

High Court allows arrests of all in drug stops

WASHINGTON (AP) - The Supreme Court issued a traffic warning Monday: Be aware of whom you ride with. If drugs are found in a vehicle, all occupants can be arrested, the justices said in a unanimous decision.

It was a victory for Maryland and 20 other states that argued police frequently find drugs in traffic stops but no one in the vehicle claims them. The court gave officers the go-ahead to arrest everyone.

In a small space like a car, an officer could reasonably infer "a common enterprise" among a driver and passengers, the justices ruled.

The case stemmed from an incident in 1999, when police in the Baltimore suburbs pulled over a speeding car.

A search revealed a roll of cash in the glove compartment and cocaine in an armrest in the back seat.

The driver and the two passengers denied having anything to do with the contraband, so all three men were arrested.

Chief Justice William H. Rehnquist, writing for the court, said police had probable cause to suspect that the drugs belonged to any of the three, or all of them.

Lisa Kemler, a criminal defense attorney from Alexandria, Va., said the court seems to be saying: "know who your company is."

"How many times have you gotten a ride with a friend? Are you going to peer around in their glove compartment?" asked Kemler, who fears the ruling will lead to a police dragnet. "You could find probable cause to arrest everybody."

Michael Rushford, president of the Criminal Justice Legal Foundation, a pro-law enforcement group, said police can't be expected to sort out ownership of drugs or guns in the middle of a traffic stop.

"You certainly wouldn't let three people with Uzis in their car leave because no one would admit the uzis were theirs," he said.

Maryland's highest court had thrown out the conviction of a passenger in the car, Joseph Jermaine Pringle, on grounds that his arrest violated the Constitution's Fourth Amendment ban on unreasonable searches or seizures. The Supreme Court reversed that decision.

"Pringle's attempt to characterize this case as a guilt-by-association case is unavailing," Rehnquist wrote in the brief decision.

Pringle told police later that the drugs were his and that he had planned to swap them for sex or money at a party. His 10-year prison sentence will be reinstated.

The American Civil Liberties Union and National Association of Criminal Defense Lawyers filed a brief supporting Pringle. Their lawyer said the ruling will sweep innocent

passengers into criminal cases.

"There's nothing in this opinion to prevent a police officer from arresting a graduate student who is offered a ride home late at night from a party that she has attended with some fellow students," said Tracey Maclin, a Boston University law professor.

The court's rationale could be used in other police search cases, involving homes, Maclin said.

The ruling dealt with the discovery of drugs and cash, but it could apply to other contraband as well.

Supporting Maryland in the case were the Bush administration, along with Alabama, Alaska, Connecticut, Delaware, Hawaii, Illinois, Louisiana, Michigan, Missouri, Montana, Nevada, New Mexico, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, Virginia, West Virginia, and Puerto Rico.

The case is Maryland v. Pringle, 02-809.

Mother waged successful war on recognition of out-of-wedlock kids

By Kendall Wilson
Special to Sentinel-Voice
PHILADELPHIA (NNPA) - She couldn't stand the word "illegitimate."

She cringed at the sound of "bastard."

And yet, Lois Fernandez was facing a future where those words could dog her through the rest of her life. That she didn't mind as much as what they would do to her children.

"Call me anything," she said, "but don't call my son a bastard."

Fernandez made an important decision while lying in a hospital bed in 1967, going through the formalities - or lack of them - following the birth of her son Adeyemi (pronounced A-day-aim-me), which is Nigerian for "a crown that befits him."

Under Pennsylvania law at the time, she and other out-of-wedlock mothers did not receive a birth certificate or notification of her child's birth. Even more disturbing was the \$2 charge to receive a short form that stated a child was born - without listing a mother or father.

Fernandez would have none of this. She was determined the state would recognize her as her son's mother. Her refusal to purchase the short form began an 11-year crusade that would change the state's archaic law.

"I cried when I heard the governor had signed the bill," Fernandez said from a Fitzwater Street home in South Philadelphia.

Then a city gang worker, Fernandez led the fight by organizing friends in similar situations, lobbying state lawmakers, corralling local attorneys to support her cause

and initiating town hall meetings on the issue.

More than 25 years later, she looks back with pride on the day then-Gov. Milton Shipp signed a law that would acknowledge her children.

"Yes, I was overwhelmed with joy, and even vindication," said Fernandez, who is renowned for creating the Odunde Festival in South Philadelphia.

"So many people told me it couldn't be done," she said. "Even my mother had doubts. But she saw I was not giving up. She later hinted I just might do it after all."

The law eliminated the whole notion of illegitimacy and provided inheritance and other benefits for out-of-wedlock children recognized by their fathers. It also allowed women to legally pass on their last names to their children.

"But I made it clear that this meant a whole new life for a lot of folks who didn't have to hide in the closet any more," she said.

During her crusade, she was constantly beating back the stereotype of unwed mothers, as "whores gobbling up welfare."

"I was a homeowner, working mother with two children," Fernandez said. "Their being born out of wedlock did not mean they were not equal to others. Nothing was going to stop me from fighting the system and the perceptions."

In August 1971, Fernandez wrote state Sen. Anthony H. Williams a letter detailing the prejudices and stigmas placed on children of unwed mothers and asked him to introduce a bill to "legalize all children."

"To give birth is human,

not illegitimate," she contended.

Williams responded two months later, promising he would formulate some type of legislation to address this issue. The three-bill package was sponsored by Williams, John White Jr. and the late David P. Richardson Jr. in the House.

"There are far more children born out of wedlock than people realize," Richardson said. Prophetically, Williams closed with: "In my opinion, your urging of this legislation will eventually prove to be the forerunner of one of the most basic and human acts of the Pennsylvania State Legislature."

It would take seven years for the bill to become law.

In the midst of this crusade, another child was born. Fernandez enlisted the aid of consumer advocate Herb Denenberg and prevailed when the hospital demanded she pay certain costs for the newborn despite her full-coverage insurance policy.

And those children?

Adeyemi, self-employed as a professionally trained barber, returned to school to earn an associate's degree from Community College of Philadelphia, studied at Antioch University and is now majoring in microbiology at Drexel University.

Oshunbunmi earned her bachelor's degree from Temple University and her MBA in 2002 from LaSalle University. She has taken over for her mother as chief organizer of the Odunde Festival and has started Bumi Productions, a firm that produces special events.

Kendall Wilson writes for the Philadelphia Tribune.

Bias

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had coverage and charts of contributions from contributors, developers and hotels," Hall said. "When the FBI goes to someone's house with subpoena, that's a news event. It doesn't matter what race, creed or color the person is, that's who gets covered in the news."


Daily News editor Zach Stalberg could be reached for comment.

The chamber also accused the mainstream newspapers of consistently suggesting there is "something inherently wrong" with African-Americans being in-

cluded in municipal contracting unless they are living in poverty.

"We remind the Inquirer...that we did not create the term 'disadvantaged business,' the federal government did," Crawley said. That comment may have been in reference to newspaper reports that White's wife, Aruby Odom-White, won multi-million dollar contracts at the Philadelphia Airport as a disadvantaged business, despite earning a six-figure income as a psychiatrist.

Scott Goss writes for the Philadelphia Tribune.



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