

# EDITORIAL

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Charles Washington  
Publisher & Editor

Gary Ann Taylor  
Business Manager

Yvonne Lerch  
Account Executive

Mark Washington  
Distribution Manager

Larry J. Jackson, Sr.  
Director of Operation

Mike Leighton  
Copy Editor

### Contributing Writers:

Professor McKinley Burt,  
Lee Perlman,  
Neil Heilpern

4747 NE Martin Luther King, Jr. Blvd.,  
Portland, Oregon 97211

503-288-0033 • Fax 503-288-0015

Email: Pdxobserv@aol.com

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### Letter To The Editor

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#### Letter to the Editor

Do we have a problem in Oregon with our Judicial system? Do attorneys and judges investigate complaints against themselves adequately? The Oregon Judicial Fitness Commission sends a form letter in response to a complaint against a judge saying investigations are confidential and 99% cleared.

What profession is 99% right?

If you've experienced problems with justice in Oregon, perhaps you'd like to join us. We think the Oregon Bar is the source of the problems in our judicial system. The Bar has a monopoly including control of the Professional Liability Fund from which damages can be paid. In short,

they not only make the rules, but pass judgment on their mistakes.

To correct this situation we believe a judicial council of elected lay people, 2 from each Legislative District, replace the present system and investigate complaints against judges and attorneys and decide who is right or wrong and what damages should be paid. All findings would be made public.

Testifying before the Legislative Judicial Committee accomplishes absolutely nothing, sad to say. Giving Oregonians the opportunity to decide for themselves how to make justice more just in Oregon seems the only way to go, which, of course, means a Ballot Measure.

## Lee Nation's Chief Civil Rights Enforcer

President Clinton has settled on a Chinese-American public interest lawyer to become the nation's chief civil rights enforcer.

But that seemingly harmless choice is drawing fire from some conservatives who plan to oppose Bill Lann Lee's nomination unless he disavows the "radical and activist course" pursued by his predecessor.

Both Lee and Deval Patrick, the previous civil rights chief, cut their legal teeth at the NAACP Legal Defense and Educational Fund, which is disliked by conservatives for its unyielding support of affirmative action.

Lee is the group's Western regional counsel, based in Los Angeles.

"The fact that Clinton has once again gone to the same well to pick a nominee sets off alarm bells," said Clint Bolick, director of litigation at the conservative, Washington-based Institute for Justice.

Bolick said the NAACP is out of sync with most Americans' views on civil rights and that Lee - who will oversee a shop of 250 lawyers - must pledge to pursue a less strident course than Patrick or face opposition.

"When you have this kind of power at your fingertips, it's very

## This Way for Black Empowerment

By DR. LENORA FULANI

What The "Get-Tough-On-Crime" Wave Got Us

Several states have plans to build new prisons called "super-max" prisons -- short for super maximum security. Advocates for these new and expensive jails tout them as a breakthrough in protecting society from the most hardened criminals. The super-max prisons lock down inmates 23 hours a day, strip search them on the way to one hour of recreation, deny them TV, books and newspapers and any contact with the outside world. These horror chambers are the latest product being sold to the American public by one of the country's fastest growing and most aggressive industries -- the prison industry.

The prison industry -- which employs more full time workers than any Fortune 500 company except General Motors -- has a hugely powerful lobby and the support of politicians who want to prove to the public that they

are tough on crime. The super-max prison building program is a boom for the prison industry, but not for the public which is being drastically misled and misinformed about the state of crime in America and the options of how to respond.

Much of the public pressure for the super-max prisons -- which in states like Illinois will cost \$140,000 per bed to build, more than the cost of the average house -- comes from reports that violence inside prisons is on the rise. Assaults between prisoners and by prisoners against guards have increased over the last 10 years, and corrections guards are lobbying for greater protection for themselves. Some criminologists dispute these reports as "over-blown," but a closer look at the pattern of violence inside the prisons sheds light on how the prison lobby has been able to win support for these grossly expen-

sive and inhumane projects.

Since 1980 the prison population in America has tripled. The get-tough-on-crime wave which created mandatory sentencing, three strikes you're out, and no opportunity for parole filled the prisons with mainly non-violent, drug offenders. Sixty-five percent of the prison population -- now estimated at close to a million and a half, the highest of any western industrialized democracy -- are non-violent offenders.

Consequently, if violence is on the rise inside the prison system, it must be the case that the prison system itself is making inmates violent. To then consign those prisoners to the new super-max system means that we have created a prison system within our prison system, an infinite regress of cruel and unusual punishment.

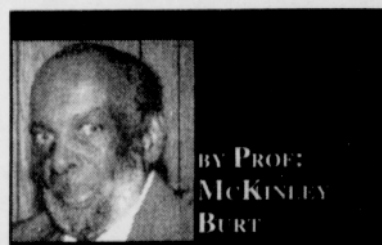
Some proponents of the super-max system, including politi-

cians like Congressman Bob McCollum of Florida, chairman of the House Subcommittee on Crime, argue that the super-max system is needed to contain the "super-bad" criminal -- those who cannot be rehabilitated. While it may be true that some prisoners are so angry, so mentally ill and so imbalanced that it is questionable whether they could re-enter society, the broad issue of rehabilitation is really the issue of whether or not we believe that people can change. I believe they can. People sometimes do dreadful things. I don't think it follows that they will always do dreadful things.

We have got to refocus and reinvest in rehabilitation. If we don't we will be trapped in an endless cycle of crime, incarceration, violence and more brutal punishment -- all at extreme financial and human cost to our country.

