

Philosophy Ripped From The Headlines!



Issue #14, 1 (November 2018)
Compiled & Edited by *Philosophy Without Borders*

Starting in November 2018, *Philosophy Ripped From The Headlines!* is being delivered in weekly installments, month by month.

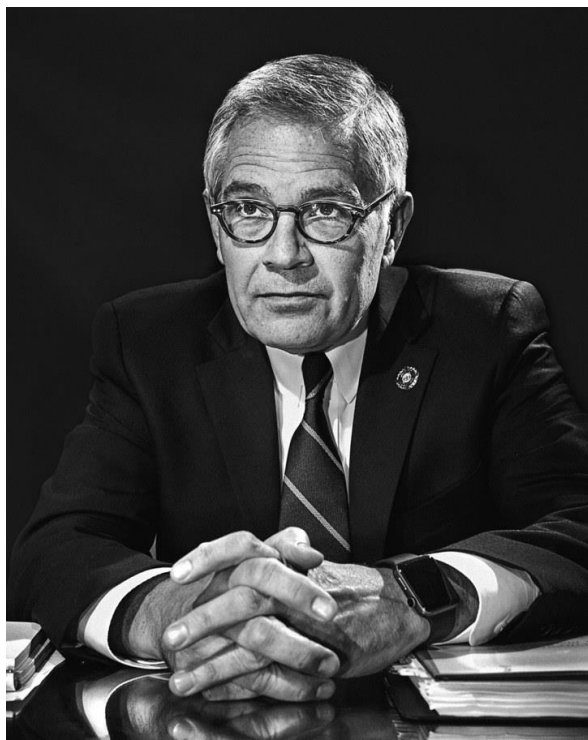
Every installment contains (1) excerpts from some articles, or full articles, that recently appeared in online public media, (2) some follow-up thoughts for further reflection or discussion, and (3) a link for supplementary reading.

1. “Larry Krasner’s Campaign to End Mass Incarceration”

By Jennifer Gonnerman

The New Yorker, 29 OCTOBER 2018

Full article available at URL = <https://www.newyorker.com/magazine/2018/10/29/larry-krasners-campaign-to-end-mass-incarceration>



Until Larry Krasner entered the race for District Attorney of Philadelphia last year, he had never prosecuted a case. He began his career as a public defender, and spent three decades as a defense attorney. In the legal world, there is an image, however cartoonish, of prosecutors as

conservative and unsparing, and of defense attorneys as righteous and perpetually outraged. Krasner, who had a long ponytail until he was forty, seemed to fit the mold. As he and his colleagues engaged in daily combat with the D.A.'s office, they routinely complained about prosecutors who, they believed, withheld evidence that they were legally required to give to the defense; about police who lied under oath on the witness stand; and about the D.A. Lynne Abraham, a Democrat whose successful prosecutions, over nearly twenty years, sent more people to death row than those of any other D.A. in modern Philadelphia history.

In 1993, Krasner opened his own law firm, and went on to file more than seventy-five lawsuits against the police, alleging brutality and misconduct. In 2013, he represented Askia Sabur, who had been charged with robbing and assaulting a police officer. A cell-phone video of the incident, which had gone viral, showed that it was the police who had beaten Sabur, on a West Philadelphia sidewalk. Daniel Denvir, a former criminal-justice reporter at the Philadelphia *City Paper* and a friend of Krasner's, recalled that, at the trial, Krasner revealed the unreliability of the officers' testimony, "methodically unspooling their lies in front of the jury." In dealing with such cases, Denvir said, Krasner sought to illustrate "prosecutors' and judges' typical credulity with regard to anything that a police officer said, no matter how improbable." (Krasner later filed a civil lawsuit on Sabur's behalf, which was settled for eight hundred and fifty thousand dollars. The police officers were never charged with lying on the witness stand.)

In Krasner's spare time, he worked pro bono, representing members of *ACT UP*, Occupy Philadelphia, and Black Lives Matter. In 2001, his wife, Lisa Rau, decided to run for state-court judge. Krasner asked some of the activists he had represented, including Kate Sorensen, of *ACT UP*, for help. "We were involved with a whole community of anarchist activists—folks who generally don't vote," Sorensen said, "but we got hundreds and hundreds of lawn signs up all over the city." Rau won, and later earned a reputation for challenging questionable testimony from the police.

In early 2017, when Krasner told the six-person staff of his firm that he was running for D.A., they erupted in laughter. On February 8th, he announced his candidacy with a speech in which he attacked the culture of the D.A.'s office, accusing prosecutors of embracing "bigger, meaner mandatory sentencing." He accused the office, too, of casting a "very wide net," which had "brought black and brown people from less prosperous neighborhoods into the system when that was in fact unnecessary and destructive."

