

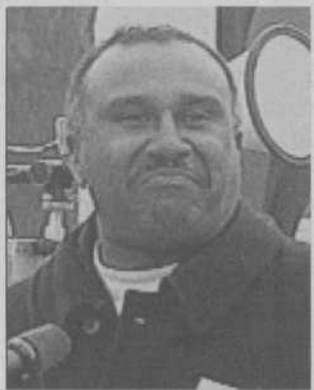
Black farmers still struggling for survival

By Makebra Anderson
Special to Sentinel-Voice
WASHINGTON (NNPA)

White tobacco farmers stand to make 100 times more than Black tobacco farmers in a \$9.6 billion Tobacco Buyout Settlement. However, if they don't meet the June deadline, tobacco growers won't receive a penny. Analysis by the Environmental Working Group, a watchdog organization that has been documenting the discrimination against Black farmer's, shows that the top one percent of recipients (4,435 individuals, corporations, estates and other entities) will collect 27 percent of the \$9.6 billion, averaging \$591,212 each over five years.

On the opposite end of the scale are the majority of tobacco growers, which includes all African-American farmers. The bottom 80 percent of buyout recipients (354,873 beneficiaries) will divide \$1.9 billion, for an average of \$5,389 apiece over five years, reports the organization. Because of a strained relationship with the federal government, Black farmers have had difficulty getting information.

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signed up to participate in the buyout. It has been a problem getting the government to get the information out to the Black farmers," John Boyd, president of the National Black Farmers Association, said.

"If we miss these deadlines, we're not going to get the money and they [the government] know that."

U.S. Representative Sanford Bishop (D-GA.) introduced the "Tobacco Reduction, Accountability and Community Enhancement Act" better known as the "Tobacco 'Buyout' Bill" in 2003. According to the Georgia Second District Congressman, the measure was proposed to replace the federal tobacco quota system with a new system that financially protects tobacco growers. It will also help growers

transition from tobacco to more competitive crops.

"Approximately 12,000 of the 436,000 beneficiaries are Black. The largest buyout of these farmers is \$240,000," said Boyd, who is working to make sure that all Black farmers meet the June 17 sign-up deadline.

"[Monies] are being regulated and distributed by the USDA, so we still have to go into the same offices we've complained about for years and deal with the same people we've had problems within these offices for years. How can you expect people to have faith in the same system that has failed them for years?"

Since the early 1900s, the number of Black farmers has been falling as the nation transitioned from rural to ur-

ban communities and corporate conglomerates began buying traditional family farms. According to the watchdog organization EWG, Blacks own only one percent of all farms. The number of farms run by African-Americans went from 54,367 in 1982 to 29,090 in 2002, a trend that Boyd partly attributes to USDA discrimination.



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—Sanford Bishop, (D-GA.) U.S. Representative

A February 1997 USDA report, issued by the agency's internal Civil Rights Action Team, supports many of the Black farmers' allegations. Among other things, the report found that when minority farmers applied for loans, they were often mistreated. Investigators also discovered that the USDA failed to respond to some of the discrimination complaints filed

be taxed to compensate quota owners for losing their share.

"The so-called 'buyout' is a fair and responsible deal for everyone," Bishop said in a statement. "It is certainly not a give-away. Our bill proposes a new tobacco policy for the 21st century that is right for growers, right for the economy, and right for the health and well being of America's consumers."

EWG reports that American tobacco growers have benefited from the government quota system for over three decades. Because of the quota system, farmers had been given exclusive license to a federally controlled market for their crop. Since the government is buying out tobacco farmer's crops this year, they will no longer be allowed to grow tobacco acreage unless under contract with a specific tobacco buyer — this will hurt the profit of many Black farmers. "Anytime the real money is on the table, we either don't hear about it on time, like we did with the class action lawsuit, or we don't sign up on time, and we leave all of our assets and checks on the table," Boyd, a fourth generation tobacco farmer, said.

"Some of these tobacco farmers are set to become millionaires with this buyout. Small guys like me and the majority of other Black farmers don't get much out of it, but it's still money that we can't afford to leave on the table."

For every working farm that actually grows tobacco, there are nearly eight prospective tobacco buyout re-

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High court nixes drug dogs' case

WASHINGTON (AP) - The Supreme Court on Monday declined to consider whether police can have drug dogs sniff outside people's homes without any specific suspicion of illegal activity.

