



FOCUS[®]

The magazine of the Joint Center for Political and Economic Studies

Affirmative Action Programs Defeat Opposition Efforts

Connerly Turns Efforts to Michigan and Colorado

By Ritu Kelotra

The past year has been historic for affirmative action.

After decades of controversy, the U.S. Supreme Court ruled in June that use of affirmative action programs in higher education is legal. And in October, Californians overwhelmingly rejected an initiative to outlaw racial data collection – seven years after the same voters decided to outlaw affirmative action in the state.

On June 23, the U.S. Supreme Court delivered its landmark ruling in Grutter v. Bollinger, concerning the University of Michigan Law School's admissions policies. In a 5 to 4 decision, the majority ruled that racial diversity was in fact a compelling state interest, and that the law school's admissions policies were narrowly tailored to fit this compelling interest.

Writing the opinion of the court was Justice Sandra Day O'Connor, who stressed the legitimacy of using race as a factor in applications.

—Continued on page 10

IN THIS ISSUE...

- 2 **Perspective**
Now's the Time to Get Engaged
- 3 **Black Elected Officials Reach Historic Highs**
Women Drive the Increase
- 9 **States Cutting Back Prepaid Tuition Plans**
Plans Can't Cover Tuition Hikes
- 12 **Annan Knocks U.S. War Policy In Iraq**
Meets With African Americans

IN TRENDLETTER...

- 5 **Political Report**
States Move to Give Ex-Felons the Vote
Dropouts Increase Prison Populations
- 7 **Economic Report**
Affirmative Action For "Forgotten Half"

Now's the Time to Get Engaged

By this time next year, we will know if President Bush has been reelected and if the Republicans will continue to control Congress, or not. Governors and state legislators will have been chosen, issues will have been debated and the voters will have spoken.

Although we already have witnessed a spate of debates among the Democratic presidential hopefuls, their candidacies have yet to engage the attention of many voters. But given the magnitude of the decision facing the electorate, it certainly is not too early for citizens to focus on an election that will have life and death consequences to a far greater degree than any other in recent times.

As a result of 9/11, this nation is in a state of indefinite war. The ongoing war in Iraq, terrorist attacks against U.S. and western targets abroad and the crack-down on Arabs in the United States give the coming election a higher level of importance and urgency than any since the Vietnam War.

Combine that with an economic decline and federal tax cuts that together have turned the government's \$200 billion surplus in fiscal year 2000 to a \$450 billion deficit in 2003. Moreover, unemployment has increased dramatically since President Bush took office, and there have been severe program cuts at the state and local levels. The result: we have a political situation that demands serious and sustained attention.

The Joint Center is working to encourage political participation and educate the electorate on several levels. At the Congressional Black Caucus Foundation's Annual Legislative Conference in September, we distributed special issues of FOCUS and DataBank Issue Briefs on criminal justice, economic advancement, education and health. This information was designed not just to provide background material for the conference, but also to inform the presidential campaign throughout the coming year.

That work will be enhanced by a questionnaire the Joint Center will help develop to get the views of presidential candidates on issues of particular concern to African Americans, especially young voters.

As we have done previously, we will prepare information guides to help delegates, journalists, observers and others navigate the Democratic and Republican political conventions. And, as we regularly do, we will survey public attitudes on various issues in our National Opinion Poll.

Our work will not be over on Election Day, November 4, 2004. The Joint Center is considering production of a 2005-2008 domestic agenda document, which would be submitted to the next president and other officials for use in developing and implementing a new set of policy initiatives.

Of course, before we get to a post-election agenda, we need to make sure all potential voters get to the polls. In this issue's Political Report, we report that several states have extended voting rights to ex-felons, an effort other states should follow.

Speaking of extending voting rights, Washington, D.C. will hold the nation's first presidential primary in January. Although Democratic Party officials will not allow convention delegates to be selected by the primary, it will highlight the second-class status of D.C. citizens who still have no vote in the Senate and the House.

D.C. residents have justly clamored for full voting rights. Ex-felons, who have served their time, deserve to have theirs restored as well. All of us should work to spread the franchise and mobilize the electorate. It's never too early. ■



PRESIDENT

FOCUS[®] MAGAZINE

Volume 31, Issue 6

Editor	Joe Davidson
Senior Editor	Marc DeFrancis
Creative Director	David Farquharson
TrendLetter Researcher	Alfred Baltimore
Intern	Bria Gillum
President	Eddie N. Williams
Senior VP & Chief Financial Officer	Brenda Watkins Noel
Senior VP Programs	Margaret C. Simms
VP Communications & Marketing	Denise L. Dugas
VP Development	Chris Naylor

Board of Governors

Elliott S. Hall, Dykema Gossett, Chair
Norma Ketay Asnes, Vice Chair
W. Frank Fountain, DaimlerChrysler Corporation, Vice Chair
Hector M. Hyacinthe, Packard Frank Business and Corporate Interiors, Inc., Treasurer
Charles U. Daly, Secretary
Eddie N. Williams, Joint Center for Political and Economic Studies, President
Joyce London Alexander, U.S. District Court
Larry D. Bailey, CPA
Andrew F. Brimmer, Brimmer & Company, Inc.
A. Demetrius Brown, CMXchange.com
George L. Brown, L. Robert Kimball and Associates
James P. Comer, Yale University Child Study Center
Wendell G. Freeland, Esq.
William M. Freeman, Verizon
Roderick D. Gillum, General Motors Corporation
Miriam M. Graddick-Weir, AT&T
Glenn F. Ivey, Office of the State's Attorney for Prince George's County
Joyce A. Ladner, The Brookings Institution
Weldon H. Latham, Esq., Holland & Knight
Thelma Wyatt Cummings Moore, Superior Court of Fulton County, Atlanta Judicial Circuit
Stephen D. Peskoff, Underhill Investment Corporation
Charles E. Phillips, Oracle Corporation
Rodney E. Slater, Patton Boggs
Reg Weaver, National Education Association

Members Emeriti: William B. Boyd, Kenneth B. Clark, James D. Wolfensohn

FOCUS is published by the Office of Communications and Marketing at the Joint Center for Political and Economic Studies (JCPES). FOCUS welcomes submissions. E-mail articles to focuseditor@jointcenter.org. Copyright 2003. Opinions expressed in FOCUS are those of the authors and do not necessarily reflect the views of the staff or governing board of the Joint Center.

