

Blacks need to get quality of justice from Blacks

By Ron Walters
Special to Sentinel-Voice

As I looked at the Black superintendent of police in New Orleans, Warren Riley, who was on television recently justifying the killing of a Black man on the streets of the city by his police force (perhaps by bullets fired by a Black policeman among the three), I knew that this was not a result for which the civil rights movement was fought.

For some time, a major goal of the movement has been to obtain more police, more judges, more of everything in the hope that the quality of justice for Blacks would improve, but it doesn't seem to have made much difference. This hints at the failure of many Blacks who have become law enforcement professionals to take the civil rights movement inside the institution with them.

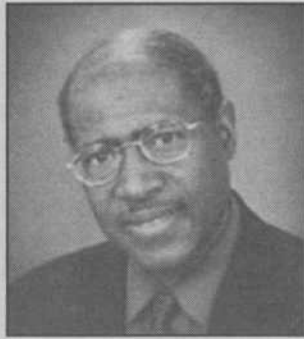
Looking through a number of websites and statistical sources, it is difficult to say whether police killings of Blacks is rising or falling. Statistics in a report called INQUEST show that reported police shootings reached a peak of 400 in 2001 and dropped to 200 per year in each successive year thereafter. Nevertheless, these killings involved Blacks and Hispanics disproportionately, and 57 percent of them reported in 2001 that they have had violent encounters with police — a rate twice that of Whites. The growth of violent incidents have appeared all over the country, in Cincinnati, Ohio; New York City; several

cities on the West Coast; Florida and repeatedly in New Orleans.

Are Black police officers part of the solution in these cases, or are they firing their weapons at the same rate, trying to fit into an often violent, racist police culture? And even where Blacks are leaders, have they adopted that culture as a way of ensuring their mobility in the system?

Ostensibly, they have some weapons, both in the law and in the principles that should govern police conduct. For example, the U.S. Department of Justice guidelines in "Principles of Good Policing," which focus on avoiding violent encounters, suggest that police culture is clearly a problem and recommends that police departments adopt a set of values that discourages the use of force. One of those is that "the police department places its highest value on the preservation of human life."

But the repeated use of deadly force has been criticized by the National Black Police Officers Assn., headed by Ron Hampton, and the National Association of Black Law Enforcement Executives as devaluing the lives of other Blacks in many crises situations. But what would happen if Black police officers began to object, disrupt and legally challenge



RON WALTERS

these practices from the inside. In other words, rather than joining the dysfunctional police culture, what if they took the civil rights movement inside the institution.

In this connection, I have also wondered about Black judges. While I have heard about the occasional Black judge who has exercised mercy in cases clearly involving an injustice to a Black defendant, why would the incarceration rate be as high as it is, with many of them serving on the bench now? We know that Black judges have spoken out against racism in the criminal justice system, as indicated by a recent book, "Black Judges on Justice," which is recognized as the first reader where judges have spoken out against racism in profiling, incarceration and sentencing and other areas. Moreover, one is also aware of the outstanding civil rights work of the National Bar Association and Black student law organizations.

But I also ran across a study in *Social Science Quarterly* (December 2001) in which a study of 10 Black male judges (4,374 sentences) with 80 White male judges (34,668 sentences) in Pennsylvania counties, between 1991 and 1994. It found that Black judges were 1.66 times more likely to incarcerate offenders than White judges, even though the

average sentences given by Black judges were one month shorter. This made me wonder how representative this study might be of the national problem: how hard Black judges buck the established system of sentencing in the guidelines; how hard they fight the death penalty and how hard they fight for probation for prisoners like Tookie Williams who have been rehabilitated; and how hard they fight with the legislature and the governors to restore the voting rights of convicted felons. In other words, now that we have a significant number of Black judges, are they part of the problem?

We should continue to push for Black policemen and policewomen and Black judges, and excoriate the Bush administration for its paltry record of having elevated only 15 of 200 Blacks to the federal bench (7 of them replacing other Blacks). But we should also demand that the judicial and intellectual firepower of Black judges be turned up on the racism in the justice system rather than benefiting from their mobility within it. They have been too quiet on nominations for the Supreme Court that may change the nature of justice for generations.

In this era, we should look for the civil rights movement within institutions like the criminal justice system rather than always in the street.

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Civil rights symbolism and economic substance

By James Clingman
Special to Sentinel-Voice

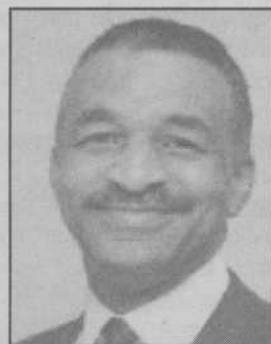
I almost used "or" instead of "and" in the title of this article because it seems we have settled for symbolism over substance when it comes to our economic freedom, but I know this is not an either-or argument. We need symbolism; issues, causes, and tangible objects that make us proud, celebrate our history and culture, and keep us positively motivated, are very much needed among Black people. But our tendency to settle for symbolism while ignoring, in many cases, the need for substantive, concrete, economic initiatives is slowly but surely dragging us down to a point of no return.