Justices let stand a lower court ruling that allowed the dog sniff, rejecting an appeal from a Houston man who said it was an improper police "search" that violated his Fourth Amendment right against arbitrary searches.

In so doing, the court declined to clarify the scope of police authority after it ruled 6-2 earlier this year that dog sniffs for drugs were OK outside a car if a motorist is lawfully stopped for a traffic violation. Justices David H. Souter and Ruth Bader Ginsburg dissented in that ruling, cautioning it could lead to much more intrusive searches.

David Gregory Smith challenged his Texas conviction for drug possession based on evidence obtained after a police dog sniffed outside his garage and alerted authorities to possible drugs inside. After the dog's alert, police obtained a search warrant and found methamphetamine in his bedroom, far from the garage.

"The use of a drug-sniffing dog at the entrance of a private home to detect the contents of the dwelling strips the citizenry of the most basic boundary of personal privacy by gathering invisible information coming from the interior of the home," the petition states.

A Texas state court ruled last year that the dog sniff outside his garage was not intrusive enough to invoke constitutional protection. It also said police did not unlawfully trespass because the garage was along a sidewalk that visitors must walk to reach the front door.

The case is Smith v. Texas, 04-874.

Defense rests in Philly corruption trial

PHILADELPHIA (AP) - Defense lawyers abruptly rested their case Monday without calling a single witness in the corruption trial of a former city treasurer charged with trading government contracts for campaign contributions.

Prosecutors had been presenting evidence since late February that former Philadelphia Treasurer Corey Kemp accepted payments from people seeking influ-

ence over city contracts, including the late Democratic fund-raiser Ronald A. White.

Defense attorneys had initially said they planned to call a list of high-profile witnesses to bolster their case, including Kemp's former boss, Philadelphia Mayor John F. Street.

The investigation became public when an FBI bug was discovered in the mayor's office.

The mayor has not been

charged in the corruption probe and has denied any wrongdoing.

Defense lawyer Lloyd G. Parry said he was confident jurors have already heard enough evidence to reject prosecutors' contention Kemp was involved in an organized conspiracy with his co-defendants, including two executives at Commerce Bank, a Detroit businessman and White's mistress.

"On the main charges, I

think the government's case is deficient," he said.

The surprise development occurred just hours after a federal judge in a different courtroom delivered a stinging setback to prosecutors in a related case.

Faridah Ali, the embattled director of a Muslim school that has been closely examined by prosecutors as part of their investigation, was sentenced to five years' probation.

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Louisiana may bar prosecution of poor clients

BATON ROUGE, La. (AP) - The state Supreme Court ruled judges can halt the prosecution of poor defendants until there is money available to pay for their defense lawyers, scolding lawmakers for not providing a system to defend the indigent.

Defense attorneys said the ruling could provoke a flurry of legal motions on behalf of poor defendants around Louisiana, which critics contend has one of the worst indigent defense systems in the nation.

"Hundreds of these cases are percolating their way up

through the system," said defense lawyer and reform advocate Jim Boren.

Louisiana's constitution requires a defense lawyer be provided to a defendant too poor to pay for one. Critics contend the state doesn't provide enough funding, and that it is not unusual for a poor defendant to spend up to nine months in jail before a lawyer is appointed.

In the ruling released late Friday, the state Supreme Court said the duty of providing a working indigent defense system falls "squarely on the shoulders of the Legislature," which hasn't come

up with a way to pay for it.

"The Legislature may be in breach of that duty," the ruling said. The decision concerned two first-degree murder cases in Calcasieu Parish, where the public defender said it had too many cases to take on two possible death-penalty trials.

The court ruled a judge should appoint a lawyer for a poor defendant when he first appears in court. The appointed lawyer may then file a motion to determine how he will be paid. If the money isn't available, the defendant may ask to have the case halted until it is, the court

ruled.

Supreme courts in other states have gone further in similar rulings, ordering charges against such defendants be dismissed, thus allowing them to be released.

Louisiana's high court noted it is "very much cognizant of the lengths to which other state courts have gone to ensure that the indigents' constitutional rights are protected, in spite of legislative inaction."

Louisiana pays some money for defense of the poor, but most comes from court costs added to some traffic fines.