Subscriptions: Price U.S. \$15.00 per year. To subscribe, please send a check or money order to: Joint Center for Political and Economic Studies and mail to FOCUS Subscriptions, Joint Center for Political and Economic Studies, 1090 Vermont Avenue, Suite 1100, NW, Washington, DC. To purchase back issues or to obtain reprint permissions, contact the Joint Center's Office of Communications and Marketing at 202-789-3504.

Selected back issues of FOCUS are also available on-line at the Joint Center's web site: www.jointcenter.org. An index to the preceding year's articles is published in the December or January issue.

Printed in the United States of America.

1090 VERMONT AVENUE, NW • SUITE 1100
WASHINGTON, DC 20005

TELEPHONE (202) 789-3500
FACSIMILE (202) 789-6390
E-mail: focuseditor@jointcenter.org

www.jointcenter.org

Black Elected Officials Reach Historic Highs

Women Drive the Increase

By David A. Bositis

This article is based on Black Elected Officials, 2001, a statistical report based on the material formerly provided in the Joint Center's signature series, Black Elected Officials: A National Roster, which was published in book version annually between 1970 and 1993. The Joint Center now publishes statistical studies of BEOs in more abbreviated formats and provides statistical information on its website (www.jointcenter.org). More detailed information, including names and contact information on all (or any subset of) BEOs may be purchased from the Joint Center as customized lists. Statistical information currently is available for Black mayors of cities over 50,000, statewide elected officials and members of Congress elected through 2002, and for other offices through 2001.

When it comes to Black elected officials (BEOs), 2001 was the year of the woman. All of the gains in the number of BEOs from the previous year are attributable to an increase in the number of females in office.

There were 9,101 Black elected officials in January 2001, an increase of 61 and a historic high. This modest increase of 0.7 percent masks a significant trend — the continuing growth in the number of African American females holding elected office.

The number of Black female officeholders increased by 101 or 3.2 percent since 2000, while the number of male BEOs declined by 40 or 0.7 percent. This pattern — a decline in the number of male BEOs from the previous year and all of the gains in the total number of BEOs being credited to Black women — has accelerated since 1998. Since then, the number of women has increased by 296 or 10.1 percent, while the number of men has declined by 63 or 1.1 percent. Viewed differently, the number of female BEOs has grown 20-fold since 1970, while the number of male BEOs grew just over four-fold. The first edition of the Roster, published in 1970, listed 1,469 BEOs.

BEOs 35 Percent Female

Women make up 35.4 percent of all Black elected officials. In 2001, the

Congressional Black Caucus (CBC) included 15 women (a number that holds today) and there were 194 Black female state legislators. The next year there were 11 African American female mayors in cities with populations of more than 50,000. Twelve Black women held statewide office. In 2002, women represented 50 percent or more of all BEOs in six states and the District of Columbia. One factor leading to the growing numbers of female elected officials may be that African American women today graduate from college in greater numbers than Black men.

The growth of male and female BEOs between 2000 and 2001 reflects changes in several states. Increases in Georgia (29), Massachusetts (29), Alabama (25), and Florida (17) accounted for 100 new BEOs. Losing the most were the District of Columbia (-28), Texas (-15), and California (-14). The increases in Massachusetts came from newly created town committee positions, which almost doubled the number of BEOs there. The losses in the District of Columbia came from a change from a wholly elected to a partially appointed school board, and from BEOs vacating neighborhood advisory positions.

The number of BEOs in California has fallen from a peak of 296 in 1985 to only 224 in 2001, a significant decline of 72 or 24.3 percent. Reflecting a shift in the state's demographics, many of those seats lost by African Americans in California were won by Latinos.

In examining trends in various states, there is an important distinction to be made between the actual number of BEOs and the proportion that BEOs represent among all statewide elected officials. The 10 states with the largest number of Black elected officials in 2001 were: Mississippi (892), Alabama (756), Louisiana (705), Illinois (624), Georgia (611), South Carolina (534), Arkansas (502), North Carolina (491), Texas (460), and Michigan (346). Among these states, the statewide proportion of BEOs varies greatly, from 18.7 percent of all elected officials in Mississippi and 17.2 percent in Alabama — the top two states in both actual numbers of BEOs as well as proportionally — to only 1.7 percent in Texas and 1.5 percent in Illinois.

No BEOs in Four States

Between 2000 and 2001, the states that experienced the largest percentage growth

in the number of BEOs were Massachusetts (94 percent), Florida (7.5 percent), Georgia (5 percent), and Alabama (3.4 percent). In 2001, there were only four states with no BEOs — Hawaii, Montana, and North and South Dakota. Of the BEOs at the state level, 98.2 percent are Democrats.

There continue to be significant regional differences in the number of Black elected officials, and the changes from 2000 to 2001 were consistent with those regional patterns. In 2001, the South had the largest number of BEOs, with 6,179. This equals 68.2 percent of all BEOs nationwide, and showed little change from 2002.

Major statewide differences in the proportion of female Black elected officials remain. Among the top 10 states in number of BEOs, the representation of women ranged from highs of 43.3 percent in Illinois and 43.1 percent in Michigan to a low of 23.7 percent in Louisiana. In 2000, the District of Columbia and Ohio were the only jurisdictions where the majority of BEOs were women; in 2001, Alaska, New Mexico, and Rhode Island joined the list. In Nebraska and Oregon, there were equal numbers of female and male BEOs.

Black Mayors

The number of Black mayors nationwide remained essentially unchanged, rising from 451 in 2001 to 454 in 2002. Three major cities — Dallas, Cleveland and Minneapolis — no longer have African American mayors. In three of the largest cities with Black mayors, first-term occupants hold that position, including Kwame Kilpatrick in Detroit, C. Ray Nagin in New Orleans, and Shirley Franklin in Atlanta.

