

Opinion

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Racial Profiling Incident Draws Moose Apology

Statement by Bob J. Nash and Janis F. Kearney regarding stop by Montgomery County, Maryland Police.

On Sept. 6, at approximately 10:15 p.m., we believe we were victims of racial profiling by Montgomery County Police. Until that moment, we had an intellectual understanding of the bogus crime of (Driving While Black). But, in a few terrifying moments, we felt it more deeply and more personally than any words could ever convey.

There has been growing interest on the part of the media and others about what happened. We want to take this opportunity to tell you in our own words.

First of all, we were returning from a dinner at a relative's home and had not violated any traffic laws whatsoever. Suddenly, approximately eight police cars and twice that many police officers surrounded our vehicle and pointed spotlights, pistols and shotguns at our vehicle. At this point, neither one of us had said one word to the police and we followed each and every order very carefully and slowly because we feared for our lives given the large number of pistols and shotguns



Former Portland Police Chief Charles Moose apologizes after a couple accuses his Montgomery County, Maryland police force with racial profiling.

We were both then handcuffed by the police officers. The pistol and shotguns were aimed at us until we were handcuffed. At this point, I asked a police officer why we were stopped and treated in the manner described above. He responded by asking if I owned the vehicle I was

driving, I said yes. He then asked me for my identification. He reached into my pockets and took out my driver's license. A few seconds later he said we made a mistake.

At that point, they took the handcuffs off us. I then told him that I was a law-abiding citizen and have always supported the work of our law enforcement officers, but my wife and I were embarrassed, humiliated and afraid for our lives and did not appreciate the way we were treated. He then indicated that a black man had stolen a black infinity SUV at gunpoint earlier in the evening and they were looking for the individual.

I then told an officer that my wife and I worked at the White House and had not broken any laws. An officer then apologized to us and let us go. I asked for and received his business card.

I later then called the Silver Spring, Maryland District Headquarters and asked for the officer in charge. Again, I made it known that my wife and I were strong supporters of law enforcement officers, but we were traumatized as result of the stop by the police officers. He then told me that a black male had stolen an SUV at gunpoint and that is why

we were stopped. I asked the officer to fax me a copy of the incident report regarding the stolen vehicle. After receiving and reviewing the incident report and reflecting on the report between 11 p.m. and nearly dawn, we became more upset because of the following facts:

1). We did not violate any traffic laws that would justify us being stopped.

2). The incident report indicated that the suspect was a 5ft. light-skinned black male. I am 5'11 and dark-skinned.

3). My vehicle is blue, not black. The street was well lit and there were numerous spotlights on my wife the vehicle and me.

4). My tag number is registered to my wife and I, not to the owner of the stolen vehicle.

We appreciated Montgomery County Police Chief Charles Moose calling me and apologizing for the mistake. However, we should have never been handcuffed and had numerous pistols shotguns aimed at us given the facts of the situation.

Let me be clear: We do not feel entitled to any special treatment because of our positions in the White House. But, we do not want

any more innocent people to have to go through what we went through.

We also want to make it clear that our outrage is personal. It in no way reflects the policies or positions of the President. In fact, we have both worked hard to support the President's blanching and effective approach to criminal justice, which includes putting more police on the street and giving them the tools they need to do their jobs. This approach has resulted in the crime rate going down seven years in a row. The President has been a strong supporter of the police and has worked hard to improve the relationship between citizens and police. And, he has taken a strong stand against racial profiling, including issuing a directive to collect data on the race, ethnicity and gender of individuals stopped is to help us to determine where problems exist in the Federal Law enforcement context, and to guide the development of solutions to help us increase the fairness of Federal law enforcement activities.

In summary, we are upset at how we were treated and hope the attention focused on our unfortunate incident will help prevent innocent people from being treated this way in the future.

George W. and His Racial Covenant

By Tara Wall, National Advisors Council of Project 21 and aide to Michigan Gov. John Engler (R).

You may have heard the rumor that presidential candidate George W. Bush owned a home with a racial covenant that kept him from selling it to minorities. It's true, he did. But so did the late President John F. Kennedy. For the two of them to have a clause in the deeds to their homes does not make them racist because such covenants are common but unenforceable.

A largely hidden relic of our nation's past ignorance, racial covenants were meant to keep neighborhoods exclusively white. The

covenant on Bush's house, written in 1939, stated, "Said premises shall be used for private dwelling purposes only and by white persons only, excluding bona fide servants of any race." They were common at that point in our history, and probably fairly common in older homes in the South.

It's unknown, however, if Bush even knew the covenant existed since it was part of any of the documents he signed. The covenant was among documents held by the county government.

Bush bought the house in 1988 and sold it in 1995. Even if he wanted to, he could not have enforced the racial covenant on the home because racial covenants were found unconstitutional in 1948. In the case of Shelley v. Kraemer, the United States Supreme Court ruled that the 14th Amendment to the Constitution does not protect racial covenants because they require the gov-

ernment to discriminate against its citizens.

Furthermore, the Fair Housing Act of 1968 outlawed new racial covenants and any discrimination in housing. And the Texas legislature specifically outlawed racial covenants in 1984.

Racial covenants are now an anachronism—much like a law that is still on the books in Newark, New Jersey making it illegal to buy ice cream after 6 p.m. without a doctor's note. An oppressive law, to be sure, but Ben and Jerry need not worry about ending up in prison sifting through millions of documents and microfilm—all to remove racist doctrine that is no longer enforceable. Clearly, it would be a waste of tax dollars.

There are probably hundreds of black Americans and other minorities living in homes with racial covenants that were supposed to keep them from being there. But they are, and no one is going to remove them.

Economy Leaves Children Behind

Child poverty in America drops from 13.5 million children in 1998 to 12.1 million in 1999, according to new U.S. Census Bureau figures.

While the percentage of children living in poverty in America is at its lowest level since 1979, the percentage of poor children in working families continues to climb with 77% of poor children living in families where someone is working.

The Children's Defense Fund hopes the downward trend continues but believe that 12.1 million children in poverty is still too high and that too many American children remain at the bottom of the nation's agenda.

"We are very glad that 1.4 million children are no longer poor, but we are very sad that 12.1 million chil-

dren are still poor and a great majority of them in working families," said Marian Wright Edelman, founder and president of the Children's Defense Fund. "It is shameful that more children are living in poverty now than 20 years ago. When has there ever been a better time for this nation to invest in its children than when it has huge federal and state surplus, billions in tobacco settlements, billions in welfare reform money, millions in unspent child health money in the state, and 8 years of prosperity? If not now, when?"

The Census poverty figures show that more families are struggling to stay afloat in the workforce, and that the percentage of poor children living in working families continues to rise.



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