

Trial opens in slaying linked to MLK

JACKSON, Miss. (AP) - The federal trial of a man charged with the 1966 slaying of a black sharecropper - allegedly meant to lure Martin Luther King Jr. to town for an assassination attempt - began Monday with attorneys struggling to find jurors in a climate where many people already believe the suspect is guilty.

The judge later barred the public from the examination of potential jurors.

None was seated Monday; one person was excused after expressing doubts that an acquittal was possible even if the government failed to prove guilt.

It is the second trial for 72-year-old Ernest Avants, who was acquitted of killing Ben Chester White in 1967, when convictions for white-on-black crimes were rare in Mississippi.

Avants was indicted again in 2000 when prosecutors realized they could press federal charges because the killing took place in a national forest.

Now the defense faces the challenge of finding jurors who don't already think Avants is guilty of the highly publicized crime.

"It's very hard to defend a case when it gets this old, particularly when there is sort

of an evolving consensus that the defendant is guilty," said Ronald Rychlak, associate dean at the University of Mississippi School of Law.

U.S. District Judge William Barbour Jr. and attorneys for both sides urged potential jurors Monday to be honest about their feelings with regard to race.

"We need to ask you about your heart," Assistant U.S. Attorney Jack Lacy said.

Defense attorney Tom Royals asked jurors repeatedly whether they would be influenced by testimony that Avants was a member of the Ku Klux Klan who freely used racial epithets.

Prosecutors say Avants and two other men lured White, who was 67 at the time, into the Homochitto National Forest where they repeatedly shot him solely because he was black.

Statements by the other two men, both of whom have since died, indicated that they hoped to "get old Martin Luther King" by luring him to the town of Natchez with White's killing. King never visited Natchez, and was assassinated two years later in Memphis, Tenn.

Claude Fuller never went to trial; the state's case against James Jones ended in a mistrial.

Police not charged in prisoner shooting

LOUISVILLE, Ky. (AP) - A grand jury on Monday declined to indict a Louisville police detective who fatally shot a handcuffed black man in December.

James Taylor had been handcuffed behind his back in his apartment when Michael O'Neil shot him 11 times. Police said O'Neil fired after Taylor lunged at him with a boxcutter, an account disputed by some witnesses.

The jury considered several charges against O'Neil, including murder. It also considered but did not approve charges against O'Neil's partner, Bryan Luckett. Both detectives are white.

The shooting prompted protests in Louisville by civil rights activists, who also condemned Monday's grand jury decision.

"It's unfair. It's unjust. I know you're angry," the Rev. Louis Coleman told a gathering of a couple dozen people at the Justice Resource Center.

Louisville Metro Police Chief Robert White, who was hired after Taylor's death, said an administrative investigation will be conducted into the officers' conduct, and they will remain on administrative leave.

Also, a civilian review board will investigate the shooting. A coroner's report said Taylor, 50, died within a minute of being shot. The victim had a history of mental illness and drug addiction, and an extensive criminal background, including 10 years in jail for manslaughter.

Dr. Richard Greathouse, the former Jefferson County coroner, said at the time that in his 29 years as coroner he had never before seen a handcuffed suspect being "riddled with bullets."

"The circumstances are very troubling, to say the least," said Greathouse, who has since retired.

(See Cops, Page 12)

EBay pushed to drop racist collectibles

ASSOCIATED PRESS

Activists on Friday asked the Internet auction giant eBay to stop listing items they say are racially offensive and demeaning to blacks.

The Southern California groups said eBay is violating its own policy that discourages sellers from listing items that promote racial intolerance.

The groups displayed cast-iron banks they said were examples of items listed on eBay. One was a caricature of a black person, with large red lips, dark skin and rolling eyes, that had been described on eBay using the n-word.

"This is what they think of us," said Earl Ofari Hutchinson, president of the Inglewood, Calif.-based National Alliance for Positive Action, a racial and social justice public advocacy group. "This shows the absolute utter contempt many in the society still have for African-Americans even today."

EBay spokesman Kevin Pursglove said he was unaware of the alliance's efforts to reach the company. EBay removes listings using words in ways that are "abusive or offensive or degrading or in any way disparag-

ing," Pursglove said.

But it doesn't strike listings that use such words to describe items. For example, some book or album titles use a racial slur in their titles, Pursglove said.

"What we've always tried to do is strike a balance between the sensitivities of eBay users with the desire of eBay users to buy and sell merchandise," he said.

But Hutchinson and others say it's especially painful to find listings for books, prints, card games, antique glass sets, tobacco tins and other items that use a racial slur and are sometimes described as "cute" or "adorable."

Dante Lee, president of Long Beach, Calif.-based A.S.J. Media, which owns BlackNews.com, said when the n-word is typed in, "you see items that portray blacks" with a "pitch dark skin tone, exaggerated nose flares, almost as if they look like animals. I felt offended."

In May 2001, eBay began banning the sale of artifacts from Nazi Germany, the Ku Klux Klan and notorious criminals, in hopes of avoiding legal problems in other countries; in France, Ger-

many, Austria and Italy it is illegal to sell items relating to the Third Reich.

More recently, the auction site deleted listings for items billed as debris from the space shuttle Columbia.

EBay's offensive material policy states the company will "judiciously disallow listings or items that promote or glorify hatred, violence, or racial intolerance, or items that promote organizations (such as the KKK, Nazis, neo-Nazis, and Aryan Nation) with such views."

David Pilgrim estimates he has bought about 1,000 racist collectibles on eBay for the Jim Crow Museum of Racist Memorabilia located on the Ferris State University campus in Big Rapids, Mich. The museum displays about 4,000 items and has about 3,000 more in storage.

The market for memorabilia depicting black people has undergone a resurgence in the last few years due to eBay, Yahoo! and other Internet auction houses, said Pilgrim, curator of the museum. Black memorabilia items range from black baseball league jerseys to postcards depicting lynchings that can sell for up to a thousand dollars, he said.

"I hate the fact that people buy" racist items, said Pilgrim, who is black. But "people have the right to sell."

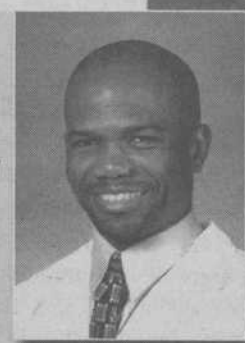
Andrew Robinson-Gaither, pastor of the Faith United Methodist Church in Los Angeles, said Friday he wants eBay to immediately cease listing such items.

"How could eBay do this during black history month?" Robinson-Gaither said at the news conference.

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Suit seeks reparations for 1921 race riot

TULSA, Okla. (AP) - Victims of a 1921 race riot and their descendants sued the city and state Monday, seeking reparations for lost loved ones, destroyed businesses and burned homes.

The lawsuit says authorities failed to stop - and in some cases, participated in - the riot that devastated the then-thriving black community of Greenwood.

The Tulsa Reparations Council has assembled a star-studded, pro bono legal team, including Johnnie Cochran, to seek unspecified damages in federal court for more than 200 survivors and descendants of victims.

"We have an obligation to fight hard and

leave no stone unturned to find justice," Cochran said.

The lawsuit names current Gov. Brad Henry, police chief Dave Been, the city and the police department as defendants.

State and city officials said they had not received the lawsuit and could not comment. Police spokesman Sgt. Wayne Allen said only that he doubted any present-day police officers or officials had anything to do with the rioting nearly 82 years ago.

Investigators estimate as many as 300 people, mostly blacks, were killed in the rioting that began after shots were exchanged (See Reparations, Page 4)



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