

# Race Issue Rattles Celebrity Haven

*The New York Times*

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Published: April 23, 1996

**BEVERLY HILLS, Calif., April 22** — One summer afternoon in 1994, Richard Hill was on his way to pick up his wife at a doctor's office here when his car was stopped by two white police officers. Guns drawn, they frisked and interrogated Mr. Hill, who is black. Then, without provocation, he says, one of the officers grabbed him by the genitals and squeezed hard enough to send him to a hospital emergency room for treatment.

"I asked this guy, 'Why did you do that?' " Mr. Hill said. And the officer responded with a menacing grin and two words: "Police procedure."

Nearly two years later, that moment still haunts Mr. Hill, 52, who is at a loss to understand how a routine traffic stop escalated into a humiliating physical confrontation.

"I would rather die before these people grab me like that again," Mr. Hill said.

It was not a rare or isolated incident, say Mr. Hill and many other blacks who live or work in this storied city of wealth and celebrity. Rather, they say, it was part of a pattern of discrimination and humiliation. As they tell it, blacks, who make up about 2 percent of the city's 31,000 residents, are specially targeted by the police.

Mr. Hill, of Palmdale, and seven other blacks have filed a suit accusing the Beverly Hills Police Department, which is virtually all white, of routinely "making specific, random stops of African-American males and then engaging in the harassment of the same group" -- in other words, using racial profiles to stop people, an unconstitutional practice. The Supreme Court has interpreted the Fourth Amendment as protecting people from unreasonable police searches and seizures based merely on their race or ethnic background.

The suit, filed last November and seeking unspecified damages, adds that the defendants, including Chief Marvin Iannone and Capt. Robert Curtis, have "fostered and tolerated an atmosphere of overt, if tacit, racism" within the department.

The accusations in the suit are difficult to substantiate independently. And because the case is now in litigation, Skip Miller, a lawyer representing the city, declined to comment on specific accusations. But like most police departments, the Beverly Hills force has policies that strictly prohibit racist language or behavior, with the threat of suspension or termination if the behavior persists.

The issue has spread across the pages of local newspapers and turned up on news broadcasts, and it has set off an intense and increasingly acrimonious debate about police procedures.

"I've worked in this community on a daily basis for a long time, so I've seen a lot of things, but I've never felt it was a liberal community at all," said Cheryl Jones, a chef who moved here two years ago and is one of the plaintiffs in the suit. "These people see a lot of the minorities as invaders. Their attitude is, 'It's O.K. for you to come here and work, but nightfall, get out of town.' "

But some whites counter that the complaints of official racism are exaggerated by well-meaning but thin-skinned blacks who perceive slights in what are indeed normal police procedures. "Beverly Hills is as liberal a community as you get," said Kenneth Goldman, a white lawyer and co-chairman of Police and Community Together, a group formed to show support for the Police Department.

"No one would condone stopping African-Americans because they are African-Americans or Latinos because they're Latino," Mr. Goldman said. "I do not believe there is a policy to do this."

But other white residents, like Jeff Hall, publisher of The Beverly Hills Chronicle, a weekly newspaper, insist there is a problem.

In an editorial published this month, he wrote: "The fact is, many white people in affluent communities do become a bit nervous when they see blacks or other minorities in places where they aren't regularly seen. If the police are a bit overzealous at times, they are probably doing the job most of us want them to do; we must all share in the responsibility."

That is small consolation to Patrick Earthy, a wiry, soft-spoken 29-year-old church janitor and aspiring songwriter, who describes himself as humiliated and terrified by his numerous encounters with the police. Mr. Earthy, a plaintiff in the suit, said that his car had been stopped and searched eight times since he started working at All Saints Episcopal Church here in August 1993 and that each time was without provocation. He said that once, after being stopped on the way to work, he was forced to lie handcuffed on the floor. On another occasion, he said, as he pulled into a parking lot a police officer stopped him, pointed a gun at his head, called him a derogatory name and warned, "If you move, I'll shoot you."

Another plaintiff, Jerry Lafayette, a 17-year-old high school senior, said that while growing up here he has endured seemingly never-ending scrutiny from the authorities.

A former co-captain of the Beverly Hills football team, Mr. Lafayette said that in the last 18 months, he had been pulled over by the police at least 20 times -- once in his own driveway -- and that not once had he been issued a citation. His

maternal grandmother, Audrey Bowen, added that she had been so humiliated by the police that she had considered not driving anymore.

Mr. Lafayette said: "I knew from day one, the minute I moved to Beverly Hills, that I was going to be stopped by the police. My grandmother, my mother, my cousins, all my relatives have been stopped at some point, so I was well educated to this fact."

In recent years, there have been a number of similar suits across the country. Last month, for instance, Judge Robert E. Francis of Superior Court in Woodbury, N.J., found that state troopers patrolling southern reaches of the New Jersey Turnpike on the lookout for drug suspects singled out and pulled over black motorists in widely inordinate numbers over a three-year period simply because of their race. The judge threw out evidence seized in 19 drug possession cases against black suspects whose cars had been stopped on the turnpike from 1988 to 1991.

In another widely watched case, the Maryland State Police last year agreed to prohibit troopers from stopping or searching motorists simply on the basis of race. As part of the settlement, the police agreed to pay \$12,500 each to a black Washington lawyer and three relatives who had accused the department of violating their civil rights during a traffic stop because troopers relied on a racial profile that said most drug traffickers were black.

Meanwhile, some residents here feel that it would be better for all sides if the authorities acknowledged that there was a problem and addressed it.

"Something is wrong if the police are just stopping people," said Bill Givers, a white Beverly Hills writer. "And whether or not the Beverly Hills police are racist, there is the perception out that they are, and that is something the city is failing to address."