

NATION

'Here in the piney woods of central Louisiana ... racism and bigotry are such a part of life that most of the citizens do not even recognize it.'

—Eddie Thompson, a Pentecostal preacher, in an essay he posted on the Internet



Thompson

# Racial demons rear heads

After months of unrest between blacks and whites in Louisiana town, some see racism and uneven justice

By Howard Witt  
Tribune senior correspondent

JENA, La. — The trouble in Jena started with the nooses. Then it rumbled along the town's jagged racial fault lines. Finally, it exploded into months of violence between blacks and whites.

Now the 3,000 residents of this small lumber and oil town deep in the heart of central Louisiana are confronting Old South racial demons many thought had long ago been put to rest.

One morning last September, students arrived at the local high school to find three hangman's nooses dangling from a tree in the courtyard.

The tree was on the side of the campus that, by long-standing tradition, had always been claimed by white students, who make up more than 80 percent of the 460 students. But a few of the school's 85 black students had decided to challenge the accepted state of things and asked school administrators if they, too, could sit beneath the tree's cooling shade.

"Sit wherever you want," school officials told them. The next day, the nooses were hanging from the branches.

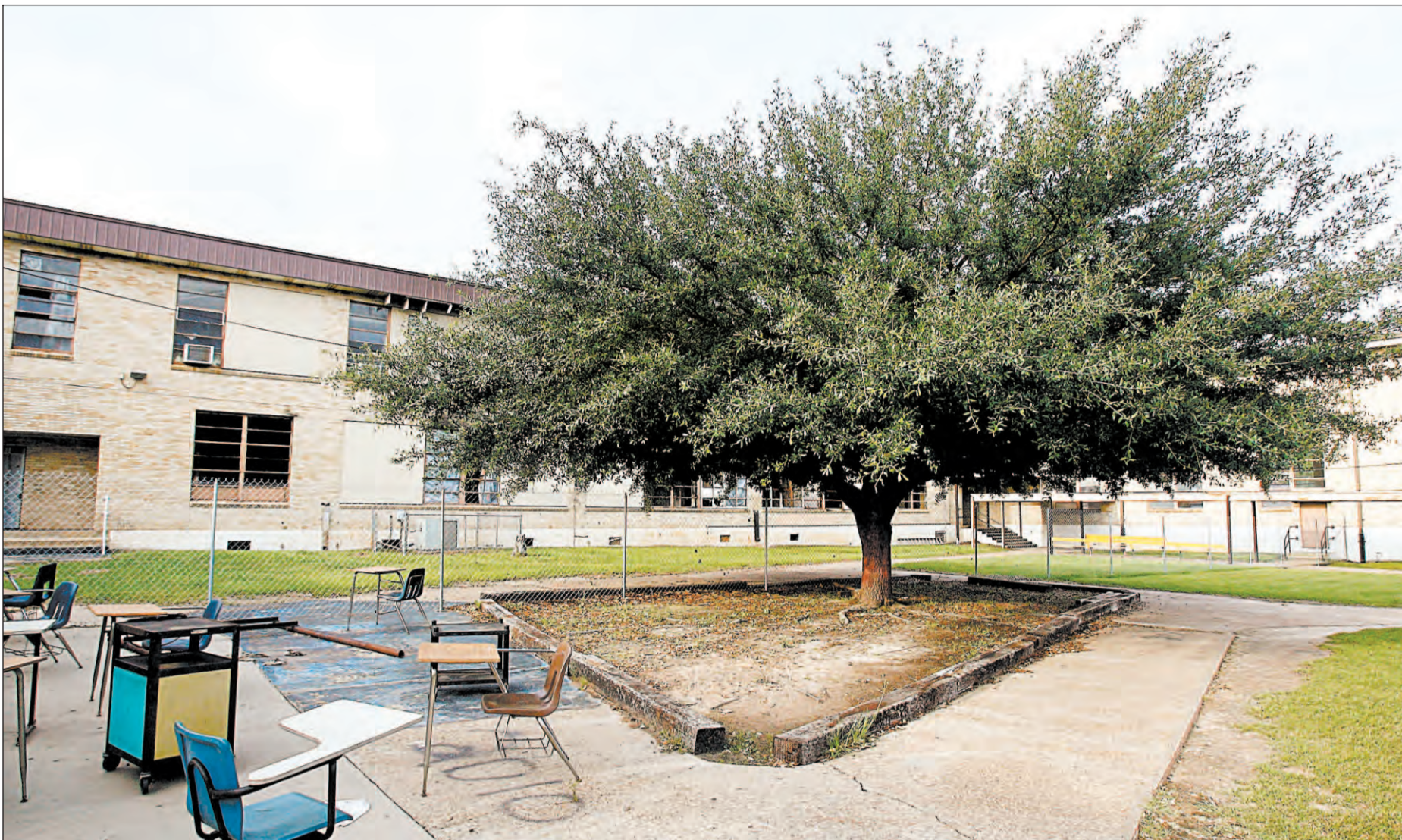
African-American students and their parents were outraged and intimidated by the display, which instantly summoned memories of the mob lynchings that once terrorized blacks across the American South. Three white students were quickly identified as being responsible, and the high school principal recommended that they be expelled.

