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OPINION

Police Stun Guns Should Be Banned

BY JUDGE GREG MATHIS



Since 1999 80 people have died and others have been severely injured by police using electrical stun guns on unruly suspects who need to be restrained. The stun gun is the newest development in the so-called nonlethal weapons used to subdue suspects. Previously, police used pepper spray and batons. Currently, more than 7,000 law enforcement agencies and police departments now issue the weapon to its officers. The hand-held weapon is used like a firearm. Officers aim at the suspect, pull the trigger and the weapon delivers a 50,000-volt electric jolt to its target. The electrical shot causes an uncontrollable contraction of the victim's muscles, immobilizing them from any further movement. The problem is that the stun gun shocks can cause fatal heart attacks. Studies in both Canada and the United States have shown conclusively that they increase the risk of cardiac arrest, particularly in people with heart conditions. Of course we know that police officers don't ask your medical history when they are trying to subdue and arrest you.

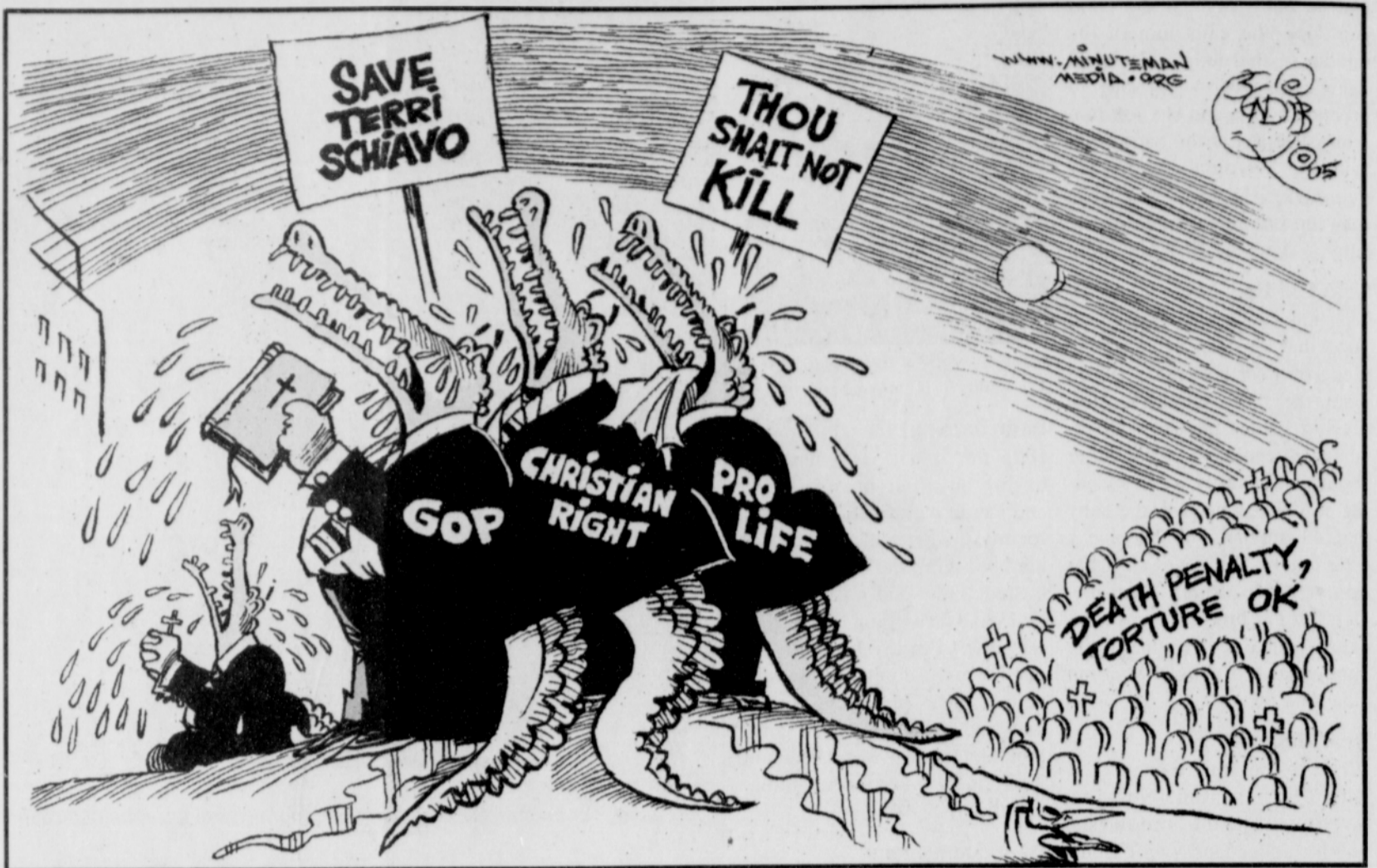
The most deadly incidents and injuries involving stun guns occurred during the recent month of February. In Chicago, one man died and a teenager was critically injured in one week, both at the hands of police officers using stun guns. Both victims went into cardiac arrest suffering heart attacks after the device was used on them. It is not yet clear whether either had a history of heart problems. That same month, a 54-year-old Indiana man died after being shot with a stun gun by the police.

