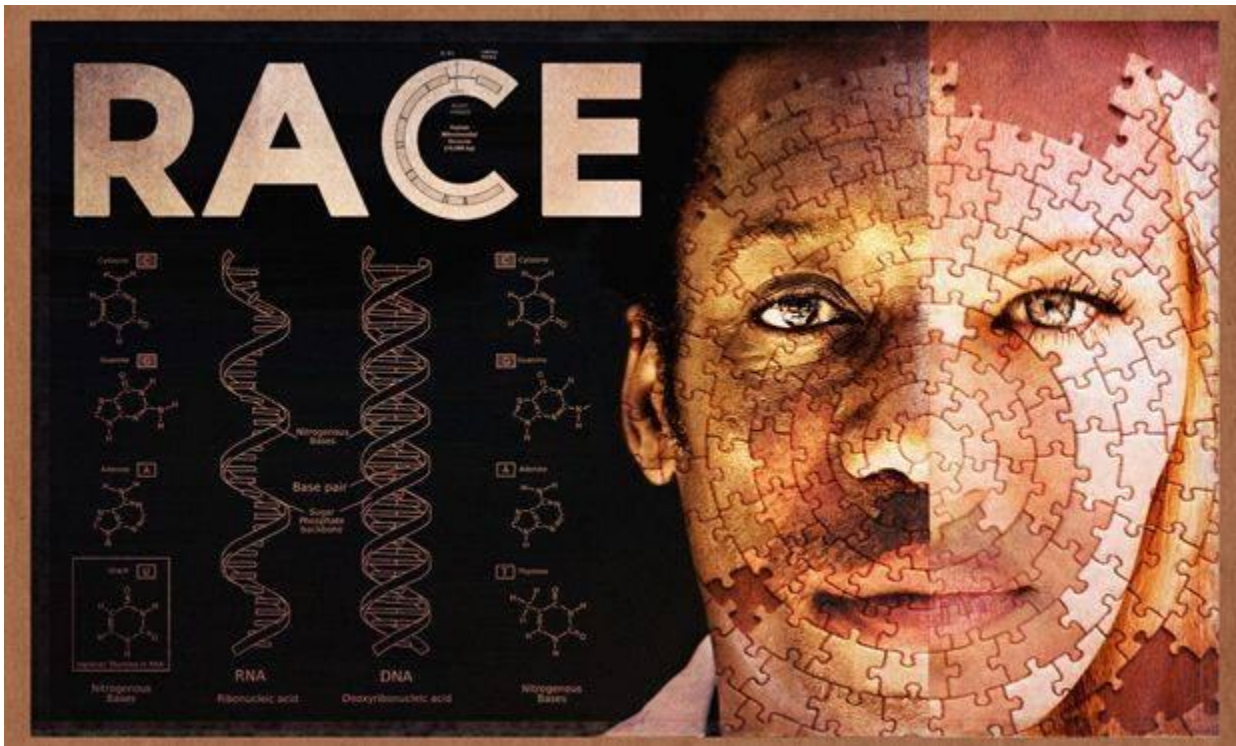


# Justice for All? Pt. 1: How do the historical factors of race affect the criminal justice system?

by Cory Davenport, Contributing Writer  
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**GODFREY** - Students from Jen Cline's Racial and Ethnic Relations class at Lewis and Clark Community College (LCCC) put together a panel regarding race in the criminal justice system.

The panel was put together by the students and included five men who were very well-versed and well-educated on many diverse issues of race in the criminal justice system.

The panel discussion was moderated by Josh Renbarger, an Adjunct Professor of Criminal Justice at LCCC, formerly serving as a domestic relations attorney in Missouri for five years, and a clerk in the Madison County, Indiana prosecutor's office.

Before the discussion, student, Linsey Rice, delivered a small address to the approximately 150 in attendance at the Hatheway Cultural Center Wednesday afternoon. Rice, like many students in Cline's class, is a criminal justice major. She said she was "blinded" before attending Cline's sociology classes, saying she could never imagine such systematic problems in the criminal justice system - especially since she wanted to be a part of it, and still does. She cited alarming statistics about America's prison population, including the fact the U.S. has only five percent of the world's total population, but 25 percent of the world's prison population. That population is pretty weighted as well, Rice said, with one in four black men facing future incarceration compared to only one in 17 white men.