## per se c t i v e s

### A. Phillip Randolph, Labor Leader Extraordinary



BY PROF. MCKINLEY BURT

Recent articles here have dealt with the American labor movement both in recent times and during its formative period. Particularly, we have cited the AFL (American Federation of Labor) and its relations with African American workers - not always an advantageous position for the latter group. The only important black AFL union of the early period came into being in August 1925. It was called the "Brotherhood of Sleeping Car Porters" and it chose as a Philip Randolph to be its president. For a generation unfamiliar with the railroad at the time, we emphasize that it unlike today's airline, days, not hours were required.

Therefore, sleeping accommodations had to be provided, at least for those who could afford the comfort of a 'pullman car' rather than a 'chair car.' The amenities of this mode of travel were attended to by a cadre of thousands of black "pullman porters" who, initially, were poorly paid and mostly dependent upon tips. But many thousands of black families were supported by their earnings. Enter A. Phillip Randolph.

As might be expected, organizing these workers to better their condition was a most difficult task. The Pullman Company was a formidable foe, capable of the most extreme tactics, including lockouts and violence by hired goons. But strong, committed black men hung tough during these times of extreme racism. When, unlike today, you did not run out and get a part-time job until the strike was over. "Eye-witness: The Negro In American History" characterizes the great union leader.

"A tall, scholarly man, Randolph was respected for his knowledge of history and economics as well as his

abilities as an editor and public speaker. He rejected all efforts of the employers to frighten or to bribe him and soon won pay increases for his 8000 members. His union became part of the AFL and Randolph became the first 'Negro' to hold a seat on its executive board, a position he used to prod unions who discriminated against minorities."

In the late 1930's blacks bitterly protested their exclusion from the nation's defense industries as World War II approached. The plea of black leaders for full participation in the workforce were ignored until A. Phillip Randolph called for a "March on Washington: the Administration will never give African Americans justice until they see masses - thousands of blacks on the White House Lawn." Four days before the march was to begin Randolph and other leaders were invited to the White House to meet with the President and his Cabinet.

"On June 25, 1942, President Franklin D. Roosevelt issued Executive Order 8802 banning dis-

crimination in all plants working on National Defense Contracts... for the first time since the Emancipation Proclamation, a president of the United States had issued an order protecting the rights of African American."

But A. Phillip Randolph was not through. To dramatize their demand for equality once again, civil rights leaders planned a gigantic march on Washington for August 28, 1963, inspired by Randolph, now age 75. Blacks came by the hundreds of thousands, Martin Luther King's Southern Christian Leadership Conference, Roy Wilkin's NAACP, James Farmer's CORE, Whitney Young's Urban League, and John Lewis' Student Non-Violent Coordinating Committee (SNCC).

And the great crowd listened to Dr. King's famous "I have a dream" speech. There is still a dream to be fulfilled for African Americans, but surely it has been kept alive to a large extent by the efforts of that extraordinary union leader, A. Phillip Randolph.

## Civil Rights Journal

### More Police Brutality

By BERNICE POWELL JACKSON

They call it the blue wall of silence. It's the code of silence which police officers use to protect their own, even when they know that the officer is wrong -- sometimes dead wrong. Maybe this time the wall of silence will be pierced and justice will be done.

You've undoubtedly heard about the case of Abner Louima, the Haitian man who was so brutalized by New York police officers after he was arrested outside a nightclub that even Mayor Giuliani and Police Commissioner Safir have spoken words of outrage and have taken action. It seems that Mr. Louima, who was trying to break up a fight outside the nightclub, was beat up in the police car on the way to the precinct and then taken to a bathroom in the station house where a toilet plunger handle was driven so far into this rectum that it punctured his small intestine and damaged his bladder. The officers then took the handle and drove it into his mouth so hard it broke his teeth.

I can only imagine how painful and how humiliating such actions must have been for Mr. Louima. I can only imagine how loud he must have yelled in the midst of this pain. I can't imagine how no one -- not one -- officer took action to stop this sick and brutal display of force. I can't imagine how anyone in the station house that

night did not know that something very wrong was happening. And then, I can't imagine how police officers could allow this critically injured man to wait some 90 minutes before allowing him to be taken to the hospital.

The irony of all this is that as serious as these injuries -- both physical and psychological -- must be for Mr. Louima, at least he is still alive. At least his family members can help nurse him back to health and can enjoy his companionship and love. That is not true for some other victims of New York police brutality and it is strange that it took this sadistic, shocking attack with its sexual undertones to provoke a response from New York city's mayor and police commissioner.

New York Times columnist Bob Herbert, who has been writing extensively about police brutality, particularly in New York City, recently listed several New Yorkers killed while in police department custody, often for minor infractions of the law. It appears that these cases have been on the rise during the Giuliani administration, which seems to have given the police department free reign as long as crime has dropped. Indeed, there are some reports that police officers said to Mr. Louima that the Dinkins days are over and the Giuliani days are here.

But make no mistake about it. New York City is not the only place that

experiences police brutality. Even tiny East Haven, CT recently found itself immersed in a case of questionable police action, after a young man was killed by police.

And police officers are not the only law enforcement officials who brutalize citizens. Video cameras recently caught Texas prison guards beating and brutalizing prisoners from Missouri and Oklahoma just after their arrival in their custody. Most brutality in prisons is never caught on videotape and never shown on the nightly news.

It is also true that most law enforcement officials never engage in brutality. But as long as they stay silent, they, too, must bear some of the burden of responsibility.

Police brutality is wrong morally and wrong fiscally. As millions of taxpayer dollars are being spent in settling law suits across the country, you'd think more citizens would be outraged at this misuse of government funds. As long as we, the public, remain silent, we, too, must bear some of the responsibility.

A nation which condones law enforcement brutality as the price for lower crime rates is in danger of heading toward the establishment of a police state. After all, they didn't have much crime in the apartheid days of South Africa.