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A Data News Weekly Exclusive

# Data News Weekly Gets Ready for Election Season



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# Data News Weekly Gets Ready for Election Season

*The Importance of Voting and Civic Engagement*



By Edwin Buggage  
Data News Weekly Editor

**Making Informed Decisions**

The election for various seats and Constitutional Amendments are on the ballot Nov. 6, 2018. Data News Weekly in remaining true to our motto as “The People’s Paper, will feature articles and other information that we hope will assist the citizens of our city in

making educated decisions when going to the polls. Data News Weekly will feature a series of editions, which will take a look at the seats up for election and provide information that will explain each office, what their duties are and how it impacts you. We believe that this is important. That moving forward, our people know what those elected to represent the citizens of New Orleans’ duties are and how each decision they make impacts us. In this scenario, voters can have a real yardstick to measure an elected official’s effective-

ness, while they are in office, and judge their records, if or when, they run for re-election.

**Data News Weekly partners with CUMULUS Radio to Stress the Importance of Voting**

Data News Weekly will also have exclusive interviews with candidates running for office, asking them questions that are of interest to you. Data News asks our readers, to engage with us if you have questions

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for some of the candidates. You can send them to us at [datanewseditor@bellsouth.net](mailto:datanewseditor@bellsouth.net), or you can post them on our Facebook page in the comment section of this story. We will do our best to pose those questions to candidates as we conduct interviews and editorial boards. We want to insure your voice is heard, and your questions are addressed. You hold the power.

Data News is also partnering with CUMULUS Radio in producing Public Service Announcements featuring prominent people who are making an impact on our city and encouraging our citizens to vote. We hope that these voices can inspire you and remind you that while we as a people have made great strides, we still have a long way to go. Also recognizing that voting is one of the many ways we can help

shape our collective direction in New Orleans.

#### The Power of the Ballot

As already noted, these are important times not only for our city, but for our nation and it is time to let our voices be heard. In the City of New Orleans, our voices, in some instances, are muted when decisions are being made because many of us are absent when it comes time to cast our vote.

Recently, our city celebrated the 13th Anniversary of Hurricane Katrina and its aftermath. It is clear, that the city is changed forever. We must note however, that even though some are moving into the city; African-Americans are still 60% of the population. With these types of numbers, if we can think collectively and become civically engaged

lic policies. If this were to occur, no longer would those in power take our community for granted because we don't participate. They would see large numbers of people coming to the polls and that our voices and our votes matter.

By the same token, we can no longer afford to be apathetic, because on a national level the results of the 2016 Presidential Election where in total 136 million votes were cast, the election was decided by 78,000 votes in three states. We are living, in real-time, the results and consequences of those who did not go out and vote. This is clear evidence that every vote matter, so we must turn the tide of apathy into enthusiasm when it comes to voting.

#### Education + Information + Inspiration = An Empowered Community

In these critical days, every vote counts and Data News Weekly wants to arm our people with the tools that will not only get them to the polls, but to inform, educate, inspire and empower our people to be civically engaged.

Further, our goal is to help our citizens understand that civic

engagement does not end at the polls. It is incumbent upon our citizens once educated about these various offices, to hold those representing us accountable. So, that means not only being present at the polls, but to follow, study and understand the decisions that are being made; from the city budget, to how contracts are awarded, how city monies are spent, the criminal justice system and a host of other things. It is the people who must recognize that the power to change the priorities of the politicians is in their hands.

#### Data News Weekly...The People's Paper is Lighting the Road to the Future

Data News Weekly has re-committed ourselves to being the "People's Paper" for our expanded audience. Whether it is in our printed paper, our website and social media platforms or in our partnerships; we want to not only educate and inform our community but inspire them with news they can use.

Finally, as we have done for over a half a century, we are "Lighting the Road to the Future" with the hopes of empowering our people.

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# Andrew Gillum Shocks the Political World and Sets Stage for Three Black U.S Governors

By Lauren Victoria Burke  
NNPA Newswire Columnist

Wildly outspent by a billionaire challenger and the daughter of a former Florida Governor, Tallahassee Mayor Andrew Gillum, 39, shocked the political establishment to win the gubernatorial primary in Florida on August 28th.

Gillum defeated former Congresswoman Gwen Graham 34-31 percent to win the Democratic nomination. He will now face pro-Trump Congressman Ron DeSantis in the general election on November 6th. Gillum's victory caught many political observers by surprise. The 39-year old Mayor was polling in fourth place less than a month ago. But recent polls showed an upward movement to second place. Gillum and his supporters completed that upward

movement by coming in first on election night.

