

Affirmative action attacked in Michigan

By Leonard Sparks
Special to Sentinel-Voice

BALTIMORE (NNPA) - A ballot initiative to amend the Michigan constitution to ban affirmative action in public institutions has not only galvanized civil rights organizations, but has spurred a lawsuit alleging fraud in a petition drive and led a congressman to call for an IRS investigation of one of the proposal's lead sponsors.

In addition, the amendment's chief proponent, a Michigan woman who successfully challenged the University of Michigan's use of race in admissions three years ago, is being accused of misrepresenting the circumstances under which she was denied admission to the school.

The amendment, called the "Michigan Civil Rights Initiative," backed by a group by the same name, will be put before Michigan voters on Nov. 7. The MCRI was placed on the ballot after a petition drive in which

supporters submitted more than 500,000 signatures.

If passed, it would ban special consideration of race, gender, color, ethnicity or national origin in state contracting, education and employment.

Opponents see the amendment as a blatant attack on affirmative action in Michigan and say the potential casualties of the proposal include college scholarships that consider race and gender, minority retention programs, and federal and state contracts awarded to minority- and women-owned firms.

They have gone on the offensive against the proposal's chief spokespersons: Ward Connerly, who backed similar initiatives in California and Washington; and Jennifer Gratz, who prevailed against the University of Michigan in 2003 after she was denied admission to the school in 1995.

"It's huge," said Shanta Driver, a spokes-

woman for BAMN — By Any Means Necessary, a civil rights organization based in Detroit. "If we lose in Michigan, it sets a national precedent."

Along with the NAACP and a group called One United Michigan, BAMN has responded with a vigorous campaign to educate voters about the proposal, which is modeled after Proposition 209, a constitutional amendment adopted by California voters in 1996, and Initiative 200, a similar measure approved by voters in Washington in 1998.

As in those states, the engine behind the Michigan initiative is Connerly and his Sacramento, Calif.-based organization, ACRI, the American Civil Rights Institute.

According to the Michigan secretary of state's online contributions database, the American Civil Rights Coalition, an affiliate of ACRI, contributed more than \$750,000 in cash and in-kind donations to the Michigan campaign between April 2004 and January 2005.

"It's really outrageous," Driver said. "It's such an affront to democracy to be able to have such important fundamental questions about civil rights bought and paid for."

Also leading the fight against affirmative action in Michigan is Jennifer Gratz, executive director of MCRI.

It was Gratz's lawsuit against the University of Michigan that led to the U.S. Supreme Court decision that invalidated a freshman admissions policy at the University of Michigan in which Blacks, Hispanics and American Indians were automatically awarded 20 of the 100 points needed to guarantee admission.

On the same day, however, the court ruled in a separate case that the university's law school could still "consider" race as part of its criteria in making admissions decisions.

David Waymire, a spokesman for One United Michigan, said the second decision was part of the reason Connerly brought his efforts to Michigan.

"Ward Connerly has said that if he succeeds here, he's going on to the rest of the

country," Waymire said. "Michigan is a bellwether. He has said it, and we believe it. If we stop him here, he will be toast."

In June, a number of plaintiffs, including BAMN and Detroit Mayor Kwame Kilpatrick, sued MCRI in federal court, alleging widespread fraud during its petition drive and violations of the Voting Rights Act.

Although the drive netted more than 500,000 signatures, BAMN said a high number of minorities signed the petition because they were deceived about its intent. Of 500 signatures BAMN examined, Driver said, 87 were by Black voters.

"Not a single one of them had signed the petition knowing it was to end affirmative action," she said. "It was deception on such a massive scale that there was no way they collected enough signatures to get that on the ballot."

That claim was supported by the Michigan Civil Rights Commission, which said it found "evidence of shameful acts of deception and misrepresentation by paid agents of the Michigan Civil Rights Initiative."

Although U.S. District Court Judge Arthur J. Tarnow denied the plaintiffs' request to keep the Proposal 2 off the ballot, Tarnow's opinion concluded that "MCRI and its circulators engaged in a pattern of voter fraud by deceiving voters into believing that the petition supported affirmative action."

The opinion included testimony from witnesses who say circulators told them they were signing a petition to "end racism" or "to help Black kids get into college."

One witness hired to gather signatures told the court that he was trained to tell people that the petition was "pro-civil rights and pro-affirmative action."

"It is incredible," Driver said. "If it was any other issue, on any other subject other than race, it would have been kept off the ballot."

Two months after the suit was filed against MCRI, U.S. Rep. John Conyers Jr. (D-Mich.) sent a letter to the Internal Revenue Service (See Affirmative action, Page 12)

Medical center's plan under tough scrutiny

By Gene C. Johnson Jr.
Special to Sentinel-Voice

LOS ANGELES (NNPA) - The move to salvage King-Drew Medical Center by turning some of its services and management over to county Harbor-UCLA Medical Center would set the area it serves back 40 years, said a local activist.

Tim Watkins, president and CEO of the Watts Labor Action Committee, said: "The King Hospital was put there as a result of what was going on 40 years ago [the 1965 Watts Riots] and the utter lack of accessibility to comprehensive medical services. And I think the public was duped. This wasn't a march to Harbor [UCLA Medical Center]. This was a march to privatization."

"[The hospital] is a prime piece of real estate," Watkins said. "It's the essence of what massive development is. We're back to going out of the community for services and that was the reason why King was [built] here."

On the other hand, said Woody Fleming, another area activist and a member of the Watts Neighborhood Council, the residents in the area "need every break they can get."

"Looking at the alternatives, that's good that it did happen," Fleming said. "We certainly need a hospital to stay in that community. The less hassles for them, the better off they'll be. The people in Watts deserve every break they can get."

In an effort to keep the Martin Luther King Jr.-Drew Medical Center open, the

county Board of Supervisors adopted a plan last week placing the troubled institution under the control of Harbor-UCLA Medical Center.

The supervisors decided to keep the hospital open, in spite of failing a federal inspection that cost the hospital \$200 million a year in federal funding, more than half its \$380 million annual budget. The hospital's provider agreement with the federal government ends Nov. 30.

The county Department of Health Services will return to the board in two weeks with a detailed plan for the transition and will submit a proposal to federal and state regulators, according to Michael Wilson, a spokesperson for the health department.

The proposal, one of three options outlined to the board by Dr. Bruce Chernof, director and chief medical officer for the department, calls for a smaller, simpler community hospital with combined delivery of some health services with Harbor-UCLA and essential emergency care retained at both locations.

Health department officials say they believe the plan will offer a "roadmap" to enhance the quality of community health care and resolve issues concerning the hospital's federal funding.

The U.S. Centers for Medicare and Medicaid Services, the agency that conducted the recent inspection, mandated a radical reorganization at King-Drew in order to consider any restoration of funding.

"The department is fo-

cused on maintaining critical services onsite that meet the community needs, the national standards and the conditions of [the Centers for Medicare and Medicaid Services]," Chernof said. "We understand the special place the hospital holds in the community, and we'll do our utmost to make the transition in a way that maintains its heart and soul."

The new Harbor-Martin Luther King Jr. Community Hospital would maintain inpatient services, intensive and critical care units, a 24-hour emergency department, (See Hospital, Page 4)

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