

# FOCUS<sup>®</sup>

The magazine of the Joint Center for Political and Economic Studies

## NEW CONGRESS FACES ROOTED RACIAL BIAS

### *Piecemeal Measures Won't Stop Problem*

By Terence Samuel

*A year after Congress passed the Voting Rights Act of 1965, the Supreme Court declared the law constitutional. In doing so, the Court addressed the pervasive and ingrained nature of racism and spoke to the reason radical measures were needed to address it.*

*In its order upholding the Act, the Court majority wrote, "Congress had found that case-by-case litigation was inadequate to combat wide-spread and persistent discrimination in voting" and cited "nearly a century of systemic resistance to the Fifteenth Amendment."*

*It was a bold stroke that led to a wholesale shifting of the political landscape. But now, nearly four decades later, efforts to eradicate embedded racial inequities in other areas still face systemic resistance.*

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# Playfair

In the early 1900s, a young black boy fought with his bigger competitors to sell newspapers on the street corners of Cincinnati, Ohio. Later, as valedictorian of his high school class, he was denied the opportunity to walk in the school's graduation procession with the class salutatorian, a white girl, because of his race. And even later, as an honor graduate of the Cincinnati Law School, he initially could find no work as a lawyer. Decades afterwards, as a successful member of the bar, NAACP branch chief, and long-serving member of the elected Cincinnati City Council, Theodore M. Berry became the city's first black vice mayor and, subsequently, first black mayor.

Ted Berry's ride was not an easy one. In his final high school year, he sought to enter an essay contest, but had his paper rejected for unspecified reasons. Suspecting racial bias, he resubmitted his essay, entitled, "The Chaos Beyond," but identified himself only by the pseudonym Thomas Playfair. The essay won first place. The Playfair incident was emblematic of Ted Berry's life-long refusal to submit to the tyranny of bias and its role in tragically harming — either intentionally or through casual indifference — the lives of individuals, communities, and whole societies.

The spirit of Thomas Playfair is symbolic as well, of the careers and concerns of the nation's black elected officials both then and today: a spirit of fair play, yes, but also a spirit that will not trade principle for profit, commitment for convenience, or the lives of desperate people for a litany of excuses or evasions. It is this spirit — the Playfair spirit, if you will — that will guide the purpose of this column in the months ahead and inform the musings that follow.

In the spirit of Thomas Playfair, this question: Why the uncanny inaction of the world's institutions in the face of the genocide that is occurring in the Sudan? Once again the world appears prepared to turn a blind eye toward the inconvenient spectacle of mass killings in Africa, just as it did a decade ago in Rwanda.

Despite a recent peace agreement between the government and the rebels to the south, the humanitarian crisis that began in 2003 continues to escalate in the Darfur region, even as world opinion condemns the inhumane actions of the Sudanese government and its thuggish auxiliaries. Tens of thousands of Sudanese citizens have been killed and millions left homeless as the government-sponsored Janjaweed militia pursue their savage raiding and burning of villages with impunity. The almost cowardly tolerance shown by the international community has emboldened the Sudanese government and the Janjaweed to continue and even accelerate their rampage.

As helpful as Secretary of State Colin Powell's condemnation — in the aftermath of repeated expressions of congressional outrage — ought to have been, it is not surprising that rhetoric alone has not sufficed. Referring to the depressingly familiar earlier circumstances, former President Bill Clinton has said of his failure to bring a halt to the killing in Rwanda that it was "one of the greatest regrets of [his] presidency." What is needed? U.S. action, as the strongest nation on earth, to demonstrate leadership, put additional pressure on allies and world bodies and set a new precedent for dealing with the African continent.

Great nations should care greatly; when catastrophe is imposed upon defenseless populations, as in the Sudan, they should act greatly. We have failed to live up to that standard, once again, and as a result we are leaving another African nation's needy population dependent and unserved in the time of their greatest desperation. This is harm enough. Even more, as a nation we are in danger of not honoring our own principles, and in so doing, of not being fair to ourselves.

**Thos. Playfair**

*Thomas Playfair is a pseudonym for the president of the Joint Center for Political and Economic Studies.*

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# Q&A Togo Dennis West Jr.

## The New Joint Center President

### Comes With Presidential Cabinet Experience



*On December 1, Togo Dennis West Jr. took over as the Joint Center's president and CEO. He succeeds Eddie N. Williams, who retired after 32 years of service. Secretary West, previously of counsel at the Washington-based law firm of Covington & Burling, has a long history of public and private service, including high level appointments under Democratic and Republican presidents.*

*Secretary West was associate deputy attorney general under President Gerald Ford. Under President Jimmy Carter, he was the Pentagon's general counsel, special assistant to the secretary and to the deputy secretary of defense and general counsel of the Navy. President Bill Clinton appointed him secretary of veterans affairs and secretary of the Army.*

*Secretary West also has broad experience with the private and nonprofit sectors. He is chairman of the board of Mitretek Systems, Inc. He is immediate past chairman of the Greater Washington Board of Trade, chairman of the Washington Hospital Center and chairman of the board of the National Capital Area Council of the Boy Scouts of America. He was senior vice president for government relations at the Northrop Corporation and is on the boards of Krispy Kreme Doughnut Corporation and Bowater, Inc.*

*This is an edited transcript of a recent interview he had with Joe Davidson, editor of FOCUS.*

**FOCUS:** Why did you decide to join the Joint Center?

**SECRETARY WEST:** Those of us who have benefited from the Joint Center's early groundbreaking efforts, which helped to clear the way for us later to serve in senior public positions, have always been in many ways members of the Joint Center family.

So, I decided to accept this extraordinary honor to come and work with as talented a group of leaders, researchers, writers, and thinkers, led by a distinguished board of governors, including my predecessor, Eddie N. Williams, as one can expect to come across.

**FOCUS:** What do you think you can bring from your previous roles — as secretary of veteran affairs, secretary of the Army, your affiliation with the corporate sector — to the Joint Center?

**SECRETARY WEST:** Admiration for

the people. Enthusiasm for the mission. A dedication to the community that the Joint Center was created to serve and continues to serve. And, a sense that there is much yet that we can do in accomplishing the Joint Center's mission.

But more. My experience as a senior vice president at Northrop Corporation, where I was, among other duties, responsible for reviewing and approving grants and other funding for nonprofit organizations. And yes, I do think there have been some leadership skills that have been refined in my years in public life.

**FOCUS:** As someone who's been involved with government in Washington for many years, I'm wondering if you care to speculate on what you think the major areas of concern in the black community might be as it relates to the federal government over the next four years.

**SECRETARY WEST:** There is, of course, the general statement that everything of interest to the larger communities is of interest to African Americans. So many of the current debates have a particular force for the African American community.

The debate that's looming in the Congress over the fate of Social Security is of critical importance, because of the particularly important role that Social Security plays and must play to make ends meet for current and future generations of African American retirees.