"Hanging those nooses was a hate crime, plain and simple," said Tracy Bowens, a black mother of two students at the high school who protested the incident at a school board meeting.

But Jena's white school superintendent, Roy Breithaupt, ruled that the nooses were just a youthful stunt and suspended the students for three days, angering blacks who felt harsher punishments were justified.

"Adolescents play pranks," said Breithaupt, the superintendent of the LaSalle Parish school system. "I don't think it was a threat against anybody."

Yet it was after the noose incident that the violent, racially charged events that are still convulsing Jena began.



Photos for the Tribune by Chris Graythen

After some black students in Jena, La., sat under the tree on the "white" side of campus in September, nooses were found hanging from it the next day. That summoned memories of the lynchings that once terrorized blacks across the South. Then, in late November, unknown arsonists set fire to the central wing of the school.



Caseptla Bailey's son was beaten, arrested and charged with attempted murder in separate incidents. She thinks the black kids were singled out.

First, a series of fights between black and white students erupted at the high school over the nooses. Then, in late November, unknown arsonists set fire to the central wing of the school, which still sits in ruins. Off campus, a white youth beat up a black student who showed up at an all-white party. A few days later, another young white man pulled a shotgun on three black

students at a convenience store.

Finally, on Dec. 4, a group of black students at the high school allegedly jumped a white student on his way out of the gym, knocked him unconscious and kicked him after he hit the floor. The victim—allegedly targeted because he was a friend of the students who hung the nooses and had been taunting blacks—was not seriously injured and spent only a few hours in the hospital.

But the LaSalle Parish district attorney, Reed Walters, opted to charge six black students with attempted second-degree murder and other offenses, for which they could face a maximum of 100 years in prison if convicted. All six were expelled from school.

To the defendants, their families and civil rights groups that have examined the events, the attempted murder charges brought by a white prosecutor are excessive and part of a pattern of uneven justice in the town.

The critics note, for example, that the white youth who beat the black student at the party was charged only with simple

battery, while the white man who pulled the shotgun at the convenience store wasn't charged with any crime at all. But the three black youths in that incident were arrested and accused of aggravated battery and theft after they wrestled the weapon from the man—in self-defense, they said.

"There's been obvious racial discrimination in this case," said Joe Cook, executive director of the Louisiana chapter of the American Civil Liberties Union, who described Jena as a "racial powder keg" primed to ignite. "It appears the black students were singled out and targeted in this case for some unusually harsh treatment."

That's how the mother of one of the defendants sees things as well.

"They are sending a message to the white kids, 'You have committed this hate crime, you were taunting these black children, and we are going to allow you to continue doing what you are doing,'" said Caseptla Bailey, mother of Robert Bailey Jr.

Bailey, 17, is caught up in several of the Jena incidents, as both a victim and alleged perpe-

trator. He was the black student who was beaten at the party, and he was among the students arrested for allegedly grabbing the shotgun from the man at the convenience store. And he's one of the six students charged with attempted murder for the Dec. 4 attack.

The district attorney declined repeated requests to be interviewed for this story. But other white leaders insist there are no racial tensions in the community, which is 85 percent white and 12 percent black.

"Jena is a place that's moving in the right direction," said Mayor Murphy McMillan. "Race is not a major local issue. It's not a factor in the local people's lives."

Still others, however, acknowledge troubling racial undercurrents in a town where only 16 years ago white voters cast most of their ballots for David Duke, the former Ku Klux Klan leader who ran unsuccessfully for Louisiana governor.

"I've lived here most of my life, and the one thing I can state with absolutely no fear of contradiction is that LaSalle Parish is awash in racism — true rac-

ism," a white Pentecostal preacher, Eddie Thompson, wrote in an essay he posted on the Internet. "Here in the piney woods of central Louisiana ... racism and bigotry are such a part of life that most of the citizens do not even recognize it."

The lone black member of the school board agrees.

"There's no doubt about it—whites and blacks are treated differently here," said Melvin Worthington, who was the only school board member to vote against expelling the six black students charged in the beating case. "The white kids should have gotten more punishment for hanging those nooses. If they had, all the stuff that followed could have been avoided."

And the troubles at the high school are not over yet.

On May 10, police arrested Justin Barker, 17, the white victim of the Dec. 4 beating. He was alleged to have a rifle loaded with 13 bullets stashed behind the seat of his pickup truck parked in the school lot. Barker told police he had forgotten it was there and had no intention of using it.

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# Chicago Tribune

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Thanks to technology, and new teaching tools that help students use it, deaf children are excelling in mainstream classrooms

## Lending ears to learners



Ahmad Muhammad of Forest Park, who has a cochlear implant, works with teacher Nicke Crissy during kindergarten at Child's Voice in Wood Dale. Tribune photo by Jim Prisching

By Megan Twohey Tribune staff reporter

A beige plastic device the size of a quarter that peeks from his sandy blond hair is the only visible sign Adam Ballent is profoundly deaf. He takes notes as his teachers lecture in class at Naperville North High School. He hollers on the soccer field when his club team scores. He recites the Boy Scout pledge with other members of his troop. "Sometimes, when it's really noisy, I can't hear what people are saying," said Ballent, his words easily understood. "But most of the time, I can."

