

The board of the Associated Press Managing Editors ratified the list of initiatives. ASNE's goal is for newsrooms to reflect the racial and ethnic makeup of the general population by 2025.

"You can't sell newspapers to people if you don't reflect their communities," said N. Christian Anderson, publisher of the Orange County Register and incoming ASNE president. "It's a simple business equation, as well as the right thing to do."

COURT: WITNESSES HAVE TROUBLES
IDENTIFYING MEMBERS OF OTHER RACES

(By Thomas Martello)

TRENTON, NJ (AP)—The New Jersey Supreme Court has ruled that juries in some mixed-race criminal cases should be told that witnesses have a tougher time identifying defendants of another race.

Prosecutors had argued there isn't enough scientific evidence to prove witnesses have more difficulty identifying members of another race.

But the court rejected the argument Wednesday, saying there have been ample studies and that most jurisdictions accept the concept.

"Indeed some courtroom observers have commented that the ordinary person's difficulty of 'cross-racial recognition' is so commonplace as to be the subject of both cliché and joke: 'they all look alike,'" the court wrote.

The court ordered a new trial in the rape case of a white Rutgers University student who identified a black man, McKinley Cromedy, as her attacker. The court said the jury should have been given a "cross racial instruction" alerting jurors to pay close attention to the possible influence of race in identifying defendants.

The woman had not recognized a photograph of Cromedy that she was shown a few days after the rape. However, she alerted police eight months later when she spotted Cromedy on a street corner. She identified him as the rapist after he had been taken into custody.

No forensic evidence was admitted during the trial. Court documents said it was not possible to link Cromedy to the rape through blood and sperm samples, and no fingerprints were taken by police at the scene.

The trial court did not allow the jury to be advised that "cross racial identification" could affect the victim's ability to identify her assailant, a decision upheld by an appeals court and overturned this week.

"It's an important decision," said Sylvia Orenstein, who argued the case on behalf of Cromedy. "Science has shown, unfortunately, that most people tend to better recognize people of their own race. This is another factor a jury should be alerted to consider."

The court said a cross-racial instruction to juries should only be given when identification is critical to the case, and there are no other eyewitnesses to back up the victim's charges.

POLICE BRUTALITY AND RACIAL PROFILING:
FACTS ARE SCARCE
(By Paul Shepard)

WASHINGTON (AP)—In Boston, cries of police brutality are relatively rare. A beefed-up internal affairs division seems to be working, experts say.

In New York, on the other hand, anyone who has ever heard of black immigrants Abner Louima and Amadou Diallo knows the nation's largest city has a problem when race and policing converge.

But whether these cities have the best and worst records in policing their police—or

whether police brutality is on the rise in American cities—is difficult to say authoritatively.

No government agency keeps track, and few police departments collect information based on race.

The question has taken on crucial dimensions. Police shootings have taken the lives of blacks in Pittsburgh and Riverside, Calif. In New Jersey, Maryland and Florida, state troopers have come under fire for conducting traffic stops based on a driver's race—so-called racial profiling.

A picture can be cobbled together from hearsay and anecdotes but the lack of hard statistics riles civil rights advocates who believe black and brown people are more likely to end up unjustly facing a policeman's gun or billy club than whites.

"This is frustrating to me in large part because white America has refused to acknowledge a problem exists," said Rep. Gregory W. Meeks, D-N.Y. "Now in 1999, we are seeing some of the same police brutality we saw in the Jim Crow days, but white America just doesn't get it."

Meeks, said the Congressional Black Caucus task force on police brutality, which he co-chairs, plans hearings in several cities, including Baltimore, Chicago and Dallas.

"At least it will be a starting point," said Meeks, a former prosecutor.

Said Ron Daniels, head of the Center for Constitutional Rights, a New York-based civil rights group, "We know we have a bad problem out there. We just don't know exactly how bad."

"Anywhere I've gone in this country, 15 minutes into the conversation we are talking about some police brutality," Daniels said. He organized a national anti-police brutality march in Washington in early April after four officers from New York's elite street crimes unit fired 41 shots at Diallo, an unarmed West African immigrant, hitting him 19 times. The officers have been charged with second-degree murder.

For years, civil rights groups have urged the Justice Department to collect nationwide data on excessive force cases. The collection of data was authorized by the 1994 Crime Act but not funded.

"So far we only have anecdotal information," said NAACP President Kweisi Mfume.

On Wednesday, Rep. John Conyers, D-Mich., reintroduced a bill requiring the Justice Department to collect data on traffic stops by local police. "Stopping our citizens to be searched on account of their race is an unacceptable activity on the part of law enforcement," he said.

A bill before the Massachusetts Legislature would require the state attorney general to study the number of people stopped for routine traffic violations, their race or ethnicity, age, along with why they were stopped, if there was a search and whether an arrest was made.

