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Hi and welcome back. I'm Caty Weaver. Today, on the program we talk about some legal news from the United States.

No More Mandatory Minimum for Some Drug Offenders

Earlier this week, the highest law enforcement officer in the United States announced some changes to how the government will deal with drug offenses. Attorney General Eric Holder said one of his aims was to ease the overcrowding problem in American prisons. Faith Lapidus has more on the story.

Mr. Holder announced several policy changes in a speech to the American Bar Association meeting in San Francisco, California. He said too many citizens were going to prison for far too long. He said his main concern was low-level drug crimes that often carry required prison sentences of five or ten years.

The official said the federal government will now follow the lead of several states that use drug treatment programs and community service programs to deal with non-violent drug offenders. He said such offenders would not include people connected with criminal gangs or drug groups.

"Widespread incarceration at the federal, state and local levels is both ineffective and unsustainable. It imposes a significant economic burden totaling \$80 billion in 2010 alone, and it comes with human and moral costs that are impossible to calculate."

“Mandatory minimum” prison terms were a major part of the government’s war on drugs, first launched in the 1980s. But Eric Holder says the federal prison system now holds about 40 percent more inmates than it was designed for. He says the federal prison population has grown by 800 percent since 1980.

The attorney general also talked about the racial imbalance in criminal sentencing. He noted a recent report that found that African-American offenders receive prison sentences 20 percent longer than those given to whites for similar crimes. Mr. Holder directed federal prosecutors to develop plans for dealing with such imbalances.

“This is our chance to bring America’s criminal justice system in line with our most sacred values. This is our promise to forge a more just society.”

Prison reform supporters welcomed the speech by the attorney general. Molly Gill is with the group Families Against Mandatory Minimums.

“I think people, when they commit a crime and go before a judge they expect to be treated like an individual. They expect to be heard. And when there is a mandatory minimum, no matter what you say, you are going to get that sentence and a lot of people feel that is really fundamentally unfair.”

Supporters of mandatory minimum sentences and the war on drugs criticized the Justice Department’s policy changes. William Otis is a former federal prosecutor and an adjunct law professor at Georgetown University Law Center in Washington.

"The bad news is that I'm afraid this could be interpreted as a statement that the federal government is losing its nerve in the war on drugs, We've been more successful in that war than many people, perhaps including the attorney general has given us credit for."

But Molly Gill says she is not worried that criminals will have it too easy.

"Nobody is getting a 'get out of jail free' card. People are still going to go to prison."

I'm Faith Lapidus.

Judge Rules on Disputed "Stop and Frisk" Policy

Since 2004, police in New York City have had greater freedom to stop and search people for guns or other banned objects. The policy requires only that the officer have a "reasonable suspicion" of criminal activity. City officials, including Mayor Michael Bloomberg, say the policy has played a major part in lowering the city's crime rate. Murders and other violent crimes are at record lows.

But the "stop and frisk" policy was disputed from the start. Critics say it has led to racial discrimination and violates the Constitution. Most of those stopped, questioned and searched have been young black or Hispanic men.

This week, a United States District Court judge agreed with those opponents. Jim Tedder reports.

Judge Shira Scheindlin said the policy violates two constitutional amendments. The Fourth Amendment protects against unreasonable searches and seizures. The Fourteenth Amendment guarantees equal protection of the laws. Judge Scheindlin wrote in her ruling that “the city’s highest officials have turned a blind eye to the evidence that officers are conducting stops in a racially discriminatory manner.”

The judge ruled in favor of civil rights activists who took legal action against the New York City Police Department. Priscilla Gonzalez from Communities United for Police Reform was one of those who appeared before the court. She praised the ruling.

“A whole generation of New Yorkers, particularly in black and brown communities across the city, have grown up seeing the police not as protectors, not as partners in safety, but as an institution to be feared.”

Mayor Bloomberg said the city would appeal the ruling. He told reporters that the judge “ignored the real-world realities of crime.”

New York police estimate they have made about five million stops in the past ten years under the stop and search policy. Studies show that about 80 percent of those stopped were black or Hispanic. The policy resulted in arrests about 10 percent of the time.

The judge did not order an end to the stop and search policy. But she called for an outside monitor to make sure the Police Department is following the Constitution. She also ordered a test program requiring police in some New York neighborhoods to wear small cameras to record their contacts with civilians.

I'm Jim Tedder.

The King Lives...In Song

That's the King of Rock and Roll, Elvis Presley, performing "Jailhouse Rock" one of his many hit songs. Presley died on this day, August 16, in 1977. The artist was only 42 years old. He had only been in the business 23 years. But he was, and remains, the biggest selling single recording artist of all time. Only the Beatles come before Elvis and there were four of them.

Elvis Presley's death so shocked his fans that many refused to believe it. For years, people said his death was a hoax, or a trick. You do not hear that claim much anymore. But, you can still hear Elvis a lot on the radio.

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I'm Caty Weaver. Thanks for joining us.