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Debate Over Endorsements, Race

Two prominent Black Maryland officials — Montgomery County Executive Issiah Leggett and Prince George’s County Executive Rushern L. Baker III — have endorsed Congressman Chris Van Hollen, a White, over Black Congresswoman Donna F. Edwards in the race to replace retiring Maryland Senator Barbara Mikulski.

So far, Edwards is the only African American in the race and faces the prospect of joining California Attorney General Kamala Harris, an announced candidate for the California Senate seat that will be vacated by Senator Barbara Boxer. Another African American, Rep. Elijah E. Cummings of Baltimore, is considering running for the seat that will become vacant in 2017 when Mikulski retires.

This may seem like a local story, but it has national implications. Both Edwards and Van Hollen are likely to seek contributions from all over the country. Furthermore, the possibility of having an African American woman in the Senate is an opportunity for African American women’s issues to be raised on the Senate floor. Finally, Edwards’ presence on committees dealing with work, health care, and banking will bring a much-needed perspective to a Senate that is 96 percent White.

With an African American female Senator, would Loretta Lynch’s confirmation for U.S. Attorney General still be languishing? Or, would Edwards remind fellow senators that their treatment of African American women has hardly been fair? Senator Edwards



BENNETT COLLEGE

Julianne Malveaux

might also raise issues that impact all women, but African American women especially, given the fact that we have lower incomes, and a higher rate of single motherhood. African American women have also been the targets of disparaging remarks about public assistance and food stamps, as if no Caucasian’s participate in these programs. An African American

Assembly during the 1990s, says he knows Van Hollen and has worked well with him. He says he has made this endorsement “in the interest of the county.” It has nothing to do with race, he says, but everything to do with familiarity.

In his endorsement, Leggett said, “As we look ahead to build a strong Maryland, we need a proven leader like Congressman Chris Van Hollen, whose reputation for leadership, deep intellect and courage is unrivaled. His swift rise through the ranks in the U.S. House of Representatives attests to the respect and esteem he commands from his colleagues, and from other leaders around this country.”

Mikulski did. However, I expect that Edwards will be far more aggressive in advocating for the African American community than Van Hollen.

Further, in light of the recent killing of Walter Scott in South Carolina, Eric Gardner in New York and Michael Brown in Ferguson, Mo., among others, it seems specious to say that race doesn’t matter. In light of the double-digit unemployment rates African Americans experience (twice those of Whites), race still matters and the need to target employment programs have not been raised in this Senate, even when Democrats held it. Edwards would be forceful in pushing these programs. Baker especially owes his county an explanation both because it is majority African American (65 percent) and also because his county was critical in electing Edwards to Congress four times.

There has been a blurring of racial lines in our nation and in politics. Increasing numbers of Americans are biracial or multi-racial, and identify with every aspect of their background. Many choose to check the “biracial” on census forms, an option that was unavailable two decades ago. Apparently the “one drop” rule is obsolete, unless a mixed race person collides with the wrong officer of the law. Still, I think that race should matter in endorsements, especially when history is about to be made. Rushern Baker and Isiah Leggett owe their constituents a more substantive explanation than the ones they have offered.

The possibility of having an African American woman in the Senate is an opportunity for African American women’s issues to be raised on the Senate floor

woman senator would likely raise objections and stop senatorial trash talk about African American women in its tracks.

Why, then, have the highest-ranking elective officers at the county level in Maryland, both African American men, chosen the Caucasian Van Hollen over Edwards? And if they don’t like Edwards for the post, why couldn’t they wait until Cummings decides whether to run?

Baker, who served with Van Hollen in the Maryland General

Neither Baker nor Leggett has explained what makes Van Hollen a better candidate than Edwards. I won’t speculate about whether their choice has something more to do with gender than politics, but I do think their actions raises national questions about race and endorsements.

When all else is equal, I choose to vote for the African American candidate instead of the Caucasian one. The truth is both Edwards and Van Hollen are likely to vote much the way that the liberal Barbara

Controversy Builds in Videotaping Cops

Feidin Santana, the young Dominican immigrant who videotaped North Charleston, S.C. police officer Michael Slager firing his gun eight times, killing Walter Scott, an unarmed Black man who was fleeing, was a hero. His quick decision to videotape the unfolding action on his telephone led to the arrest of Slager for murder.

However, in some states, instead of being hailed as a hero, Santana would be the one behind bars.

Illinois, Maryland and Massachusetts have used their wiretapping laws to prevent videotaping police in public places. Some states are moving in that direction.

But, as we can now see, videotape can be a game changer.

This was vividly illustrated in 1991 with the brutal beating of Rodney King in Los Angeles. More recently, the July 17 choking death of Eric Garner in New York City was captured on video as he pleaded, “I can’t breathe.”

Although no one can creditably deny the value of citizens being able to videotape on-duty police officers operating in public spaces, courts are sharply divided on whether that’s protected under the First Amendment.

In an article titled, “The Legal Right to Videotape Police Isn’t Actually All That Clear,” the Atlantic Citylab noted, “... The truth is that courts have not uni-



THE CURRY REPORT

George E. Curry

formly recognized that a right to record police actually exists. Though the U.S. Department of Justice has expressed its support for the right to record,

ommends that you:

- Tell police you are recording them;
- Comply with their requests to step back or identify yourself;
- Keep your camera out of the way (low and close to your body); and
- If need be, calmly remind them of your right to film them.

Given recent success, you can expect police unions around the nation to push for legislation that would bar citizens from videotaping such incidents involving police.

‘The truth is that courts have not uniformly recognized that a right to record police actually exists’

only four federal appeals courts have ruled that such a right exists; others have either not ruled at all or narrowly rules that no right had been ‘clearly established.’”

I am not a lawyer and I don’t play one on TV. But the best available legal advice seems to be that generally speaking, it’s legal under the First Amendment to videotape on-duty police officers as long as it is on public property and you are not interfering with them performing their official duties. As noted above, some state laws ban such recordings.

One legal site, findlaw.com, rec-

“Shots fired... Subject is down. He grabbed my Taser,” a charge not supported by the videotape. Instead, what we see in the video is Slager dropping the Taser near Scott’s motionless body. The cover-up was underway before Scott’s body could be moved to the morgue.

The local newspaper reported the next day:

“A statement released by North Charleston police spokesman Spencer Pryor said a man ran on foot from the traffic stop and an officer deployed his department-issued Taser in an attempt to stop him.

“The officer then resorted to his service weapon and shot him, police alleged.”

Of course, that was a lie.

According to the Washington Post, Victoria Middleton, executive director for the ACLU of South Carolina, said: “...I think one of the concerns that immediately comes to mind is the discrepancy between the initial story, the kind of rush to judgment, the rush to say that procedures were followed and this was justified, and then when the video surfaced that quickly unraveled.

And that’s why we must resist all efforts to prevent citizens from freely videotaping police while they are supposedly acting in a lawful manner.

Even before the recent spree of police killing African Americans, there was strong resistance. A woman in Rochester, N.Y., for example, was arrested and charged with obstructing governmental administration in 2011 after videotaping three White police officers interrogating a Black man from her front yard. Charges were later dropped against the woman, Emily Good, 28.

What would have happened to Officer Slager in South Carolina had there been no videotape?

In a word — nothing.

In fact, the officer had radioed,