

# 'Sagging' law unconstitutional

## Florida statute had criminalized wearing baggy pants

By Nisa Islam Muhammad  
Special to Sentinel-Voice

(NNPA) — Palm Beach Circuit Judge Paul Moyle recently ruled that a "sagging pants" ordinance in Riviera Beach, Fla., was unconstitutional after a 17-year-old was arrested and held overnight in jail.

"We're not talking about exposure of buttocks. No! We're talking about someone who has on pants whose underwear are apparently visible to a police officer who then makes an arrest and the basis is he's then held overnight, no bond," said Judge Moyle.

Supporters of an ordinance outlawing "sagging pants" gathered 5,000 signatures last March to put a proposed ban to a vote. It passed.

"The ordinance was overwhelmingly passed by the citizens," said Francis Muhammad, Nation of Islam student study group leader in nearby West Palm Beach. "That city is 80 percent Black and the people were just tired of seeing it. The elders and most of the homeowners were just tired of seeing it."

While many cities around the country are enacting ordinances and laws against the widely popular style of dress called "sagging" or "baggy pants," Riviera Beach, Fla., had the distinction of being

the first city to arrest someone for the offense and have the law ruled unconstitutional.

With 11 arrests to date, eyes are on Riviera Beach to see what will happen next.

Prior to the judge's ruling, according to the law, anyone whose pants were so low that skin or underwear could be seen faced legal action. The first offense carried a \$150 fine or community service. Repeat offenders could have been sentenced to as many as 60 days in jail.

In Flint, Mich., Chief of Police David Dicks had a similar negative sentiment about the low pants fashion statement. He announced in June that his officers would start arresting people wearing sagging pants that expose "skivvies, boxer shorts or bare bottoms," according to media reports.

Asked if he was concerned about the Florida ruling, Chief Dicks told reporters that officers will keep making arrests, "if the pants are at the knees and your underwear is exposed."

"That is disorderly," Chief Dicks said. "We're not going to sit here and let that happen in Flint."

"Some people call it a fad," Chief Dicks told the *Detroit Free Press* last summer while patrolling the

streets of Flint. "But I believe it's a national nuisance. It is indecent and thus it is indecent exposure, which has been on the books for years."

Last summer, the chief said the crime was disorderly conduct or indecent exposure, misdemeanors punishable by 93 days to a year in jail and/or fines up to \$500.

Chief Dicks, 41, offered an interpretation of the laws: Pants pulled completely below the buttocks with underwear showing is disorderly conduct; saggy pants with skin of the buttocks showing is indecent exposure, and saggy pants, not completely below the buttocks with underwear exposed would merit a warning.

Greg Gibbs, lawyer and chair of the ACLU Flint chapter, agreed with the Florida judge's ruling. "You can't arrest people because of their style of dress," he said.

"We are concerned that the enforcement of the chief's memo may lead to some constitutional violations on a case-by-case basis due to the failure of his memo to define what constitutes indecent exposure," he told reporters. Many also fear the policy could mean targeting of Black youth.

"This is not a Black issue. This is an issue that's all walks of life," said Chief

Dicks, who is Black. "Many people from different ethnic backgrounds and races are doing this fad."

Earlier this year the Department of Justice announced it had reached a settlement resolving allegations of racial discrimination against the owner of Kokoamos Island Bar, Grill and Yacht Club in Virginia Beach.

Kokoamos at one point banned patrons who wore braids, twists, cornrows, or dreadlocks, excessively baggy pants and Timberland boots.

After complaints of discrimination became public, local station WAVY-TV aired a news report in which two persons wearing the prohibited boots and loose-fitting pants tried to enter the club. One was Black and the other Caucasian. The Caucasian was allowed in, but not the Black patron.

Several places have enacted baggy pants bans including localities in Georgia, Louisiana, New Jersey and Illinois. Penalties range from fines or warnings to jail time. Others communities are considering sagging pants bans. Bans have been rejected in Natchitoches, La.; Stratford, Conn.; and Pine Bluff, Ark.

Nisa Islam Muhammad writes for the *Final Call*.

## Fight

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forcing referee Benji Esteves to dive between them.

Hopkins then walked over to the television cameras and glared, wondering how so many had predicted that Pavlik would knock him out for the first time in his career.

In hindsight, it's a wonder Pavlik was still standing at the end.

Hopkins praised Pavlik after the fight.

"I was a fan of yours before the fight and I am a fan of yours now," Hopkins told Pavlik in the corner. "You just need to get a little more slickness. You need to bend your knees more like your coach was telling you. Middleweight is your destiny."

## Survey

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and financial services firm, said it was encouraging that 90 percent of Black respondents contribute regularly to their defined contribution plans.

Today's turbulent market environment, she said, is an important time for employers to provide their workers with retirement-related information.

"Employers have an opportunity to make a real difference," she said. "There's a high desire to have more information."