The president of the police union pronounced Krasner's candidacy "hilarious." Krasner received no mainstream-newspaper endorsements and, at first, was supported by only a few Democratic elected officials. He seemed to please almost no one in power—certainly not those in the office he hoped to lead, which has had its troubles in recent years. In 2017, the D.A. at the time, Seth Williams, was accused of accepting gifts, including a trip to a resort in Punta Cana, and later pleaded guilty to bribery, and was sent to federal prison. But few people saw Krasner as the solution. Twelve former prosecutors, nearly all of whom had worked under Williams, wrote a letter that was published in the Philadelphia *Citizen*: "While it might be demoralizing to work for someone who is federally indicted, imagine working for someone who has openly demonized what you do every day," it read. "Why work for someone that reviles a career you are passionate about?"

Krasner, who is fifty-seven, is a compact man with an intense, slightly mischievous demeanor. He likes to say that he wrote his campaign platform—eliminate cash bail, address police misconduct, end mass incarceration—on a napkin. “Some of us had been in court four and five days a week in Philadelphia County for thirty years,” he said. “We had watched this car crash happen in slow motion.” Krasner often talks about how, running as a defense attorney, his opponents, most of whom had worked as prosecutors in the D.A.’s office, frequently attacked him for having no experience. At one event, they were “beating the tar out of me because I have not been a prosecutor. ‘Oh, my God! He’s never been a prosecutor!’ ” But the line of attack worked to his advantage. “You could hear people saying, ‘that’s good!’ ” Brandon Evans, a thirty-five-year-old political organizer, said. “I remember people nodding profusely, rolling their eyes, and shrugging their shoulders.”

In 2015, Philadelphia had the highest incarceration rate of America’s ten largest cities. As its population grew more racially diverse and a new generation became politically active, its “tough on crime” policies fell further out of synch with its residents’ views. During Krasner’s campaign, hundreds of people—activists he had represented, supporters of Bernie Sanders, Black Lives Matter leaders, former prisoners—knocked on tens of thousands of doors on his behalf. Michael Coard, a left-wing critic of the city’s criminal-justice system, wrote in the *Philadelphia Tribune* that Krasner was the “blackest white guy I know.” The composer and musician John Legend, a University of Pennsylvania graduate, tweeted an endorsement. In the three weeks before the primary, a PAC funded by the liberal billionaire George Soros spent \$1.65 million on pro-Krasner mailers and television ads. Strangers started recognizing him on the street. He trounced his six opponents in the primary, and went on to win the general election, on November 7, 2017, with seventy-five per cent of the vote. He was sworn in on January 1, 2018, by his wife.

In the past ten years, violent crime across the country has fallen, but, according to polls, many people continue to believe that it has increased. President Trump’s campaign exploited the fear of “American carnage,” and the criminal-justice system of the United States, which has the highest incarceration rate in the world, seems built on this misinformation. And yet, at a local level, there are signs of change. Krasner is one of about two dozen “progressive prosecutors,” many of them backed by Soros, who have won recent district-attorney races. In 2016, Aramis Ayala got early support from Shaquille O’Neal and won a state’s attorney race in Florida, and Mark Gonzalez, a defense attorney with “*NOT GUILTY*” tattooed on his chest, became the D.A. in Corpus Christi, Texas. Last month, Rachael Rollins, a former federal prosecutor, became the first African-American woman to win in a Democratic primary for D.A. in Suffolk County, Massachusetts, having promised to stop prosecuting drug possession, shoplifting, and driving with a suspended license, among other crimes. Instead, she said, she would handle the cases she didn’t dismiss in other ways, by sending defendants to community-service or education programs, for example. On September 7th, President Barack Obama delivered a speech to students at the University of Illinois at Urbana-Champaign in which he referred to Krasner and Rollins: “If you are really concerned about how the criminal-justice system treats African-Americans, the best way to protest is to vote,” he said. “Do what they just did in Philadelphia and Boston and elect state attorneys and district attorneys who are looking at issues in a new light.”

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2. “Too Poor To Vote”

By Danielle Lang and Thea Sebastian

The New York Times, 1 NOVEMBER 2018

Full article available at URL = <https://www.nytimes.com/2018/11/01/opinion/election-voting-rights-poverty.html>



As Election Day approaches, triggering feverish drives to turn out new voters, over six million people will be denied the right to register and cast a ballot this November. That’s almost [3 percent](#) of the United States’ adult population.

While many Americans would claim to believe in second chances, this country’s felony laws frequently block people from full participation in our society after they’ve served time by denying them the right to vote. Those who have completed their sentences are all too often prevented from casting ballots simply because they have unpaid court fines and fees. In seven states — [Arkansas](#), [Arizona](#), [Alabama](#), [Connecticut](#), [Kentucky](#), [Tennessee](#) and [Florida](#) — laws explicitly prohibit people who owe court debt from voting. In other states — such as North Carolina, New Mexico and Wisconsin — in order to regain the vote, people must complete parole or probation, which often requires [paying excessive fines](#) and fees.

In all these cases, the price tag can be significant: In North Carolina, for example, people who have been incarcerated must pay [\\$40 per month](#) in supervision fees and [\\$90 per month](#) if placed on electronic monitoring. And these are often alongside the fees that they have already racked up. [These include](#) \$60 to determine whether a person is too poor to afford a lawyer, \$10 a day for each day that he or she is jailed pretrial *because bail was unaffordable*, and \$600 if the prosecutor tests evidence at the state crime lab.