Among Black mayors of big cities, 57.1 percent have been elected where African Americans are not the population's majority. In addition to those big city mayors, there are Black elected top chief executives in large (and wealthy) counties, including Virginia Fields in Manhattan Borough (New York City); Ron Sims in King County (Seattle), Washington; and Jack B. Johnson in Prince George's County, Maryland, a suburb of Washington, D.C.

Congressional Black Caucus

The number of Black federal officeholders has remained unchanged, at 39, since 1999. Reps. John Conyers (MI) and Charles Rangel (NY) are the only CBC members remaining among those who founded the organization in 1971. In fact, only six of the current CBC members were elected before 1990. In addition to Conyers and Rangel, they include Reps. John Lewis (GA), Donald Payne (NJ), Edolphus Towns (NY), and Major Owens (NY). All CBC members today are House Democrats.

The period from 1990-2002 represented a remarkable period of turnover in the membership of the CBC, with 33 members elected during that time. The 15 women currently in the CBC are 38.5 percent of the total; in 1990 the CBC included only one woman.

We are on the verge of entering a new and different period of Black political

achievement. The number of Black elected officials will continue to rise as it has for the past 30 years, but more significantly, new Black elected officials are beginning to look more like the African American population overall — younger, more female and more highly educated.

The generation of mostly male Black officials that became active during the civil rights struggles of the 1950s and 1960s are retiring from office. They are being replaced by people born after the Civil Rights and Voting Rights Acts were passed, who attended the best colleges and who were influenced as much by the women's rights movement as by the Selma march. ■

David A. Bositis is a senior research associate at the Joint Center. Richard Hart, the database administrator in the Joint Center's Office of Research, contributed to this article.

Black Elected Officials, by Gender, 1970 - 2001

Years	Total	Female	
		Number	Percent of Total
1970	1,469	160	10.9
1971	1,860	225	12.1
1972	2,264	153	6.8
1973	2,621	345	13.2
1974	2,991	416	13.9
1975	3,503	530	15.1
1976	3,979	684	17.2
1977	4,311	782	18.1
1978	4,503	843	18.7
1979	4,607	882	19.1
1980	4,912	976	19.9
1981	5,038	1,021	20.3
1982	5,160	1,081	20.9
1983	5,606	1,223	21.8
1984	5,700	1,259	22.1
1985	6,056	1,359	22.4
1986	6,424	1,482	23.1
1987	6,681	1,564	23.4
1988	6,829	1,625	23.8
1989	7,226	1,814	25.1
1990	7,370	1,950	26.5
1991	7,480	2,053	27.4
1992	7,552	2,121	28.1
1993	8,015	2,332	29.1
1994	8,162	2,468	30.2
1995	8,419	2,637	31.3
1996	8,579	2,749	32.0
1997	8,656	2,809	32.5
1998	8,868	2,924	33.0
1999	8,936	2,997	33.5
2000	9,040	3,119	34.5
2001	9,101	3,220	35.4

POLITICAL REPORT

States Move to Give Ex-Felons the Vote

By Bria Gillum

A growing national trend to reform felon disenfranchisement laws is allowing a half million Americans to regain their right to vote.

A new report by the Sentencing Project shows that since 1996, eight states have removed voting barriers for persons with felony convictions, shedding a new hope for ex-offenders to exercise their rights.

The report said Connecticut, Delaware, Maryland, Nevada, New Mexico, Texas, Virginia, and Wyoming adopted enfranchisement policies, in many cases with bipartisan support. Nevada and Texas have eliminated their waiting periods for restoration of rights. Maryland repealed its lifetime ban for non-violent repeat offenders, and New Mexico repealed its lifetime ban for all felons. Connecticut, the most ambitious state, passed new legislation expanding voting rights to persons currently on parole. Thus far, only Vermont and Maine permit inmates to vote with no restrictions.

Felon disenfranchisement laws have had a severe impact on the political power of the African American community, which has suffered from documented bias in the criminal justice system. Hilary Shelton, director of the Washington National Bureau of the NAACP, said these laws have a “devastating impact in areas that have the largest population of African Americans and further destabilizes that community.”

Many policymakers argue that ex-felons have completed their sentences, and should be allowed to integrate into

society with the full rights of citizenship, including the right to vote. Marc Mauer, assistant director of the Sentencing Project, believes that by “denying participation in the most fundamental aspect of democratic society, the state essentially is sending a message that they are second-class citizens. This is hardly a formula for successful reintegration.”

The Sentencing Project estimates that four million Americans are currently

“The denial of the right to vote based on a felony conviction is a fundamental challenge to the democratic society.”

– Marc Mauer

unable to vote due to disenfranchisement laws in 48 states and the District of Columbia. “The denial of the right to vote based on a felony conviction is a fundamental challenge to the democratic society,” Mauer said.

Despite moves to grant ex-felons voting rights in some states, three states have adopted more stringent policies since 1996. Two of them, Massachusetts and Utah, have disenfranchised felons in prison. Kansas has restricted voting to felons on probation. Moreover, six states continue to deny the right to vote to all ex-offenders who have completed their sentences. The report added that the voting restrictions in these six states have caused one in four Black men residing in them to be permanently disenfranchised.

Even more staggering, as many as 40 percent of Black men in those six states

may permanently lose their right to vote. About 13 percent of Black males have lost their voting rights nationwide. The current rates of incarceration of Black males suggest that nearly a third of the next generation of Black men can expect to be disenfranchised at some point in their lives. That number is high enough to affect electoral outcomes of national and state elections. The disenfranchisement of ex-felons in Florida almost certainly contributed to President Bush’s disputed victory there in 2000.

The large number of African Americans prohibited from voting has further exposed the racial disparity in a criminal justice system under scrutiny for disproportionately incarcerating African Americans. These laws affect an already underrepresented population that overflows our nation’s prisons and now possesses diminished representation in a political system that has few minorities in power. Many organizations and policymakers are looking to reform mandatory minimum sentences and drug laws to address this disparity and generate a more balanced response to crime.