Gillum's victory sets up a historic opportunity for there to be three sitting African American Governors in the U.S. for the first time in history. Former Georgia lawmaker Stacey Abrams is the Democratic nominee or Governor of Georgia after a decisive July 24th primary victory. Abrams would be the first African American woman to be a Governor from any state should she win. Former NAACP President Ben Jealous is running for Governor in Maryland against moderate incumbent Republican Larry Hogan. There are also four Black candidates for Lt. Governor running this year for the first time in history.

Gillum's progressive victory was cemented in part by a late visit by Sen. Bernie Sanders in support

of his candidacy. Though he did not win, the Independent Vermont U.S. Senator who ran for President in 2016, focused on bread and butter issues many Americans identified with as he ran against Hillary Clinton. Sanders' issue focus included income inequality, money in politics, corporate greed and raising the minimum wage. Despite the Democratic Party's support of the moderate blue dog style of former U.S. Representative Gwen Graham, voters had other ideas and a progressive shift has likely been spurred by Donald Trump's policies.

Gillum, a graduate of Florida A&M University, is viewed as the continuation of a progressive surge and a shift away from the establishment also seen in the victory shocking victory of Alexandra Ocasio-Cortez over longtime Congressman

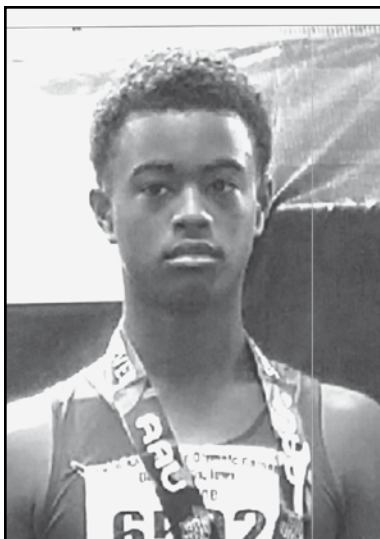


Tallahassee Mayor Andrew Gillum, 39, shocked the political establishment to win the gubernatorial primary in Florida on August 28th.

## Bryson Osborne, III Named AAU All-American for Second Year

Bryson Osborne, III is an eighth grader at Lusher Charter School who recently returned home after a successful trip to the 2018 AAU Junior Olympics in Des Moines, IA. Bryson was designated All-American for the second straight year.

The sprinter was a quarterfinalist in the 200 meter dash, and a finalist in the 100 meter dash where he placed 4th in the nation. Bryson, a member of Lusher's Senior High track team, is also a member of Speed Dynamics Track Club where he competes during the summer season. The gifted 8th grader also trains at GLS on the West Bank.



Bryson also found the time to compete in the Math Star summer program at Xavier University.

Watch for Bryson to compete in the Olympic Games in the future. He trains under the watchful eye of Coach Gary Scheffler at GLS and Coach Winn at Speed Dynamics and Lusher Charter School.

His parents are Tiffany Crusto and Bryson Osborn, I. In addition to his success on the track, Bryson is also a member of Lusher's football team, and is an alter server at St. Peter Claver Catholic Church.

Congratulations Bryson, well done!

Joe Crowley in a primary for his New York House seat. Though her victory is not necessarily a symptom of a widespread trend, it is a signal that a political wave in the opposite direction of Donald Trump is on the horizon in less than 70 days on November 6, 2018.

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# Rep. Richmond Responds to the President's Decision to Rescind Federal Employee Raises

WASHINGTON, DC- Congressman Cedric Richmond (LA-02) issued the following statement in response to President Trump's decision to cancel pay raises for federal employees:

"President Trump's recent decision to freeze pay raises for hard-working federal employees is an affront to our workforce and a danger for our economy. This is a clear attack on millions of patriotic civil servants throughout the country. Federal employees make up the bedrock of the American economy, and in my district serve our veterans, protect us in the wake of natural disasters, deliver our mail, process federal payroll, and preserve our environment. This administration's latest attempt to sabotage our community is yet another unfortunate blow to middle income Americans. I will work diligently with my colleagues to ensure federal employee wages are protected."

Last week, President Donald Trump told lawmakers he wants to scrap a pay raise for civilian federal workers, saying the nation's budget couldn't support it.

In a letter to House and Senate leaders, Trump described the pay increase as "inappropriate."

"We must maintain efforts to put our Nation on a fiscally sustainable course, and Federal agency budgets cannot sustain such increases," the President wrote.