Similarly, the debate over issues of civil liberties — the Patriot Act issues — holds special significance for minorities. Shortcuts taken or protections that can be abridged in order to meet a larger objective of benefiting the greater number, put minorities at risk.

# Q & A

## Togo Dennis West Jr.

There are critical international issues, particularly involving Africa. When will we, as a nation and a member of the community of nations, insist on action against genocide in the Sudan?

We as a society have not been successful in addressing illiteracy in our urban centers. But to cite the dangers of illiteracy ignores the even larger failure of our educational system in educating today's youth. Yes, every city in America has bookcases filled with reports by blue ribbon commissions on what to do to improve education, certainly in the urban communities. I know, because my name is on some of them right here in the District of Columbia. But the fact is, we still have school systems that, by any measure and in the views of many observers, are tremendously deficient, and their greatest fault is that they are generating more and more at-risk individuals.

**FOCUS:** President Bush won a second term, although about 90 percent of the black population voted for his opponent. And about 90 percent of black elected officials are Democrats. So where does this leave the black community in the political power dynamic?

**SECRETARY WEST:** The fact is that African Americans will continue, like any community, to look at those politicians who have given voice to their aspirations, lent support to their purposes, and made measurable contributions to the improvement of their lives and their children's lives.

By the same token, I think there will always be — and rightly so — a stream of thinking in the black community that says that we need to make sure that we don't become taken for granted by any candidate or party. The black community struggled long and hard for the privilege of casting that all-important vote. It is a responsibility that we take seriously.

**FOCUS:** President Bush, in his first term, had a black secretary of state and a black national security adviser — he had black people in very important positions where black people have not traditionally been.

How important is it to the black community to have African Americans in these positions if they and the administration they represent advocate positions that the larger black community does not support? In this case, I'm thinking of the invasion of Iraq, where numerous polls show that the black community was, by and large, opposed to it. Condoleezza Rice and Colin Powell clearly were strong advocates of that policy.

**SECRETARY WEST:** First of all, it's very important, both to the black community and to the country, to have African Americans at the highest levels of government.

My own view is, it serves the African American community, it serves the Hispanic community, it serves the nation whenever we get African Americans, Hispanic and other minorities in high office, regardless of the political party. Diversity is a great equalizer.

I'm not saying that every single such appointment is going to yield satisfaction to every African American, just because that person is an African American. Nor should we expect it; we are, after all, individuals with personal views.

Incidentally, although Secretary-designate Rice seems to have supported the Iraq invasion, it is not altogether clear to me that Secretary Powell advocated the invasion within the administration, although he did publicly make the administration's case.

**FOCUS:** Realizing that you've only been here a short time, are there any changes in direction you'd like to see, or are there new areas of research you would like the Joint Center to explore?

**SECRETARY WEST:** It's a little early for me to have judgments on that, but I am certainly giving it consideration.

### Togo Dennis West Jr. Career Highlights

#### U.S. GOVERNMENT

Secretary of Veterans Affairs  
Secretary of the Army  
Panama Canal Commission, chairman of the board  
Department of Defense, general counsel  
Department of Defense, special assistant to the secretary and to the deputy secretary of defense  
General counsel of the Navy  
Associate deputy attorney general

#### LAW AND PRIVATE SECTOR

Covington & Burling Law Firm, of counsel  
Northrop Corporation, senior vice president for government relations  
Patterson, Belknap & Tyler Law Firm, Washington office managing partner  
Law clerk, U.S. District Court, Southern District of New York, Judge Harold R. Tyler Jr.

#### BOARDS AND COMMITTEES

*Current chairmanships:* Mitretek Systems; Washington Hospital Center; National Capital Area Council of the Boy Scouts of America  
*Former chairmanships:* Greater Washington Board of Trade; District of Columbia Law Revision Commission; District of Columbia Committee on Public Education  
*Other memberships:* Krispy Kreme Doughnut Corp.; Bowater, Inc.; Association of the United States Army; The Century Council; Mount Vernon Advisory Committee

#### MILITARY SERVICE AND AWARDS

Second lieutenant, U.S. Army Field Artillery Corps  
Captain, Judge Advocate General Corps  
Legion of Merit; Meritorious Service Medal

#### DEGREES AND OTHER AWARDS

Howard University, juris doctor degree  
Howard University, bachelor's degree in electrical engineering  
Distinguished Service Awards from the Departments of Veterans Affairs, Defense, Army, Air Force, and Navy  
Eagle Scout with Bronze Palm, Distinguished Eagle Scout, Silver Buffalo and Silver Beaver Awards

I am quite pleased and supportive of the talented staff and important mission of the Joint Center. I am also delighted by the recently begun work of the Health Policy Institute, and the opportunity it will give the Joint Center to focus on an area with important consequences for African Americans, other minorities and women.

**FOCUS:** Thank you very much.

# HEALTH REPORT

*This issue carries the first Health Report, a new TrendLetter feature that will appear in every edition of FOCUS. Prepared by the Joint Center's Health Policy Institute (HPI), this report will examine health policies and their impact on African Americans. HPI also does that in a variety of venues, including conferences, seminars and other publications. Among recent reports are a series of four briefs, published in cooperation with PolicyLink, that outline strategies for achieving better health through community focused solutions.*

## Bush Health Plans Leave Poor at Risk

By Gail Christopher

Concern about health and access to health care emerged as major domestic policy issues during the recent presidential campaign. In the Joint Center's 2004 National Opinion Poll, health issues ranked third on the list of the "most important national problems," following the war in Iraq and the economy. The United States spends more than \$1.5 trillion annually on health care and states expend up to 30 percent of their annual budgets on health care-related costs.

Included among the health policy areas President Bush likely will push during his second term are private sector initiatives, Community Health Centers, Medicare illness prevention activities and individual responsibility. These have important implications for African Americans, who too often receive less care for more serious ailments.

### Access to Health Care

The president will continue to champion private-sector solutions to escalating health care costs and promote greater consumer accountability. This translates into specific programs such as Health Savings Accounts (HSAs), High Deductible Health Plans (HDHPs), Association Health

Plans (AHPs) and related tax credits. The administration believes that these strategies address two persistent problems:

(1) Consumers' seeming disconnection from the true costs of their own health care and its effects on overall spending; and

(2) The inability of those without health insurance to find affordable health coverage.

A closer examination reveals that these assumptions and approaches pose significant risks to low-income communities of color.

Higher unemployment rates, as well as work in low-wage or part-time jobs that lack health insurance coverage, account for the lower rates of insurance in these communities. A fundamental problem with the administration's plan is that about 36 percent of all uninsured Americans, including many African Americans, do not earn enough to pay taxes and would therefore receive no benefit from either tax credits or the Health Savings Accounts. Many of these same individuals rely on Community Health Centers and Medicaid for their health care.

This administration's proposals to increase health care access using private sector programs and related tax credits also pose risks for those that can well afford them.

