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NASHVILLE SEEKS ANSWERS AFTER 4 KILLINGS BY COPS \ 2 BLACK MEN, A KOREAN GROCER AND DISABLED MAN SLAIN IN 4 WEEKS

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Article Text:

In four weeks, four people die after confrontations with Nashville police. All die under questionable circumstances.

"We should be standing up and saying this is enough," said Timothy Forsythe, the father of 18-year-old Timothy David Hayworth, a robbery suspect who was fatally shot by police because they said he tried to run over them with his car.

Forsythe says a public outcry against police using deadly force has been much louder in New York and Los Angeles than in Nashville, where two black men, a Korean man and a mentally disabled man died between March 30 and April 30.

"Maybe people have been so oppressed they think they can't stand up for their rights," he said. While not taking to the streets, Nashvillians are questioning whether their police force is adequately trained, especially to deal with minorities and individuals with mental illness and disabilities, and if it represents the city's increasingly diverse population.

This primarily white Southern city has grown to a population of 530,000 that is 71 percent white, 25 percent black, 2 percent Hispanic and 2 percent Asian, according to U.S. Census projections. The Hispanic population has grown from 4,800 people to 8,400 in the last decade. Of 1,251 sworn officers in the Nashville Police Department, 961 are white men; 91, white women; 156, black men; 14, black women; 25, men of other races, and 4, women of other races. A dozen or so are fluent in a language other than English, spokesman Don Aaron said. Police Chief Emmett Turner, who became the city's first black police chief in 1996, said recruiting minorities is difficult because of the tight labor market and better-paying, less dangerous jobs in the private sector. But the department is trying, he said. A graduating class of 48 recruits in June includes eight black officers and one Korean officer.

As far as training, Turner says his officers use deadly force when they believe it is necessary to

prevent the death or injury of another person, including an officer.

"It's coincidental that these situations occurred in such a short period of time," he said.

"I don't think any police officer is looking for a situation where there is a shooting or they have to use deadly force," Turner said. "You don't want to be faced with that."

Turner has been fielding public questions about his department's attitudes toward minorities since last fall when three off-duty officers moonlighting as security guards were accused of robbing, beating and illegally towing the cars of Hispanics.

Those officers remain on desk duty pending the outcome of a U.S. Justice Department review and an independent police investigation.

Ludye Wallace, a city councilman and president of the NAACP's Nashville chapter, says black residents have long had problems with white officers and the most recent incidents are "a reminder of a possible sickness that might be within our city."

-- The first police-related death this year was March 30 when a man matching Timothy David Hayworth's description tried to rob a jewelry store. Detectives watching Hayworth's car said he got in and tried to run over two officers who ordered him to surrender. One was hit, but not seriously injured. Four officers fired, hitting Hayworth in the torso, smashing the passenger window and hitting the rear of the car as he attempted to drive away. Police later found a pistol in Hayworth's pants.

-- Larry D. Davis, 25, was shot April 9 after two officers stopped him for speeding. They said they feared he was going to run over them when they questioned him about apparent cash and drugs in the car. They fired two shots as he drove away, hitting him in the head and shoulder. Davis had no gun.

-- On April 21, Chong Hwan An, 49, was shot in the head and leg by two officers when he ignored their orders to drop his gun. He was shooting at two young people who had just robbed his beauty salon and were driving away in a Jeep. The officers were eating in a nearby restaurant when they heard the shots and saw An in the parking lot firing at the Jeep.

-- Calvin Champion, 32, died April 30 after police used pepper spray to control him. Champion, who was autistic, was outside a Babies 'R' Us store with a caregiver from his group home when she felt he was becoming aggressive toward her 3-year-old child. She put Champion out of the van and called police.

When Champion grabbed at an officer, he was sprayed with pepper spray. Champion was forced face down on the ground and restrained.

After he vomited, police called for medical help and Champion later died at a hospital.

Turner says the woman didn't tell officers that the man was autistic until after he was restrained. The neurological disorder affects the ability to communicate, understand language and relate to others.

The medical examiner ruled Champion's death accidental, saying the cause was a previously undetected heart defect, but found the stress of the police struggle likely aggravated the condition.

A police department shooting review board unanimously found the officers who shot Hayworth and An acted in self-defense.

The board is still reviewing the shooting of Davis.

The shooting deaths also are under review by a Davidson County grand jury and a citizen's

group that recently replaced the police internal affairs office.

The officers involved in all the deaths were assigned to desk duty. Those cleared by the shooting review board have returned to patrol duties.

Champion's father, Calvin Champion of Gary, Ind., said if the police had been patient, his son might still be alive.

"If they had given him something, candy or a glass of juice, he would have calmed down," he said.

Champion's sister, Jetonne Patrice Champion-Collins, says anyone could have looked at her brother and known he was mentally retarded.

"He would have been making noises, hitting himself on the head," she said. "But he was very loving and gentle and very easily guided."

Brendolyn Randolph, the mother of Larry Davis, says minorities have been "beaten down for so long" they feel helpless against a predominantly white police force.

She wants to make sure the officers who shot her son are prosecuted, but is fatalistic about what she can do.

"They don't have the right to kill people. They are not the judge and jury," she said. "They are treating us like slavery days. They can kill our people and get away with it."

Byung-ho Shin, president of the Tennessee Korean Association of Nashville, says An and other shop owners carry weapons because they don't believe police can protect them.

Even though An spoke English and understood the officers' commands to put down his gun, he said there may have been a culture clash over An trying to protect his shop and officers believing he was the criminal.

"Regardless, the Korean community does not feel the police had the right to kill Mr. An," he said.

Turner has ordered an internal review of policies and training on the use of deadly force.

He vows the department will get to the bottom of the problem so as not to repeat it.

Such investigations are a critical test for the police and the community, said John Crew, a California-based police practices expert and coordinator of the American Civil Liberties Union Campaign Against Racial Profiling.

The investigation should not focus just on whether the law or departmental policy was followed, but on how and why the officer had to make the decision to shoot, he said.

"Police officials far too often take a circle-the-wagon mentality that's counterproductive," Crew said. "Instead, police should see what can be learned to make sure it doesn't happen again."

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