An across-the-board 2.1% pay increase for federal workers was slated to take effect in January. In addition, a yearly adjustment of pay-checks based on the region of the



country where a worker is posted – the "locality pay increase" – was due to take effect.

Trump said both increases should no longer happen.

Congress has an opportunity to effectively overrule the President's edict if lawmakers pass a spending bill that includes a federal pay raise. The Senate passed a bill this summer that included a 1.9% raise for federal workers. The House's version did not address federal pay. Senate and House negotiators will negotiate a final measure in the coming weeks.

In his letter, Trump stressed a pay freeze would not affect the

federal government's ability to attract qualified workers, and wrote the government would focus on "recruiting, retaining and rewarding high-performing Federal employees and those with critical skill sets."

The implications of Trump's decision on the locality pay increase were not immediately clear. Workers based in more expensive parts of the country are paid higher salaries to compensate for the higher cost of living.

Pay for military personnel will not be affected by Trump's decree; instead, US troops are due a 2.6% pay increase next year. Trump frequently trumpets the military pay raise while listing his administration's accomplishments. The raise came as part of a massive \$716 billion defense spending bill that Trump signed earlier this month.

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# Southern Decadence Parade 2018 Highlights

Photos by Kichea S. Burt  
Data News Weekly  
Contributor

Southern Decadence 2018 marked the 47th Annual celebration and parade which attracted guests from across the nation. Street parties in the French Quarter ran around-the-clock throughout the Labor Day weekend. New Orleans was a welcoming host for this popular event, everyone with an open heart was invited to come and experience a little Southern Decadence. Just like everything else in this city, everyone's invited and Data was there!



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# Just Fellas Celebrates Annual Team Jersey Dance

Photos by Glenn Summers  
Data News Weekly Contributor

The Just Fellas Social & Pleasure Club's Annual Team Jersey Dance took place on September 1st at the VFW Hall. The annual event celebrates team spirit, brotherhood, community and family. It's a very popular and well attended event, and each year, the Club's members look forward to coming together to celebrate. It was another great event, and of course, Data was there!



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# Mourning Kofi Annan, Remembering Ron Walters



**Julianne Malveaux**  
NNPA Columnist

Kofi Annan made his transition in August. The seventh Secretary-General of the United Nations, he worked up from the lower ranks (starting at age 24) of the international organization, to serve as head of peacekeeping operations, and four years into his term as UN Secretary-General, earning the Nobel Peace Prize.

Annan, born in the kente-weaving province of Kumasi, Ghana, was the first African to lead the United Nations. After leading the UN for a decade, he continued to serve the world in a peacekeeping

role through his foundation and in a leadership role in the Elders, a peacekeeping group.

Kofi Annan's contributions to the United Nations are twofold, in my opinion. First, he was committed to peace, and to the UN's peacekeeping role. He saw human rights as more important than "state sovereignty" and felt that the UN had a role in maintaining citizen rights in the face of state brutality.

To be sure, he failed to recognize the threat to human rights in Rwanda (as did the Clinton administration and the rest of the world). Still, he expanded the role of the United Nations by asserting the importance of human rights.

Kofi Annan's second significant contribution was his expanded definition of human rights, which included the fight against global poverty, global warming and AIDS. In other words, he felt that human rights included the right for us all to live in a better world, and he focused on the ways that predatory

global capitalism shaped the ways many in the developing world lived.

Annan, the consummate diplomat, would not use the same words that I have. But he was passionate in advancing the vision of global politics that was both peaceful and expansive.

In these moments after his transition, African-Americans must celebrate the legacy of Kofi Annan. We must commemorate an African man with a global vision by widening our lens to acknowledge our global view of, in the words of the late Dr. Ron Walters (the dean of African-American political science), "foreign policy justice."

Walters decried inconsistencies in US foreign policy — including the many ways that some nations were favored, and others were not — with Israel often having too preferred a status compared to Palestinian nations. He also opposed the uneven ways our country chose to intervene in country conflicts.

Through the lens of Walters,

too little conversation about foreign policy justice took place, and African-Americans were too often missing when these conversations took place.

Walters was among those who felt that African-American people needed to be more fully involved in the development of US foreign policy, not only around Africa but in general. He was a trusted advisor to Rev. Jesse Jackson, a longtime political science professor at Howard University (and later at the University of Maryland), and a prolific writer and speaker. He embraced the legacy of Kofi Annan and the vision of Afro-globalism. When we embrace Annan, we recognize the many ways that Dr. Ron Walters was pivotal in lifting awareness of African-American people around global issues.

