

Profiling

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been unimpressed with what he observed on Sept. 10 in Las Vegas.

"The public meeting I attended seemed to be more about theatre than meaningful dialogue," he said. "There was every indication that the form and the study will basically be what law enforcement wants."

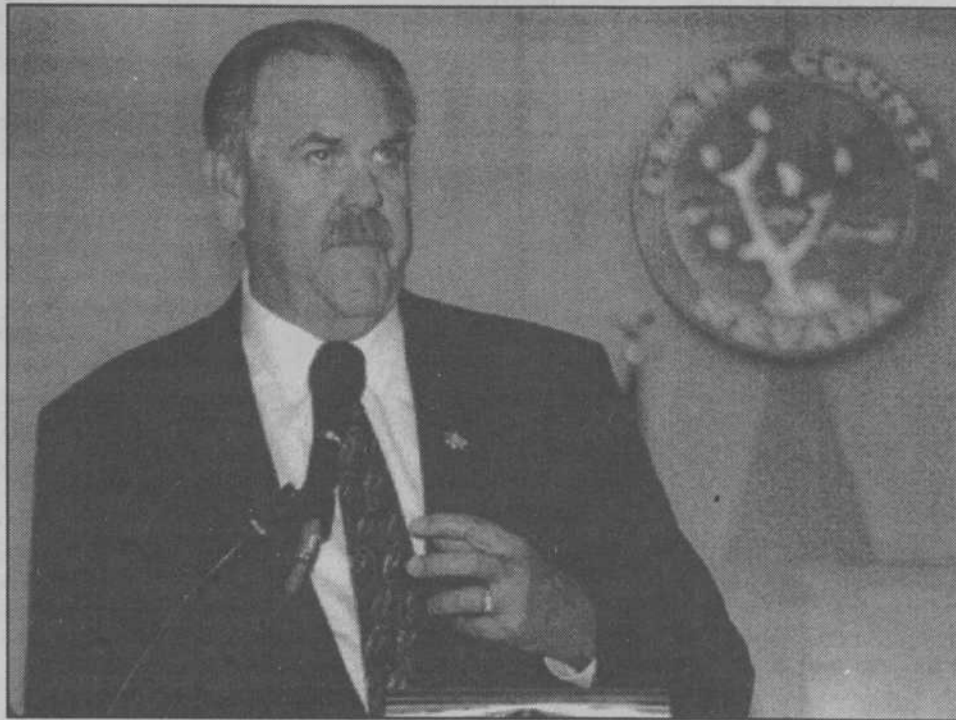
The ACLU has many concerns about the study, but Peck says three are paramount.

One is the lack of an individual officer identifier. The person most opposed to identifying the officers, not surprisingly, is Keller, and Peck finds the notion of surveys done by anonymous cops to be absurd.

There is no credible basis, in social science or policy analysis, says Peck, for not including that and other data he believes would be crucial to the study's validity.

"You may get data that looks fine overall, or in terms of the breakdowns being proposed," said Peck. "But, if you're able to disaggregate the data and analyze it for individual officers, you may find some who are policing improperly." Furthermore, he said, without a method of identifying individual officers, "law enforcement cannot use the study as an early warning device or to take corrective action." In that case, he wonders, what good is the study?

Keller claims identifying officers, as motorists would be, would inhibit police from doing their jobs assertively, causing what he calls "depolicing." Patton calls it



Sheriff Jerry Keller fielded questions from civic activists such as Elgin Simpson, right.

"overcompensation." According to Keller, cops might feel compelled to stop motorists "based on population," or become less likely to work with the "same degree of intensity" which would suit profiling victims just fine.

Patton questioned whether, in collecting the data, it is possible to determine if an officer's actions were in good faith or ulterior motives were involved. There's "no way to gauge (or) to determine motivation without witnesses to the action," he said, "because the officer can't prove motivations, good or bad." Then came the disclaimer. "I was articulating concerns I've heard from law enforcement," he said.