## LEGAL NOTICES

### REGIONAL TRANSPORTATION COMMISSION INVITATION TO BID NO. 09-008 CUSTODIAL SERVICES

**Scope of Work:** Custodial Services for 5 Locations: South Strip Transfer Terminal, IBMF South Strip Transfer Terminal, IBMF Vault/Probe Building, IBMF FR Maintenance Farebox Shop, Tompkins Vault/Probe Building and Tompkins Farebox Shop

**Pre-Bid Conference:** Will be held on October 30, 2008 at 10:00, at the South Strip Transfer Terminal, 6775 Gilesple Road, Las Vegas, Nevada 89119. The purpose of this conference is to discuss the specifications. A site walk-through of all the locations will immediately follow the Pre-Bid Conference.

**Bid Opening:** All Bids must be received by November 13, 2008 at 3:00 at the Regional Transportation Commission, 600 South Grand Central Parkway, Las Vegas, Nevada 89106, 1st floor reception desk. Bids must be time-stamped no later than 3:00 p.m. Bids will be publicly opened immediately thereafter in Room 108. Bids time-stamped after that date and time will not be considered in the award and will be returned to the Bidder.

Solicitation Documents may be obtained October 24, 2008 at the Regional Transportation Commission, 600 South Grand Central Parkway, Las Vegas, Nevada 89106, 1st floor reception desk or by e-mailing a request to [hauht@rtcnsnv.com](mailto:hauht@rtcnsnv.com).

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# Entity to turn sugarcane into energy

Special to Sentinel-Voice  
NEW ORLEANS

(NNPA) - Raceland Raw Sugar of Raceland, La. has received a \$1.48 million federal grant to process waste from sugarcane into energy to power cars and heat and cool homes.

According to Raceland Raw Sugar which is matching the federal dollars with \$1.9 million of its own funds, the project using the waste biomass from sugar cane production that would otherwise be burned in the fields to produce advanced biofuels or electricity is in its first phase.

"The owners of the company have for the past several years investigated different technologies to add value to the feedstock materials supplied by the local farmers. These ventures will allow the farmers to share in profits and increase revenues at a time of very high production costs," said Dan

Duplantis, Sr., Raceland's Executive Vice President.

Neville Dolan, Raceland's plant manager, says he expects that the company will be ready to produce "briquettes" of sugarcane waste for use as energy by next year. Briquettes can be burned in a biomass boiler to make electricity, or it can be converted in a gasifier and be turned into ethanol. Collecting the sugarcane biomass from scattered locations and processing it into a form suitable for alternative fuels has been the major challenge to production. However, the Raceland process overcomes these logistical problems with utilizing biofuels.

"The company's innovation will demonstrate to the world that sugarcane biomass is both a viable fuel for the future and an economic benefit the surrounding community," U.S. Senator Mary L. Landrieu, D-La., said.

Landrieu was instrumen-

tal in securing the federal grant for Raceland Raw Sugar.

"Louisiana is already the leader in U.S. domestic energy production of oil and gas." Now said Landrieu, "Louisiana sugar farmers will greatly benefit from this

project because they will be able to make a profit from the sugarcane's fiber — not just sugar and molasses. The American people will benefit from a homegrown fuel that is cleaner and more efficient than gasoline or conventional corn ethanol."

## EMPLOYMENT



The Regional Transportation Commission of Southern Nevada is currently recruiting for the following positions:  
**Accounting Technician**

For complete details and to apply on-line please visit

[www.rtcnsnv.com](http://www.rtcnsnv.com)

RTC is an Equal Opportunity/Affirmative Action Employer



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PHONE (702) 922-1550 • FAX (702) 922-1626

### ASPHALT PAVING — HAMPTON COURT INVITATION FOR BIDS (IFB) IFB# 8284-0062

The Housing Authority of the County of Clark (HACC) is requesting sealed bids from qualified and experienced companies and/or individuals to provide asphalt paving of the existing parking lot at the HACC Hampton Court development located at 1030 Center Street, NV 89015. Bidders to the IFB must have documented experience of comparable work similar to the property listed above. Minority- and women-owned businesses are encouraged to respond.

A Pre-Bid Conference will be held on **October 27, 2008 at 2:30 P.M.** at Housing Authority of Clark County, 5390 E. Flamingo Road, Las Vegas, NV. Bidder can only walk the job-site immediately following the meeting. Sealed responses to this IFB will be received by HACC until **2:00 P.M.** local time on **November 10, 2008**. No late bids will be accepted.

A pre-bid conference meeting will be held on **March 21, 2008 at 9:00 AM** in the HACC Board Room. Site visits may be arranged at this conference.

All IFB documents are available on the HACC website at [www.haccnv.org](http://www.haccnv.org) in Portable Document Format (PDF). Any questions regarding this IFB must be directed to: Wanda L. Beckett, Contracts Administrator (702) 451-8041 x 1424 or Email: [wbeckett@haccnv.org](mailto:wbeckett@haccnv.org).

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