Both Annan and Walters were born in 1938, both would have turned 80 this year (Walters made his transition in 2010). Both provided a foundation of critical think-

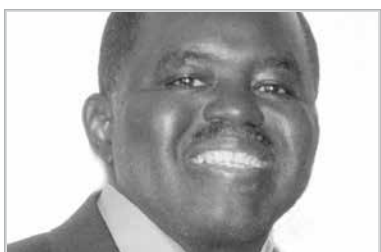
ing around foreign policy issues and foreign policy justice. Thanks to Walters, African-Americans embraced foreign policy issues more closely and critically. Thanks to Kofi Annan, the United Nations began to look at human rights more globally.

I do not hesitate to celebrate the legacy of Kofi Annan, a legacy that the Nobel Prize committee was "an excellent representative of the United Nations and probably the most effective secretary-general in its history." At the same time, when I celebrate Annan's legacy, I remember the legacy of Dr. Ron Walters, the civil rights activist (leading sit-ins in his hometown of Wichita, Kansas), iconic political science professor, and pioneering political activist and advisor to leaders, and submit that his legacy should motivate African-Americans to be more fully committed to foreign policy justice.

Two men, Secretary-General Kofi Annan and Professor Ron Wal-

**Commentary, Continued on page 10.**

## Donald Trump Gives Himself an "A+" For His Time in Office



**Roger Caldwell**  
NNPA Newswire Columnist

President Trump has been in office for 585 days depending when you read this article. Many conservatives and Republicans believe that he is doing a good job, and in an interview, he gave himself a grade of "A+." With 40% of Americans supporting the president's policies and talking points, America is extremely divided, so he may be right to them.

When Americans wait hours to listen to Trump at his political rallies, his base is all in, and they trust his leadership and his decisions. Many Americans cannot believe

that this kind of thinking could exist in 2018, but the Republicans and conservatives attending his rallies "want their country back."

Wanting your country back has something to do with making America great again, and these code slogans activate a certain percentage of the base of the Republican party. From the president's point of view, there is no room for improvement and he can do no wrong, but the majority of news reporters and media companies have a different perspective, and they are out to destroy his presidency.

"For Mr. Trump every day is an hour-by-hour battle for self-preservation. He still re-litigates last year's election, convinced that the investigation by Robert S. Mueller III, the special counsel, into Russia's interference is a plot to delegitimize him," says New York Times reporter, Maggie Haberman.

Trump only sees and believes what is in his mind, and he shuts

down anything that isn't in his reality or doesn't support his ideology. With almost 28 million Twitter followers, it is easy for Trump to believe that his fabrications and lies are truth and that the Mueller investigation is a witch hunt.

As the divide grows larger, with months of legislative failure and chaos spreading amongst our friends and allies around the world, Trump's presidency has been a terrible failure. Every time Trumps opens his mouth, he embarrasses America, locally, nationally, and internationally.

"Similarly, Trump's managing of the border has yielded miserable results. The recent humanitarian crisis, in which thousands of immigrant children were being separated from their families, has been a PR nightmare for the administration. Polls show that two-thirds of Americans opposed the zero-tolerance policy, which looks like another misstep in his admin-

istration's immigration policy," says Jared Yates Sexton of Salon.com News & Politics.

By all accounts, Mueller's (witch hunt) investigation has been extremely successful finding many key players in Trump's orbit of breaking the law. Maybe Trump has forgotten that his ex-campaign manager Paul Manafort was found guilty on eight felony counts, and Michael Cohen, the president's lawyer plead guilty on the same day Manafort was found guilty on eight felony charges. Two of Cohen's charges were felony campaign-finance violations and directly implicated the president.

As more of Trump's business associates are given immunity and others admit to breaking the law, it appears that corruption is running wild during the president's time in office. When the president gave himself an A+, he was lying again. Many are starting to believe that our president is an international

criminal, who has been lying and cheating his entire life and now he is trying to get away with lying and cheating to Americans.

When a worker is caught lying, cheating, and stealing, they are fired; so why is Trump allowed to remain in office, when he is caught lying, cheating, and stealing.

It is time for all Americans: Democrats, Republicans, liberals, and conservatives to stand together and refuse to be embarrassed by our president any longer. We must stand up for American rights and stop his unlawful attacks on ACA, speak out against locking children in cages, and reject his trampling of civil rights.

From America's point of view, the only grade Trump should get is an "F" and citizens must fight for the soul and values of our nation, and remove our president from office, by any means necessary.



# Either you are going to be right or righteous



**James A. Washington**  
NNPA News Wire  
Columnist

Have you ever wondered how a lawyer feels, who knows his or her client is guilty of a crime but is able to get that person off based on a legal technicality?

