OUR VIEW

Talk Loud

If you haven't heard, Clark County officials will hold hearings on reforming the controversial coroner's inquest process from 3 to 4:30 p.m. next Wednesday and from 6 to 7:30 p.m., Thursday, Jan. 11, in the first-floor County Commission Chambers at the Clark County Government Center, 500 Grand Central Parkway. Since the summer, a large working group that included the local branch of the National Association for the Advancement of Colored People, met and hammered out ideas to improve the process, which has come under fire for clearing all but one officer of criminal wrongdoing in more than 30 years. Three recommendations are on the table. To:

- Replace hearing masters, who oversee the proceedings, with justices of the peace.
- Replace representatives of the District Attorney's Office, who currently are the chief questioners during coroner's inquests, with lawyers from the state attorney general's office.
- Allow relatives of shooting victims, who are currently allowed to submit questions in writing, to ask questions in open court. Those questions would considered by the hearing master, who would determine whether they are relevant.

While this isn't a bad start, it doesn't go far enough. Which is why everyone who can be at these meetings should be there because, whether you know it or not, the coroner's inquest has the potential to affect you. Of the more than two dozen cases of officer-involved fatalities and use of force in 2006, the inquest absolved 17 cops of criminal misconduct. This is important because, through chance or circumstance, you could've ended up on the wrong side of a cop's bullet. And still could. The sheriff has admitted in published reports that his officers were probably antsy after a man suspected of domestic violence gunned down a cop in February.

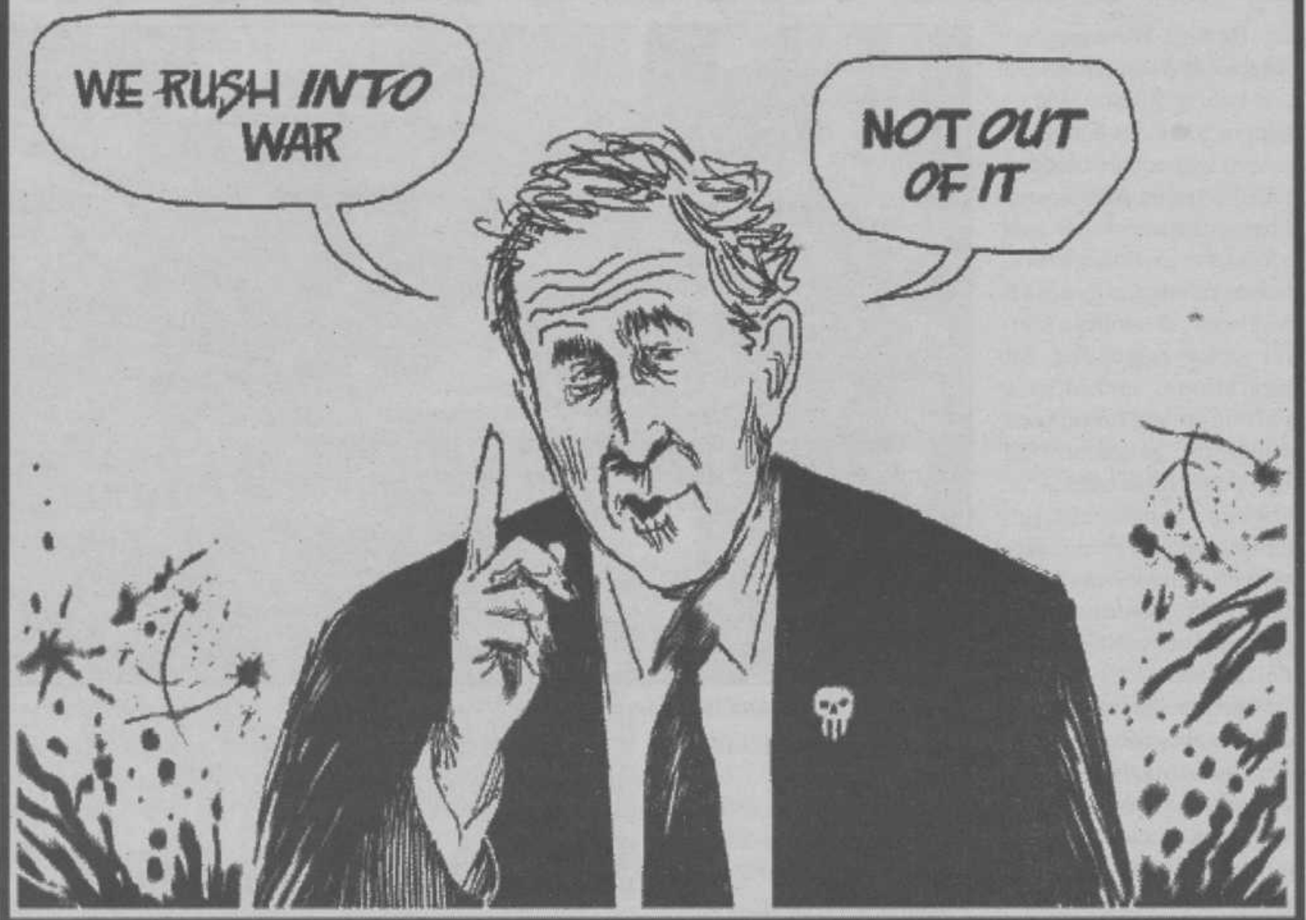
Now, there are times where cops must use lethal force to protect the public and themselves. There were also times last year when, it appeared, cops could've employed nonlethal force to accomplish the same objective. In cases of emergency, you want cops to not be handicapped or rendered ineffectual by overthinking and being too cautious. And you want laws and ordinances that protect them from being targeted by people with unscrupulous aims. But such a system of trust only works if the mechanism by which cops' actions are judged is reputable. The coroner's inquest, as it's run today, isn't reputable.