During last month’s Congressional Black Caucus Annual Legislative Convention, many panelists voiced concern over the high concentration of African Americans prohibited from voting. They asked, Why should people permanently lose their voting rights when they have completed their punishment?

“Disenfranchisement laws represent a direct correlation to the social, economic and political empowerment of African Americans,” Shelton said. These laws “challenge our ability to conquer obstacles in our community and eliminate the democratic process on crucial issues of concern.”

For more information see FOCUS articles published in March 2000, June 2000, May 2001.

Dropouts Increase Prison Populations

By Jason Ziedenberg

Nearly one-third of the Black men born in 2001 probably will go to prison at some point in their lifetimes.

That disturbing prediction comes from an August report by the federal Bureau of Justice Statistics. It said that if current incarceration rates hold, 6 percent of White men, 17 percent of Latino men, and 32 percent of African American men born that year are likely to be incarcerated during their lifetime. Currently, 39 percent of the 5.6 million Americans who are in prison, or are living with a prison record, are African American, even though Black people comprise less than 13 percent of the general population.

Another report released in August, by the Justice Policy Institute (JPI) in Washington, DC, isolated the impact more precisely—Black men with little schooling are likely to be incarcerated. In the report “Education and Incarceration,” the Justice Policy Institute shows that 1 in 10 White male dropouts and an astonishing 52 percent of Black male high school dropouts had prison records by their early 30s. African American men in their early 30s are nearly twice as likely to have prison records (22 percent) as they are to have bachelors degrees (12 percent).

“These findings demonstrate that we clearly need education, not incarceration, if we are to ensure that the American dream becomes a reality for many — not just some,” said Reg Weaver, president of the National Education Association and a member of the Joint Center’s Board of Governors. “Education can be the key that unlocks closed opportunities, but all too often we find that the key to a quality education — adequate and equitable resources and funding — is not within grasp. The unfortunate result is that we are more willing to build prisons than schools — less willing to educate than incarcerate.”

Prison statistics recently published by the Justice Department show that in 2002, after two years of slowing prison population growth, the nation’s incarcerated population rose at 3 times the rate of the previous year. The 2002 increase was equal to an additional 700 prisoners being added nationwide every week, according to the Justice Department’s Bureau of Justice statistics.

The country’s continued expansion in prison population and budgets comes at a time when it can least afford it. The National Conference of State Legislatures reports that 31 states are cutting spending due to state budget shortfalls. As states continued to fund corrections, NCSL reports that 21 states were considering proposals that would reduce funding for K-12 education this spring. General fund spending in all states for higher education is budgeted to decline by 2.3 percent in fiscal year 2004. Sixteen states raised college tuition by more than 10 percent for the current school year, and six states took the unusual step of enacting mid-year tuition hikes for the spring 2003 semester.

From 1977 to 1999, the Bureau of Justice Statistics reports total state and local expenditures on corrections rose by 946 percent — about 2.5 times the 370 percent increase in spending on all levels of education. NCSL reports that corrections spending is expected to level off, however, growing by only 1.1 percent next year, because of the budget crisis in the states. NCSL projects K-12 spending to rise about 1.5 percent.

Ironically, the policies that are leading states to fund prisons more generously than schools are coming at a time when the crime rates continue to be relatively low. The Bureau of Justice Statistics reported in August 2003 that overall violent crime and property crime rates fell in 2002 and were at the lowest recorded rates since the inception of this crime reporting survey in 1973.

Academics and researchers who have re-examined the efficacy of incarceration as a crime control measure have found only a

small and diminishing relationship between crime rates and prison expansion. For example, University of Texas academic William Spellman has found that 79 percent to 96 percent of the violent crime drop of the 1990s cannot be explained by increasing incarceration rates.

A study by University of Missouri-St. Louis researcher Richard Rosenfeld similarly found that only about one-fourth of the drop in homicides nationally is attributable to incarceration.

A JPI analysis of prison and crime statistics found that regions that had slower prison population growth rates between 2001-2002 also had declines in their homicide arrest rates. The Northeast and the Midwest had prison population increases of 1.9 percent, while homicide fell 4.8 percent in the Northeast and 2.8 percent in the Midwest. Conversely, the South and West, which experienced prison growth rates of at least 2.5 percent and 3.0 percent respectively, actually experienced increases in homicides (2.1 percent in South, 5.2 percent in the West).

Cutting prison expenditures by eliminating mandatory minimum sentences is not as politically dangerous as sometimes assumed. Michigan Republican Rep. Mike Kowall, chairman of the state’s House Judiciary Committee, told the *Christian Science Monitor* his support for eliminating mandatory minimums never came up during his heated primary campaign.

“I have no problem with putting people in jail,” he said. “I consider myself to the right of Attila the Hun. This just gets back to common-sense approaches to crime rather than just locking them up and throwing away the key.” ■

Jason Ziedenberg is the director of policy and research for the Justice Policy Institute, a Washington, D.C., think tank that works to end criminal justice policies that rely on incarceration.

ECONOMIC REPORT

Affirmative Action For “Forgotten Half”

By Margaret C. Simms

A good deal of attention has been focused over the past year on affirmative action in colleges and universities. These programs have been under attack, and the court cases under review clearly deserved the attention and community action that was taken. However, improving the economic status of the African American community also requires that we “act affirmatively” to address the circumstances of African American youths who are unemployed and not college bound.

It is not enough to expect, as some policymakers do, that a strong economy will draw them into gainful employment. And even though solving the problems of today’s urban schools would go a long way toward preventing future generations of young people from being left out of the primary labor market, those currently in the 16 to 24 year age group will gain little from school improvements.

In a recent publication by the Center for Labor Market Studies at Northeastern University, these young people are referred to as those “who largely remain forgotten by the nation’s economic policymakers until they commit crimes, raise children out of wedlock, or are needed to fight wars on behalf of the country.”