According to our legal system, the person is innocent. But actually, morally, that person is as guilty as, shall we say, sin.

I've come to believe this must have been one of the most important issues being debated by the traditional Jew of Christ's time and those early Christians who chose to follow Him.

I think this is probably the focal point of what got Him crucified and the focal point of many a debate today.

You see when Jesus was trying to get the Pharisees and the Saddu-

cees to understand that the will of God was more important than the strict traditional interpretation of the Laws of Moses, they were more interested in being right than being moral.

*"...Thus you nullify the Word of God for the sake of your tradition. You hypocrites! Isaiah was right when he prophesied about you: 'These people honor me with their lips, but their hearts are far from me. They worship me in vain; their teachings are but rules taught by men.'" (Matthew 15:6-9)*

Over and over again throughout the New Testament Jesus tells us He is the fulfillment of the Law. He is the embodiment of God's Word. He is the point, not the rule.

The point of law is to protect the innocent, punish the guilty and thereby preserve the social and political order of man.

Technicality or not, the law was never intended to let a murderer go free.

The point of God's Word is that Christ is indeed His Son, risen from the dead, who died for our original sin and through whom we have ob-

tained everlasting life.

Out of love and compassion for our fellow man, out of service in God's name, out of honoring Him will we, too, fulfill our purpose here on earth.

Law or no law, the Word of God was never intended to punish the pure of heart when acting on behalf of the Almighty.

So Jesus was constantly at odds with the religious scholars of His times (you know, church folk) about the literal interpretation of the Law of Moses versus the holy activities of serving the Lord.

Hence his parables were constantly illustrating to those who would listen that, yes, you might be right, but according to the will of God, what's your point?

Have you ever been around people who just had to be right all the time?

Regardless of the situation or the circumstances, their need to be right and have you acknowledge their 'rightness' supersedes all logic, all common sense or sense of purpose.

Can't you hear Jesus imploring the traditionalists with, "Okay! You're right?"

Technically I shouldn't be healing the sick, giving sight to the blind, feeding the hungry and teaching the gospel on the Sabbath.

But what are you arguing about? Why are you so angry? I'm merely doing my Daddy's Will.

It seems you're more interested

in being politically correct than you are in bringing the righteous closer to God So what are you gonna do, crucify me?"

*"Love the Lord your God with all your heart and with all your soul and all your mind.' This is the first and greatest commandment. And the second is like it; 'Love your neighbor as yourself.' All the law and the prophets hang on these two commandments." (Matthew 22:37-40)*

It sounds simple enough. But watch your back if you choose to live this creed.

Play by the rules. But remember don't ever forget the point.

May God bless and keep you always.



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# Bank Overdraft Fees Strip More Than \$11 billion from Consumers Each Year

By Charlene Crowell  
Deputy Communications  
Director, Center for  
Responsible Lending

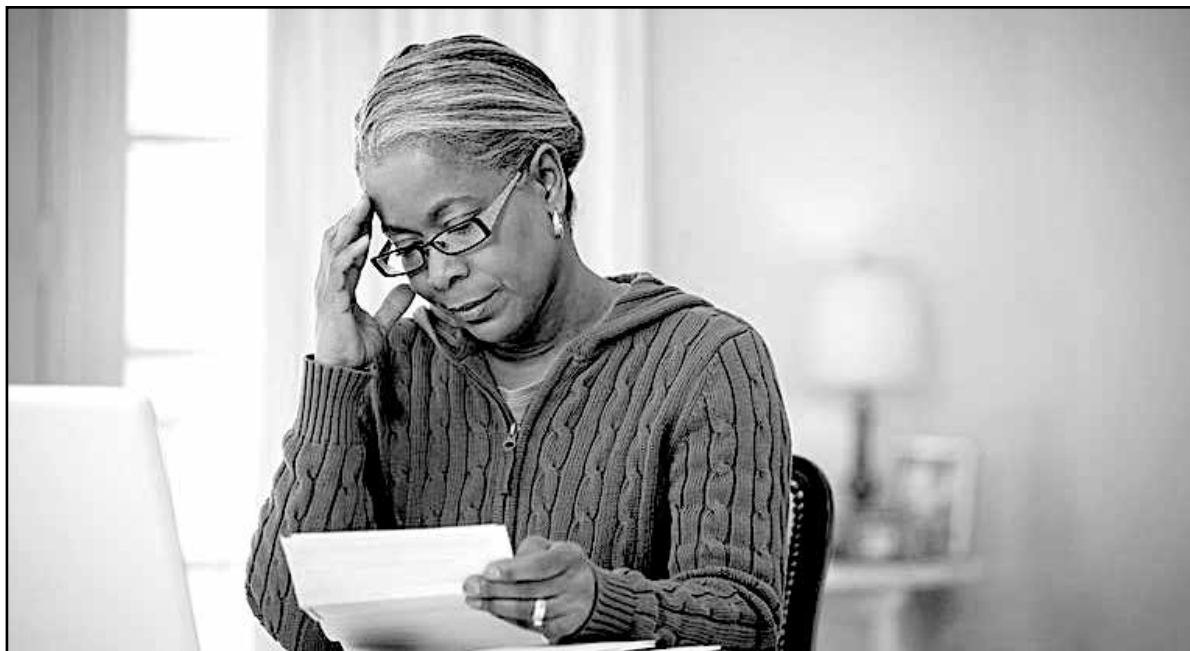
For many people, little things can in time lead to big problems.

