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# Police use color as drug bust key

**By Associated Press**

If you're a white driver in East Palo Alto, you're likely to get stopped by police pursuing drug buyers. But it's the young black or Hispanic man who might get pulled over in other Northern California towns.

Police defend their efforts. However, some civil rights leaders say they will fight the police "color scheme" that targets blacks and Hispanic men between the ages of 18 and 30 as potential Los Angeles gang members.

In East Palo Alto, police Chief Dan Nelson said he's advised his officers that all arrests must follow observation of illegal activity and they cannot target only whites. But he said that 75 percent of the people buying drugs in the city on Friday and Saturday night are white and from out of town.

Sgt. Ken Rodgers said while police arrest as many East Palo Alto residents for dealing drugs as out-of-towners for buying, well-dressed white drivers stand out in a "poor, minority ghetto town" where he estimated 75

percent of the population is black.

"While East Palo Alto is one of the main turnover points for drugs, drugs are an area problem ..." said Nelson. "We believe that if we put enough pressure on the people who are coming here to buy, and perhaps if no one is buying, then perhaps the dealers will go somewhere else."

Police say that minor traffic violations such as double-parking or stopping in the middle of the street often go hand-in-hand with drug buying.

Many of the drivers arrested in East Palo Alto say they're looking for a relative or friend, said Officer Ron Gully.

"They insist their grandmother lives right 'over there,' but they don't know what street they're on," he said. "Or they'll say they're just driving through."

They're all frightened when stopped, he said. "Their hands shake. I'll say, 'Look, I know you've got drugs. Where are they?' and they'll say, 'Oh, right See DRUG PROFILES, Page A2

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here, under the seat," Gully said.

Sgt. Frank Churchill said one person called him several months after being stopped and said his arrest had prompted him to seek drug treatment. Another thanked him for a warning and promised not to return.

"I try to impress upon people the potential for violence if they put themselves in this situation," he said.

Not everyone appreciates the advice.

Like Bryce Low, 31, of Palo Alto. He was stopped by East Palo Alto police three times for driving on a suspended license before he was found Tuesday, dead of gunshot wounds, his wallet missing and his body handing out of the car.

While the East Palo Alto drug-busting strategy hasn't come under fire, controversy has hit a state police policy allowing agents to stop young, male Hispanic and black motorists who fit a profile of gang members believed to be exporting their trade from Los Angeles.

The policy came to light earlier this week when black actor Lavar Burton was questioned by drug agents as he got gas for his black BMW 533 CSI.

Gilroy Officer Jack Robinson said Burton, known for his role as a slave in the television movie "Roots," was cooperative but concerned about why he was being quizzed.

"They identified themselves (and) they pretty much told him it was a profile stop," Robinson said.

Gene Williams, chief agent in

the state Bureau of Narcotics Enforcement in San Jose, said the policy allows agents to check a driver's license and car registration.

Agents, especially on the watch along major north and south routes such as Highway 101 and Interstate 5, also look for anything suspicious, such as alcohol or drugs.

Williams said the gang-profile policy has been in effect for about six months and doesn't violate constitutional protections against unreasonable searches and seizures.

Jose De Sosa, president of the California Conference of the NAACP, disagreed. He called it "appalling" and said he would solicit help from Hispanic civil rights groups to protest it to the state attorney general and Justice Department.

Eric Vega of the Mexican-American Legal Defense and Education Fund, said he, too, opposes the practice.

"We condemn broad, generalized searches when they are based on the color of skin and the fact that you have a big car."

Alan Schlosser, staff counsel for the American Civil Liberties Union of Northern California, also is angry about the policy.

"There has never been a decision that upholds a profile purely on racial grounds, plus expensive cars," he said. "This may be done in South Africa, but it's not permitted by the United States Constitution. I will pursue it."

But Williams disagreed and said profiles used by law enforcement to identify people who fit characteristics common to certain lawbreakers have been upheld by the courts.

"We have profiles against white, but in this case, they don't fit," he said.