Ballent never learned sign language. He has no deaf friends. And at age 16, the sophomore is at the forefront of a wave of deaf children with cochlear implants who are entering mainstream classrooms across the country, following a path paved with high hopes and bitter controversy. In 1996, after major advances in the revolutionary technology — which stimulates auditory nerves in the inner ear and costs about \$50,000 — the first "oral deaf education" school in Illinois opened to teach young children with cochlear implants how to speak and hear. Since then, Child's Voice, in Wood Dale, has served more

than 130 children, with many graduates going on to school districts throughout northern Illinois. Several similar programs have sprung up. Meanwhile, the Illinois School for the Deaf, which serves students through high school using sign language as a teaching method, has seen sharp declines in enrollment. So have the public schools' special-education programs for the deaf. "The first waves of deaf children [with implants] are starting to hit mainstream schools," said Barbara

PLEASE SEE DEAF, PAGE 22

## State tiff delays tax bills in Cook

Schools gird for shortfalls as governor revises plan

By Mickey Ciokajlo and Whitney Woodward Tribune staff reporters

Cook County property tax bills will be further delayed after Gov. Rod Blagojevich on Thursday overhauled legislation designed to extend relief on rapidly increasing home values. The governor's action would make permanent the so-called 7 percent assessment cap and it also would increase the amount of exemption granted to homeowners.

The move is yet another round in the bitter feud between Blagojevich and Illinois House Speaker Michael Madigan (D-Chicago), who had won passage of a compromise version of the bill.

The measure now goes back to the House, where Madigan's spokesman Thursday questioned whether the governor had overreached in his authority to alter legislation.

The uncertainty over the measure's future means taxpayers from Lincolnwood to the Loop don't know when they will get their bills, school districts don't know when they'll get their money and homeowners don't know whether their breaks will continue.

Cook County's complicated property tax system nearly guarantees that every year second-installment tax payments will be due later than the Aug. 1 date mandated by state law. Last year payments were due Sept. 1, which was the earliest in more than a decade, and in 2004 they were due Nov. 15, the latest in at least 20 years.

The first installment, which is always simply half of the prior year's amount, is due annually on March 1. But tax in-

**WHAT'S NEXT?**  
**OCT. 2:** Date lawmakers are due to return to Springfield, when they will decide how to respond to the governor's proposal.

### Changing landscape

40,000  
Number of children in U.S. who are deaf or hard of hearing

15,000  
Number of children who have received cochlear implants

PLEASE SEE TAX, PAGE 19

## Mexico nabs fugitive with City Hall ties

By Dan Mihalopoulos, Oscar Avila and Ray Gibson Tribune staff reporters

Marco Morales was locked in a Mexican jail cell Thursday, facing possible extradition to Chicago nearly a decade after he fled the U.S. to avoid testifying about bribery in Mayor Richard Daley's administration.

His arrest renews questions about what impact his return could have on Chicago's political scene, which has been roiled by the aggressive anti-corruption tactics of U.S. Atty. Patrick Fitzgerald.

Morales Fled to Mexico As reported in 1997 Thursday at [chicagotribune.com](http://chicagotribune.com), Mexican authorities took Morales into custody Wednesday night, almost a year after federal prosecutors in Chicago indicted the longtime fugitive on a 13-year-old drug-trafficking crime. Under a 1997 plea bargain deal, that charge was dropped, and Morales agreed to testify against two Daley administra-



PLEASE SEE MORALES, PAGE 20



Protesters poured into Jena, La., from all over the country Thursday for a peaceful six-hour rally. Tribune photo by José M. Osorio

## Protesters pack racially tense town

Echoes of civil rights era in defiant march

By Howard Witt Tribune senior correspondent

JENA, La.—Drawn by the disturbing symbol of three lynching nooses dangling from a tree and greeted by Confederate flags displayed along their route, tens of thousands of African-Americans poured into this racially tense Deep South town

Thursday to stage the largest civil rights demonstration in years against what they regard as glaring racial injustices here. Protesters from across the nation cheerfully defied obstacles placed in their way by town officials, such as a line of portable toilets put directly in front of the courthouse steps where the demonstration was held. They celebrated what Rev. Al Sharpton described as the birth of a "new civil rights movement for the 21st Century," driven by black blogs, e-mail and talk ra-

dio more than by a traditional civil rights leader. Many of the participants traveled 20 hours or more by bus from both coasts and even Alaska to arrive at dawn for the peaceful six-hour rally, which featured Sharpton, Rev. Jesse Jackson, Martin Luther King III, radio personality Michael Baisden and dozens of other black leaders and celebrities. "The civil rights movement is finally catching up with Jena,"

PLEASE SEE JENA, PAGE 22

## In China, shoppers are becoming savvier

Growing middle class flexing new might, 'voting with its feet'

By Michael Oneal Tribune staff reporter

BEIJING — Deep within the chaotic toy section of this city's vast Dong Jiao Wholesale Market, 31-year-old Wang Ru knelt on one knee to inspect an impos-

sibly cheap mini-car built for toddlers like her 2-year-old son. Wang had seen an almost identical toy at a higher-end retailer, but this was less than a quarter of the price. It didn't take her long to discover why. The car appeared to have low-quality paint — toxic, she feared — and small, removable parts

that could cause her child to choke.