Clearly, stun guns are sometimes lethal weapons and should therefore be banned from use when dealing with unarmed suspects.

In the past two years, several law enforcement agencies have banned the use of stun guns. The Immigration and Customs Enforcement agency, a federal law enforcement organization ended their use of the weapon after one of its officers were injured during a stun gun training session. Several months later, the Customs and Border Protection agency also banned the weapons' use because of safety concerns. Meanwhile, the Southern Christian Leadership Conference (SCLC) has called for a moratorium on the use of stun guns. Additionally, the International Association of Chiefs of Police as well as several other law enforcement groups have all called for more extensive research into the safety of the police weapon. The Justice Department is also studying the weapon's use. As law enforcement officials study the dangers of stun guns, more and more lives are at risk of death or injury. It should be enough that two studies and several deaths have concluded that it may cause fatal heart attacks.

As we mourn the loss of Johnnie Cochran our late and great defender of justice, let us remember that although we may know him best for representing celebrities, most of his great victories came in representing those who had been victimized by police misconduct. If we want to honor his legacy, let's start where he left off, holding law enforcement accountable to the people they are paid to protect.

Judge Greg Mathis is Chairman of the Rainbow PUSH-Excel Board and a National Board Member of the Southern Christian Leadership Conference.



Reflections on Cochran: The People's Champion

BY THEODORE M. SHAW



In a way, Johnnie Cochran, Jr., who died recently at 67, was reminiscent of Muhammad Ali.

Much in the way that Ali became the people's champion in the boxing ring, Cochran held that title in the courtroom. He was colorful, dynamic, and charismatic; he was a supreme strategist; his language was memorable; he could walk with kings and common people with equal comfort; and, most of all, as one of America's best trial lawyers he was one of the most feared opponents of his time.

Important, too, was the fact that Cochran's success, like that of Ali, somehow made the African-American community feel stronger and more powerful, and its life possibilities broader and more attainable.

While many white Americans castigated Johnnie Cochran for his successful representation of O.J. Simpson against murder charges because they

objected to the introduction of race as an issue, most black Americans, regardless of the issue of Simpson's guilt or innocence, understood that race plays a part in our criminal justice system every day, with black people more often than not on the short end of the stick. Johnnie won that case against seemingly insurmountable odds and in the face of intense national hostility, by dint of his legal acumen. More than the "not guilty" verdict, African Americans cheered Johnnie Cochran's brilliant performance.

Among Cochran's formidable legal skills was his ability to strike to the core of a case and connect with a jury's emotional center. Although his best-known courtroom statement—"If the glove doesn't fit, you must acquit" has become part of popular jargon, it crystallized the decision-making process for the Simpson jury. It also helped to make Cochran famous.

Cochran was not the first African-American lawyer to become a household name. That honor went to his idol, Thurgood Marshall, who founded the NAACP Legal Defense and

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Educational Fund and became the first African-American Justice on the U.S. Supreme Court.

Cochran's name recognition went even further. Simply, he was the best-known attorney, black or white, in the world.

Although much of Cochran's renown rested on his representation of celebrities like Simpson, Michael Jackson, and Sean (P. Diddy) Combs, he was most proud of his work for the poor as a civil rights lawyer. He was inspired to become a lawyer by Brown v. Board of Education, the 1954 U.S. Supreme Court victory led by Thurgood Marshall that ended officially sanctioned segregation in public schools.