When personal checking accounts are involved, transactions without available funds in checking accounts can trigger a series of fees that wind up taking a big bite out of the next paycheck. What's more, many times consumers have no way of knowing the real cost until after a bank statement arrives weeks later.

Banks and other depository institutions market these fees as convenient "overdraft protection." What they do to consumers is strip billions of dollars each year from personal checking accounts, while generating a lucrative, no-lose revenue stream for these institutions.

New research by the Center for Responsible Lending (CRL) finds that last year among the nation's largest banks, overdraft fees were a \$11.45 billion bonanza. "Unfair Market: The State of High-Cost Overdraft Practices in 2017," analyzes both how overdraft fee revenue is generated, as well as the practices borne on the backs of America's working poor.

"Instead of serving families fairly, banks are driving many customers deeper in a hole and often out of the banking system altogether," said Pete Smith, the report's author and CRL senior researcher. "Over the last 15 to 20 years, many financial institutions have betrayed the trust of their account holders by replacing what was once an occasional accommodation with an exploitative system of routine high-cost over-



New research by the Center for Responsible Lending (CRL) finds that last year among the nation's largest banks, overdraft fees were a \$11.45 billion bonanza. (Center for Responsible Lending)

draft fees that drive account holders deep into debt."

"Banks set up systems at every turn where they can maximize the revenue they generate with these fees," continued Smith. "They've found a way to turn mistakes into a revenue source."

Among the report's key findings:

- The 2017 overdraft fees charged by the largest banks represent an increase above similar revenues recorded for both 2015 and 2016;

- The 20 banks with the highest volume of fees received \$9 billion or approximately 79 percent of the total reported \$11.45 billion for 2017; and

- Although a few banks do not charge fees for point-of-sale (POS) and/or ATM transactions, all 10 of the nation's largest banks charge overdraft fees higher than \$30 per transaction.

These fees also come with un-

fair or abusive bank practices designed to maximize revenues. For example, some banks allow five or more overdraft fees to be charged per day to customers. If the overdraft fee is \$35, a single day's overcharges could be \$175 – that will be taken by the bank from the next deposit or payroll. Consumers who rely upon debit cards for day-to-day purchases may unknowingly incur hundreds of dollars of charges in just a few days.

Other suspect bank practices add extended or sustained fees beyond the original overdraft fee. Yet another is to manipulate postings to customer accounts to generate the largest possible overdraft revenue.

Last summer, the Consumer Financial Protection Bureau (CFPB) also released an independent report on overdraft fees. The Bureau identified the consumers most prone to incur these fees: those

who have less than \$350 as an average end-of-day account balance and have median credit scores of 600 or less. About 20 percent of consumers with frequent overdrafts do not have a credit score and are considered 'credit invisible'.

Under CFPB's first director, this research was to become the factual basis for rulemaking. However, under Acting Director Mick Mulvaney, rulemaking plans have been shelved.

But where there's a will, there's also a way. Two U.S. Senators have co-sponsored legislation that if enacted, would crack down on overdraft fees.

Entitled, "The Stop Overdraft Profiteering Act of 2018," the bill would:

- Ban overdraft fees on debit card purchases and ATM withdrawals;

- Cap the number of overdraft fees on checks and recurring pay-

ments, with no more than six fees in a calendar year;

- Require that the amount of overdraft fees be reasonable and proportional to the institution's cost of covering the overdraft;

- Require that banks post transactions in a manner that minimizes NSF and overdraft fees; and

- Improve consumer disclosures related to overdraft coverage by banks.

