

VOICES
21 April 2009

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“As a Black man living in the United States, I am no stranger to racial discrimination. As a young boy growing up, I faced name calling at school by White students, as well as violence and threats of violence

Scott to sign. Scott had not signed it, and I told the officer that we did not consent to him searching anything and that my understanding of the law was that he could not search our car unless he was arresting Scott and was making a search incident to that arrest. The officer informed me that such searches were routine, that he had never had any problems before with people refusing consent, and that “if we had nothing to hide, then what was the problem.” I responded that we had a right not to be searched and that this is not a police state. My uncle told the officer that he was not going to allow him to search all of our things out there in the rain. I asked the officer what justification he had for this

told that if we did not cooperate, “we could not get through this.” We got out of the car.

The four of us stood outside in the rain while Brown slowly and thoroughly took his German Shepherd around the Cadillac. The dog sniffed everything, but it never barked or did anything unusual. Several cars passed us along the highway during this time. When they were finished, we were told that we could get back inside the car.

So there we were. Standing outside the car in the rain, lined up along the road, with police lights flashing, officers standing guard, and a German Shepard jumping on top of, underneath, and sniffing every inch of our vehicle. We were criminal suspects; yet we were just trying to use the interstate highway to travel from our homes to a funeral and back again. It is hard to describe the frustration and pain you feel when people presume you to be guilty for no good reason and you know that you are innocent. I particularly remember a car driving past with two young White children in the back seat, noses pressed against the the lUâ 1

We decided to take legal action, and we were fortunate to obtain the services of attorneys who took our case without cost. Once we began the legal process, one of the first documents we received from the Maryland

3. Train all new and previously hired troopers on the contents of the new policy.
4. Maintain computer records of all traffic stops in which a consent to search is given by a motorist or a motorist is searched with a drug sniffing dog. Information

We were therefore forced to seek further court action against the MSP, because the data showed a serious violation of the Settlement Agreement. Indeed, we believe that the subsequent events have shown that while the MSP had issued a policy statement on paper, they had done little or nothing to enforce it. Thus, 1998, we had

all complaints of racial profiling, we have learned that almost 100 such official complaints have been filed since 2003, but the MSP has never found a single one of those complaint to be sustained. Thus, the MSP has never found one of its officers guilty of racial profiling.

We have responded by suing the MSP for disclosure of all the records of those investigations, because they have refused to allow the public to see whether and how they undertake these investigations. The case is on appeal, and will be heard by the court in less than two weeks, on May 11.

Thus, 16 years after that traffic stop in Maryland, the struggle continues. And I still ask myself how