

# OPINION

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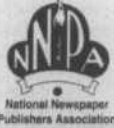
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## Feds won't do much in Jackson beating



Earl Ofari Hutchinson  
Guest Columnist

The instant black activists saw the videotaped beating of 16-year-old Donovan Jackson by an Inglewood police officer, they demanded that the Justice Department prosecute the officer. The call for a federal probe has virtually been their mantra in just about every case where police are accused of beating, assaulting and gunning down young blacks. They flat-out don't trust local police agencies to investigate themselves. Nor do they trust district attorneys, grand juries, police commissions, and local officials, because of their cozy, rub-shoulder relationship with the police, to be any more impartial when it comes to investigating police.

The Justice Department supposedly is a far different story. Indeed, Attorney General John Ashcroft talked tough about the police beating and dispatched his top civil rights lawyer to handle a federal probe. This seems like a good sign that the Justice Department will do something about the beating.

But this is probably wishful thinking. Despite the wave of dubious police shootings and beatings of mostly young blacks and Latinos the past few years, the Justice Department has done almost nothing to nail abusive cops.

According to a 1998 report on police misconduct by Human Rights Watch, an international public watchdog group, federal prosecutors bring excessive-force charges against police officers in a minuscule number of cases involving allegations of police abuse.

There was some hope this might change when President Bush and Ashcroft publicly pledged to take a hard and long look at racial profiling and police misconduct. After three days of rioting in Cincinnati in April 2001 triggered by the slaying of 19-year-old unarmed Timothy Thomas by white Cincinnati Police Officer Stephen Roach during a traffic pursuit, Ashcroft announced a full Justice Department probe into police violence in that city.

When a Cincinnati judge summarily acquitted Roach of criminal charges in the Thomas slaying months later, the Justice Department gave no sign that it would even consider filing civil rights charges in the case. And Bush has been mute about the need for more aggressive federal prosecutions to crack down on police violence since his initial vow to do something about it.

Yet, the Justice Department has always had on the books a strong arsenal of civil rights



The beating of Rodney King by Los Angeles police officers sparked an uprising by blacks who were angry that the officers were acquitted in a criminal trial.

statutes to prosecute abusive police officers. More often than not, however, it has taken major press attention, large-scale protests, and even a major riot, such as the L.A. riots in 1992 after the Rodney King verdict, before the Justice Department used its legal weapons. It was only because of the intense media focus on the police killings of Tyisha Miller in Riverside, Calif., in 1998, and Amadou Diallo in New York City 1999, and the threat of mass street demonstrations against police abuse that then-President Clinton spoke out against police violence in the waning days of his administration.

The Jackson beating is no different. Ashcroft almost certainly acted swiftly because angry protesters stormed the Inglewood City Hall and demanded action. This prompted horrific visions of another civil disturbance in the making.

Federal prosecutors say they can't nail more cops involved in questionable police violence because they are hamstrung by the lack of funds and staff, victims who aren't perceived as criminals, credible witnesses, and the public's inclination to always believe police testimony. They also claim they are pinned in by the almost impossible requirement that they prove an officer had the specific intent to kill or injure a victim in order to get a conviction. These are tough obstacles to overcome, and since the Justice Department is in the business of winning cases, many prosecutors are more than happy to take a hands-off attitude toward police misconduct cases.

However, this is no excuse for federal prosecutors not to at least make the effort to prosecute more officers when there is substantial evidence that



Joe C. Hopkins, attorney and co-publisher of the Pasadena Journal, addresses a rally held in Inglewood, Calif., following the Donovan Jackson incident.

they used excessive force. This is the legally and morally right thing to do. And it sends a powerful message to law enforcement agencies that the federal government will go after lawbreakers no matter whether they wear a mask, or a badge. But more important, it puts police and city officials on notice that they must take stronger action to halt the use of excessive force in their departments.

The reluctance of federal prosecutors to go after cops who overuse force and commit abusive acts perpetuates the

dangerous cycle of racial confrontation and deepens the distrust and cynicism of blacks and Latinos toward the criminal justice system. Black activists did the right thing in demanding a federal probe, and Ashcroft did the right thing by answering their demand.

Just don't expect it to go much further than that.

Earl Ofari Hutchinson is an author and columnist. Visit his news and opinion Web site: [www.thehutchinsonreport.com](http://www.thehutchinsonreport.com)



A student at Quality Education Institute cuts out pictures of Kenyans for a project featuring the continent of Africa.

## All-black is not all bad

The N.C. Center for Public Policy Research has served the state well over the last 25 years, informing state residents about the pros and cons of hot-button topics and urging lawmakers to look past politics to focus on the real issues at hand.

NCCPPR's latest report released this week tackles the subject of charter schools. Although the report, like all research conducted by the public-policy organization, is well-balanced, some of NCCPPR's recommendations are shortsighted, to say the least.

The group is throwing up caution signs over the increase in one-race charter schools. The biggest concern is schools that are all- or nearly-all-African-American, according to the report.

There are nearly two dozen such charter schools in the state. The center says that one-race schools are not living up to the goals set for charter schools by the General Assembly when lawmakers gave charters the green light seven years ago. One General Assembly provision was that the schools reflect the make-up of society.

We should be concerned if our kids are not seeing the world as it really is. If our kids are not aware that there are people who look different than them and act differently, then we should address that issue. But it is unfair to assume that just because students, black students in this case, are not around whites or

Hispanics in school that they are missing out on something or are less enlightened.

Black students have found something in some charter schools that does not exist in public schools. The all-black schools have become places where black culture is embraced every day and year-round, not just a topic that is glossed over one month a year.

People who are not black and have not experienced what it is like to be invisible in textbooks and in lesson plans would not understand how important it is to be in a place where you feel appreciated and included.

That feeling is something that cannot be examined in a report or even debated on the floor of the General Assembly.

NCCPPR should be applauded for wanting young people to be united, but there are more pressing issues. All-black charter schools are little guppies in a big sea. Bigger problems are court-sanctioned segregation of public schools and the apparent neglect of some mostly-black public schools.

Certainly charter schools have contended with issues such as finances and test scores. Those issues are fair game for NCCPPR. But the group and legislators should stay away from the issue of race in charter schools, until they are willing to put their necks on the line and call for public school education to be more black-friendly.



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