

The Charlotte Post

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Citizens review board is now a city necessity

Last week's shooting of an unarmed black woman in Charlotte has put the city at odds with itself. On one hand is an outraged African American community that sees itself under fire from the Charlotte-Mecklenburg police that is sworn to protect all citizens in every community. On the other side is the larger community and public officials, including Mayor Pat McCrory and police Chief Dennis Nowicki, who see the police as doing a good job. But with the death of Carolyn Sue Boetticher, no one can deny that there is cause for concern and anger among



Nowicki

Despite being



McCrory



Cannon

blacks. The Boetticher shooting is the latest in a series of fatal confrontations between African Americans and police. That more blacks are dying by police bullets has also sparked a movement to establish a citizens review board to investigate possible police misconduct. The proposal's author, city council member Patrick Cannon, has worked tirelessly to move the so-called "Cannon Amendments" before city council's Public Safety Committee. turned away over the last three years by council members and police who fret over citizens' role in police discipline, a review panel is an idea whose time as come. Competent and professional officers who do their jobs by the book won't have anything to fear from such a board, proponents say. It's the extreme actions that result in the death of suspects or other civilians that deserve full public scrutiny.

Tragically, it has taken some needless deaths to bring the process to this point. In order to restore confidence in the police, city council should deliberate seriously about the merits such a board would bring to investigations regarding allegations of police misconduct. We urge council to take whatever steps are necessary to assure all Charlotte-Mecklenburg, not just its affluent enclaves of privilege, that the police are on duty to guard everyone's rights.

Jackie Robinson's legacy

Even the most casual of sports fans know the significance of this week's celebration of Jackie Robinson's desegregation of major league baseball. Before Martin Luther King's dream or Rosa Parks' deciding not to give up her seat to a white man in Birmingham, Robinson changed the way America plays and how we look at each other.

When Robinson broke in with the Brooklyn Dodgers on April 15, 1947, the U.S. was an apartheid society split along racial lines. Despite vicious taunts on the field and threats of death and second-class treatment off it, Robinson endured a difficult debut and ultimately triumphed over racism. While his success is the final product, several ingredients helped lead to Robinson's exploits. There were the Negro Leagues where Robinson caught the attention of Dodgers general manager Branch Rickey, who selected him as the first African American signed to a major league contract. There was also the constant prodding and cajoling of the black press, which pushed relentlessly for desegregation of the sport, as it did other areas of American society. Legendary sportswriters like Wendell Smith of the Pittsburgh Courier and Sam Lacy of the Afro-American newspapers in Baltimore and Washington were the most powerful activists for a change in the way baseball did business. And there was the black community, which supported Robinson at every turn, giving him encouragement and following his exploits.

Much has changed since 1947. Black athletes don't have to survive the blistering hate heaped on Robinson, nor do they have to stay in hotels separately from their teammates unless they choose to. And the money is 100 times better, thanks in large part to the popularity of men and women who have followed in his footsteps.

Joe Louis gave African Americans hope; Muhammad Ali caused a nation to examine itself. Jackie Robinson's strength gave us the will to succeed and tolerate.

Review board's time has come

Public confidence requires it

GERALD O. JOHNSON

As I
See It



As much as I questioned the relevancy of a citizen's review board, I am beginning to question the actions of the police force more.

The actions of the police force have resulted in the deaths of four African American citizens. It is still unclear in all of the situations if the deaths were preventable. Unfortunately, police reports clearing the officers of any wrongdoing has done little to convince the community that all is well.

This is especially true since the request for cameras on police cars was written off as too expensive and unnecessary. In addition the initial cry for a citizen's review board fell on death ears. The political rush to flood our streets with more police officers and build more prisons to make our streets safer has resulted in more officers, but not necessarily a better police force. It is beginning to look like we have a very young, inexperienced police force dealing with a very fast growing crime community.

Questionable incidents continue to happen, officers con-

tinue to be cleared of any wrongdoing, and the community continues to be restless. It is quite likely that the police reports about officer conduct are accurate. The community is not buying it. Hence, the police department has a public relations issue that must be dealt with. Consequently, a citizen's review board is a step in the right direction. It would go a long way in helping rebuild the community trust in the police department.