"Overdraft fees are a tax on paychecks already stretched thin," said Ohio U.S. Senator Sherrod Brown, a co-sponsor of the bill. "This bill keeps hardworking Americans' money in their pockets and stops big banks from slapping big fees on customers for small overdraft amounts."

The other bill sponsor, Sen. Cory Booker of New Jersey, added his comments as well.

"For millions of hard-working Americans, every day is a struggle – they find themselves one late check or unexpected expense away from financial free fall," said Booker. "Wages aren't going up but the cost of everything else is, from prescription drugs to housing costs to pocketbook pain points like the fees banks charge consumers for overdraft services."

Booker continued: "Worse yet, overdraft fees fall on those least likely to be able to afford them—individuals for whom a \$35 overdraft charge could push them over the brink into financial ruin."

Charlene Crowell is the Center for Responsible Lending's deputy communications director. She can be reached at [Charlene.crowell@responsiblelending.org](mailto:Charlene.crowell@responsiblelending.org).

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**Commentary, Continued  
from page 8.**

ters, embraced the vision of a safe, peaceful, equitable world and must be celebrated for it. Their legacy is in contrast to US leadership where our 45th President sows' dissent and disparages the countries Annan and Walters so loved as "shithole" countries.

Julianne Malveaux is an author and economist. Her latest book "Are We Better Off? Race, Obama and Public Policy" is available via [www.amazon.com](http://www.amazon.com) for booking, wholesale inquiries or for more info visit [www.juliannealveaux.com](http://www.juliannealveaux.com)

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# Retired Judges Recommend Cosby Should Get Probation

By Stacy M. Brown  
NNPA Newswire Contributor

Comedian Bill Cosby faces as much as 30 years in prison – 10 years for each of the three counts of aggravated indecent assault a jury convicted him of.

The comedian and his legal teams have all been critical of Montgomery County Judge Steven T. O'Neill, but if O'Neill follows the guidelines that two retired judges have laid out to NNPA Newswire, Cosby might never see the inside of a prison cell.

"There's a term called aged-out when you believe a person is much older, a senior citizen in his 80's and handicapped and he's basically aged-out in the sense that he probably won't commit this crime again," said retired Delaware Judge Robert Young.

"Of course, if the guy is 85, in a wheelchair and shoots people, the wheelchair won't stop him from shooting folks again," Young said.

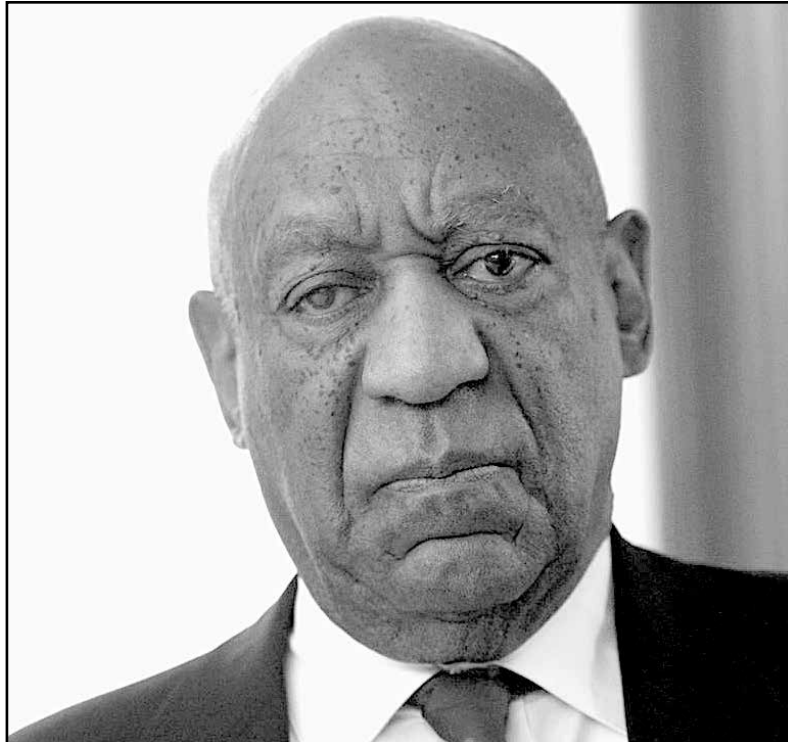
Cosby turned 81 over the summer and is legally blind. He required the regular assistance of handlers and often during court proceedings when he wasn't aware that no one was near him, Cosby was seen mistakenly conversing with a lawyer or assistant who had departed.

Young's theory on aging out is not new.