They are sometimes served by the “second chance” system—a patchwork of job training programs, public assistance, rehabilitation programs and educational remediation programs. As noted in the Joint Center’s soon to be released book, *Building Skills for Black Workers*, edited by

Cecilia A. Conrad, African Americans are disproportionately represented in the system and therefore, African Americans have a “vital interest in the operation of this second chance system.”

Nature of the Problem

In some ways, the problems of these youth have been obscured by the economic ups and downs of the past decade. The expansion of the 1990s swept many of them into employment, while the economic downturn of the past two years focused more attention on the employment problems of their parents and older siblings. Today this youth population suffers a double whammy. They are more likely to have employment problems because of the weak economy, and are also affected by some long-term trends.

According to the Bureau of Labor Statistics, a smaller proportion of youth looked for work this past summer than in the prior year. Indeed the labor force participation rate for youth in summer 2003 was lower than it had been since 1966. For young men it was the lowest on record. While more than 60 percent of White youth were employed, just over 40 percent of African American youth held jobs in July 2003, down nearly 8 percentage points from three years earlier.

Far more important than summer employment is the transition youth make from school to the permanent workforce. Evidence suggests that those leaving high school between 2001 and 2002 are having difficulties with this transition. In 2002, 2.8 million youths graduated from high school. Over half enrolled in college. Two-thirds of those who did not enroll in college were employed in October 2002, but that

varied widely by race. Just over 70 percent of the new White graduates were employed, but only 49.3 percent of African Americans and 54 percent of Hispanic youth.

The employment rates for those who dropped out of school were far worse. Less than one-half of White dropouts and just over one-third of African American dropouts had jobs.

A recent report by the Center for Law and Social Policy (CLASP) estimates that between 25 and 30 percent of African American youth between the ages of 16 and 24 are disconnected from the workforce, compared to 8 to 10 percent of the overall population. It notes that young people are especially likely to be “disconnected” if they are high school dropouts, pregnant or parenting, incarcerated, disabled, from low-income families, suffering from literacy or English fluency problems, or in the foster care system.

The Center for Labor Market Studies (CLMS) found that the number and percent of young people falling into this category declined between 1992 and 2000, as young people tended to remain in school longer and employment opportunities for those who left school were more plentiful. Yet, the population remained disproportionately Black and Hispanic. Moreover, the problems of the disconnected are geographically concentrated. CLMS studied labor markets in 50 large central cities and found that 63 percent of Black high school dropouts in these regions were out of work, compared to 49 percent of White high school dropouts. African American young people made up nearly 40 percent of the disconnected population in the 10 largest cities.

The troubling thing about this group is not only the number but the “absence of any consistent and concerted national policy or program to prepare out-of-school youth to achieve economic self-sufficiency, let alone fulfill their human potential,” says a report released in mid-2003 by the American Youth Policy Forum (AYPF).

One of the contributors to the AYPF volume notes that all of the federal programs currently serving youth (including Pell grants) add up to less than \$500 per youth per year.

Possible Actions

The CLASP report indicated that action taken by federal policymakers could serve a dual purpose: improve labor market outcomes for youth and increase the number of productive workers contributing to the Social Security Trust Fund and general tax coffers. While CLASP focused on six programs that were up for reauthorization during the 108th Congress, the review covers a number of principles that are important regardless of the outcome on a particular vote. Two of the recommendations concern improving coordination, a shortcoming at the local level as well as the federal level, as revealed in a study the Joint Center completed for the Department of Labor two years ago.

Often young people complete (or fail to complete) one program and are not guided toward the next one that might move them toward independence or self-sufficiency. Those who are at risk of disconnection—dropping out of school, for example—would benefit from enhanced transition services. One of CLASP's recommendations is to use the Youth Councils established under the Workforce Investment Act (WIA) to improve coordination among federal programs such as WIA, TANE, and the Runaway and Homeless Youth Act.

This theme of cross-program and cross-agency coordination, as well as cooperation across levels of government, was also promoted by the William T. Grant Foundation and the Forum for Youth Investment at a meeting held with key congressional staff in late 2002. President Bush's Task Force on Disadvantaged Youth, whose report is due in late 2003, is also studying the need for coordination. The Forum issued recommendations as input for the Task Force, including the development and advance-

ment of a youth policy framework that includes both goals and outcomes; a comprehensive assessment of youth needs without reference to existing programs; consideration of appropriate programs across the age range from six to 24; and special attention to the needs of the most vulnerable.

The goal of these efforts would be to “increase the proportion of young people who at age 25: have a high school diploma and post-secondary degree or credential; are employed in jobs with career advancement possibilities; and are not engaged in adverse risk-taking behaviors,” according to the CLASP report.

Why Act Now?

It is clear that the problem of disconnected youth is an issue of urgent concern to communities of color since African American and Hispanic youth are those most likely to be “forgotten” by the larger society. But as several researchers have pointed out, the youth population is becoming increasingly more black and

brown. The overall youth population is projected to grow by 3.7 million between 2001 and 2010. Hispanic youth are expected to be 39.5 percent of the population increase while African American youth will be 20 percent of the growth.

If government does not intervene, the overall economy will suffer for lack of qualified workers, and government programs that rely on workers' tax contributions will suffer as well. But while the need may be clear, finding the will and the resources will be a challenge for policymakers at all levels of government. ■

*Sources: The two Bureau of Labor Statistics reports can be obtained at www.bls.gov/news.release/youth.nr0.htm and www.bls.gov/news.release/hssec.nr0.tbm; *Left Behind in the Labor Market* is available in pdf at www.nupr.neu.edu/2-03/left_behind.pdf; the CLASP report www.clasp.org/DMS/Documents/1057083505.88/Disconnected_Youth.pdf; *American Youth Policy Forum* at www.aypf.org/publications/shaping_future_youth.pdf; *Forum for Youth Investment principles* at www.forumforyouthinvestment.org/papers/all youth.pdf; *Joint Center study* at www.jointcenter.org/aamales/summary.html.*

YouthBuild USA

YouthBuild USA is a national, nonprofit organization that strives to create and sustain policies and programs for young people to assume leadership roles to rebuild their communities and lead responsible lives. Through 110 affiliates, unemployed and undereducated young people, age 16-24, build affordable housing for homeless and low-income families in their communities while also earning their high school diploma or GED. This youth development approach fosters a commitment to work, education and responsibility, and promotes leadership. Key components of the program include:

Housing Rehabilitation

- Youth build or rehabilitate homes for the homeless or low-income people to revitalize economically depressed neighborhoods and restore community spirits.