HSAs will likely appeal to younger and healthier people who anticipate having few health care expenses (and whose lower health care expenses balance the risk pool and help defray rising costs). If healthier

people enroll in HSAs, as experts anticipate, this could change the composition of the risk pool for the traditional employer-sponsored health insurance plans. Those remaining in these traditional PPO and HMO plans would likely be older beneficiaries who would face increases in overall health care costs and subsequent increases in their premium contributions. Association Health Plans could exempt insurers from state laws enacted to provide consumer safeguards that affect employer-sponsored plans.

### Community Health Centers

Tommy G. Thompson, the president's previous Health and Human Services (HHS) secretary, described Community Health Centers as "the core of the health care safety net for underserved and uninsured Americans." A five-year plan, announced in 2002, sought to increase health center funding by \$2.2 billion through fiscal year 2006. The plan proposed to build 1,200 new health center sites to accommodate an additional 6.1 million patients. Despite their expansion, Community Health Centers cannot meet the increasing needs of the growing uninsured population.

The National Conference of State Legislatures says the additional funding will be awarded on a competitive basis through federal health center grants. These grants are limited to operating expenses only, so those states that can contribute state resources, particularly toward capital construction costs, will be better situated to compete for the funding.

Health centers currently receive half their funding from state and local sources, such as Medicaid (35 percent), state and local funds (12 percent) and, to a small extent, the Children's Health Insurance Program (3 percent), according to the National Association of Community Health Centers. The remainder comes from federal grants, which make up approximately 26 percent of total funds, followed by private insurance, (11 percent), Medicare (6 percent) and patients themselves (7 percent).

The administration believes the benefits of Community Health Centers are unmistakable. “The cost to treat Health Center Medicaid patients is 30-34 percent less than the cost for those receiving care elsewhere; 26-40 percent lower for prescription costs; 35 percent lower for diabetics; 20 percent lower for asthmatics,” says Dr. Sam S. Shekar, associate administrator for the Bureau of Primary Health Care and assistant U. S. surgeon general. “Community Health Center Medicaid patients are 22 percent less likely to be hospitalized for potentially avoidable conditions than those obtaining care elsewhere; and health center Medicaid patients are 19 percent less likely to use the emergency room and 11 percent less likely to be hospitalized for potentially avoidable conditions than those with a usual source of care obtained elsewhere.”

Elected officials representing communities of color can refocus the health policy discourse and activities to address those issues that will actually bring about improved health for their constituents and work toward eliminating health disparities. Becoming competitive and successfully obtaining funding for Community Health Center expansion is one key strategy with a proven track record.

## Illness Prevention

Illness prevention is key to improved health, and provisions in the new Medicare prescription drug program place greater emphasis on prevention services. This is critically important to African Americans, because they experience disproportionately high rates of preventable chronic diseases like diabetes and heart disease.

Going beyond drugs, the prescription program covers initial physical examinations for seniors, cardiovascular screening, blood tests and diabetes screening tests. Other less widely known features include expansion of the managed care program and increased payments to managed care plans. Evidence indicates that individuals enrolled in managed care plans take more advantage of preventive screening opportunities.

The Act will also fund nine demonstration sites for cancer prevention and

treatment for ethnic and racial minorities. Community leaders can monitor the HHS web site, [www.cms.hhs.gov/medicarereform](http://www.cms.hhs.gov/medicarereform) for specific information about applying for these demonstration grants. While these changes show signs of progress, Medicare still has much work to do in the area of preventive health services.

## Individual Responsibility

In addition to things the government plans to do, the Bush administration also emphasizes greater individual responsibility for health. The federal government’s national health promotion and disease prevention initiative, Healthy People 2010, asserts that the adoption of healthy behaviors is critical if the nation is to sustain its progress toward better health for all. Five of the 10 leading health indicators selected to measure success are related to individual behavior: physical activity, overweight and obesity, tobacco use, substance abuse and responsible sexual behavior.

The leading causes of excess death and disease among communities of color are behaviorally related. Yet, many community and environmental factors do influence and mold behaviors. The availability of safe, well-lit streets can determine the willingness to walk. Safe playgrounds can increase children’s physical activity levels. Access to stores that sell affordable, quality, fresh foods can determine dietary choices and affect obesity risks.

Still, the relationship between health and individual behavior is irrefutable. Policy makers can influence behavior by concentrating efforts — both legislative and advocacy — on creating the conditions, incentives, programs and resources needed to bring about healthier individual behaviors within their communities, including increased funding for health promotion and illness prevention.

In its recent report, *Addressing Chronic Disease at Its Roots*, Grant Makers in Health, an association of philanthropic organizations, writes this: “The development and progression of many chronic diseases are linked to unhealthy behaviors, particularly cigarette smoking and the use of other

tobacco products, poor diet, and lack of regular exercise. Together these three behaviors are the most important contributors to preventable disease and premature death in the U.S.” Public policies at the local, state and federal levels, particularly in the form of educational campaigns, can significantly influence individual behavior in these areas.

While there is always a need for more research, enough is known about effective behavioral programs to design and implement large-scale initiatives within targeted high-risk communities. When attempting to discourage smoking, for example, a communitywide approach that reaches 200 people and achieves a quit rate of 10 percent would have a larger impact on public health than a small group program that reached 20 people and achieved a 50 percent quit rate. Similarly, if Americans lost an average of 2.2 pounds over one year, the country would see a 25 percent reduction in the prevalence of obesity. In short, according to Grant Makers in Health, broad-based programs that aim for moderate changes in behavior may be more effective in improving health than narrowly targeted programs that aim for more radical behavior change.

One primary imperative — the escalating cost of health care — is driving this era of health care policy reform. As policy makers consider new proposals, focusing on disease prevention and improving outcomes for patients would go far toward containing costs, in both the short and the long runs. It will also be critically important to monitor the impact of any new initiatives from the outset. The bar for accountability should be high, if the real goal of a healthier America is to be achieved and health disparities are ever to be eliminated.

The federal government is a good source for guidance on health promotion. The *Guide to Community Prevention Programs* is available online at [www.thecommunity-guide.org](http://www.thecommunity-guide.org). It addresses tobacco use, physical activity, diabetes and other related topics.

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*Gail Christopher is director of the Joint Center’s Health Policy Institute, which is funded by the W. K. Kellogg Foundation. For more information on HPI, visit [www.jointcenter.org](http://www.jointcenter.org).*

# POLITICAL REPORT

## Black Women, White Men Face Similar Confinement Rates

By Patrice Gaines

On a humid night last August, Kate Richardson waited outside Tutwiler Prison, just north of Montgomery, Alabama. La Chondria Crockett, a 32-year-old college graduate, walked out wearing prison-issued black khakis and a white polo shirt. She had \$10 and a one-way ticket given to her by the Alabama Department of Corrections. Her five-month imprisonment for forging checks was over.

