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## NAACP: Reform courts

Group to unveil campaign to address system they say discriminates against poor, disabled, minorities.

Cindy Rodríguez / The Detroit News

**DETROIT** -- The state's court system is dysfunctional, disparately funded and discriminatory toward the poor, the disabled and people of color, according to the Detroit branch of the NAACP, which will unveil a reform campaign today.

The civil rights organization, with the help of the Michigan ACLU, found six areas in the courts that it said were either unconstitutional or needed desperate change. The NAACP's legal counsel, Melvin Butch Hollowell, says the problems go back years.

"The system has gotten so dysfunctional we felt we couldn't wait any longer," Hollowell said. "We have an emergency situation in our courts."

The NAACP said it hopes that its campaign, called "And Justice for All," will drive the Michigan Supreme Court and Michigan Legislature to heed its call.

Civil rights leaders say the state doesn't offer poor people adequate defense, has a state judicial oversight commission that is all white and doesn't reflect the state's diversity and is not in compliance with the Americans with Disabilities Act. For example, some court rooms do not have wheelchair ramps.

In Wayne County, they say problems are worse: defendants do not appear before a jury

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of their peers, juveniles are not getting consistent legal care, and residents have been stripped of their habeas corpus right to be released by a circuit judge.

Race and income, and the way the two intersect in Metro Detroit, play a big role in a state prison population that is predominantly poor and black, civil rights leaders say.

"The justice system is working for a privileged few," Hollowell said. "But it's not working for the average person."

A long-standing problem is the way juries are selected in Wayne County, which results in a pool that is 12 percent black even though the county is 40 percent black, according to a 2006 report by the National Center for State Courts commissioned by Wayne County Circuit Court.

"The court is very supportive of the proposals of the NAACP initiative as it concerns jury composition issues," said Wayne County Circuit Chief Judge Mary Beth Kelly.

The NAACP is also troubled that the state has left it up to counties to decide how to counsel indigent defendants. Without guidelines or adequate funding, civil rights leaders say it has resulted in poor people not getting representation that meets "even the minimal constitutional requirements for effective assistance."

Mark Fancher of the ACLU said the state needs to fund counties properly so that defendants don't wind up, on the day of their trial, meeting their attorneys who are ill-prepared to defend them.

Still another problem is the makeup of the Michigan Judicial Tenure Commission, which investigates allegations of misconduct among state judges. There are no people of color among the nine-member commission or the attorneys who help them research cases, according to the NAACP. "It's an all-white club and this is 2007," Hollowell said.

But the NAACP isn't just pointing fingers; it is offering solutions. A team of attorneys has worked on proposals that it is offering to the Legislature.

**Anthony**



**Hollowell**

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