

the times

Preckwinkle: Criminal justice system racist

By Michael Volpe Times Correspondent | Posted: Friday, April 22, 2011 11:09 am

CHICAGO | In the winter of 2008, then presidential candidate Barack Obama asserted that blacks and whites "are arrested at very different rates, are convicted at very different rates and receive different sentences for the same crime."

Speaking Tuesday at the Fairmont Hotel during an event sponsored by the Executives Club of Chicago, Cook County Board President Toni Preckwinkle echoed that assertion about Cook County's criminal justice system.

"Nobody talks about institutional racism, but what kind of a criminal justice system has an outcome where 70 percent of the people are African-American and the rest are Latinos."

Preckwinkle described Cook County jails as "entirely black and brown people. ... This is in a county where a third of our population is African-Americans, a third Latino, and a third white and Asian."

Steve Patterson, spokesman for Cook County Sheriff Tom Dart, wouldn't address Preckwinkle's thesis, saying in an email, "At the jail, we just house the people arrested - not sure where that fits with what she's saying."

Ted Pierson, co-chairman of the National Alliance Against Racism and Political Repression, a Chicago area civil rights organization, agreed with Preckwinkle.

"I agree with everything she said," continuing, "the system is rigged."

"The state's attorney won't even bring the case if they're white," Pierson said.

Cook County State's Attorney Anita Alvarez's office didn't respond to a phone call and email asking for comment.

The proliferation of nonviolent offenders in the jail is a major concern for Preckwinkle, who said 70 percent are there for nonviolent offenses and most are awaiting trial.

She believes it is a budgetary issue as well as a social issue. Criminal justice accounts for a little more than one-third of the budget, she said.

In her first 100 days, Preckwinkle closed a \$487 million budget deficit. She said the jail has an annual budget of a little less than \$500 million, with about 70 percent of the resources going to house nonviolent offenders.

She also pointed out that it costs \$142 per day to house an inmate in the jail, or \$51,830 per year.

Preckwinkle said a large proportion of the prison population are nonviolent offenders awaiting trial and she'd like to see alternatives, including more electronic monitoring and day reporting.

"We used to give people what they called an I-Bond and let them out on their own recognizance if they had a job and a family," she said.

Pierson said there is a racial discrepancy in offenses and who is held.

"We've found that whites actually commit more drug offenses than African-Americans, but African-Americans are locked up while whites are taken to the station and released to their parents," he said.

Tom Tresser, Preckwinkle's Green Party opponent in 2010, said far too much criminal emphasis is placed on drug offenses.

"We're locking them up instead of providing job training and drug treatment," he said.

The Times reached out to a number of politicians and public advocacy groups, but none responded for comment.

Nationally, Preckwinkle's notions have been challenged numerous times. Heather MacDonald, a senior fellow at the Manhattan Institute, challenged similar nationwide statistics in a June 2008 article for the City Journal.

"The favorite culprits for high black prison rates include a biased legal system, draconian drug enforcement, and even prison itself," McDonald wrote. "None of these explanations stands up to scrutiny. The black incarceration rate is overwhelmingly a function of black crime. Insisting otherwise only worsens black alienation and further defers a real solution to the black crime problem."

John Lott, author of the book "More Guns Less Crime," challenged the idea that the nation's drug laws were biased against African-Americans in a piece for the libertarian Cato Institute, published in March 2009. In it he suggested penalties for drug offenses were set up "because the lives of many blacks were being destroyed by blacks and people thought that they could help by having large penalties on those involved with crack (cocaine)."

A 1994 study by Stanford University professor Joan Petersila of about 11,000 inmates in California concluded that sentencing relied heavily on prior criminal record, seriousness of the offense and the presence of a gun, while race played a negligible role.

While Preckwinkle expressed concern over this issue she also said that beyond the bully pulpit of her office, she has little power to affect change; most of the decisions fall to judges and probation officers.

"People are in jail because judges put them there," she said.

Preckwinkle said she believes that because a small number of offenders committed high-profile crimes while on electronic monitoring, judges have been wary of approving that remedy for defendants in their courts.

She said that judges fear their name will be plastered all over the media if that happens in their court, causing them to lose in their next election. Preckwinkle said she supports the idea of having retired judges making electronic monitoring decisions.