Satisfied she wasn't missing anything, Wang moved on to another stall to buy a few pairs of socks. But even those she planned to soak in a special solution to "detoxify" them before putting them on her son.

"Things are really cheap here," Wang said of the Dong Jiao market. "But for some things you shouldn't try to save money."

As worried as U.S. consumers are about Chinese-made toys, food and medicines, interviews with shoppers on this side of the Pacific show that Chinese consumers have even deeper concerns. Counterfeit products of all kinds are rampant in China

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Bush vows veto of kids' health bill

Threat reflects stakes as issue resonates in '08 campaigns. **PAGE 3**

**BUSINESS**  
Macy's puts toys in play

FAO Schwarz to occupy 4,000 square feet inside State Street flagship.

Weather: Mostly sunny, becoming windy; high 89, low 65  
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Tribune photos by José M. Osorio

Deloris Phillips of Dallas addresses a crowd gathered around the spot where a tree once stood at Jena High School. A year ago, white students hung nooses from the tree's branches.

## JENA: 'Our town is not racist,' resident says

CONTINUED FROM PAGE 1

declared Ella Bell King, 59, of Alexandria, La., who slept overnight in front of the courthouse with relatives. "Something like this should have happened here 40 years ago."

"I have young teenage sons, so this is an injustice that I could really feel," said Carnell Howard, 40, an autoworker from Chicago's Beverly neighborhood who rode 15 hours on a bus with other Chicagoans. "Being here was just something I had to do. I wasn't around for the Martin Luther King era. But this feels like the beginning of the next civil rights movement."

The protesters came to decry the prosecution of the Jena 6—six black high school students who were initially charged with attempted murder for beating a white student last December, even though the student was treated and released at a local



Rev. Al Sharpton walks with Melissa Bell (left), mother of Mychal Bell, one of the Jena 6. Sharpton described the rally as the birth of a "new civil rights movement for the 21st Century."

hospital. The charges were later reduced to aggravated second-degree battery.

### Seeking to defy symbolism

The demonstrators came as well to criticize the decision of the local district attorney, Reed Walters, not to press similarly serious charges against white youths who attacked blacks.

And they came to defy the symbolism of Jena's "white tree"—a shade tree at the high school, traditionally reserved for whites, where, as the Tribune first reported last May, all of

Jena's troubles began.

One year ago, after a black student asked an administrator's permission to sit under the tree—and was told he could sit wherever he liked—three white students hung nooses from the tree's branches. The local school superintendent dismissed the incident as a youthful prank and refused to expel the white students involved, outraging blacks. Months of racial unrest followed, culminating in the December beating.

School officials cut down the infamous tree in July, hoping to

eliminate it as a focus of protests. But the demonstrators were undeterred, chanting and marching 12 abreast in a mile-long procession through the streets from the courthouse to the high school courtyard, where they ringed the spot where the tree used to stand.

Louisiana state police estimated the crowd at 15,000 to 20,000, but organizers said they believed there were at least twice that many filling this two-street town of 3,000.

"Everybody should be able to sit under a tree if they want," said 13-year-old Alonte Carpenter, who rode for 11 hours from Nashville with his parents and siblings to attend the march.

"I have growing boys," said his father, Karl Carpenter, 43, an executive with a semiconductor company. "What happened to the Jena 6 could happen to my kids. ... This is an opportunity for our kids to see other people like themselves stand up for what is right."

The demonstrators, nearly all of them African-Americans wearing black T-shirts with slogans like "Enough is enough" and "Free the Jena 6," marched past white residents who glared at them from their porches.

"They have the freedom to march and freedom of speech, but our town is not racist like

this is being depicted," said a white resident who would identify himself only as Jay. "The nooses were just a joke."

No officials of the town, which is 85 percent white, offered any comments about the march. In the past, they have angrily insisted that Jena suffers from no racial tensions.

But some of the demonstrators, eyeing the wall of portable toilets and the town's failure to set out any trash receptacles to accommodate the crowds, sharply disagreed.

"They want to see a mess left so they can complain how we trashed the place," said Earnestine Hodnett, 58, of Virginia Beach, Va. "They want this demonstration to fail."

### Bush speaks out

Yet even before the marchers began heading home Thursday evening, there were already signs that the demonstration was having real effects.

President Bush offered his first comment about the Jena case at a news conference, following three of the Democratic presidential contenders—Sen. Barack Obama, Sen. Hillary Clinton and former Sen. John Edwards—who last week questioned justice in the town.

"The events in Louisiana have saddened me," the presi-

### IN THE WEB EDITION

For past stories on the Jena 6, go to [chicagotribune.com/jena](http://chicagotribune.com/jena)

dent said. "And I understand the emotions. The Justice Department and the FBI are monitoring the situation down there. And all of us in America want there to be, you know, fairness when it comes to justice."