At the time, Richardson, 60, was a rehabilitation specialist for the nonprofit Aid to Inmate Mothers. Once an accountant, she also served time — eight years of a life sentence — for forgery.

This scene — an older formerly incarcerated black woman waiting on a just released younger one — aptly symbolizes the staggering rate of imprisonment among black women, who make up the fastest growing population of incarcerated people. Black females were incarcerated at the rate of 185 per 100,000 at the end of 2003, according to Justice Department statistics. This means they were more than twice as likely to be incarcerated as Hispanic females (84 per 100,000) and nearly five times as likely as white females (38 per 100,000).

In fact, while males generally are six times more likely than females to go to prison, the chances of going to prison are nearly as high for black females (5.6 percent) as for white males (5.9 percent).

High incarceration rates are leading officials in states around the country to look at their sentencing policies as a means

to reduce their corrections budgets. New York State passed legislation in late 2004 that will modestly reform the notorious Rockefeller drug laws, considered the most severe in the nation. The highest level drug offenders, who previously received 15-to-life sentences, will now get 8 to 20 years, meaning hundreds of offenders may be eligible for early release.

A January Supreme Court decision could have a major impact on both state and federal sentencing policies. In two cases, known as *Booker* and *Fanfan*, the Court said federal sentencing guidelines (and by extension similar codes at the state level) should not be considered mandatory because they allow judges to increase sentences based on facts not proven to a jury or admitted by the defendant.

Activists who have long opposed harsh sentencing practices and the way the guidelines have been implemented now worry a

Supreme Court finding that dismisses them would be followed by legislation imposing even more stringent sentencing policies.

No matter the sentencing policies, African Americans have always received the harshest treatment by the corrections system in this country. After slavery ended, their incarceration soared, especially in the South. In the late 19th century, middle-class white women established reformatories, where mostly young, white women were “reformed” and trained in domestic life instead of serving time in jails or prisons.

This seldom was an alternative for black women, who were sent to jails or prisons. In the South after 1870, prison camps emerged, through which women were leased to local farms, mines and railroads. The overwhelming majority of women in these camps were black; the few white women sent there were imprisoned for much more serious offenses, and even they enjoyed better conditions of confinement.

“It all points to race,” says Garry Mendez Jr., founder of The National Trust for the Development of African American Men, which runs rehabilitation program inside prisons. “Police response to blacks is different than it is to whites.”

As the country enters a new year, Justice

### Lifetime chances of going to state or federal prison for the first time, by gender, race, and Hispanic origin, 1974-2001

Percent of resident population expected to go to state or federal prison, by year.

	1974	1979	1986	1991	1997	2001
<b>Gender</b>						
Male	3.6%	4.1%	6.0%	9.1%	10.6%	11.3%
Female	0.3	0.4	0.6	1.1	1.5	1.8
<b>Race/Hispanic Origin</b>						
White*	1.2	1.4	2.0	2.5	3.1	3.4
Male	2.2	2.5	3.6	4.4	5.4	5.9
Female	0.2	0.2	0.3	0.5	0.7	0.9
Black*	7.0	7.2	9.3	16.5	17.7	18.6
Male	13.4	13.4	17.4	29.4	31.0	32.2
Female	1.1	1.4	1.8	3.6	4.9	5.6
Hispanic*	2.2	3.3	6.2	9.5	10.5	10.0
Male	4.0	6.0	11.1	16.3	18.0	17.2
Female	0.4	0.4	0.9	1.5	2.2	2.2

Note: Percents represent the chance of being admitted to state or federal prison during a lifetime. Estimates were obtained by applying age-specific first incarceration and mortality rates for each group to a hypothetical population of 100,000 births.

\* Excludes persons of Hispanic origin.

Source: U.S. Dept. of Justice, Prevalence of Imprisonment in the U.S. Population, 1974-2001

Department statistics reveal an alarming outlook for the future of black men: Almost 1 in 3 black males is likely to go to prison, compared to 1 in 6 Hispanic males and 1 in 17 white males.

There are now nearly 2 million people confined in prisons or jails. At the end of 2003, African Americans made up 44 percent of those serving more than a year, while 35 percent were white, 19 percent were Hispanic and 2 percent came from other ethnic groups. Surveys repeatedly show that race plays a role in determining what happens at every step in the criminal justice procedure, from determining who gets pulled over while driving to whether or not a case is prosecuted or what kind of sentence a person receives.

In 2000, the American Society of Criminology released a policy paper on incarceration that expressed concern about rates of incarceration, especially “the exceedingly high incarceration rates of African American and Hispanic males and the dramatic increases in the numbers of women and children being incarcerated.” The study asked members to conduct studies to examine the implications of “high lifetime incarceration rates for certain minority populations.”

One of the most damaging implications is the dismantling of families. The Bureau of Justice Statistics estimates that 2.3 million children are affected by the 1.1 million parents incarcerated. Some 58 percent of women in prison are mothers, and more than half of them are imprisoned too far away from home for visits from their children. The situation is worst for African American children, 7 percent of whom have at least one incarcerated parent. About 2.6 percent of Hispanic children and 0.8 percent of white children fall into this category.

Tyrone Parker, director of the Alliance of Concerned Men in Washington, D.C., remembers a young woman in a neighborhood who told him: “We can’t have family reunions because we have so many aunts, uncles and cousins locked up. When you

realize incarceration can destroy the concept of a family reunion, then you understand the major impact it is having on a community.’”

Research shows that the children of incarcerated people are at greater risk for emotional and behavioral difficulties, poor academic performance, precocious sexuality, alcohol and drug abuse and juvenile delinquency.

### Abusive Background

The woman most likely to be incarcerated is a poor black mother with drug problems. She has probably been sexually abused and is in prison for committing a non-violent crime. One in four women committed an offense to get money for drugs, while the same figure was 1 in 6 for men, Justice Department surveys show. Almost half of incarcerated women committed their offense while under the influence of drugs or alcohol; 41 percent used drugs daily, compared to 36 percent of men.

While the high incidence of incarceration among women flows from many of the same practices that affect men, “there is a failure to recognize all aspects of women’s lives, from domestic abuse to being arrested as a robbery lookout,” says Tamar Kraft-Stolar, director of the Correctional Association of New York’s Women in Prison Project.

A woman’s entry into crime frequently is through an intimate relationship with a man, Kraft-Stolar explains. For instance, living with or dating a drug dealer is enough to implicate a woman. Moreover, often a woman living with a male drug dealer depends on him financially and, therefore, is less likely to leave, even if she may never participate in drug transactions.

Statistics also show that half of the women in jails and prisons have been physically or sexually abused, and that 80 percent of these women used drugs regularly, compared with 65 percent of the incarcerated women who have not been abused. Kraft-Stolar argues that the corrections system

has not adequately dealt with the trauma of abuse and the role it plays in leading women to drugs, crime, or both.

