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Commission on Civil Rights Says There Were Voting Violations in Florida

By Will Lester

WASHINGTON (AP) - The Commission on Civil Rights approved a report June 8 that found black voters' ballots were disproportionately tossed out in Florida's presidential elections and suggested widespread violations of the Voting Rights Act.

The commission's six-month investigation of the contested Florida vote found the election was plagued by faulty machinery, problems with access to polling places, faulty purging of voter rolls and a lack of attention by state and county officials to evidence that growing numbers of voters would overwhelm outdated systems.

The commission adopted the report by a 6-2 vote, with both members appointed by Republicans voting against it.

"We will send this report to the attorney general, president and Congress," said Chairwoman Mary Frances Berry. "We will request a meeting with the attorney general."

She said she hopes the report, which offered criticism of both Republican state officials and Democratic county officials, will spark a renewed interest in changing election laws and procedures. The commission will make specific recommendations to Congress after its next meeting.

She said that since the disputed elections "one of the most disappointing things to me is that I thought there would be more interest in electoral reform."

The commission is asking the Justice Department to investigate the problems in Florida, determine whether the disparities were intentional and suggest what remedies might be needed.

The department said it hadn't received the request for a meeting, but has been investigating complaints about the Florida election for months. The department is still investigating about a dozen of these complaints, but has dealt with the others, said Dan Nelson, a spokesman for the civil rights division.

The two members of the commission appointed by Republicans, Abigail Thernstrom and Russell Redenbaugh, said they didn't accept the report's findings and planned to offer a dissenting opinion later.

"The evidence from the hearings does not support the findings of this report," Redenbaugh said.

Berry said she was pleased with the steps Florida has taken in ordering new, modern equipment and setting aside money for voter education and poll worker training. But she said the state has not addressed access problems for the disabled, a lack of bilingual help for voters at the polls and a need for better monitoring of purges of voter rolls to remove felons. The report said Florida Gov. Jeb Bush and Secretary of State Katherine Harris ignored warning signs of problems and pleas for help from county officials.

Bush and Harris responded June 8 that the commission report was the poorly handled work of a partisan group. The commission has four Democrats, three independents and one Republican.

Harris said the commission has recognized that "Florida has addressed many of the commission's concerns through landmark election reforms." Bush observed, "The time for meaningless and divisive finger pointing over last year's election is over. It's time to move on."

The commission is considering what other states it should visit to examine election problems from last year, and plans to revisit Florida to see how changes are progressing.

"We plan to stick with this through the 2002 elections," Berry said, noting that she's heard from

Chris Dodd, D-Conn., the new chairman of the Senate Rules Committee, who plans to push for federal action on election law changes.

On the Net:
Commission on Civil Rights:
<http://www.usccr.gov>



Dr. John Hope Franklin accepts the Racial Reconciliation award from Joint Center for Political and Economic Studies President Eddie Williams, right. The award was given May 31 at a banquet in Washington, D.C. See story on page 11. (Photo by Roy Lewis)

Cincinnati: Black Caucus Pushes Political Power As Key to Change

By Lisa Cornwell

CINCINNATI (AP) - Some blacks say increased political power, rather than protests or economic boycotts, will be key to ending what they see as a long history of racial and economic segregation in the city.

"Political power is the sleeping giant," said Dwight Tillery, leader of the African-American Political Caucus. "The African-American vote in this community is critical to deciding who gets in office and what laws are passed, but we have not taken advantage of that power. We need to learn how to make it work for us."

Tillery hopes to channel the emotions spawned by the April shooting of an unarmed black man by a white police officer into support for the caucus and its goal of electing officials who are more committed to black issues. The shooting led to three nights of rioting before a dusk-to-dawn curfew restored order.

Tillery, who became the city's first popularly elected black mayor in 1991, said the black vote can no longer be taken for granted.

"Most African-Americans vote the Democratic ticket without knowing who the politicians are or what issues they support," he said. "This caucus is not going to support someone because of their race or their party. They have to show us they will support issues important to African-Americans."

The caucus, with the help of a 21-member steering committee, also plans to make sure politicians are held accountable after being elected by checking to see if they keep their campaign promises on issues important to the black community.

"Black and white politicians shake our hands, say nice things, ask for our votes and then go their merry way," Tillery said.

Melanie Bates, executive director of the Hamilton County Democratic Party, said Democrats have not taken black votes for granted, and she welcomes the caucus' attempts to establish accountability.

"Increasing accountability is a good thing, as long as everyone has all of the facts," she said.

Michael Barrett, chairman of the county Republican Party, did not return messages seeking comment.

Tillery and others in the caucus know they face a challenge in a city where blacks make up 38 percent of the voting age population but historically have turned out in lower numbers than whites for city elections.

A recent analysis by The Cincinnati Enquirer showed that the percentage of registered voters who cast ballots in city elections between 1991 and 1999 declined sharply in each of the city's eight predominantly black political wards.

Caucus volunteer April Fambro, 27, said she has voted since age 18 but she knows that many in the black community don't.

"When I ask a lot of black men in their 20s if they are registered to vote, they say, 'Why? What good does it do?'"

She said the caucus can show them political power will have more of a long-term effect than protests.

Many young people, however, have voiced their skepticism during recent protests whenever black leaders have urged them to register to vote.