Education

- The academic program is designed for youth to complete their high school diploma or GED to prepare for the workforce, post-secondary technical training, or college.

Job Training

- The work-sites provide an opportunity for youth to develop construction skills, which can lead to

apprenticeships and journeyman positions that are stepping stones to careers in carpentry, painting and other construction-related fields.

- Youth attend classes to understand time management, build a strong work ethic and improve decision-making skills, career development, and job preparation.

Counseling and Referrals

- Case management, counseling, and referrals are offered to assist youth in achieving their goals and serve as a support system to ensure that youth are not disconnected from society.

Leadership Development

- Youth trainees take an active role in advocating for community issues and participating in community improvement projects.
- Youth have the opportunity to serve on a peer-elected governance board to actively participate in community affairs.

Graduate Resources

- Graduate leaders may be elected by their peers to serve on the National Alumni Board.
- Others continue to work with their local programs as employees, volunteers, board members, and mentors.

For more information, visit www.youthbuild.org or call 617-623-9900.

Source: YouthBuild USA

STATES CUTTING BACK PREPAID TUITION PLANS

PLANS CAN'T COVER TUITION HIKES

BY PAMELA M. PRAH

Parents may be out of luck if they want to lock in tuition rates for their children's future college needs.

Many of the 20 states that offer "prepaid tuition plans" have either stopped taking new accounts or raised the amount of money families must put into the plans.

Skyrocketing tuition increases and paltry market returns make prepaid tuition plans attractive deals for families, but give states financial heartburn. That's because the amount of money families put into the plans may not be enough to cover tuition and most states guarantee to make up the difference.

"It's certainly a unique financial position that prepaid plans find themselves in," said Joseph F. Hurley, a certified public accountant and founder of SavingforCollege.com, an online Web site devoted to tuition savings plans.

Prepaid tuition plans differ from savings programs. With savings programs, parents put money in an account for their child's college costs and get a variable rate of return. Prepaid tuition plans, on the other hand, permit parents to lock in today's tuition rates and the program will pay out future college tuition at any of the state's eligible colleges or universities.

The idea is that the prepaid tuition programs pool the money and make long-range investments so that the earnings meet or exceed college tuition increases in that state. The problem, however, is that states now face double-digit tuition hikes — not the 5 to 7 percent increases that most states banked on when they developed their prepaid plans, said Alan Perry, consulting actuary at Milliman USA consulting firm.

Nearly 1.7 million prepaid tuition plan accounts are currently open, according to the College Savings Plans Network, an affiliate of the National Association of State Treasurers, which serves as a clearinghouse for college savings programs.

Kentucky, Texas and West Virginia have stopped taking new participants in their prepaid plans, at least temporarily. "States are capping [enrollment], trying to figure out ways to actually salvage the plan and not have it go away," said Carl Krueger, assistant policy analyst of the Education Commission of the States, a Denver-based group made up of state education experts.

College Access Varies

California will see a 40 percent increase in young people going to college by 2015, while Iowa and West Virginia will see 11 percent drops.

A new report from the Education Commission of the States looks at who is — and who is not — likely to have access to a college education. The ECS is a Denver-based organization of state education experts.

The report is part of an ECS effort to help state policymakers expand college opportunities, especially among underserved and disadvantaged students and working adults wanting to go to college.

To read "Closing the College Participation Gap" and to see ECS's state-by-state profiles of college participation, visit www.communitycollegepolicy.org.

— Stateline.org

States such as Ohio, Michigan and Washington have increased the amount families have to pay into the accounts.

Suspending the program allows states to wait for the financial markets to improve and for tuition increases to be more predictable, rather than having to deal with the uncertainty and high spikes in tuition of recent years, said Diana Cantor, who heads Virginia's pre-paid tuition plan and chairs the College Savings Plans Network.

Colorado has taken the most drastic step: it closed its plan and is allowing participants to move their money elsewhere. "It looks like Colorado's plan is in the worst shape," Krueger said.

The plans aren't technically running in the red — at least not yet. "Any cash shortfalls that any of these programs would have are many, many years away, but what they do have is an 'actuarial' shortfall," Perry said, meaning that in the future, when these young children are ready to hit college, states may not have enough money to cover all the pre-paid plans.

One problem for many states is that they have no idea where tuition is heading. In some cases, states have some control over tuition increases, while in other cases schools can set tuition at the levels they like. For example, Ohio used to have 6 percent caps on tuition increases for state schools, but the state legislature lifted that a few years ago and "schools are moving tuition around and seeing what the market will bear," Perry said.

Last year, tuition at Ohio State went up by more than 14 percent. Universities across the country jacked up tuition because of state cuts in higher education. Krueger said that despite the pinch that these prepaid plans may have on states later, don't look for many to follow Colorado's lead and drop their plans.

"States might not have the money [for prepaid tuition plans], but people like them, particularly middle class people," he said. "These plans are not going to go away." ■

Pamela M. Prah is a writer with Stateline.org, which provided this story.

AFFIRMATIVE ACTION

Continued from cover

“In order to cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity,” O’Connor wrote on behalf of the majority. “All members of our heterogeneous society must have confidence in the openness and integrity of the educational institutions that provide this training.”

Karen McGill Lawson, executive director for the Leadership Conference on Civil Rights Education Fund, saw the *Bollinger* ruling as a solid victory for affirmative action. “It put affirmative action on a firm footing,” she said. “It was a green light for affirmative action policies in higher education. Without that decision, a whole generation would have been negatively affected.”