As an example of a promising program for women, she cites The TAMAR Project (Trauma, Addictions, Mental Health and Recovery) in Maryland, which is developing specialized services for women with histories of traumatic abuse, co-occurring mental health and substance abuse disorders.

The intensive, multi-faceted approach used by TAMAR along with other alternative programs could help reduce incarceration. But the most promising and consistent work aimed at specifically reducing the disproportionate minority incarceration rate is being carried out among juveniles. Reducing the DMC (disproportionate minority contact) is now a “core requirement” of the Juvenile Justice and Delinquency Prevention Act, and 46 states have DMC reduction initiatives underway.

Meanwhile, an estimated 500,000 people convicted of felonies leave prisons annually and return to their communities. African Americans make up one-third of this number. Under current federal law, people convicted of felonies are banned for life from receiving welfare benefits and related programs such as Food Stamps, although 33 states have opted out or modified the lifetime ban, according to the Sentencing Project. ■

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*For more information on the criminal justice system, see the May/June 2004 issue of FOCUS. This article was underwritten by the Annie E. Casey Foundation.*



For more information on this and related topics, visit our website.

# ECONOMIC REPORT

## Walking a Tightrope Without a Safety Net

By Margaret C. Simms

One of the last acts of the 108th Congress was to pass an omnibus appropriations bill. The appropriations cover 14 cabinet-level government agencies, including the departments of Labor, Health and Human Services, and Education. The \$388.4 billion bill allows a net increase in domestic discretionary spending of about 1 percent, with some programs getting more than President Bush requested, but many getting less. If Homeland Security is not considered, the remaining domestic programs show an overall cut of 0.8 percent.

While Congress did manage to pass the budget legislation, it left many legislative issues to be addressed by the 109th Congress, which began this January. The reauthorization of major domestic programs such as the Workforce Investment Act and Temporary Assistance to Needy Families, both of which have been operating on stop-gap legislation, are included on that list. This unfinished business, along with the federal deficit and new policy efforts on the president's second-term agenda—including additional tax changes and Social Security reform—will present significant challenges to the incoming Congress.

Congress is not the only group facing challenges in the New Year. States will continue to juggle the growing cost of Medicaid and demands on social service agency resources, even if economic recovery continues. And low-income individuals and families trying to stretch relatively constant incomes to cover higher costs for basic household needs such as energy and

health care will face the biggest challenge. This report summarizes some of the federal program cutbacks and their likely impact on the most vulnerable, including poor children and the unemployed.

### Provisions of the Spending Bill

Although fiscal year 2005 began on October 1, 2004, Congress could not agree on the appropriations for government spending until after the November election. In a lame duck session, Congress approved legislation that included the smallest increase in spending in over 10 years for labor, health and education programs. Since these increases follow the fairly tight budgets of prior years, the outlook for states and localities, and for program beneficiaries in general, is not good. The estimated increase in the Education Department budget is 1.6 percent, which leaves the special education and Title I aid programs below the administration's request.

In the health area, no provision was made to re-allocate unspent state children's health insurance (SCHIP) funds, which the Center on Budget and Policy Priorities estimates will reduce enrollment by as many as 200,000 children. Other low-income assistance programs had budget increases, including nutrition and housing programs. But even in these cases, most appropriations fell short of the funding needed to maintain current levels of service. For example, the Low-Income Housing Energy Assistance Program (LIEAP) saw a substantial increase, but it fell short of the increase in energy prices.

### Impacts on Children

The "hold the line" attitude of the 108th Congress could have significant impact on

children in low-income families. Several recent studies have shown that some of those children have lost ground over the eight years since welfare reform. This stems from the fact that reduced reliance on welfare does not necessarily mean families have more income.

Data from the Children's Sentinel Nutrition Assessment Program (C-SNAP) indicate that children have been harmed by changes in safety net programs. The multi-year, multi-site C-SNAP study has tracked the health status of children in six cities and linked some of their health problems to food insecurity, welfare sanctions, and energy costs. A C-SNAP report released in July 2004 found that food insecurity, while less severe than it was in 2000, remained high relative to 1999. Children in food-insecure households were 90 percent more likely to be in poor health and 30 percent more likely to have been hospitalized than other children. Similar disparities were found between children in families that had benefits reduced or terminated and other low-income children.

### State Budget Concerns

It is unlikely that states will take up the slack. Even though state budgets are on the "rebound" from their recessionary lows, the burden of Medicaid spending is hampering the ability of states to provide for vulnerable populations. Medicaid costs were a major concern of the Republican governors when they met in late November, and the "crowding out" effect Medicaid is having on non-health costs is revealed in a 2004 report issued by the U.S. Department of Health and Human Services.

This report, *Spending on Social Welfare Programs in Rich and Poor States: Key Findings*, shows that the crowding-out effect, which occurs when Medicaid spending takes away from other programs, is more severe in some states than in others. In poor states, Medicaid costs increased more rapidly and spending on other social service programs increased less than in rich states.

Rich states also seemed to benefit from the fact that economic expansion allowed for reduced cash assistance payments, something that was less likely to be the case for poor states. While this study looked at long-term trends, covering the period 1977-2000, more recent case studies conducted in six states between 2000 and 2003 provide insights that are helpful for understanding the current position of states with regard to social spending.

The case studies, completed by the Rockefeller Institute of Government and the Lewin Group, divided states into quartiles based on per capita personal income, which was used as a measure of fiscal capacity. The biggest difference between spending among the states was in the area of non-health social services. This category includes services and non-cash benefits such as child welfare services, child care subsidies, energy assistance programs, and shelter for the homeless. In this area there was a growing disparity between rich and poor states.

In 1980, the richest states spent 28 cents of every social welfare dollar on non-health, non-cash assistance social programs, while the poorest states spent 29 cents of every social welfare dollar on these programs.

By 2000, the richest states were spending three cents per social dollar less on such programs, but poor states had lowered their spending on these programs by 10 cents per dollar. These programs include efforts that help the poor escape poverty in the long-term, such as education and training.