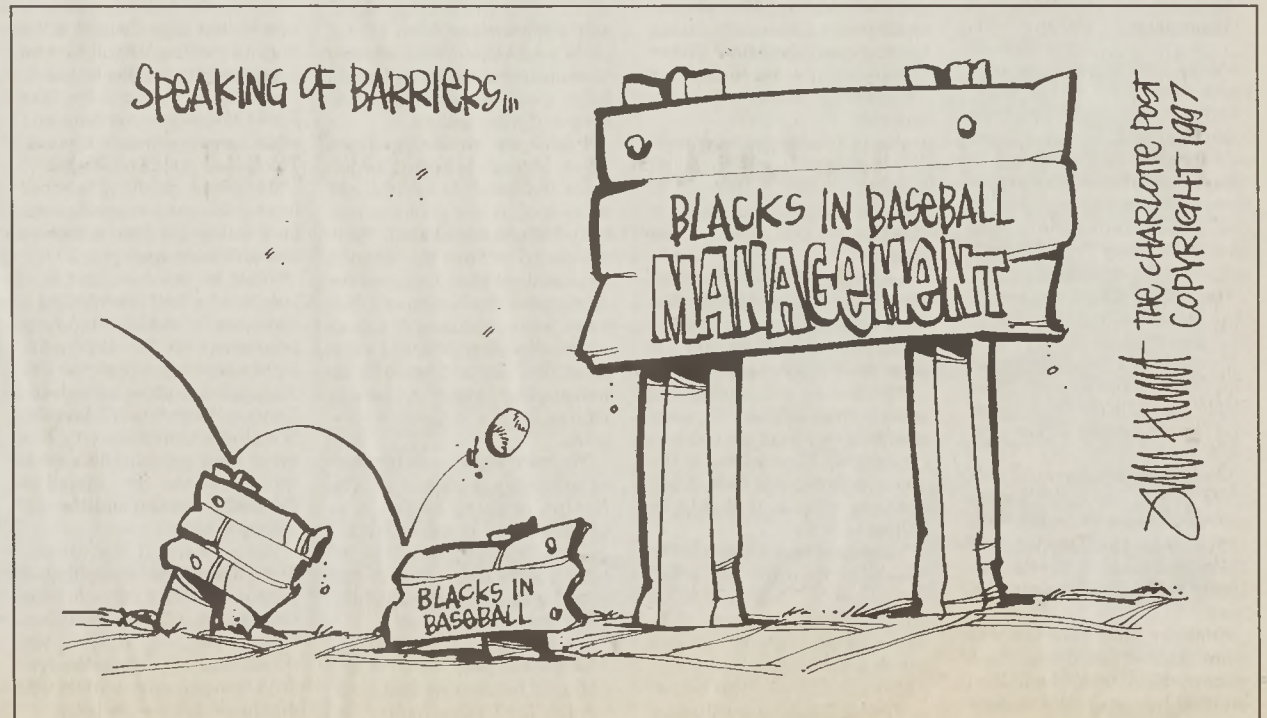
However, in order for it to work, the citizen review board must be completely independent of the police department, work

in an open forum and have access to all information.

There are several good working boards in the country to model after. The one with the most notoriety is the Berkeley Police Review Commission in Berkeley, Calif. The PRC has been quite successful because it has the full cooperation of government officials, and the police department.

They have proven if it is done right, a citizen's review board is an invaluable tool in building trust between the community and the police department.

GERALD O. JOHNSON is publisher of *The Charlotte Post*.



Authorities tell cops it's OK to shoot us

And officers aren't about to disobey orders

By Robert Mackins
SPECIAL TO THE POST

The policemen are not solely the blame, orders come down from the top, and not up through the rank and file. If a Caucasian mayor said to the police, "If anyone shoots an unarmed person, that policeman will be fired."

Show me one policeman that would disobey. The mayor and the police commissioner are 90 percent of the blame. When the police receive their orders, they receive the OK to murder African Americans because it is always hunting season on them. Then, they send out their executions into our neighborhoods.

Have you ever heard of a Caucasian policeman shooting down a Caucasian? Absolutely not. In Charlotte, there is a lot of hate against African Americans in the Caucasian community. This hate manifests itself in people that have authority, like the mayor, the prosecuting attorney, the city council, and the police department, as well as the judges and the juries.