Meanwhile, a Louisiana state appeals court ordered that a bond hearing must be held within 72 hours for Mychal Bell, 17, the only one of the six black students to have been tried so far and the only one still in jail, unable to post a \$90,000 bond.

Last week, the same appeals court vacated Bell's June conviction for aggravated second-degree battery, ruling that Walters had improperly prosecuted him as an adult rather than a juvenile. Walters has vowed to appeal that ruling and has already initiated juvenile proceedings against Bell. The prosecutor also said Wednesday that he would vigorously pursue his cases against the rest of the teenage defendants, insisting that their white victim had been forgotten amid the controversy.

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## DEAF: Critics warn implants are not cure-alls

CONTINUED FROM PAGE 1

Sims, who oversees deaf and hard-of-hearing programs for the Illinois State Board of Education.

The shift is occurring across the country, said Thomas Kluwin, director of institutional research at Gallaudet University that serves the deaf in Washington, D.C.

Nearly 40,000 children in the U.S. are deaf or hard of hearing, including close to 3,000 in Illinois, according to a Gallaudet survey. Thirty years ago, 80 percent were in residential, specialized programs for the deaf, while 20 percent attended public school. Today, those numbers have flipped, Kluwin said.

Some 22,000 adults and 15,000 children in the U.S. have received the implants, according to the Food and Drug Administration.

Deafness, in general, has proved to be a major obstacle to academic success. Historically, deaf children on average graduate from high school with a 3rd- or 4th-grade reading level.

Proponents of oral education say the new technology and mainstream classes have significantly reduced learning barriers. But critics say the approach could be harmful to some deaf children.

Some say it's a mistake to bar



Tribune photo by Abel Uribe

Adam Ballent, 16, (center) who wears a cochlear implant to help him hear, talks with teammates Craig Cochran (left) and Matt Pickett during a break in soccer practice in Naperville.

children from learning sign language, a guaranteed method of communication, which they see as the best path to academic success. Others point out that it can be extremely isolating to be the only deaf child in a mainstream setting.

A state task force on deaf education, formed by the Illinois legislature last year, is closely following the oral-deaf experiment.

Adam Ballent had just turned 1-year-old when hospital tests revealed that he is profoundly deaf.

"I'll never forget that night," said his mother, Alice Ballent, as she sat in her Naperville home recalling the 1992 diagno-

sis. "I felt like someone had broken into my house and stolen part of my child away."

Determined to fill in the missing piece, she and her husband, Tom Ballent, decided to have doctors at Children's Memorial Hospital install a cochlear implant in their son's left inner ear.

But afterward, the boy needed a way to learn how to make sense of the sounds hitting his brain.

At the time, there were no schools in Illinois that taught children with cochlear implants how to speak and hear. The closest were in St. Louis.

So in 1996, the Ballents and two other families with deaf

children banded together to establish Child's Voice. It started with one teacher and four students.

Today, its sprawling one-story building in Wood Dale bustles with nearly 80 children ranging in age from several months to 7 years. Half have cochlear implants, half regular hearing aids.

Prohibited from learning sign language, the pupils are submitted to constant auditory training.

It begins with sound recognition. Young children are asked to hold a block, then drop it to the ground every time the teacher makes a sound. From there, it's on to articulating—over and

over and over—the "tick" of a clock, the "moo" of a cow.

On a recent day, a teacher sat at a low table with two 6-year-old boys. She had an array of stickers in her hands. The boys were asked to select one and place it on his lunch box.

"What is this?" the teacher asked.

"It's a sticker," said a boy with shaggy brown hair, an orange T-shirt and a mischievous smile.

"What are you going to do with it?"

"Put it on my lunch boxch."

After two more tries he nailed it.

"Put it on my lunch box."

A four-year-old state law requiring that all newborns be screened for deafness has resulted in early intervention for more children. It's helped put more children on a path to mainstream schools, experts say.

In the 1970s, dozens of local school districts in Chicago's north and northwest suburbs formed an agency to serve deaf students. It offers sign language instruction in self-contained settings in select schools as well as support services to students attending mainstream classes.

Within the last five years, the number of students in those programs has dropped from 120 to 75, while the number of those in mainstream settings has grown from 160 to 240, said Becki Streit, the agency's executive director.

Similarly, since 1995, the number of students with cochlear implants attending Chicago public schools has increased from 8 to 89, said Eileen Andrews, with the district's office of specialized services.

In Adam Ballent's case, a hearing specialist visits him

once a month to discuss his progress. The teen, who enjoys English and history more than math and science, is part of his high school's enriched language arts program. When asked what is the hardest part about being deaf, he shrugs.

"I really don't know," he said, seemingly bored by the topic.

Three years ago, Child's Voice invited 30 of its graduates ages 6 through 12 who had entered mainstream schools to come back for a day of academic testing. They scored at levels comparable to their hearing peers.

Some schools say that children with cochlear implants are performing notably higher than deaf children who communicate and learn through mostly sign language.

"Their language levels and vocabulary are much higher," said Joann Kort, special services coordinator for the Schaumburg School District. "So are their reading levels."