### Workforce Investment Act

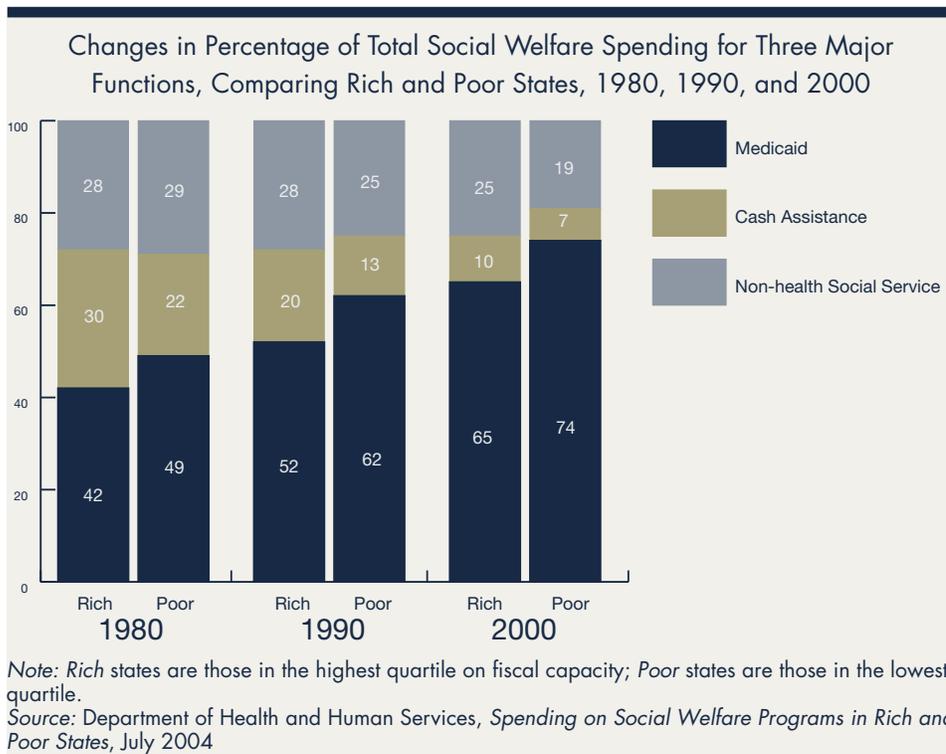
If individuals and families were better able to provide for themselves, the restrictions on some domestic programs would be less worrisome. However, even if the economic expansion continues and is sufficiently robust to reduce overall unemployment, some people will need assistance in moving into the labor market or up the employment ladder. The Workforce Investment Act (WIA), which is the current legislation governing the delivery of employment services programs for the unemployed and underemployed, was slated for reauthorization during the 108th Congress. However, differences among the federal legislators over the various provisions of the program led to a congressional stalemate.

When Congress turns its attention to WIA this year, legislators and advocates interested in reducing racial disparities in employment might benefit from a re-

cently completed Joint Center issue brief by Cecilia Conrad. When WIA replaced the Job Training Partnership Act, many hoped greater involvement by private sector employers would allow for more relevant training programs and better placements. But the program incentives tend to steer people whom the trainers think will not be placed in jobs away from training and toward less staff intensive activities, such as on-line job searches. This steering may be stronger in the case of African American and Hispanic workers.

Conrad notes that these racial differences are partially attributable to race-indifference in program design and implementation. For example, she says, “the performance measures used to evaluate these programs do not adjust for differences in employer demand for workers from different racial and ethnic groups” whom managers may believe are less qualified because, for example, the average black person has less education than the average white person. When performance is measured by number of placements, there is little incentive for local employment services programs to provide job training and assistance services to minorities, who will be more difficult to place.

Conrad makes several suggestions for program improvement, including strategies to reduce possible discriminatory treatment within the employment service and to boost demand for minority workers among employers. Fitting these recommendations into legislation will be a real challenge, given that Congress reduced funding levels for WIA in the fiscal 2005 budget. ■



For further information on the various studies mentioned, visit the following websites: for the Children’s Sentinel Nutrition Assessment Program, go to <http://dcc2.bumc.bu.edu/cs-nappublic/CSNAP2004.pdf>; for Spending on Social Welfare Programs in Rich and Poor States, go to <http://www.aspe.hhs.gov>. Information on how to obtain the Joint Center issue brief, *Racial and Ethnic Disparities in Labor Market Outcomes: The Role of the Public Workforce System*, will soon be available at [www.jointcenter.org](http://www.jointcenter.org).

# CHISHOLM LEAVES MARK ON AMERICAN POLITICS

## FIRST BLACK CONGRESSWOMAN DEAD AT 80

By Joe Davidson

The year 2005 rang in with a sad note. Shirley Chisholm died on New Year's Day. She was 80 years old.

History will record her as the first African American woman elected to Congress and as a founding member of the Congressional Black Caucus (CBC), and it will remember her momentous 1972 presidential candidacy. But those are not the first things she wanted her eulogists to mention.

"I'd like them to say that Shirley Chisholm had guts," she said in a 1969 interview with Susan Brownmiller. "That's how I'd like to be remembered."

Guts she had, and plenty. Chisholm exercised her fierce determination, courage and boldness to move when others hesitated, to object when others accepted and to scream when others could barely be heard.

"She was an extraordinary person at a time when the nation needed her kind of tenacity and courage," said Togo Dennis West Jr., president of the Joint Center.

A former New York assemblywoman, she once told voters that "my greatest political asset, which professional politicians fear, is my mouth, out of which come all kinds of things one shouldn't always discuss for reasons of political expediency."

From 1969 to 1983, Chisholm represented New York's 12th district, which included a large portion of Brooklyn and its much-maligned Bedford-Stuyvesant neighborhood. When she first entered Congress, she was placed on the Agriculture Committee instead of one dealing with urban issues. Many freshmen get committee appointments they don't like, but few object. She did.

She complained that the Agriculture Committee was irrelevant to her constitu-



Shirley Chisholm in 1972

ency: "Apparently all they know here in Washington about Brooklyn is a tree grew there." That kind of dissent was unheard of from freshmen, but her protest worked. She was given a spot on the Veterans' Affairs Committee and later was appointed to the Education and Labor Committee.

Outspoken and at times contrary, Chisholm also knew how to work the system. She was appointed to Education and Labor by Rep. Hale Boggs, whom she backed for majority leader. But that support placed her in opposition to Rep. John Conyers, who, with Chisholm, was among only a handful of black members in the House at the time.

Upon Chisholm's death, Conyers, now dean of the CBC, issued a statement that recalled her many accomplishments and concluded with simple poignancy. "I will greatly miss my former colleague," he said. "Her lessons and ideals will impact our society forever."

Backing Boggs over Conyers, her co-CBC founder, was not the only time Chisholm

bolted from what might be the expected political course. While she is now widely praised for her groundbreaking run for the White House, at the time her presidential announcement upset many in the black political establishment.

During those heady days of 1972, African Americans were beginning to secure real political power. The effects of the Voting Rights Act of 1965 were beginning to be felt, bringing to the polls many new black voters who were electing growing numbers of black politicians.

Several African American leaders and political organizers planned to use the March, 1972 National Black Political Convention in Gary, Indiana, to develop plans to further energize black politics and to develop a strategy to fight Nixon administration policies. One plan was to push an African American presidential candidate.

But before the convention convened, Chisholm surprised the political establishment and announced her candidacy, recalls Ronald Walters, who participated in the convention strategizing. She effectively pre-empted the convention plans and "angered a lot of folks," he said. Her announcement threw the convention "into a tizzy," he added.

As a result, while individual black leaders supported her candidacy, the convention did not endorse her, said Walters, now a distinguished leadership scholar and director of the African American Leadership Institute at the University of Maryland.