A national research project collecting information from 14 states found families owe [on average \\$13,600](#) in court-related fees and fines. We've seen reporting on people who owe *tens* of thousands — [\\$33,000](#) in one instance and [\\$91,000](#) in another. And, in too many states, you cannot cast a ballot until you've paid every penny.

Regardless of the stated goal of this policy, the effects are clear: Wealthy people can pay these fees and vote immediately, while poor people could spend the rest of their lives in a cycle of debt that denies them the ability to cast a ballot.

You may be wondering: Where do these fees come from? The answer is that the criminal system charges individuals for almost everything. In [every state but Hawaii and the District of Columbia](#), there are charges for the “privilege” of wearing an ankle monitor. [In 44 states](#), there are charges for probation and parole supervision. In [43 states and the District of Columbia](#), there are charges for public defenders — even though our Constitution guarantees both counsel and criminal trials. In [41 states](#), people are charged for “room and board.” And the list goes on. In Ohio, all told, there are [118 different fees and surcharges](#).

By the time people re-enter society, they often owe thousands in debt. Nationally, about 10 million people [owe over \\$50 billion](#) in debt associated with the criminal justice system. Worse, this money is generally being demanded from people who are unlikely to be able to pay it. A [Brookings paper that linked data](#) from the entire prison population to earnings records over a 16-year period showed, at best, only about half of those recently released are [able to find work at all](#) — and even when they do get a job, many earn an income well below the poverty line.

The combination of employment discrimination, license suspension, housing restrictions and other barriers to economic stability makes re-entry into society — and the ability to earn enough to pay off court debt — nearly impossible.

When citizens are denied a fundamental right based solely on wealth, a bedrock principle of our Constitution — that our government cannot deny poor people basic rights in our society simply because they are poor — is violated. Lawyers from Civil Rights Corps have used this argument in [dozens of cases](#), arguing against practices that include [wealth-based detention](#), [driver's license suspension](#) over unpaid debts, and the extension of [probation terms](#) when people can't afford drug testing and supervision fees.

In the seven states that explicitly hinge voting rights restoration on debt repayment, legislators should remove those provisions from the law. We must end the practice that allows states to link voting rights to debt repayment and completion of probation or parole. And, until they do advance those reforms, governors should use clemency power to ensure that those barred from

restoring voting rights solely because of unpaid debt can vote immediately. We won't have full democracy unless every voice is heard at the ballot box.

Some Follow-Up Thoughts For Further Reflection and Discussion:

Is the following argument sound? If so, why? If not, why not?

1. People everywhere innately possess human dignity, and should always be treated with sufficient respect for that dignity.
2. Dignity is an innate endowment of human persons, not an achievement; therefore their dignity cannot be either lost or reduced by their *immoral* choices or actions.
3. Moreover, their dignity cannot be lost or reduced by merely *illegal* choices or actions, since immorality and illegality are logically independent of one another: not everything that is immoral is illegal, and not everything that is illegal is immoral.
4. Thus even people who are called and treated as “criminals” by the police and rest of the legal justice system, especially including the courts-and-trials system and the prison system, fully possess human dignity and should always be treated with sufficient respect for that dignity.
5. The current American system of brutal, racist policing and mass incarceration with loss of basic political rights, aka *The Carceral State*, clearly fails to treat those who are called “criminals” by it, with sufficient respect for their human dignity; on the contrary, it's a deeply oppressive and unfair system, hence it's rationally unjustified and immoral.
6. Therefore we should either radically transform the existing system, or end it altogether—thereby abolishing the police, the courts-and-trials system, and the prison system—and put something radically better in its place, so that all people are treated with sufficient respect for their human dignity, no matter how badly they've chosen and acted.

A Link For Supplementary Reading:

[The Philosophy of Policing, Crime, and Punishment](#)

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- **ABOLISH ICE!, AND HUNGARY'S STARVATION TACTICS**

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HERE: [PWB philosophy ripped from the headlines issue6 feb18](#)

ISSUE #5, JANUARY 2018:

- **BAKERS, BUDDHISTS, PLANT MINDS, & TOTAL WORK**

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ISSUE #4, DECEMBER 2017:

- **US POLITICS, ANIMAL MINDS, & REFUGEES**

HERE: [PWB philosophy ripped from the headlines issue4 dec17](#)

ISSUE #3, NOVEMBER 2017:

- **GUN VIOLENCE**

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ISSUE #2, OCTOBER 2017:

- **FREE SPEECH WARS**

HERE: [PWB philosophy ripped from the headlines issue2 oct17](#)

ISSUE #1, SEPTEMBER 2017:

- **BORDERS AND IMMIGRATION, CRIME AND PUNISHMENT, & CULTURAL CONFLICT**

HERE: [PWB philosophy ripped from the headlines issue1 sept17](#)

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