rate industries on their minority business procurement. In doing so, he forced companies to treat Blacks better. Now the job will fall to...no one knows.

This was a Black Tuesday, indeed.

## POINT OF VIEW



## Do the crime, you will do the time

By Louie Overstreet  
Special to Sentinel-Voice

A very significant public document was released last week with little or no news coverage by the majority media.

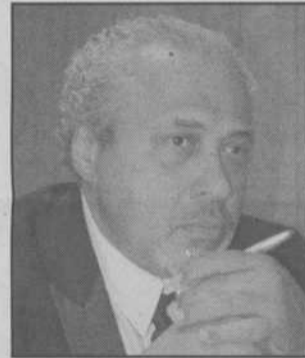
The U.S. Sentencing Commission released a study last week based on data gathered over a 15 year period of time. The Commission was established by the Sentencing Reform Act provisions of the Comprehensive Crime Control Act of 1984; its authority and duties are set out in Chapter 58 of Title 28 of the United States Code.

One of the Commission's purposes is to "provide certainty and fairness in meeting the purposes of sentencing [and to avoid] unwarranted disparity among offenders with similar characteristics convicted of similar criminal conduct, while permitting sufficient flexibility to take into account relevant aggravating or mitigating factors."

The study reviewed sentencing data on the following set of criteria established by the Commission:

- Structured judicial discretion
- Appellate review of sentences
- Reasons for sentence stated on the record
- Determinate or "real time" sentencing
- Defendants' payment of supervision and imprisonment costs

One would think that the lofty goal of the Commission



LOUIE OVERSTREET

would cause things to get better in the American system of justice.

Well, based of the findings of the Commission, it appears that the person who came up with the saying, "things couldn't possibly get any worse," didn't know about the federal judges' power to discriminate in the justice system.

Before you jump to the conclusion that this is another one of Overstreet's "woe is Black folks in America" columns, please read on to learn the facts that were published by White folks.

The Commission documented over a decade and a half that the disparity in sentencing Blacks as opposed to Whites is more pronounced today than it was prior to the Commission being established in 1984. Another growing disparity over 20 years is that the percentage of Hispanic persons incarcerated has gone up dramatically while the percentage of Whites in jail has gone down.

Prior to 1984, Whites made up over 60 percent of the prison population; today

their percentage is slightly under 35 percent.

The data also revealed that prior to 1984 Blacks and Whites served average sentences of slightly over two years. Today, for the same category of crime, Whites serve four years, and Blacks serve an average of six years of time. In other words, for doing the same crime, Blacks are serving sentences that are 50 percent longer than White counterparts.

Adding insult to injury, I will give you one guess as to where the greatest disparity in sentencing is taking place. If you guessed the states that formerly comprised the Confederacy, then you "ain't just whistling Dixie."

There are two things you should have observed prior to November 2, 2004:

(1) The U.S. Supreme Court is presently considering the constitutionality of the guidelines established by the Commission, and

(2) Guess who gets to appoint and confirm federal judges? That's right: the President and the U.S. Senate.

If you have the ability to deduce what it means for a judge to have the reputation of being a conservative, then consider what types of persons are going to be appointed to federal judgeships over the next four years — realizing these are lifelong appointments. Then, you should be able to equate that Blacks and Browns are going to catch hell in the justice system — well into the middle of this century.

If the reality ever hits close to home — that of having loved ones who come face-to-face with the "just-us" system" in America — and you didn't vote last month for a change in the course of our country, then this time it's shame on you. It has already been shame on them back in November 2000.



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