The system is described as a non-adversarial, which should tell you that its objective isn't finding truth and clarity. The nature of the incidents leading to an inquest are, generally, adversarial: cops use force (sometimes lethal) against a suspect in order to protect themselves, the suspect(s) and/or the public. So, to the rational mind, it shouldn't make sense that the process by which an officer's actions are evaluated is not adversarial.

In a civilian case involving a loss of life, particularly a fatal shooting, there's likely to be a trial—probably a criminal trial. During that trial, the full measure of the judicial system will likely be brought to bear in proceedings that are, by and large, are adversarial. One side will try to paint the other in a negative light. Lawyers for the plaintiff might denigrate the defendant(s). Defendant's counsel might place blame on the plaintiff. Battle lines will be drawn and the full measure of each legal team's resources will be exercised. The results may not be pretty or mutually edifying, but they're probably closer to the truth than if there were no trial or the trial was amiable.

The coroner's inquest flips that scenario on its head. There's no trial aspect—no discovery, cross examinations, etc. It's simply a cop-said story. Members of the deceased's family can ask questions but, since it's unlikely that any of them are lawyers, the effect is minimal. Why not have real lawyers for the deceased's family query the cops? Why not create a trial? The inquest doesn't have to be the finder of fact as it relates to criminal guilt, but it shouldn't be a walk-through for cops.

We need to show up en masse next week and demand a process fair to both sides. Our lives could depend on it.



Ford a Ford, not a Lincoln

By George E. Curry
Special to Sentinel-Voice

Upon assuming the vice presidency in 1973, Gerald R. Ford warned, "I am a Ford, not a Lincoln." What he didn't say was that he was a Taurus, a model the automaker has discontinued as of this year.

The Gerald Ford-model has already been discontinued by the Republican Party and that's to their detriment. That was evident in the outpouring of affection for the 38th president. Instead of Gerald Fords, moderates willing to put the nation's interests ahead of partisan politics, the GOP is controlled by far-right conservatives.

It's interesting and didactic to look at how President Bush and former President Ford approached the issue of affirmative action.

On Jan. 15, 2003, which would have been Dr. Martin Luther King's 74th birthday, Bush announced his opposition to two University of Michigan affirmative action cases headed for the U.S. Supreme Court. Bush mischaracterized the two programs, including the law school admissions process eventually upheld by the court, as "quota" programs that gave African-Americans an advantage solely because of their race. Bush neglected to point out that at the same program he was criticizing was open to poor Whites and that an equal number of points given under the program were automatically awarded to scholarship athletes and persons handpicked by one of the university's top administrators.

GEORGE E. CURRY

Gerald Ford could have ignored the firestorm growing around the programs at his alma mater but he didn't. Instead, he wrote a letter to The *New York Times* making a passionate case for race- and gender-conscious remedies.

"At its core, affirmative action should try to offset past injustices by fashioning a campus population more truly reflective of modern America and our hopes for the future," Ford wrote. "Unfortunately, a pair of lawsuits brought against my alma mater pose a threat to such diversity. Not content to oppose formal quotas, plaintiffs suing the University of Michigan would prohibit that and other universities from even considering race as one of many factors weighed by admission counselors."

He continued, "So drastic a ban would scuttle Michigan's current system, one that takes into account nearly a dozen elements — race, economic standing, geographic origin, athletic, artistic achievement among them — to create the finest educational environment for all students.

"This eminently reasonable approach, as thoughtful as it is fair, has produced a student body with a significant minority component whose record of academic success is outstanding."

Ford's racial sensitivity did not begin when he became a public servant.

"Thirty years before Selma, I was a University of Michigan senior, preparing with my Wolverine teammates for a football game against visiting Georgia Tech," he wrote in The *New York Times* column. "Among the best players on that year's Michigan squad was Willis Ward, a close friend of whom the Southern school reputedly wanted dropped from our roster because he was Black. My classmates were just as adamant that he should take the field. In the end, Willis decided on his own not to play."

On his own, Ford decided that he would not play in the game. Willis and Ford's stepfather prevailed on Ford to play and he acquiesced. But he never forgot that experience.

"I have often wondered how different the world might have been in the 1940s, 50s and 60s — how much more humane and just — if my generation had experienced a more representative sampling of the American family," he wrote.

(See Curry, Page 9)

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