

Word and Life: Confronting Racism Series

# Dismantling Racism through A Re-Imagined Criminal Justice System

By Maura Conlon-McIvor / Special to VOICE

**E**CHOING DR. MARTIN LUTHER KING, JR.'S CALL FOR RACIAL EQUALITY, nearly six decades after he proclaimed, "Injustice anywhere is a threat to justice everywhere," Attorney Tracy Macuga, head of the Santa Barbara County Public Defender's office, asserted that we must admit systemic racism exists and that "we each have a role to play" in helping to dismantle it, during her presentation at Word & Life's Confronting Racism series.

Macuga, who grew up on the South Side of Chicago, testified to the racial hostility witnessed in her white, Catholic childhood of the 1960s—"if a Black person crossed under the wrong bridge or turned down the wrong street" it led to his being beaten or even to his death. "It is time," she said, "for the long overdue awakening and reckoning on systemic racism that stretches over generations, across multiple institutions, and into the smallest reaches of our daily existence—not just the criminal justice system."



Tracy Macuga

Citing decades of discriminatory policies and dehumanizing processes that are part of racism's deep roots, she added, "Make no mistake, poverty, poor educational opportunities, lack of access to health care, to name a few, are all an integral part of...[what] feeds the criminal justice system." For example, she explained, 60 percent of the jail population in Santa Barbara County has experienced the "trifecta" of mental health, substance abuse, and trauma-related challenges. Yet, she reminds, these people are "our neighbors, they're our children, they're members of our own family...not the other."

Underscoring the reality of a false dichotomy, she continued: "We have had [largely white-controlled] institutions that produce racially disparate, negative

outcomes,” while the underlying understanding of systemic racism has been obscured. “We get stuck in the debate that either the system is fundamentally racist and everybody... involved in the system is bad, or nobody is racist and nothing is bad, and everything is good.”

Reflecting upon victims of police brutality, such as George Floyd, she noted how what happened that day, and how a person gets portrayed as “a bad apple, gives law enforcement a bad name.” Macuga believes in a restorative justice, and reiterated, “To root out racism, we need to fix the barrel and not just throw out the apple.... Part of fixing the barrel is reexamining our criminal justice system as a whole.”

Beginning her career as an attorney in Chicago’s public defenders office the same year as the police brutality toward Rodney King, she noted how the U.S. has five percent of the world’s population and 25 percent of its prisoners. Mass incarceration, she says, has “destroyed entire communities of color.” Although society says that ‘children are our most precious gift and resource,’ she described the school-to-prison pipeline as evidence of the early origins of systemic racism. Compared to white youth, Black youth, for the same mischief, are 5.1 times more likely to be referred to probation, 7.7 times more likely to have a petition filed in juvenile court, 9.5 times more likely to be declared a “ward” of the court, and 31.3 times more likely to be committed to the Department of Juvenile Justice. “Racial despair,” she added, “is not an accident.”

“Mass incarceration has crushing consequences—racial, economic, social... and it doesn’t make us safer,” she maintained. Most of the cases prosecuted in Santa Barbara are misdemeanor crimes. Still, the county spends “approximately \$400 million to arrest, incarcerate, prosecute, defend, and supervise individuals accused of crimes... many of those being people of color.” Macuga, who does not advocate for defunding the police, supports the efficacy of sending a percentage of “funding where it means the most,” for example, to efforts focused on prevention, empowerment, and the lifting up of lives.

She also indicated that of the 21 million national calls to 911, only one percent are for violent crimes. Macuga, through a \$7 million grant, has developed an interdisciplinary approach to responding to local 911 calls that involve mental health issues. She advocates for “changing the narrative” around Black and Brown issues, increasing transparency within public safety agencies, and encouraging dialogue around criminal justice funding where ordinary citizens influence budget expenditure priorities with an eye to building a healthy, strong community.

Macuga also referenced Bryan Stevenson’s TED talk, *We Need to Speak to an Injustice*, which addresses our youth of color, many imprisoned for life and

facing a death sentence. [[www.youtube.com/watch?v=c2tOp7OxyQ8](http://www.youtube.com/watch?v=c2tOp7OxyQ8)] and cited the initiatives of community organizations including CLUE, Poetic Justice Project, Freedom to Choose Project, the NAACP, and the local Black Lives Matter movement, urging all citizens to do the “hard work” of creating justice everywhere.

Word and Life series on Confronting Racism continues through March 18th. Archived presentations can be found at [www.wordandlife.us](http://www.wordandlife.us).