San Diego requires that police record of race of people they stop in order to assess whether officers rely on racial profiling in making traffic stops. Some of the 35 police chiefs and activists who met with Attorney General Janet Reno last week discussed adopting such a plan elsewhere.

But, generally, police officials are wary. "If passed into law, the (Conyers) bill would place a burden on the police and lengthen traffic stops," said Robert Scully, executive director of the National Association of Police Organizations, which represent 4,000 police unions and associations. He said officers are vulnerable to attack during such stops and pausing to collect data "would make a dangerous situation worse."

"It's ironic that in the quest for a color-blind society, some people want us to keep track of people by race," said Jim Pasco, ex-

ecutive director of the Fraternal Order of Police, the nation's largest police labor organization, with 277,000 members. "We're opposed to any kind of racial tabulation," he said, opposing proposals to accumulate data on police brutality cases.

Pasco said that police brutality hasn't been increasing. He notes the number of federal prosecutions of abusive cops has stayed at about 30 a year while the number of officers has sharply increased.

Available information hints that along with Boston, the police departments of Minneapolis and San Francisco have done the best jobs in curbing such abuses, according to a study last year of 14 cities by Human Rights Watch, an international human rights organization.

New York, Washington, D.C., and New Orleans appear to have the most serious problems of abusive officers on their forces, according to the report.

Los Angeles, where the Rodney King police beating led to riots, was judged to be "slowly on the mend."

Allyson Collins, the report's author, said the FBI, U.S. attorneys and Justice Department all have some information that could shed light.

"Bits and pieces of information are scattered everywhere," Collins said. "It's not a priority until we get some high-profile case that gets everyone talking and then the public is lulled back to sleep on the topic."

INTRODUCTION OF H.R. 1625—THE
HUMAN RIGHTS INFORMATION ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1999

Mr. LANTOS. Mr. Speaker, recently I introduced in the House The Human Rights Information Act (H.R. 1625), and joining me as the principal cosponsor of this bill was Congresswoman CONNIE MORELLA, our distinguished Republican Colleague from the State of Maryland. Our legislation has already found strong bipartisan support with over 50 of our distinguished colleagues joining as original cosponsors of this bill. These men and women are leading voices in the defense of human rights throughout the world, and recently many of them joined me at a press conference announcing the introduction of this legislation.

Mr. Speaker, this legislation is similar to legislation which I introduced in the last Congress with the cosponsorship of Congresswoman MORELLA. Our bill—H.R. 2635 of the 105th Congress—was considered and favorably reported by the Subcommittee on Government Management, Information, and Technology of the Committee on Government Reform in the last Congress. I want to commend our colleague, Congressman STEPHEN HORN, who chairs that Subcommittee, for his thoughtful consideration of the legislation last year. I also want to thank Congressman DENNIS KUCINICH, who served as Ranking Democratic Member of the Subcommittee in the last Congress, for his help in the consideration of the legislation last year.

Mr. Speaker, three simple principles are at the heart of the Human Rights Information Act.

First, it is a fundamental obligation of our government to support and protect human rights and democracy. This principle is central to our democratic system of government. The constitutional codification of our commitment

to human rights, our Bill of Rights, not only has domestic implications for Americans, but it also has inspired and encouraged countries around the world in their own quest for freedom, democracy, and human rights. Successive American Administrations have recognized our nation's strong national commitment to human rights as a guiding principle and as one of the highest obligations of our nation's foreign policy. The United States has freely accepted our obligation to protect human rights under international law by signing and ratifying various international human rights treaties and covenants. It is also fundamental to any democratic system of government that the public be fully informed about policies directly affecting these most fundamental rights in order for the people to make meaningful decisions with regard to their government and to participate fully in the democratic process. The timely declassification of documents pertaining to human rights violations abroad, therefore, ought to be a paramount obligation of any U.S. government agency.

Second, our nation's commitment to the promotion and protection of human rights and democracy around the world has led us to make tremendous diplomatic, economic, and military efforts to end systematic human rights violations abroad. The United States government's efforts are supported by numerous American and foreign non-governmental organizations (NGOs) in the promotion of human rights and democracy. These efforts would be in vain if we do not do all we can to uncover and legally prosecute those who commit human rights abuses with impunity. Only full investigation of human rights abuses in these areas can really bring about the full accountability needed to develop respect for human rights and to rebuild a peaceful and reconciled civil society after civil conflict.

Third, democracy and human rights can flourish only where information is fully available, and information is essential to the rule of law. Without information and the rule of law, we will see human rights violations and the erosion of democracy. Even in countries where progress has been made, there is danger of regression if full information and the rule of law are not scrupulously enforced.

