

# The Total Injustice of the American Criminal Justice System: Racial and Class Bias at Work.....Again

I know that many people are outraged by the extremely light, less than four year sentence that Paul Manafort, Donald Trump's former campaign chair, was given, and rightfully so. After all, Manafort was convicted of both five counts of tax fraud (for moving millions of dollars that he made from Ukrainian clients to offshore accounts, and thus not paying a single penny of taxes on any of it), and of defrauding two banks for more than four million dollars in loans. He also lied to a grand jury, to Congress (the Senate Intelligence Committee), and to Special Counsel Bob Mueller's investigative team, after having entered into a cooperation agreement with him. Manafort may have also colluded with Russians in undermining the 2016 presidential election by working during his stint as Donald Trump's campaign manager, with Russian political consultant Constantin Kilimnik, who has ties to Russian intelligence. If that allegation is true, Manafort would prove to be a traitor, guilty of attempting to undermine our nation's democracy. We're awaiting Mueller's report on that matter. I understand the outrage over Manafort's sentence because it is so grossly unfair. While I am utterly disheartened by the injustice in this individual case, however, I am even more dismayed by the unfairness of the sentencing guidelines that led to it. Those guidelines are intended to inform judges of what is an appropriate sentence for a defendant based upon the sentences that others have received for the same or similar crimes. The objective is fairness and consistency, i.e., to not have some people "get the book thrown at them" for the same or similar crimes for which others have essentially gotten a "slap on the wrist." The guidelines, however, allow judges significant discretion in white collar cases. Specifically, they allow judges to either follow or to totally ignore them. The judge in Manafort's case obviously did just that. He utterly ignored the sentencing guidelines provided to him by Special Counsel Mueller, in which Mueller recommended that Manafort serve 19 to 24 years for his years of high crimes committed over many years. My indignation in this case results from the fact that under three strikes laws, judges are not allowed ANY discretion. I've read of case, after case, after case, in which a judge has said to a poor defendant who is often a person of color, that they absolutely did NOT want to send them to jail for the rest of their life for the minor, non-violent crime for which they were appearing before them, but since it was their third conviction for such a crime, they had no choice under the three strikes law, but to issue them a life sentence. The result is that while Paul Manafort, convicted of five counts of tax fraud and two counts of bank fraud in which he cheated the government out of millions of dollars, who lied to a grand jury, who lied to the U.S. Senate, who possibly engaged in treasonous actions to undermine our very democracy will in all likelihood spend less than four years in jail for his heinous crimes, there are thousands upon thousands of poor black and brown people languishing in prisons all over the United States who are presently locked up FOR THE REST OF THEIR LIVES for having committed a minor, non-violent crime three times. That kind of sheer unfairness, that kind of unqualified bias in the American criminal justice system is simply mind-boggling. It reminds me of the total difference in the way in which black users of crack vs white users of powder cocaine are treated in the courts. It reminds me of the fact that black, inner city heroine users have historically been criminalized and locked up, while white, rural and suburban opioid users, according to the overwhelming number of reports that I've read, are referred to as needing treatment. The bias is undeniable, and wreaks havoc on the lives of individuals of color, their children and other family members, and on communities

of color as a whole. It's just so unfair. Yesterday, Paul Manafort, a man who is white, privileged and wealthy, received the benefit of all three of those characteristics by receiving the proverbial slap on the wrist for years of serious criminality, likely up to and including treason. Today, my heart feels the excruciating sting of racism and classism yet again. Today, my heart is heavy with the crushing, crippling weight of both..... yet again.