But not everyone with cochlear implants enjoys such success, experts say.

Some students with implants have failed to graduate from Child's Voice and go on to mainstream schools. Some turn out to have other disabilities, which hinder their progress, said Child's Voice executive director Michele Wilkins. Others, for unknown reasons, cannot translate their implants into successful language skills.

The results of the oral deaf experiment, experts say, won't be known for years, even decades.

For Adam Ballent and his family, that's fine. They're thrilled with the results they are witnessing.

"It's been a miracle," Alice Ballent said.

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# House panel demands answers in Jena case

## Justice Department considers probe of racial bias allegations

By Howard Witt  
Tribune senior correspondent

WASHINGTON — Under pointed questioning from Democratic House members who decried the lack of federal intervention in the racially charged Jena 6 case, U.S. Justice Department officials revealed Tuesday that they are weighing an investigation into allegations of systemic bias in the administration of justice in the small, mostly white Louisiana town of Jena.

U.S. Atty. Donald Washington also said for the first time that the hanging of nooses from a shade tree in the Jena High School courtyard in September, 2006, by three white students—a warning to stay away from the tree directed at black students that triggered months of interracial fights in the town—constituted a federal hate crime. However, he said federal authorities opted not to prosecute the case because of the ages of the white youths involved.

Jena school officials dismissed the noose incident as a youthful prank and issued brief suspensions to the white students involved, angering black residents of the town.

“Yes, hanging a noose under these circumstances is a hate crime,” Washington, the U.S. attorney for the Western District of Louisiana, told a House Judiciary Committee hearing convened to examine the Jena case. “If these acts had been committed by others who were not juveniles, this would have been a federal hate crime, and we would have moved forward.”

But during the four-hour hearing, boycotted by most Republican members of the House panel, many African-American committee members said they remained dissatisfied with the reluctance of Justice Department officials to intervene more forcefully in what they regard as the excessive prosecution of six black Jena students for a Dec. 4 attack on a white student.

The white student was knocked unconscious and treated and released at a hospital, but LaSalle Parish District Atty. Reed Walters initially charged the blacks with attempted murder. After outcry about the case, Walters reduced the charges.

But Walters’ refusal to charge other whites in the town who attacked blacks with similar crimes prompted national civil rights leaders, joined by more than 20,000 demonstrators who marched through Jena on Sept. 20, to assert that the town’s justice system was biased.

“Shame on you!” Rep. Sheila Jackson Lee (D-Texas) shouted



AP photos by Susan Walsh

*‘Mr. Washington, tell me why you did not intervene. Six broken lives could have been prevented if you had taken action.’*

—Rep. Sheila Jackson Lee (D-Texas)



*‘I was also offended’ [by the noose incident] ... But at the end of the day, there are only certain things that the United States attorney can do.’*

—U.S. Atty. Donald Washington

### TRIBUNE UPDATE

at Washington. “Mr. Washington, tell me why you did not intervene. Six broken lives could have been prevented if you had taken action.”

#### ‘Child of the ‘60s’ defends steps

“I was also offended” by the noose incident, Washington replied. “I too am an African-American. I am a child of the ‘60s, of the desegregation era. ... But at the end of the day, there are only certain things that the United States attorney can do.”

Events surrounding the prosecution of the first of the Jena 6 defendants to go to trial, Mychal Bell, 17, have drawn scrutiny from civil rights leaders and members of Congress.

Walters first prosecuted Bell as an adult on aggravated second-degree battery and conspiracy charges in June. But a Louisiana appellate court vacated that conviction in September, ruling that Walters and LaSalle Parish District Judge J.P. Mauffray had improperly tried Bell as an adult.

The appellate court then compelled Mauffray to release Bell, who had been jailed for nearly 10 months on the charges, on bail on Sept. 27. But two weeks later, Mauffray sent Bell back to jail, sentencing him to 18 months on four prior juvenile convictions for simple battery and criminal destruction of property.

“As we all know, it is illegal under the guarantees of our Constitution and our laws to have one standard of justice for white citizens and another, harsher one for African-American

citizens,” Rep. John Conyers (D-Mich.), the chairman of the Judiciary Committee, said in opening the hearing. “We come to this hearing inquiring as to how we can correct this situation in our nation.”

Several representatives and witnesses noted copycat noose incidents that have occurred in New York, Maryland, Louisiana and Illinois in recent weeks and suggested that they were proliferating because of inaction by the Justice Department in Jena.

“What happened in Jena is not isolated,” Charles Ogletree Jr., a Harvard University law professor and civil rights expert, told the committee. “The

fact is there is a cancer in Jena and we tried to treat it with aspirin and good wishes and hope. The reality is that it requires a radical solution.”

A Justice Department official told the hearing that conciliators from the department’s civil rights division had visited Jena in recent months and that officials were considering whether further action is warranted.

“The Department of Justice is aware that there are requests to investigate the judicial system in Jena,” Lisa Krigsten, an official of the civil rights division, told lawmakers. “At this time, the Justice Department is gathering information and review-

ing that information and taking that request very seriously.”