**The panel consisted of the following individuals:**

- **Wesley Bell**-Professor of Criminal Justice at St. Louis Community College, also serves as councilman on the Ferguson City Council, has served as a public defender and has had a private practice. He recently moderated the St. Louis City Mayoral Debate and the Alton Main Street Candidate Forum.
- **Dr. Larry Golden**-Emeritus Professor of Political Studies and Legal Studies at the University of Illinois at Springfield and Founding Director of the Illinois Innocence Project. For 34 years, he taught courses on civil rights and liberties, and law, inequality and justice. Larry assisted in the law suit desegregating the schools of Springfield, Illinois, and was a major organizer of, and expert witness in, the successful voting rights lawsuit challenging the form of local government in Springfield as violating the U.S. Voting Rights Act. In 2001, he helped found the Downstate Illinois Innocence Project. He retired in 2004 from full time teaching to become pro bono director of that project.
- **Mario Love**-Mario has a Bachelor of Arts in Criminal Justice from the University of Missouri St. Louis, Master of Arts in International Relations from Webster University and a Doctoral in Progress in Historical Studies from Southern Illinois University Carbondale. He is a member of the Midwest Political Science Association, and teaches Political Science, International Relations and History at St. Louis Community College and LCCC
- **Charles Palmer**-Was exonerated and freed on the day before Thanksgiving 2016 after spending 18 years behind bars for a crime DNA evidence proved he did not commit, involving a murder of a Decatur man in 1998. He was freed through the Illinois Innocence Project.
- **Joe Splittorff**-Alton Police officer on the force for 10 years. He has worked in the investigations bureau as a detective for three and a half years. He is currently

assigned to investigate crimes against children, including both physical and sexual abuse. He formerly worked in the narcotics division before being assigned as a general detective where he handled cases of financial fraud, property crimes and violent crimes against people. He is also a member of the Major Case Squad of Greater St. Louis, which investigates homicides.

The first question was to Love. All the questions were concocted by the students, who put together the panel for their final grade in Cline's class.

### **How have historical factors played a role in the current culture of mass incarceration, especially in regards to race?**

Love said he prefers as a historian to look at things "in the abstract" when talking about history. He described states as "always-changing organic" entities. He said that aspect of looking at history shows skin color has always been a factor in criminalizing someone, even following the 14th Amendment, which banned slavery and allowed black people to be citizens in the U.S.

He said the 50 states each have a different means of interpreting that Constitution, and the more than 84,000 communities across the nation has different interpretations as well. He said those interpretations may well have been influenced by pre-Civil War laws such as the Fugitive Slave Act. That same spirit may have affected Nixon's vow to be tough on crime in the 1970s, and Reagan's crack versus powder cocaine sentencing standards, which Obama converted from 100 to one to 18 to one in 2010. Those issues caused the mass incarcerations of many men, leaving behind families without fathers.

Love posed the rhetorical question, is there an opposite between black and white? He said that question goes beyond just the criminal justice system, and has encroached culturally onto people. He cited the current heroin epidemic, which is ravaging the nation, saying it was not treated as "a public health issue" until after everyone became involved, instead of it being strictly criminalized when it was mostly a problem among black and Mexican populations.

"Heroin abuse is not a new reality, what is the cultural consequence of now treating it like an addiction versus a crime?" He said. "Now addicts are treated as victims, there is a larger historical dynamic."

He said as much as 32 percent of women in prison are in there for drug-related offenses, adding the most negative impact is on black families, saying the method of enforcement is subjective, despite the equality mandated by federal laws.

Bell said the problem was more due to larger societal problems, which he tries to address as a councilman in Ferguson. He said people needed an honest self evaluation. He said he was a big advocate for community policing, and said he appreciated the work being done by Alton Police Chief Jason "Jake" Simmons and the Alton Community Relations Commission to improve that aspect of Alton.

He added politicians should have a more wide-reaching focus on crime, instead of demanding to be "tough on crime" each time an election occurs. He said such officials should focus on the rehabilitation of those criminals as well as the public defenders' office, saying if the criminal justice system focused as much on proving actual innocence as prosecution, people may receive more fair treatment.

"It's not popular during elections," Bell said. "People want to build more prisons, and lock people up. We need to enable and empower more ex-prisoners."

The prison populations in Missouri, Bell said, are more skewed than the national average, with seven to eight percent of the population being African American, compared to 48 percent of the Missouri prison population.

"Some people say the problem is in the African-American community," he said. "But it comes down to monetary issues, which is an American social problem."

Dr. Golden said the criminal justice system reflects the culture and power structure of what created it. He said what is considered to be a crime and who defines it are the main issues into which someone must delve to attain an honest assessment. He said American society places importance on money, race and gender, so the criminal justice system reflects that.

"The criminal justice system will continue to protect those in power and do most damage to the marginalized," he said.

Golden said the majority population and those in power are afraid of losing that grasp. He said the surge of women attaining high-level professional careers would have been dismissed if predicted 30-40 years ago, and the power structure was struggling to adjust to that change.

Love said too many people outside the usual cultural matrix were considered "the other," and therefore were pushed to the margins by default. He used the example of a law against lynching black people in the Southern U.S. following the Civil War being stopped by filibuster. He said such examples of social psychosis could still be seen in incidents such as the death of Trayvon Martin and other cases of black men

being killed by people or police without cause and the lack of punishment, which follows too often.

Palmer, who was a victim of the criminal justice system's flaws said people should work from the outside to help people wrongfully locked away in jail.

"The little people can make a big difference, if they come together," he said.

Part two of the story will regard how plea bargains both benefit and harm people in the criminal justice system.

A full video of the panel discussion can be found [here](#).