"It was too hot to come out and endorse her," he said. "People were mad."

But they never doubted her desire to bring needed changes to American politics.

Chisholm "played a pioneering role not only for African Americans, but for women," said Dorothy Height, president emeritus of the National Council of Negro Women. Rep. Charlie Rangel of Harlem, also a CBC founder, agrees. Calling her fiercely independent and "absolutely courageous," he said "she removed lot of obstacles for a lot of people." ■

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# RACIAL BIAS

Continued from cover

Whether it is in employment, health care or credit, many black Americans continue to live on the fringe, due to bias — sometimes subtle but thoroughly entrenched — that case-by-case remedies fail to eradicate.

With this New Year come opportunities for the new administration of George W. Bush and the recently sworn-in members of the 109th Congress to develop programs designed to eliminate the effects of deeply-rooted racial bias. Two areas—Social Security and criminal justice—certainly will be on the legislative agenda. Amending “No Child Left Behind,” the president’s first-term domestic centerpiece legislation on education, also is likely to appear on the congressional calendar. But to combat persistent bias in these areas, of the kind the Supreme Court cited in voting, the White House and Congress will have to go beyond a piecemeal, case-by-case approach.

“The current notion of racism is so limited,” complains John Powell, executive director of the Kirwan Institute for the Study of Race and Ethnicity at Ohio State University. “The way we think about racism is in terms of individual actions and actors, when in fact it is a complex set of practices and policies.” This limited notion of racism, he explains, does not adequately deal with the “protection of white privilege.”

That privilege fosters a well integrated set of advantages and preferences that create and sustain a favored class of white Americans regardless of their economic class. Even after the significant victories of the civil rights movement and the general acceptance of racial diversity as a national goal, public policies at the state and federal levels, as well as common practices in the private sector, have not eradicated the many intertwined, and sometimes invisible, layers of racial bias.

Even ostensibly race-neutral programs, such as Social Security and prison sentencing guidelines, can have an unequal racial impact because of the role those programs play in either leveling the playing field or generating increased bias.

## Social Security

Long-term budget problems have placed Social Security, the federal government’s retirement and disability program, at the top of the administration’s domestic agenda. Critics worry that Bush’s plan to partially privatize Social Security could lead to a dismantling of a program that has played a crucial role in helping black people overcome some of the ravages of systemic discrimination.

Maya Rockey Moore, vice president of research and programs for the Congressio-

nal Black Caucus Foundation, says Social Security “is very important to African Americans because of our unique history in this country. A hundred and fifty years out from slavery, we live in a system where the education needs are marginalized, so we are less likely to get those kinds of jobs that provide full benefits.”

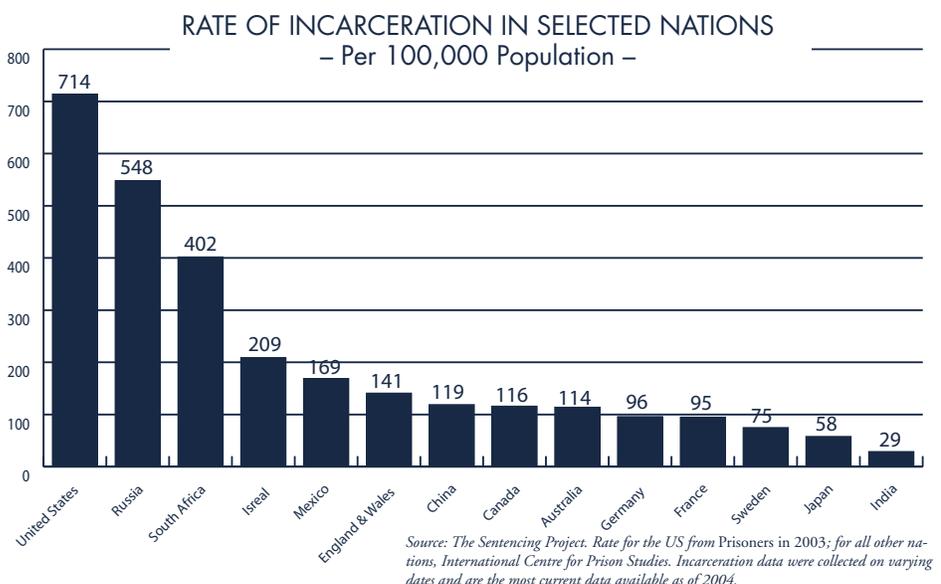
Absent those other benefits — a pension, equity from homeownership, income from other accumulated assets — African Americans are disproportionately reliant on Social Security and not only for retirement.

While they comprise 12 percent of the population, African Americans account for 17 percent of disability benefits under Social Security and 22 percent of all children receiving Social Security survivor benefits. And Rockey Moore points to a 2000 National Urban League study which found that black children are almost four times more likely to be lifted out of poverty by Social Security than are white children.

At press time, the president had not announced details of his proposal. It was clear, however, that he favored a component allowing younger workers the option of directing some of their payroll deductions to privately-managed investment accounts. The estimated federal cost (in lost revenues) associated with that range between \$2 trillion and \$3 trillion over 10 years, according to the Government Accounting Office. “You take that kind of money out of the system, and it’s going to hurt the people who need it most,” Rockey Moore predicts.

Furthermore, “high unemployment rates for African Americans mean fewer continuous work histories and less continuity of contributions to the private accounts,” according to a 2000 Joint Center paper by Cecilia A. Conrad entitled “The Bush and Gore Social Security Proposals: Implications for African Americans.”

The heavy reliance on Social Security by black people stems from the endemic racism in several areas of American life. “We have the worst jobs, and no insurance, so we get sick more and we are more likely to die early in life,” says Rockey Moore. The result is higher disability rates and higher numbers



of children living on Social Security survivor benefits. Those children are also poorer than average and are more likely to attend poor, under-funded public schools.

The one constant in the discussion about ending entrenched racism has been the acknowledged role of schools in helping to level the playing field. Among the president's proudest achievements in his first term was the passage of an education package popularly known as "No Child Left Behind." But the measure is not universally popular. "The Leave No Child Behind Act is leaving children behind," says Sen. Byron Dorgan, a North Dakota Democrat. "We need to have hearings to find out why this program is failing as badly as it is."

One thing critics cite is its budget. The current appropriation is more than \$9 billion short of authorized levels. In addition to congressional efforts to fully fund the program, there likely will be a push to grant schools greater flexibility in ways to improve and in measuring their academic performance. This could reduce the reliance on standardized testing.

In *Redefining Rights in America: The Civil Rights Record of the George W. Bush Administration*, a report critical of Bush's approach to civil rights, the U.S. Commission on Civil Rights said increased emphasis on standardized testing has a harmful effect on poor kids. "High stakes testing has a disparate impact on the most vulnerable students, and data show that as standards get more stringent the disparities get larger," the September report said. "Educators and civil rights advocates fear that the high stakes will most negatively affect children in poor, under-funded urban schools that are largely populated by minority and limited English students."