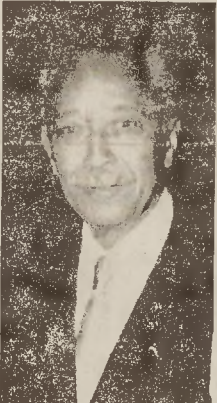
William Kirkland, head of the African-American Cultural Commission, has led some of the protests since 19-year-old Timothy Thomas was shot by a white police officer. Kirkland describes his group as a human rights think tank organization.

Though he agrees with the caucus' aims, he said an economic boycott is a greater tool.

"America is a capitalistic nation, so you have to hit them in the pocket," he said. "It's time to shut this city down with an economic boycott, and then go after the political control that the caucus wants."

Protesters have repeatedly urged economic boycotts since the riots and called for a specific one against the Taste of Cincinnati food and entertainment festival held over the Memorial Day weekend. Festival vendors, however, said sales were strong.

Caucus members believe they are off to a good start toward their goal. About 500 people attended a kickoff rally June 2 where comedian and activist Dick Gregory and national radio talk show host Bev Smith urged voter registration. Caucus officials said they do not yet have final figures on how many people registered that day.



Former New York City Mayor David Dinkins is scheduled to speak during the Durham Human Relations Commissioner Forum titled "Building Our Community - Supporting All Citizens". The forum will be held Wednesday, June 20, at 8 a.m., in the auditorium of Hillside High School, 3727 Fayetteville Road.

Man who escaped murder conviction faces federal charges

(AP) - A man whose first-degree murder conviction was overturned on a legal technicality could receive a life sentence on new federal charges, prosecutors say.

Shamar Rasheed Hines was arrested on federal gun and drug charges. District Attorney Jim Hardin Jr. said Hines was accused of trafficking cocaine.

Hines, 29, could go to prison for life if convicted of the new charges, Hardin said.

In 1996, Hines and another man, Rodney Eugene Leak, were sentenced to life in prison for the fatal shooting of 2-year-old Shaquana Atwater. The child was killed on Oct. 22, 1994, in a gunfight at an apartment building between the defendants and another man.

The state Court of Appeals ruled the men should get a new trial because the jury accidentally saw the prosecutor's notes. But instead of holding a second trial, prosecutors allowed the men to plead guilty to reduced charges in May 1999.

Hines pleaded guilty to attempted second-degree murder and assault with a deadly weapon. He was sentenced to 51 months in jail.

Hardin said that Hines served a portion of his time before being released.



MRS. CORA COLE-MCFADDEN was feted with retirement reception from the City of Durham. See story and pictures on page 3. (Photo by Lawson)

Justice study finds no racial bias in federal death penalty

By Karen Gullo

WASHINGTON (AP) - Wide racial disparities in federal death penalty cases are not caused by intentional bias against minorities but stem from enforcement practices that lead to more minority defendants in federal capital cases, a Justice Department review concluded.

In a much-anticipated report analyzing more than 900 federal death penalty cases, the department said there was no evidence of racial or ethnic bias in the federal death penalty system.

The reason more blacks and Hispanics get death sentences is that there are more minorities in the pool of cases that carry the federal death penalty, such as murder and drug trafficking, department officials said.

"Our conclusions are that there is no evidence of racial bias in the administration of the federal death penalty," Attorney General John Ashcroft told lawmakers at a hearing.

The review showed that the death penalty was sought at lower rates for black and Hispanic defendants than for whites, Ashcroft said. He ordered further studies, by an independent panel, on federal death cases and the prosecution of murder cases.

Death penalty opponents reacted angrily to Ashcroft's assertions. "This statement by the attorney general flies directly in the face of not only the government's own studies... but those of numerous independent and impartial organizations that have been studying this issue for years," said Curt Goening, senior deputy executive director of Amnesty International USA.

Justice Department officials said practices among state prosecutors that send defendants into the federal system and geographical trends were the main factors behind the disparities first revealed in a federal death penalty study released in September.

That study showed 80 percent of defendants charged with capital offenses over a five-year period ending last summer were minorities and 20 percent were white.

Ultimately during this period, 20 defendants were sentenced to death, 80 percent of them minorities and 20 percent of them white.

The study also said that just nine of the 94 U.S. attorney districts accounted for about 43 percent of all cases in which prosecutors called for the death penalty. They were: Puerto Rico, the eastern district of Virginia, Maryland, the eastern and southern districts of New York, western Missouri, New Mexico, western Tennessee and northern Texas.

Justice Department lawyers looked at all 682 cases in the original study, gathered information from U.S. attorneys and analyzed an additional 291 federal death penalty cases that were not part of the 2000 study.

Out of a total of 973 defendants convicted of crimes punishable by death, 408 were blacks, 350 were Hispanic, 166 were white and 49 were defined as "other."

In explaining why the bulk of defendants were minorities, Justice Department officials pointed to local practices:

- In the eastern district of Virginia, which accounted for 66 death penalty cases, most of the cases originated from nonwhite drug-trafficking gangs that committed multiple murders. State prosecutors referred cases to U.S. attorneys because federal prosecutors may try defendants in a single trial for activities committed in more than one state.

The review showed that whites were much more likely to escape a death sentence through plea bargaining than were blacks and Hispanics.

Twenty-one out of 44 white defendants, or 48 percent, avoided a death sentence because federal prosecutors reached a plea agreement for a lesser charge. Only 28 percent of Hispanic defendants and 25 percent of black defendants reached plea bargain agreements.