

Bill seeks way to prove racial bias

By Erin Teixeira

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BALTIMORE — Jawad Abdullah left his native Trinidad in the 1970s after suspecting that his dark skin and long dreadlocks might pose an interesting problem.

He now thinks they attract the attention of police, who have stopped and searched the north-west Baltimore resident in several states — more than a dozen times since 1974.

He's been mostly cited for minor infractions, but Mr. Abdullah's anger grows — largely because it is difficult to prove, as he and others suspect, that such stops result from racial bias.

The ability to prove bias in general could change if a so-called Driving While Black bill before the U.S. Senate passes in the coming weeks. The bill would require the attorney general's office to collect data on traffic stops and searches to show patterns.

Rallying behind the bill last week, the NAACP sparked a letter writing campaign, urging the public to encourage members of Congress to support the legislation which the group says highlights a problem long accepted among many blacks but one not widely acknowledged in the larger society.

"If we lived in a colorblind society where everyone was equal, no one would question it, but in this country, in the case of law enforcement officers, that is not the case," said Kweisi Mfume, president of the NAACP.

"As long as we have discriminatory treatment taking place in this

Measure would require police to keep files on traffic stops, searches

country that we can document, then we ought to have the gumption to do it."

Police largely oppose the bill, insisting it would create an undue burden on law enforcement officers and wouldn't necessarily prove anything.

"It's just more paperwork on the individual officers who should be out on the streets fighting crime," said Robert Scully, executive director of the Washington, D.C.-based National Association of Police Organizations, which represents thousands of police unions. "I really don't know what this would prove."

The issue — often dubbed racial profiling — is not new.

In 1992, sparked by complaints from black drivers, the American Civil Liberties Union studied a 48-mile stretch of I-95 from just north of Baltimore to the Delaware border. Their numbers showed that blacks were 14 percent of drivers but 72 percent of those pulled over.

Under a 1995 settlement orchestrated by U.S. District Court Judge Catherine C. Blake, state troopers were ordered to compile statistics. They found that from mid-June of 1996 through this March, blacks made up nearly one-third of those pulled over but slightly more than half of those searched and 58 percent of those arrested. Of the troopers who cover the area, 37 percent are black, as is the commander.

"The issue in that respect was that we were being accused of only stopping African-Americans, and that just wasn't the case," said Capt. John Shipley, a spokesman for the Maryland State Police. "Each case is based on its own circumstances. . . . Race cannot be a factor in the indicators."

But many believe race still is a primary indicator.

Rep. John Conyers Jr., D-Mich., sponsored the bill, saying it ad-

resses an issue familiar to many black men.

"Almost every African-American man will be the subject of this sort of unfair treatment at least once, if not many times," Mr. Conyers said in March, when the bill passed the House of Representatives in a unanimous voice vote.

After a Philadelphia resident complained that he was stopped on I-95 in Maryland in 1996, the ACLU and NAACP in April filed a class-action lawsuit with 11 plaintiffs, alleging a pattern of discrimination. The case is pending.

"I thought it best to come forward if not for me then for future generations so they don't have to be subject to those embarrassments and humiliations simply for driving," said Mr. Abdullah, a crime lab technician for the Baltimore Police Department who is one of the 11.

"You feel very much violated. . . . Many of the bill's proponents concede that law enforcement officials, by the nature of their jobs, have a heavy load to bear.

But, said Darnell Hawkins, a University of Illinois at Chicago criminologist who studies racial profiling, "I tell my students in looking at prison statistics from the past, some states in the South had 95 percent black inmates. Blacks may in fact have had higher rates of crime, but did whites really commit only 5 percent of crime?"

Mr. Mfume said blacks are also increasingly facing racial bias in airport searches; and the NAACP has been getting complaints for the past 18 months or so on the issue.

"It seems to be rearing its head with respect not just to drivers of color but to travelers of color," he said. "People say they are stopped by law enforcement who say they fit their profile."

"We don't have a problem with that," Mr. Mfume said. "What we have a problem with is that it just seems to be black and brown people who continue to be held up and searched and humiliated."

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