Added Washington: “If we can prove that charging decisions [by Walters] were made in a racially discriminatory manner, that leads to the strong possibility that we can move forward.”

That is what happened in Jena, according to Richard Cohen, president of the Southern Poverty Law Center.

#### Did whites get ‘a pass’?

“In Jena, it seems as if black children were hammered and white children were given a pass or a slap on the wrist,” Cohen said at Tuesday’s hearing.

Walters has denied in previ-

ous public statements that race was involved in his prosecution of the Jena 6. Conyers said he had invited Walters to testify but that the district attorney had declined.

But another Jena resident did appear. Rev. Brian Moran, coordinator of the Jena branch of the NAACP, told House members that his town remains bitterly divided across racial lines.

“Throughout Jena’s history, there have always been two systems of justice, one for blacks and one for whites,” Moran said. “That is simply un-American, and we believe it is no longer acceptable.”

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### IN THE WEB EDITION



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Oct. 16 Pick 4	4818	9961
Oct. 16 Little Lotto	01 05 07 19 22	
Oct. 17 Lotto jackpot \$3 million		
Oct. 16 Mega Millions	01 02 05 41 44 25	
Oct. 16 Mega Millions jackpot \$24 million		
Indiana	Midday	Evening
Oct. 16 Daily 3	273	970
Oct. 16 Daily 4	1609	3552
Oct. 16 Lucky 5 mid.	04 06 07 15 22	
Oct. 16 Lucky 5 eve.	07 12 17 18 19	

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Oct. 16 Daily 3	223	086
Oct. 16 Daily 4	6455	0235
Oct. 16 Fantasy 5	01 04 22 29 37	
Oct. 16 Keno	04 06 21 26 27 28	
	30 31 32 37 38 39	
	40 42 44 47 54 61	
	62 71 75 80	
Wisconsin	SuperCash!	05 08 20 22 30 31
Oct. 16 Badger 5	06 08 19 23 24	
Oct. 16 Pick 3	675	
Oct. 16 Pick 4	3998	

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## NATION

# What of the Jena 6 funds?

Questions grow over use of donations made to aid teens' defense

By Howard Witt

Tribune senior correspondent

HOUSTON—Just weeks after some 20,000 demonstrators protested what they decried as unequal justice aimed at six black teenagers in the Louisiana town of Jena, controversy is growing over the accounting and disbursing of at least \$500,000 donated to pay for the teenagers' legal defense.

Parents of the "Jena 6" teens have refused to publicly account for how they are spending a large portion of the cash, estimated at up to \$250,000, that resides in a bank account they control.

Michael Baisden, a nationally syndicated black radio host who is leading a major fundraising drive on behalf of the Jena 6, has declined to reveal how much he has collected. Attorneys for the first defendant to go to trial, Mychal Bell, say they have yet to receive any money from him.

Meanwhile, photos and videos are circulating across the Internet that raise questions about how the donated money is being spent. One photo shows Robert Bailey, one of the Jena 6 defendants, smiling and posing with \$100 bills stuffed in his mouth. Another shows defendants Carwin Jones and Bryant Purvis modeling like rap stars at the Black Entertainment Television Hip-Hop music awards last month in Atlanta.

The teenagers' parents have strongly denied that they have misused any of the donated money. Bailey's mother, for example, insisted that the \$100 bills shown in the photograph were cash her son had earned as a park maintenance worker.

But civil rights leaders who helped organize support for the youths say they are concerned about the perceptions that are spreading.

"There are definitely questions out there about the money," said Alan Bean, director of a Texas-based group, Friends of Justice, who was the first civil rights activist to investigate the Jena 6 case. "I hate to even address this issue because it inevitably will raise questions as to all of the money that has been raised, and that is going to hurt the defendants."

Only one national civil rights group, Color of Change, has fully disclosed how the \$212,000 it collected for the Jena 6 via a massive Internet campaign has been distributed. The grassroots group, which has nearly 400,000 members, has posted images of canceled checks and other signed documents on its Web site showing that all but \$1,230 was paid out in October in roughly equal amounts to at-



Jena 6 defendants Carwin Jones (left) and Bryant Purvis (right) join host Katt Williams last month at the BET Hip-Hop Awards in Atlanta. Photos and footage of the Jena 6 teens have fueled speculation about how legal defense donations have been disbursed.

WireImage photo by Frank Mullen

**'There are definitely questions out there about the money.'**

—Alan Bean, director of a Texas-based group, Friends of Justice

**'We are trying to clear our good name.'**

—Mervyn Marciano, spokesman for Color of Change

torneys for the Jena youths.

Yet that transparency did not halt acrimony over the fundraising from breaking into public view on Baisden's popular radio show last week, when Baisden invited Bell's father, Marcus Jones, to accuse Color of Change founder James Rucker of misapplying the funds.

Jones offered no evidence for his assertion. But Baisden told his listeners that Rucker "sounds shady to me," before promoting his own fundraiser, scheduled for this weekend, which aims to collect at least \$1 million for the Jena 6 and other black defendants nationwide.