A country currently facing this danger is Guatemala. As my colleagues may know, just a few weeks ago, three gunmen entered the house of Ronald Ochaeta, the director of the Catholic Church's human rights office. They put a gun to the head of his 4-year old son and left a box with bricks behind. The bricks are an allusion to the assassination of Bishop Gerardi a year ago, who was killed by a brick only days after the Bishop issued his report on human rights violations during the period of the Guatemalan Civil War. The investigation of the Bishop's death has not yet produced any results. In Guatemala recently, President Clinton gave his word that the United States will never forget its obligation to those people whose lives have been affected by our policies, and who are now rightfully seeking the most basic of all information which was not included in the recently released report by the Guatemalan Truth Commission—What happened to their relatives and loved ones, where are their bodies, and which individuals were responsible for the disappearances and deaths?

Mr. Speaker, let me briefly outline the provisions of H.R. 1625:

Our bill specifies that 120 days after enactment of the legislation, each U.S. government

agency shall identify, review and organize all records and documents relating to human rights abuses in Guatemala and Honduras after 1944. The provisions of the legislation would also apply to human rights violations in other areas of the world, but because of the particularly serious problems of Guatemala and Honduras and the reconciliation efforts currently under way there, these two countries these are given particular focus in the bill.

The legislation would apply the declassification procedures of the previously enacted JFK Assassination Records Act to human rights records. This will assure that legitimate National Security concerns are protected, but at the same time it will also assure that human rights documents are given special priority. In order to assure that records are not withheld for trivial reasons, those records which agencies seek to withhold would be reviewed by the Interagency Security Classification Appeals Panel (an organization which was established by Presidential Executive Order 12958) or any entity subsequently established which fulfills the same functions of the Appeals Panel. Our legislation would add two new members to the Appeals Panel (or the entity that replaces it). These two positions would be filled by the President with human rights experts who meet the security requirements for membership on the panel. The President would be required to invite recommendations for these positions from the human rights community.

Mr. Speaker, our legislation is an effort to assure that human rights records and documents—which are essential for the identification and prosecution of individuals involved in gross human rights abuses—are made available to other countries in their pursuit and punishment of human rights violators. At the same time the legislation recognizes and carefully balances the national security and intelligence needs of the United States.

I invite our colleagues in the House to join as cosponsors of this important piece of legislation.

THE TAX FAIRNESS FOR THE STATES ACT OF 1999

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1999

Mr. VISCLOSKEY. Mr. Speaker, I rise today in support of bipartisan legislation that I am introducing with Representatives ISTOOK, SANDLIN, LAHOOD, and 17 of my colleagues. The Tax Fairness for the States Act of 1999 will restore millions of dollars of lost revenue for the states, and establish an incentive program for those Native Americans who play by the rules.

The Supreme Court has continuously upheld the states' power to levy taxes on non-tribal members within Native American Tribal Trust Lands. The problem that remains, however, is the mechanism to collect these taxes. Our bipartisan measure would solve this problem.

The Tax Fairness for the States Act would authorize the Secretary of the Interior to promulgate rules to remove those Native Americans lands from the Tribal Trust on which a retail establishment exists that is not collecting

the proper state excise taxes. This is not a discriminatory piece of tax legislation aimed at harming Native Americans. Rather, it focuses on the collection of excise taxes that, according to the Supreme Court, should have been collected in the first place. This legislation does not affect transactions between tribal members; it would only impact those retail establishments that are not collecting and passing on these legal taxes on non-tribal members.

The Tax Fairness Act would protect the rights of Native Americans by requiring the Secretary of the Interior to promptly notify any tribe that is under investigation for not forwarding applicable state taxes and gives them a chance to respond. This notification would set out the time and manner in which a tribe has to answer the allegations, including a 90-day comment period in which interested parties could submit statements and request a formal hearing before the Department of the Interior. These important provisions will ensure due process for all tribal members.

Furthermore, our legislation contains incentives for tribes who operate establishments in accordance with the law. The Tax Fairness bill awards Native Americans who play by the rules by giving priority among Native American tribes competing for federal grants to those tribes that can certify their compliance with state law.

This measure ensures equity in the process of state taxation. This is not about Native American sovereignty, nor is it about discrimination. This measure will give back the hundreds of millions of dollars that states lose annually because these taxes are not collected. Support this measure, support tax equity for the states.

IN SUPPORT OF NATIONAL POLICE WEEK

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 13, 1999

Mr. QUINN. Mr. Speaker, I am honored to rise today on the floor of this House in recognition of National Police Week, which began May 9 and will run through May 15.

As you know, in 1962, President John F. Kennedy signed Public Law 87-726, designating May 15 as Peace Officers' Memorial Day, and the week in which it falls as National Police Week.

During this week, we not only pay tribute to the brave men and women who have given their lives in service to our community, but we show our unending gratitude to the police officers who daily risk their lives for our protection.

It is important that we all know and understand the problems, duties and responsibilities of our police department, and that members of our police department recognize their duty to safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression.

Mr. Speaker, I rise today to call upon all citizens of Western New York and the Nation, and upon all patriotic, civic, and educational organizations to observe this week as National Police Week, and join in commemoration of