How long will we allow our sensibilities and our senses to fall prey to and be held hostage by symbolism without substance, especially when that symbolism is ensconced in civil rights? Take, for example, the recent celebration of Mother Rosa Parks. On the

national level, we saw George W. Bush co-opting our dear elder and the occasion of her defiant refusal to give up her seat on the bus, by signing a bill urging Congress to support the voting rights extension bill. Mind you, less than a year prior to signing the declaration Bush said he didn't even know what the 1965 Voting Rights Extension was.

CNN described the occasion of the signing as a "surprise" to many civil rights leaders and said, "The Rev. Jesse Jackson lavishly praised Bush for committing to seeing the expiring portions of the Voting Rights Act extended. He called the president's public urging 'a significant breakthrough' since he had previously declined even in private to support the renewal."

Jesse Jr. also gave praise to Bush for agree-



JAMES CLINGMAN

ing to commission a statue of Rosa Parks and place it in Statuary Hall. Jesse Jr. then continued on his quest for a "more perfect union." I wonder what that really means. I always thought perfect was absolute, the highest, the best. More perfect? What is that? If this "union" of ours is perfect, how can it become "more perfect?" If our "union" were

perfect, Bush would have supported the extension without the grandstanding and without having to be cajoled into it. You gotta admit though, it sounds good, it feels good, and it's good symbolism.

On the local level, Black councilpersons in Cincinnati presented a last-minute motion to get three blocks of a street named after Rosa Parks. Talk about symbolism. Rosa Parks is now deserving of street names and

statues, but while she was alive she had no opportunity to see a Black-owned bus company named after her, a Black-owned hotel named after her, or a Black-owned restaurant named after her in Cincinnati. Before you ask, in 2001 a Black development group proposed such a hotel and restaurant, named for Rosa Parks, but was refused an opportunity to even submit a bid for the \$800 million project by the Port Authority.

As a matter of fact, Black people own nothing on those three blocks named after Parks, nor do we own anything on the way to the National Underground Railroad Freedom Center, where Parks' three blocks will lead. If those in charge of the riverfront development project continue in the same mode as the Port Authority, and if Black folks in Cincy keep falling for symbolism only, never demanding more than symbolic gestures, we will continue to be left out of ownership opportunities. (See Clingman, Page 10)

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(Continued from Page 8)

nize that it can happen to anyone, and it can happen to you.

While you can't ever totally protect yourself from these thieves, you can try to make yourself less attractive. Here are some pointers to reduce your chances of being an identity theft crime victim:

- Don't give out your Social Security number unless it is absolutely necessary.
- Destroy any unwanted credit card offers. Rip, shred, burn, but make sure they're destroyed, and if you don't want the credit bureaus selling your name, opt out by either writing to them or calling toll-free (888) 5OPTOUT (1-888-567-8688).
- Only put your name and address on your checks — never your Social Security or other ID numbers.

- Keep a close watch on who's looking when you write checks. Some scammers can memorize your name, address and phone number during the short time it takes you to write a check. And by all means, never leave your checkbook lying around.

- Review your credit report at least once a year to make sure there haven't been some new credit cards or other accounts issued to someone other than you. (Beware of unscrupulous websites offering free reports.) One authorized site recommended by consumer protection agencies for a free report once a year by law is www.annualcreditreport.com.

- Never give out personal information to anyone on the phone who initiated the call to you or from any company you don't know.

The unfortunate thing about identity theft is that the burden of clearing one's name is

primarily on the victim. Victims must act quickly and aggressively to minimize the damage. In cases of criminal impersonation through ID fraud there are no established procedures for victims to clear their criminal records, so it can be a long uphill battle within the justice records system.

Here are some pointers if you are victimized by ID theft:

Contact the arresting or citing law enforcement agency and explain that it's a case of misidentification and report that someone is using your personal information.

Insist that you are the victim. File an impersonation report once your identity has been confirmed by the law enforcement agency, and they should retrieve the booking record of the individual and proceed from there. Your next step is to work with the

courts to find out which specific laws enable you to clear your name from the court records. Finally, and a lesser known step, you must contact and ask for correction by information brokers — private firms that provide lists, public and legal records, consumer demographics with highly detailed personal data to buyers for a fee.

For consumers who experience ID theft in any form, the Federal Trade Commission has action guidelines and forms online at www.ftc.gov and a toll-free hotline, 1-877-IDTHEFT (877-438-4338).

Everyone should understand and realize how lives can be ruined by these malicious acts.

Take a proactive approach to protect your credit and your identity, because the world just isn't what it used to be.