Recently, a 76-year-old Lewiston man was reportedly charged with stabbing a woman to death. Albert Flick had a murder conviction and nearly 40-year pattern of attacking women, but Portland Superior Court Justice Robert E. Crowley disregarded arguments by Flick's probation officer and a prosecutor who said Flick should serve an additional four to five years because his extremely violent behavior showed no signs of abating, court records show.

"At some point Mr. Flick is going to age out of his capacity to engage in this conduct and incarcerating him beyond the time that he ages out doesn't seem to me to make good sense from a criminological or fiscal perspective," Crowley said.

Further, a study published in the Journals of Gerontology: Series B in 2000 found that in Pennsylvania courts, offenders in their 60s were 25 percent less likely to be sentenced to prison than those



Bill Cosby faces up to 30 years in prison when he's sentenced this month (Photo: Wiki Commons)

who were in their 20s, and their sentences were eight months shorter on average.

Those who were in their 70s got an even sweeter deal — they were 30 percent less likely to end up behind bars than 20-somethings, and those who were incarcerated served 13 months less on average.

More recently, a study by Arizona State University researchers, published in 2014 in the journal Criminal Justice Studies, similarly found that in the federal court system, judges gave older offenders a "senior citizen discount" when it came to jail time.

Legal analyst Areva Martin said that O'Neill's rulings so far suggest he will give Cosby a much-reduced sentence.

"I think the fact that the judge allowed him to walk out of that courtroom, did not remand him immediately to jail, gives us a sense about what this judge is likely to do when he gets to the sentencing hearing," Martin said.

Judges can take any number of mitigating factors into consideration when issuing a sentence, she explained.

"He will be able to take into consideration Cosby's age, the status of his health, the philanthropic work that he's done over the last several decades, the fact that this is his first criminal conviction — all of those will be factors that the judge can take into consideration when sen-

tencing him."

Another judge — who retired from the bench in Pennsylvania — said O'Neill should either sentence Cosby to probation and community service and, or, allow the comedian to remain on house arrest while he goes through the appeals process.

"What's the harm? He's fulfilled all of his bail requirements with no issues and, for a high-profile person, that's really good," said one Pennsylvania judge who handled criminal cases for 37 years.

The judge spoke only on the condition of anonymity because he said he didn't want O'Neill to believe he was attempting to instruct him.

In April, Cosby was convicted of aggravated indecent assault from an incident that occurred more than 14 years ago with former Temple University employee Andrea Constand.

Constand alleged that Cosby gave her pills — which court testimony revealed to be Benadryl tablets — and he proceeded to touch her under her pants.

Cosby has maintained that the touching was consensual and that while he fondled Constand, she was rubbing his penis.

O'Neill greatly limited the testimony of a key witness who once dated Constand. In sworn statements, the witness claimed that Constand's mother put her up to going against Cosby because she despised homosexuals and African-Americans.

Constand reportedly has come out as gay and Cosby, of course, is Black.

"What they have done is disgraceful," Robert Russell, the key witness, told YC News in Philadelphia.

"I'll never forget when she told me she'd like to see all niggers gathered together and killed. That is genocide. She spoke like Adolf Hitler. I realized what I was getting involved in and got out of it like a bat out of hell. That family was dark and I don't want anything to do with them."

Russell — who started to say he was "more than a close friend" of Constand's before he was cut off by an objection — took the stand for a mere five minutes to testify that while he knew her in Canada in 2001, she was pursuing a career in broadcast journalism.

"She despised Black people — she didn't want any Black men or women in her house," Russell said.

Constand allegedly had a brief relationship with NBA star Steve Nash, which was cut short after he was photographed with a Black woman that Constand's mother referred to as a "bimbo" compared to her daughter.

"She said if she ever saw her daughter in an interracial relationship she would stop her and if she couldn't, she'd make something up," Russell said, referring to Gianna Constand, the mother of Andrea. "It all goes back to her very first boyfriend. Her mother put all her hopes in Steve Nash — her mother was devastated when that photo came out with him and a black woman," Russell said.

To which the retired Philadelphia judge said could be considered at sentencing.

"If [O'Neill] knows all of this, then that's where fair play comes in and I agree, that the defendant should either be allowed to remain on house arrest while he appeals or be given a sentence of probation," the judge said, before offering what he might consider.

"First, I'd probably have an in-[chambers] conference with the defendant, his attorneys and the prosecutors and I'd say, 'Do you think you can come to an agreement on an appropriate sentence?' Hopefully, they'd agree, otherwise, if the facts are correct, then I believe I'd be inclined to go with a no-jail sentence here," the judge said.

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