## Criminal Justice

Poor, under-funded urban schools can too often act as feeder systems to America's criminal justice system. It has become a familiar refrain in the national debate to note that in 1999, 22 percent of all African American men between 30-34 years old had prison records. Among high school dropouts, that percentage jumped to more than 52

percent. For white men the corresponding percentages were 3.2 percent overall and 12.6 percent among dropouts. Congressional Black Caucus members and others in Congress plan to introduce legislation aimed at racial unfairness structured into the system.

Race is not just a factor in whether you go to prison, it also determines how long you stay there. A U.S. Sentencing Commission report, *Fifteen Years of Sentencing Guidelines*, released in November, found that under federal sentencing guidelines black offenders received disproportionately harsher sentences than white convicts. The report also found that the percentage of minorities of color in federal prisons has skyrocketed since the guidelines were instituted 1987. Inmates of color now make up a majority of federal prisoners.

The commission found that while the guidelines were aimed at making sentencing more "certain and predictable," huge differences persist among races and regions. In 1984, 60 percent of federal prisoners were white. By 2002, that number had plummeted to 35 percent of federal prisoners. And while federal sentences are now nearly twice as long for white inmates as they were 20 years ago, for black offenders they are three times as long, six years on average.

For this disparity, the commission blames Congress, which imposed harsher mandatory minimum sentences for the possession and distribution of crack cocaine than for the more expensive powdered cocaine. "The whole question of criminal justice has become a crisis point," says Rep. Sheila Jackson Lee, a Houston Democrat and a member of the House Judiciary Committee.

Because of a Supreme Court ruling in January, the Committee now is in a position to rewrite a good chunk of the federal criminal code. The Court said the guidelines are not mandatory because they allow a judge to lengthen a defendant's prison sentence based on facts not proven to a jury (see Political Report).

Now Congress has a chance to fix its disparate sentencing law. District of Columbia Democrat Rep. Eleanor Holmes Norton plans to reintroduce legislation to eliminate the penalty difference between

different forms of cocaine possession. "Only crack cocaine drug offenses have enhanced sentences," Norton has said. "If you have (powder) cocaine, there is no enhanced sentence. . . . As you might imagine, crack cocaine, because it is cheap, is found in lower-income communities. The effect has been quite outrageous."

But changing the outrageous is not always easy, as one member of Congress, in particular, knows.

Just before noon on August 6, 1965, President Lyndon Johnson arrived at the Capitol Rotunda to sign the Voting Rights Act. It was legislation aimed at fixing the huge and systemic problem of electoral racism. Johnson signed the bill five months after state troopers and sheriff deputies in Alabama had attacked a group of civil rights marchers on their way from Selma to Montgomery. At the head of the march was John Lewis, a young man at the time. He was beaten by the police and hospitalized with a skull fracture.

Today, Lewis is at the start of his sixth term in the House. As the 40th anniversary of the Voting Rights Act approaches, he believes the outrage over deep-rooted and institutional racism in every corner of American life has subsided and progress toward its elimination has been slowed.

"This year will be the 40th anniversary of the Voting Rights Act, and I have to tell you," he says, "I think it would have trouble getting passed today. That is the mindset that exists in this Congress." ■

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*The Joint Center has published a variety of materials on Social Security. See "Social Insecurity: Are You Ready to Retire?," March/April 2004, and "Social Security Reform: Beginning a Year of Dialogue," March 2002, both by Margaret C. Simms in FOCUS Economic Report. Also see "Social Security Reform: What Proposed Changes Mean for African Americans," by Cecilia A. Conrad and Wilhelmina Leigh (1998). Leigh also wrote "Knowledge About and Expectations of the Social Security System" (1998) and "Approaches for Reforming the Social Security System" (1998). For more information visit [www.jointcenter.org](http://www.jointcenter.org).*

*Terence Samuel is the chief congressional correspondent for U.S. News and World Report.*

# STATES URGED TO PULL INVESTMENTS FROM SUDAN

## ACTION URGED TO PROTEST GENOCIDE

By JOE DAVIDSON

Taking a page from the anti-apartheid playbook, activists seeking to end the political killings in Sudan are urging the divestment of public pension fund investments from Africa's largest country.

Those investments total more than \$91 billion, according to data compiled by the Center for Security Policy, a Washington, D.C., think tank. Congress and the Bush administration have declared the killing of thousands of people in the country's Darfur region to be a genocide countenanced by the regime in Khartoum, the country's capital.

Representing the Congressional Black Caucus (CBC) at a Sudan Campaign press conference in Washington, Rep. Donald M. Payne (D-NJ) said "the only pressure this [Sudanese] government feels is economic pressure. That is why we have launched a divestment campaign of state pension funds invested in companies doing business in Sudan."

He added that CBC members are contacting state legislators to encourage them to introduce measures similar to one being considered in New Jersey. That bill, which was introduced by Assemblyman William Payne, Donald Payne's brother, would require the divestment of "state-administered

pension fund investments from companies, banks and financial institutions that have ties to, or activities in, Sudan or its instrumentalities," according to the Sudan Campaign.

The Sudan Campaign describes itself as "a coalition to stop genocide, slavery, starvation and religious persecution." It is led by the Rev. Walter E. Fauntroy, former District of Columbia delegate to the House, and Joe Madison, a radio talk show host and former member of the NAACP board of directors.

Madison said they want citizens "to apply pressure to their pension boards and legislators to, one, disclose where their funds are invested and, two, to divest these funds." Doing so, Fauntroy added, would "refocus attention on this issue with economic sanctions.... As with South African apartheid 20 years ago, now is the time for real shareholder activism by the people."

That type of shareholder activism is not likely to be greeted warmly by pension fund managers. Clark McKinley, a spokesman for the California Public Employees Retirement Systems (CalPERS), said "generally we don't believe in divestment."

McKinley acknowledged that CalPERS, the nation's largest public pension fund, did divest from apartheid South Africa as

### The Darfur Region

well as from tobacco companies. Those were unusual cases, however. Normally, he said, "we don't have the resources to track all these companies" and what they invest in. CalPERS has investments in 7,000 firms. According to the Center for Security Policy, 44 of those firms invest a total of more than \$7.5 billion in Sudan.

The degree of the tragedy in Sudan was outlined by Congressman Payne in a November 2004 statement of support for the New Jersey legislation. "In the last year and a half, the government of Sudan and its allied militia, the Janjaweed, have displaced 1.6 million people internally, forced over 200,000 into Chad and killed more than 50,000 innocent civilians," he said. "Government troops and the Janjaweed have raped, tortured, maimed and burned entire villages in a deliberate and systematic attempt to cleanse the area of African Muslims."

He told the Sudan Campaign that "our top priority for the 109th Congress (which convenes this January) is to stop the genocide in Darfur." ■



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