Only days after the June decision, opponents of affirmative action announced their intention to fight it. California businessman and University of California Regent Ward Connerly, who led the successful battle to ban affirmative action in California under Proposition 209 and Washington State in 1996, said he would spearhead similar efforts in Michigan and Colorado to put anti-affirmative-action referenda on the ballots.

William L. Taylor, vice chair of the Citizens’ Commission on Civil Rights, said that it is important to note that opposition to affirmative action in recent years has not been expressed through legislation. “Interestingly, attacks in recent years have mainly been in courts and through state initiatives, but not legislative bodies,” he said. “Even though there are conservative Republicans controlling Congress right now, they are not in the position to take ideological views. They know that our nation is too diverse.”

For his part, Connerly was busy during the summer and early fall running a campaign to pass Proposition 54, which would have banned the state from collect-

ing racial data in all but a few exempted areas. Although the measure was originally going to be on California’s gubernatorial primary ballot in March, it was moved up to October’s recall ballot. Those who opposed the measure said that a data collection ban would have damaged the state’s ability to address disparities by race or ethnicity in health care and disease patterns, educational resources and academic achievement, and hate crimes and discrimination.

Nancy Zirkin, deputy director for the Leadership Conference on Civil Rights, saw Proposition 54 as part of the “mean wind” blowing against affirmative action. “Proposition 54 was the son — or daughter — of Proposition 209,” she said. “Basically it was a Step 2 to Prop. 209’s Step 1. First the opposition wanted to ban affirmative action, and then they said let’s get rid of the data which suggests that there are disparities and problems. Prop. 54 tried to ensure that the information that justifies affirmative action is done away with.”

While the gubernatorial recall election took center stage in California’s October election, Proposition 54 most certainly received attention. As soon as it was announced in mid-July that the measure would indeed be on the October ballot, both sides’ efforts went into full swing.

And despite a tough fight, the numbers spoke for themselves. Ten weeks before the election, the *San Francisco Chronicle* reported that a Field Poll released in July indicated 50 percent of California voters supported the measure and only 29 percent did not. On Election Day, however, after voters had learned more about the measure,

64 percent of the voters opposed Proposition 54 and only 36 percent supported it.

“This is not just a great victory for the civil rights of all Californians, but also for preserving equal opportunity throughout the country,” said Wade Henderson, executive director of the Leadership Conference on Civil Rights. “The coalition that opposed the measure, which included members inside and outside California, did a great job at uniting voters against an effective message — Proposition 54 was bad for everyone.”

Although efforts from the Connerly camp were strong, most anti-Proposition 54 groups agree that coordinated education is what stopped Connerly.

“The Prop. 54 victory proved that educating people about the issues is very important,” Lawson said. “The numbers show that getting the right information out is crucial.”

After the October vote, Connerly said that he plans to rewrite the measure to address concerns that Proposition 54 would have prevented collection of valuable, race related health data. The Bay Area’s *Contra Costa Times* reported that after doing that, he will attempt to place the referendum on a future ballot.

So where does all of this leave the affirmative action debate? To understand the future of affirmative action policies, it is crucial to understand their past.

Affirmative action enforcement began in 1965 when President Lyndon Johnson issued Executive Order 11246, which required government contractors to “take affirmative action” toward prospective minority employees in all aspects of hiring and employment. The order also stated that contractors had to document these efforts. In October 1967, the order was amended to cover discrimination on the basis of gender.

“You do not take a person, who for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say ‘you are free to compete with all the others,’ and still believe that you have been completely fair,” President Johnson said in a speech in 1965.

The Joint Center Remembers

Bertram Lee

1939 – 2003

A Friend and a Board Member
1989-1994

In 1978, the Supreme Court heard arguments for affirmative action in university admissions in *Regents of the University of California v. Bakke*, and subsequently ruled that diversity is a compelling state interest. Since affirmative efforts extend equal educational opportunities to qualified women and people of color and therefore increase the participation of under-represented groups in mainstream society, the court reasoned, they ultimately serve the entire state's interests.

Opponents of affirmative action programs, however, then took the stance that affirmative action is futile, asserting that the playing field was already level for all workers. And though congressional opponents of affirmative action made several attempts to roll back such programs in the mid-1990s, each attempt was defeated by broad, bipartisan majorities in both the House and the Senate.

In 1995, President Bill Clinton directed that a review be conducted of the federal government's affirmative action programs. Clinton directed his staff to report on what programs existed and to determine whether they worked and whether they were fair.

In their report, co-authors George Stephanopoulos, who was then a senior adviser for policy and strategy, and Christopher Edley, Jr., who was a special counsel to the President, determined that affirmative action programs, were, in fact, fair and advantageous.

"We conclude that these programs have worked to advance equal opportunity by helping redress problems of discrimination and by fostering the inclusion needed to strengthen critical institutions, professions and the economy," they wrote in the introduction. "The evidence shows that, on the whole, the federal programs are fair and do not unduly burden non-beneficiaries."

Meanwhile, however, campaigns against affirmative action were succeeding at the state level. After California enacted Proposition 209, which prohibited state affirmative action programs in employment, education, and contracting, Washington State quickly followed suit and enacted a similar statewide ban. The effect of such

efforts soon became clear, as the number of African Americans and Latinos admitted to California's top public universities quickly plummeted.

In Texas, the 5th Circuit Court of Appeals ruled against such policies at the University of Texas law school. And in Florida, in 2000 Gov. Jeb Bush signed Executive Order 281, commonly referred to as the "One Florida Initiative," which banned the use of race or gender as a factor in government employment, contracting or education.

In 2002 another major decision affecting affirmative action in higher education was made. In May of that year, the United States Court of Appeals for the Sixth Circuit upheld the constitutionality of the use of race as a factor for admission to the University of Michigan Law School. In June

Airport Honors Jackson

In a tribute to both Maynard Jackson and his affirmative action accomplishments, the Atlanta City Council voted to rename the city's airport "Hartsfield-Jackson International Airport."

