

Profiling past sets police department on promising track

by Marc_H._Morial

Nearly a decade ago, in an infamous traffic stop on the New Jersey Turnpike, two state troopers fired 11 shots upon a van containing four black and Hispanic athletes from the Bronx. They later admitted that they had pulled the vehicle over because of its occupants' skin color and were trained to use race and ethnicity when making such decisions because their supervisors told them that minorities were more likely to be drug traffickers than whites.

The incident fueled a national debate over racial profiling that prompted major media attention and an investigation that concluded it to be a very real problem in New Jersey. A grand jury indicted the two troopers on attempted murder and assault charges, and the late great Johnnie Cochran Jr. represented the wounded young men. He told CNN that "terror on the thoroughfares is not acceptable in this country."

To avoid a federal civil rights lawsuit, the state police department entered into a consent decree that required them to institute a comprehensive list of measures, including installing cameras in patrol cars, to crack down on racial profiling. As part of the decree, they came under the oversight of federal monitors.

Eight years later, state troopers use a "robust management accountability system" that is second to none nationwide, according to Col. Rick Fuentes, state police superintendent. In 2006, federal overseers deemed the New Jersey police force to be a national model of law enforcement. But Gov. John S. Corzine appointed an independent panel to make sure. In early December, it assured them that the department had turned a major corner on its less-than-flattering past. "As a state and as a community, we are prepared to move forward," said James E. Johnson, the panel's leader. "It is time for the state of New Jersey to manage its own affairs in the area of law enforcement as it pertains to non-biased law enforcement."

But some critics maintain that the decree hasn't put an end to racial profiling on the turnpike. In a recent report, the American Civil Liberties Union found that a "greatly disproportionate" number of drivers pulled over at the roadway's southern end - 30 percent were black and Hispanic, compared to less than 20 percent in the north, where more minorities live.

The panel recommended that the state consider imposing similar reforms upon local law enforcement authorities and continue having independent audits performed and monitoring on its own.

Even Corzine admitted that the report merely "lays down a game plan" to help the state eliminate racial profiling. "It is now up to those of us who are responsible for execution to make sure that whether it is through legislation or through regulatory implementation and adherence to the spirit, as well as the letter, of the law that we end racial profiling as we go forward," he told the Asbury Park Press recently. It is up to the New Jersey legislature to codify those recommendations and make all this work mean something.

In 2001, the World Trade Center terrorist attacks brought the issue of racial profiling back on the national radar screen, taking it from the nation's highways to its airports and ports of entry and expanding its focus to include Muslims, Arabs, Asians and anyone looking like they're from the Middle East.

According to a 2004 Amnesty International report, over 32 million have already been victims of racial profiling and 87 million are at high risk of becoming victims in their lifetimes. Racial profiling was believed by 53 percent of 2,250 Americans to be widespread on the nation's highways and by 42 percent in its airports.

King Downing, who is black and sports a beard and happens to head the American Civil Liberties Union's Campaign Against Racial Profiling, recently won a lawsuit for being stopped at Boston's Logan airport because of his appearance. A federal jury earlier this month determined that his constitutional rights were violated by state police.

Despite some progress made in New Jersey, the problem of racial profiling in our nation is not about to go away. But it's still good to see that the senseless shooting of four young male minorities helped spur some change in right direction.

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