The latest killing of an African American woman by the Caucasian police, was shown on TV and this is what I saw: Two arrogant police that were not going to be outdone. They could have called for the car to be intercepted. Not obeying a policeman is an offense, but not one that warrants the taking of a life, even if a person has a mouth full of drugs, let alone an innocent person. I saw two policemen running alongside the car, and later behind the car pumping bullets into it. Now they were on the drivers side, and could have very easily shot him, but they didn't, because he was Caucasian. Being an elder,

and a victim of the atrocities done to our people by these Caucasians, I know exactly what went on in the minds of those policemen. The one that fired the fatal shot, I can hear him thinking, they are about to get away from me, they are disrespecting me, and what is that black woman doing with that white man anyway? Well I can't shoot him but I can shoot her, because we got orders to shoot blacks whenever we feel like it. I might even get a medal. And that is when he took aim and fired that fatal shot. It is much easier to hit a moving target when it is moving away from you than it is when it's moving across, she was a sitting duck.

We understand that the Europeans follow orders, right or wrong, I first observed this when I was in the military. The police are saying that the car was coming toward them, but how can you shoot someone in the back of the head coming towards you unless the car was backing up? If you noticed, you will see that they have edited the tape they no longer show all of it on TV.

I am sure that you have observed that when any of them violates anyone outside of their lily white superior group they all come together to uphold the perpetrators no matter how hideous the crime might be. They have this kind of allegiance to one another. When we watched Rodney King violated on TV, we all saw the same thing, the only difference was that African Americans called it what it was, and Caucasians called it justifiable. It was justifiable according to their agenda, which is to continue instilling fear in our hearts so that we will be afraid to question anything they say or do.

The killing of young African American men has a deeper reason than just plain hate, although hate is a part of it, the deeper meaning is to keep us confused...disoriented, so we will not be able to come together to build, as well as to kill off all of our potential leaders. Right now almost every African American across the Nation is tip toeing around in fear, that he will somehow anger the so-

called white community. We don't think there is any use in coming together to try to create something as a group, because they just won't allow us to do it. When I talk to some of our people about doing something they look at me as if I was crazy. So what do we do, just wait to be pushed, to be shoved, to be driven, to be directed. Willie Lynch's method of control is still very much alive.

The National Coalition of Blacks for Reparations in America (N'COBRA) is asking that a commission be established to study the effects of institutionalized slavery, Jim Crow, racism, discrimination, and physical and mental abuse, and cruelty on the descendants of slaves. The U.S. should make a formal apology, commitment to good faith, restore our people and dissolve the conspiracy of genocide that is in effect.

Let us join the struggle for reparations and peace. Be an N'COBRA member. Call 567-8277.

ROBERT MACKINS lives in Charlotte.

Prop 209 decision went too far

By Erwin Chemerinsky
SPECIAL TO THE POST

[A]t the very least, judges are expected to follow the law.

They are to obey procedural rules and customs and base their decisions on precedents. Tuesday's decision by the U.S. 9th Circuit Court of Appeals upholding the constitutionality of Proposition 209 is enormously troubling because it is so at odds with the law. Three very conservative judges obviously were determined to uphold the anti-affirmative action initiative and were not about to let the law, procedural or substantive, get in their way.

First, it was inappropriate for these judges to be the ones deciding the case. Each month, the court designates three of its judges to sit as the "motions panel." As its title implies, the motions panel is there to hear the myriad different kinds of motions that might be made to a court. The motions panel is not supposed to rule on the merits of an appeal; that is left for the "merits panel."

The judges, out of their apparent desire to uphold Proposition 209, ignored customary, virtually universal practice about the limited role of a motions panel.

After Proposition 209, any group — newspaper owners, doctors, law professors — can use the political process to gain protections or special programs, but not women or minorities. This is discrimination, and if the 9th Circuit judges wanted to reject this argument, they at least should have offered a clearer explanation of why the claim is flawed.

In other words, plaintiffs will have no chance for a trial to try and prove that Proposition 209 is impermissibly discriminatory. Even though the ultimate issue of the constitutionality of Proposition 209 was not before this court, they decided it anyway.

For decades, conservatives have railed against judicial activism. The 9th Circuit's decision ... only can be understood as conservative judicial activism of the most aggressive sort.

ERWIN CHERMERINSKY is a University of Southern California law professor.