On the eve of the Sept. 20 civil rights march, Baisden advertised a book-signing and solicited cash donations for the Jena 6 families at an Alexandria, La., rally, but his business manager, Pamela Exum, declined to specify how much was collected or

how the money was distributed.

Color of Change officials call Baisden's broadcast comments slanderous and say they are contemplating legal action.

"We are trying to clear our good name," said Mervyn Marciano, the group's spokesman. "It's distressing that right now the conversation around the Jena 6 is on a 'Jenagate' that doesn't exist, not the actual issues of how justice is administered in that town."

On Friday, after several prominent African-American bloggers criticized Baisden for his comments, the radio host issued a statement apologizing to Color of Change "for not seeking more reliable sources."

Civil rights groups report that donations to the Jena 6 defendants had slowed to a trickle in recent weeks as the story fell out of the headlines.

A spokesman for the NAACP, which collected nearly \$20,000, including a \$10,000 check from rock star David Bowie, said it is winding down its Jena 6 fund and preparing to distribute the remaining cash to the attorneys for the six youths after deducting some of its expenses.

The case, now a national civil rights touchstone, grew out of a September 2006 incident at the high school in Jena when three white students hung nooses from a tree in the school's courtyard in a warning directed at black students not to try to sit in its shade. School officials dis-

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To read earlier coverage of the Jena 6, go to [chicago.tribune.com/jena](http://chicago.tribune.com/jena)

missed the nooses as a prank, angering black students and their families who regarded the incident as a hate crime.

A series of fights between black and white youths ensued, culminating in a Dec. 4 attack in which the six black students are alleged to have beaten a white student, knocking him briefly unconscious. Although the white student was not hospitalized, the prosecutor initially charged the six teenagers with attempted murder, while declining to charge white youths who had earlier attacked blacks with similarly serious crimes.

The prosecutor, Reed Walters, later reduced the charges against the black teenagers to aggravated second-degree battery and conspiracy. But civil rights groups have denounced the prosecutions as excessive and say they reflect racial injustice in the mostly white town.

Exactly how much money has been collected for the Jena 6 defendants is impossible to know, because many donors did not go through Color of Change, the

NAACP or other mainstream groups and instead contributed directly to the defendants' families. Many Internet operators raised money by selling T-shirts or otherwise invoking the Jena 6 cause, but much of that money disappeared without a trace.

Tensions over the money have begun to surface among the Jena 6 families, most of whom are impoverished. Marcus Jones broke with the other families, for example, in criticizing Color of Change.

The largest remaining Jena 6 account, said by some activists close to the families to contain up to \$250,000, is under the control of Tina Jones, mother of defendant Purvis.

Jones said her attorney had advised her not to reveal how much was in the account or how it had been disbursed so far. But she said the families recently agreed to transfer the funds into a trust account under the control of an outside trustee, to ensure the money was tracked and distributed properly.

"I think there are a lot of organizations out there collecting money on behalf of the Jena 6 that we didn't give authorization for," Jones said. "So when we're called and asked, 'Did you receive this money?' and we know nothing about it, then it becomes a problem. The finger is being pointed at us. We're not criticizing anybody. We're just trying to get a handle on it."

[hwitt@tribune.com](mailto:hwitt@tribune.com)

## Stagehand strike means lights out on Broadway

More than 2 dozen NYC shows affected

By Michael Kuchwara

Associated Press

NEW YORK—From "Wicked" to "The Phantom of the Opera," from "Mamma Mia!" to "Rent," most shows did not go on as Broadway stagehands walked off the job, shutting down more than two dozen plays and musicals.

It was a dramatic, uncertain day in the Times Square area for disappointed theater-goers, who mingled on the streets Saturday while striking Local 1 stagehands picketed in an orderly fashion behind barricades. The union had no official comment on the walkout.

No new negotiations have been scheduled between Local 1 and the League of American Theatres and Producers, so the outlook for a quick settlement looks murky.

The two sides have been in contentious negotiations for more than three months. Much of their disagreement involves work rules and staffing requirements, particularly rules governing the expensive process of setting up a show. The producers want more flexibility in hiring; the stagehands don't want to give up benefits without something in return.

"We must remain committed to achieving a fair contract," said Charlotte St. Martin, executive director of the league. "Our goal is simple: to pay for workers we need and for work that is actually performed."

City officials said Saturday that it was too early to estimate the economic impact of the strike.

The work stoppage first affected "Dr. Seuss' How the Grinch Stole Christmas! The Musical," a holiday attraction for families that had 11 a.m. matinee tickets.

School counselor Vicki Michel, with teacher husband Pat, came to New York from their home in Puyallup, Wash., for a weekend of Broadway shows. The three shows they intended to see were all canceled: "Grinch," "Hairspray" and "Mamma Mia!" They managed to nab tickets to "Young Frankenstein" and the "Radio City Christmas Spectacular," and were headed to the Metropolitan Museum of Art on Saturday instead of the "Grinch."

Eight Broadway shows are still performing because they have separate Local 1 contracts. Besides "Young Frankenstein," they are "Spelling Bee," "Mary Poppins," "Xanadu," "Mauritius," "Pygmalion," "The Ritz" and "Cymbeline."

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