Jackson, the first Black mayor of a major southern city, oversaw a \$500 million expansion of the airport. Through a vigorous affirmative action program that he promoted, the expansion employed numerous Black and women contractors. His efforts increased the percentage of city contracts awarded to minorities in Atlanta from less than 1 percent in 1973, when he was first elected, to 38.6 percent five years later. Jackson required government contractors and major law firms to use minority-owned businesses and Black lawyers, which boosted the city's Black middle and upper classes and expanded job opportunities for African Americans.

The airport now is among the world's busiest. The 77 million travelers who use it each year generate \$19 billion in business.

Initially, some Black Atlantans wanted just Jackson's name on the airport, which previously carried only the name of William B. Hartsfield, the city's longest serving mayor. Hartsfield's family wanted no change. The compromise won overwhelming support from the city council and the endorsement of Mayor Shirley Franklin.

2003, the Supreme Court decided in its landmark ruling that racial diversity was in fact a compelling state interest.

In a related case, the Supreme Court decided 6 to 3 that though diversity was compelling, Michigan's undergraduate admissions policies – which assigned points to applicants based on factors including academic achievement, geographic representation, athletics and race – were not permissible.

"Affirmative action is only good when it is thoughtfully done and there are instances of legitimate objection," said Taylor. "But affirmative action programs are very important, especially when we look at the programs in the context of discrimination. The diversity argument is compelling, but that doesn't change the fact that affirmative action policies address traditions of discrimination."

Overall, Taylor hopes that affirmative action will fade as a "hot button issue."

"Affirmative Action is not just enough, and I've been saying that for years. We have to be sure that there are educational opportunities for everyone at every age," he said, "and that there are opportunities beyond education, too, and that those opportunities are available for everyone."

Zirkin notes that despite the *Grutter* ruling and Proposition 54 defeat, efforts to ensure equality still need to be defended.

"Right now the efforts have to focus on the state level. The Supreme Court has made its decision, so Connerly is turning to individual states to enact Prop. 209-like initiatives," she said. "In Michigan and Colorado right now a broad-based bipartisan coalition is forming to fight Connerly's agenda. Overall we have a strong base to fight this."

Lawson agrees that any plans for an anti-affirmative action initiative in Michigan need to be thwarted. "We hope that one day everyone will have true equality from birth to death," she said. "But until then, we need to focus on what can be done today." ■

Ritu Kelotra is a program associate at the Leadership Conference on Civil Rights Education Fund.

ANNAN KNOCKS U.S. WAR POLICY IN IRAQ

MEETS WITH AFRICAN AMERICANS

By JOE DAVIDSON

UNITED NATIONS – Kofi Annan sounded like a man who has had enough. While the secretary general of the United Nations is always the dapper diplomat, he also has become increasingly sharp and incisive when speaking about the United States and Iraq.

Annan used a recent meeting at the U.N. with African Americans, including the editor of FOCUS, to issue his sharpest criticisms yet of the Bush administration's war policy. The meeting was organized by the Chicago-based People Program. It's a nonprofit program that organizes meetings among civic and religious leaders, journalists, academics, business people and international public officials. The program's aim, according to its literature, is to "chart a course of action for fair minded international human rights measures, particularly with respect to race and xenophobia."

Although the diplomat in Annan apparently restrained him from referring to the United States or Bush directly by name when issuing his most pointed comments, he left no doubt about the barbs' intended target.

"The house of man will never be secure while billions live in the basement, or while a few in the penthouse act as they please," he told the gathering.

Annan made it clear that he was talking about how the United States has been acting from its perch as the world's sole superpower. Bush invaded Iraq without the approval of the U.N. Security Council, even though he said it was being done, in large part, to enforce U.N. resolutions. Before the invasion, Annan had warned that it would be of dubious legitimacy if it did not have U.N. approval. Now, he said, that lack of legitimacy makes the world more perilous.

"If individual nations discount the legitimacy provided by the U.N., and feel that they can and must use force unilaterally and pre-emptively," Annan continued, "the world will become even more dangerous."

If adopted by other nations, Bush's first-strike policy of pre-emption used against Iraq could spread war to other places, such as the two Koreas, Ethiopia and Eritrea, and India and Pakistan, all of which are hanging in a fragile balance between war and peace. Although the U.S. had not been attacked by Iraq and Bush had no

indication that such an attack was imminent, he said the invasion was necessary because Saddam Hussein had and was ready to use weapons of mass destruction. Of course, Iraq used no such weapons against U.S. or British forces last spring and none have yet been found.

"This is a real challenge to international law," Annan said of the Bush invasion. "And if it were to be adopted, it would really be a law, a law of the jungle."

While the U.N. meeting provided the visiting participants with information about the U.N.'s programs and policies, it also allowed U.N. officials to cultivate a segment of the American audience that seems more receptive to the body than many in the Bush administration or Congress.

"Ralph Bunche and other African Americans played vital roles in drafting the (U.N.) Charter and creating the multilateral framework," Annan reminded the group.

That multilateral framework, however, has been badly damaged by the Bush administration's end-run around the U.N. The kind of broad threat Iraq posed, Annan said, called for collective action and international law, and the U.N.'s value "has rested on this premise for the past 58 years. Now we are being told by certain governments that this system is not adequate."

Bypassing that system, he warned, brings a choice: "The choice is not between multilateralism and unilateralism, it's between cooperation and catastrophe." ■



Joint Center for Political and Economic Studies
1090 Vermont Ave., NW, Suite 1100
Washington, DC 20005-4928
202-789-3500

PO Box 23881, Joubert Park 2044
12th Floor, Auckland House
185 Smit Street
Braamfontein 2017, South Africa

ADDRESS
SERVICE
REQUESTED

Postmaster:
Form 3547 requested



IMPORTANT!

NOTICE TO READERS: Please send address or title changes to FOCUS, Joint Center for Political and Economic Studies. YOU MUST ATTACH THE MAILING LABEL FROM THE BACK COVER when writing about service or change of address. Thank you.

NON-PROFIT
U.S. POSTAGE
PAID
PERMIT No. 6958
Washington, D.C.