One of Cochran's early cases was a high-profile suit in which he represented the widow of a black motorist who was killed during a police stop. He lost, but he was determined to

continue civil rights work. He said his happiest moment as a lawyer was getting the murder and kidnapping charges against Black Panther leader Elmer (Geronimo) Pratt overturned in 1997 because of prosecutors' misconduct. Initially, he had lost the case in 1972, but remained dedicated to gaining Pratt's freedom. Later, he helped Abner Louima, a Haitian immigrant who was brutalized by New York City policemen, gain an \$8.7 million settlement.

Over the course of his career, despite the glitter of celebrity trials, much of Cochran's work was spent helping average people with everyday problems like accident claims, job discrimination, and police abuses. His own words make it easy to believe that he saw himself primarily as a defender of civil rights.

"I love being an African American in this country," he said. "I don't think we have been given our due, and as long as racism permeates this country, we have a long way to go. But it's exciting to think about the future, where we should be. And I want to have a hand in pushing us along that road."

Theodore M. Shaw is director-counsel and president of the NAACP Legal Defense Fund.

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Social Security and Black Folks: Don't Be Fooled

BY MARIAN WRIGHT EDELMAN

President Bush has chosen to try to fix the Social Security "crisis" - by allowing Americans to invest some of their benefits in private accounts. The president has even claimed this change would be especially good for Black workers. The argument goes like this: On average, Blacks - especially men - still have shorter life expectancies than Whites, which means we don't collect Social Security for as many years. So if we received some of our benefits early to put into private accounts, we might be able to get more use from them.

Is it true that Blacks don't benefit equally from the current Social Security system? Are private accounts a good idea for Black Americans, or most Americans? Is Social Security facing a crisis? Many experts agree the answer to these questions is *no*.

As Princeton scholar and *New York Times* columnist Paul Krugman explains it, when President Bush claims "African-American males die sooner than other males do, which means the system is inherently unfair to a certain group of people" ... [his remarks] perpetuate a crude misunderstanding about what life expectancy means. It's true that the current life expectancy for black males at birth is only 68.8 years - but that doesn't mean that a black man who has worked all his life can expect to die after collecting only a few years' worth of Social Security benefits. Blacks' low life expectancy is largely due to high death rates in childhood and young



adulthood. African-American men who make it to age 65 can expect to live, and collect benefits, for an additional 14.6 years - not that far short of the 16.6-year figure for white men."

Sadly, that misunderstanding comes about partly because Black males are so much more likely to die young. The tragedy is not that they are more likely to die before they've had a long time to receive Social Security benefits, but that they are much more likely to die before they've even had a chance to work.

This misunderstanding - or deliberate confusion - obscures another key fact: Social Security isn't just a protection against poverty in old age. Of course, its support for older Americans has been one of the greatest success stories in our nation's social policy. Poverty among older Americans has dropped from about 50 percent in the 1930s to around 10 percent today. The program currently lifts 13 million seniors out of poverty.

But Social Security also protects millions of workers and their families in case of untimely death or disability. After all, it's a social insurance program - not an investment - and some of the things it insures against are being disabled, having a disabled child or dying while your family is still young. Approximately one-third of workers today are disabled at some point in their working lives, so no one

should take these current protections for granted. And all of these circumstances land more heavily on Black families.

A child may receive a monthly check if misfortune strikes. In 2004, three million children under 18 were direct beneficiaries because they were dependents of a deceased, disabled, or aged worker. Another one million children were direct recipients of Supplemental Security Income because of their own disabilities. A child also may be an indirect beneficiary when a member of the household receives a Social Security check that frees up family income for use on the child's behalf; the most common case is a grandparent living in the child's parent's home. One in every six Black children lives with someone who received a Social Security or Supplemental Security check.

Social Security has always been designed to provide the greatest help to lower-wage individuals. This, too, is more likely to benefit Black workers, who still earn less on average than White workers. Studies show that under the current system, there is almost no difference by race in the benefits per dollar of Social Security taxes paid. The idea that the current system is unfair to Blacks is simply untrue—and when the president and others frame the debate this way, it becomes a scare tactic.

Marian Wright Edelman is president of the Children's Defense Fund and a working committee member of the Black Community Crusade for Children.