

Oral History Project

Social Justice US Government

Transcription

*This interview was recorded on a smartphone voice recorder app. It was conducted over the phone.*

**Nadia Leinhos (NL):** All right. Hello my name is Nadia Leinhos and I'm here interviewing LaToya Baldwin-Clark. So, Miss LaToya, what's your current occupation?

**LaToya Baldwin-Clark (LBC):** So, I am a judicial law clerk. I work for a judge on the Northern District of California. It's a federal court, a federal judge, and I work writing opinions and orders for various civil matters that come in front of our court, and I also work on some criminal matters as well.

**NL:** Okay, so does this mean you see a lot of sentences, and a lot of trials?

**LBC:** I do. The majority of trials that I see are civil cases, so cases where one person is suing another. But I often see- my judge has, once a week, she holds a criminal calendar. And so, for part of that criminal calendar, we see a lot of people who have... They've been sentenced in federal court, which is usually for some kind of a drug crime. Most often, its, they violated their parole, or violated their conditional release, either by reascending, or some other thing that they weren't supposed to do. Sometimes it's drinking, or smoking marijuana, or anything like that.

**NL:** All right, so one instance of this, you were in the room when a boy was sentenced to jail, for drug use?

**LBC:** Yeah.

**NL:** Can you describe that?

**LBC:** This was actually in Philadelphia. This particular experience in... while I was getting a master's degree in criminology. And so, my focus was looking at criminal law, and I was shadowing a judge in Philadelphia, who did state crimes, or crimes that weren't federal crimes, but were against Pennsylvania law. And I saw a young man, and he was about eighteen years old. And he was... he had been arrested for, I believe it was for selling drugs. And he... (pause) he, it was during the sentencing phase, so he had already been found guilty, and the judge had brought him back in order to sentence him. And there was some talk from his lawyers because his family was in the courtroom. He had a lot of family members there, and his family was really wanting to... just really wanting for him to not be sentenced to jail. And the judge decided against that, she decided to sentence him to jail time.

**NL:** So, as you were in the room, can you describe your reaction to this, a boy being sentenced in front of his own family?

**LBC:** It was... it was really, it was very sad to me. And at the time, I had a son, he was just a baby, but I could only imagine how his mother felt. She couldn't touch him, she couldn't hug him, you know, he was sentenced and then he was taken out of the room. And just to see your child... And again, he was a teenager. He wasn't, you know, full... He was an adult in the law's eyes, but he wasn't an adult when it came to his mother.

**NL:** Yes.

**LBC:** And, and so, it was really kinda gut wrenching, especially because he hadn't done anything violent. He, you know, he was selling drugs, which is, you know, not a good thing.

**NL:** Yeah, but it wasn't--

**LBC:** But I can only think about, you know, what jail was gonna be like for him, and I wasn't convinced that jail was the right thing.

**NL:** Did you ever see this boy again?

**LBC:** No. I never saw him again.

**NL:** All right. That's really all I have... Is there anything you'd like to add before the end of this interview?

**LBC:** I mean, only in that, you know, I'm a lawyer, and I think that... (pause) I think that we really need to rethink how we go about putting people for drug crime in jail. I think that it's devastating for everyone, and I'm certainly not convinced that putting him in jail, which now he has, you know, a criminal record. When he gets out of jail, what kind of job is he gonna be able to get? How is it that it's gonna be possible for him to kinda turn his life around? Jail is not really know as a place for rehabilitation. And so... It made me sad for that reason too, and that I just couldn't see... I didn't see what good was gonna come of him going to jail. Instead of being released to his family and being made to do some real, you know, rehabilitation, as far as getting him job skills, so he didn't feel like he had to sell drugs in the street.

**NL:** Okay. Well, I think that's all.

**LBC:** Okay.

**NL:** Thank you so much for doing this.

**LBC:** You're welcome, thank you!

**NL:** All right! Bye-bye.

**LBC:** Bye.



## News Article

### **Too Harsh A Punishment?**

In Philadelphia, a man of near 18 years of age was recently sentenced to jail. A confirmed drug dealer, the young man (whose name will not be used) had already been convicted when he was brought before another judge. The young man's lawyer had made a strategic move and had brought in many members of his family to witness the trial. They had hoped to appeal to the judge's empathetic side and to be able to sway her decision to declare a lesser punishment for the young man. However, as previously noted, the young man was still sentenced to prison. Though many relatives, including his mother, were present for the decision, he was still convicted. After the trial, the young man was taken away, without a chance to say anything to the family members who had come to support him. With his family present, was this too harsh a punishment? Will jail time save the soul of a young man gone astray? The answer is not clear, but even so, the sentence is clear and concrete.