

house. She was pregnant and she had a young child. There was a man staying there. That's what she got. The judge said the city is sick and tired or fed up with this drug problem. All right, a white woman was found in west Omaha and you know what was in her house? Cocaine, marijuana plants growing in the basement, guns and dogs. When she went before Judge Hickman he acquitted her, although all this was found in her house. She was acquitted. So the black young woman went to York, contributing to the overcrowding. The white woman with the guns, dogs, knives, cocaine and marijuana plants growing in the basement was acquitted, so she's not a part of the overcrowding. This is known as disparate sentencing, if you want to be nice. It's racism if you call it what it is. And when you look at the overabundance of black people in these institutions, then you could attribute it to what some people want to by saying black people are simply more criminally inclined. But the problem with that is you see situations where, in some cases, co-defendants, one black and one white, the black one will go to jail, the white one won't. In cases where similar offenses have been committed, if both of them are jailed, the black gets a much longer sentence than the white one and that contributes to the overcrowding. When we look at the internal disciplinary procedures it is by taking away good time that some of the overcrowding has been produced in the Penitentiary. The way to keep a facility strong in the mind of a director of corrections is to have a lot of people in it. If the courts are not sending enough people in to swell the population, you must utilize the tools at your disposal to keep them there. So they sat up this internal disciplinary system. It is arbitrary, it is discriminatory. They will allow people to sit in judgment who are filing the complaint, which violates the law and the department's own rules, but the Legislature does not care. When I raised these issues with the Chief Justice, who was there to talk about other matters to the Judiciary Committee, he didn't want to deal with it. He said they deal with one case at a time and they can't look beyond that and I told him the court had undertaken studies of other matters related to the administration of the system, why couldn't they take a look at this. I'm talking about your Chief Justice of the Nebraska Supreme Court and it's not sufficiently important for him to undertake a study but they see what comes before them in the cases that come up on appeal. They can see the differences in sentencing that occur and yet they feel no responsibility to do anything about it. I do. You play into the hands of the corrections department director when you allow, without analysis