A second grave concern of the ACLU about the survey card being proposed is

the lack of information documenting duration of the stop. Pointing out that profiling can be manifest other than by numbers of stops involving minority motorists, Peck noted, "Lengths of stops for people of color tend to be greater than for white folks."

The organization's third misgiving is that the card presently lacks any individualized reasons for those stops classified by police as "reactive." Reactive stops are those made, for example, in response to dispatchers' calls.

"The problem," Peck explained, "is the categories can be used to obscure profiling. In the past, the reactive stops were not even counted. If they insist on that, they'll completely undermine the credibility of the study."

Left to its own devices, Metro would trash any inves-

tigation of possible profiling by its officers, opting instead to perform oversight by way of its Internal Affairs Division. Its critics find that idea-police policing themselves-revolting. Public clamor for an alternative to Metro's intramural quality control, particularly when minorities are involved, led to creation of a Civilian Review Board here.

"That has been a long standing problem with me," said Neal. "I've never had any great deal of confidence in Internal Affairs. They tend not to do the most thorough investigation." Peck echoed the senator's disdain.

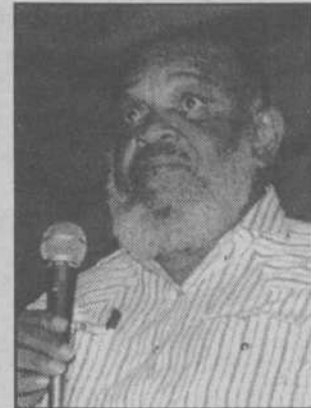
"It is obvious to anyone who is paying attention that those mechanisms are broken and do not inspire public confidence," said Peck. "In fact, that's the very reason we have been forced to file

profiling lawsuits- to get police agencies to hold themselves accountable."

Keller and others in law enforcement have said they are guided not by the legislation of AB 500, but rather by the objective of getting the best and most complete study. Challenged to identify police officer as well as motorist, however, Keller quickly abandoned that noble objective, and Patton rode to his rescue by noting the law doesn't require that.

The ACLU says if "the best and most complete study" is the goal, identifying the cops, noting how long they detain motorists and including "reactive stops" in the data is essential. Said Peck: "It is obvious any decision to not include that information will be purely political, and meant to insulate law enforcement from possible embarrassment and lawsuits."

After the Reno forum, Patton will meet with law enforcement officials from the Nevada Highway Patrol, Metro, the Washoe County Sheriff's Office, and the police departments of North Las Vegas, Henderson,



ELGIN SIMPSON

Boulder City, Mesquite, Reno and Sparks. They will develop final data collection form.

In any case, round two of the profiling debate proceeds today. Many black and latino motorists believe they already know the answer, meanwhile, the general public may rightfully expect that when the discussions, surveys and analyses are completed, an objective statement about the myth or reality of racial profiling by police in Southern Nevada will be forthcoming-which brings us to, perhaps, the most ominous forecast of all.

Said Patton, "I don't think it's safe to say you'll get a definitive answer."

Backlash

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sari, when she goes shopping. Still, Himanii said he has received 1,200 calls from people who heard his cafe was destroyed and want to make sure he gets government assistance.

Chawla, too, said friends, neighbors and co-workers "have sent me e-mails and called to say, 'We hope you're OK.' I feel a sense of warmth around me."

But, he added, "I'm also not foolish. I'm trying to be a little bit more careful. I foresee that for the next one to even five years, times are going to be difficult for Americans of Asian descent."

Hate

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Molotov cocktails.

And Muslims in Seattle, in the northwestern state of Washington, reported that when they returned to their mosque after staying away a number of days for fear of attack, non-Muslims greeted them with flowers.

In Seattle and elsewhere, non-Muslim women reportedly have volunteered to don Islamic headscarves in solidarity with Muslim women, largely considered vulnerable to attack because the headscarf betrays their religion even at a distance.

One listserv writer opined that such stories, however rare, offer hope that, at least at home, U.S. society might escape the fate evoked in a statement attributed to India's Mohandas "Mahatma" Gandhi: "An eye for an eye will make the whole world blind."

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