

DEOMI News Highlights

DEOMI News Highlights is a weekly compilation of published items and commentary with focus on equal opportunity, equal employment opportunity, diversity, culture, and human relations issues. The DEOMI News Highlights is also a management tool intended to serve the informational needs of equity professionals and senior DOD officials in the continuing assessment of defense policies, programs, and actions. Further reproduction or redistribution for private use or gain is subject to original copyright restrictions.

Reports of family violence, abuse within military rise [Nancy Montgomery, *Stars and Stripes*, 10 July 2011]

- The number of reports of family violence within the military has been rising over the last two years, and reports of abused children and spouses increased significantly last year, as reported by the Defense Department's Family Advocacy Program (FAP).
- Possible combination of factors: increased awareness and reporting; better record-keeping; more actual abuse and neglect. According to the Government Accountability Office, FAP's data are incomplete for use in trend analysis or targeting at-risk families.
- An unknown number of reports made to civilian authorities, military law enforcement, or commanders are not reported to FAP. Some of that data is captured in another DOD database, the Defense Incident Based Reporting System. The GAO report said, "the services are providing only a fraction of the required data, and reporting from the services has not improved significantly in the last several years".
- The GAO recommended in 2006 that the databases be reconciled and that a central database be created. That never happened, and still isn't feasible, for a number of reasons mentioned in the article.

[Reports of family violence, abuse within military rise](#)

Death Penalty, Still Racist and Arbitrary [David R. Row, *The New York Times* op-ed, 8 July 2011]

- In 1983, The Baldus study showed that black defendants were 1.7 times more likely to receive the death penalty than white defendants and that murderers of white victims were 4.3 times more likely to be sentenced to death than those who killed blacks.
- In 1987 the Supreme Court ruled (5-to-4) that general patterns of discrimination do not prove that racial discrimination operated in particular cases.
- Over the past three decades, the Baldus study has been replicated in about a dozen other jurisdictions, and they all reflect the same basic racial bias.

[Death Penalty, Still Racist and Arbitrary](#)

First Afghan female military pilots arrive in U.S. for training [Jim Forsyth, *Reuters.com*, 13 July 2011]

- Afghanistan's first crop of female military pilots (four women) arrived for training this week at Lackland Air Force Base in San Antonio.
- Back in Afghanistan the female pilots will meet men who will "for the first time find a woman who is not a relative in the role of an authority figure in their lives".
- Thus 'gender integration' will be a key part of the role that the women will play when they return to their country.

[First Afghan female military pilots arrive in U.S. for training](#)

DEOMI News Highlights

Culture

[Educators work to preserve endangered Alaska languages](#)
[First Afghan female military pilots arrive in U.S. for training](#)
[North Dakota and N.C.A.A. Are at Odds Again Over University's Sioux Mascot](#)

Diversity

[Officials: Joint training saves lives, money](#)

Miscellaneous

[Female Marines may face pull-up for PFT](#)
[GOA continues criticism of Pentagon center for PTSD](#)
[Navy makes changes to Physical Readiness Program](#)
[New Australian law to make Muslims lift veils](#)
[Why Does the Fed Have So Little Supplier Diversity?](#)

Misconduct

[Ala. Guard colonel resigns after investigation](#)
[Carrier XO Removed Over Relationship](#)
[Reports of family violence, abuse within military rise](#)
[Post-9/11, Sikhs say they are mistaken targets](#)

Racism

[Death Penalty, Still Racist and Arbitrary](#)

Culture

<http://www.adn.com/2011/07/09/1960330/many-alaska-native-languages-endangered.html>

Educators work to preserve endangered Alaska languages

By MIKE DUNHAM

Anchorage Daily News, 07/11/11

If Alaska's Native languages vanish in the next generation, it won't be because people didn't try hard to keep them alive, says Gary Holton.

"There are significant efforts with Yup'ik immersion schools and teacher training programs," said Holton, associate professor of linguistics in the Alaska Native Language Center and director of the Alaska Native Languages Archive at the University of Alaska Fairbanks. He pointed to an ongoing documentation effort, dictionaries and teaching of the endangered Deg Xinag and Han Athabascan dialects. Even Eyak, technically extinct, is benefiting from a language revival program that recently held workshops in Anchorage and Cordova, he said. But he admits that the situation is critical for many of the state's indigenous languages.

The last person who called Eyak her first language, Marie Smith, died in 2008. Maybe one or two speakers of Holikachuk are still alive around Grayling, Holton said. A few more speak Deg Xinag, the neighboring Athabascan dialect. The number of Han speakers in Eagle is "perhaps less than 10; the situation on the Canadian side of the border is even worse. Maybe two speakers."

Holton played a key role in crafting the latest edition of the Alaska Languages Map. The map, which shows the historic distribution of 20 different Native Alaska languages, was first produced in 1974 by the director of the language center, Michael Krauss. It has been updated since then.

This most recent edition, available online at www.uaf.edu/anla/map, features several changes, Holton said. The names of some languages have been changed, either to reflect advances in linguistics or to rectify old names that may have been in some way offensive: Tanaina has become Dena'ina; Aleut is now Unangax; Ingalik is now Deg Xinag.

"Another big change is the inclusion of Native names for villages and geographic features given along with the English names," he said. Barrow is also Utqiagvik, and Kodiak Island is Qikertaq. The map name for Juneau, Dzanti K'ihe-eni, may be a "bit contrived," Holton said, "since Juneau was not a traditional village." The same might be said for Anchorage, given as Dgheyaytnu.

Yup'ik scholar Cecilia Martz of Bethel noted another change. In previous editions, the percentage of young people speaking the language was indicated by different color dots. In 1974, the Central Yup'ik area was covered in black circles, indicating most children spoke Yup'ik, or circles divided half-and-half black and white, which meant that Yup'ik and English speakers were roughly even.

Referring to her hometown of Chevak, Martz said, "If they did it today, they'd have to make it all white. None of the kids speak the language. It's the same way with all that villages that were all dark; they should be all white or half white now."

Holton said that change in the map was "a deliberate choice based on feedback from community groups. There are less than half a dozen villages on the lower Kuskokwim with child speakers, so the map would have been almost entirely open circles -- not very informative or encouraging."

In "Vanishing Languages of the Pacific Rim" (Oxford Press, 2007), Krauss suggests the erosion of Native languages could be due to television, which is mostly English and ubiquitous in villages nowadays, and "the likely lethal effect of the 'No Child Left Behind' (federal school mandate), requiring proof of proficiency in English but not Native language." But he also says that Yup'ik and Inupiaq are being retained at rates much higher than the Aleut and Indian languages. Yup'ik is particularly strong, he writes, accounting for "fully 93 percent of those who speak an Alaskan Native language."

<http://www.adn.com/2011/07/09/1960330/many-alaska-native-languages-endangered.html>

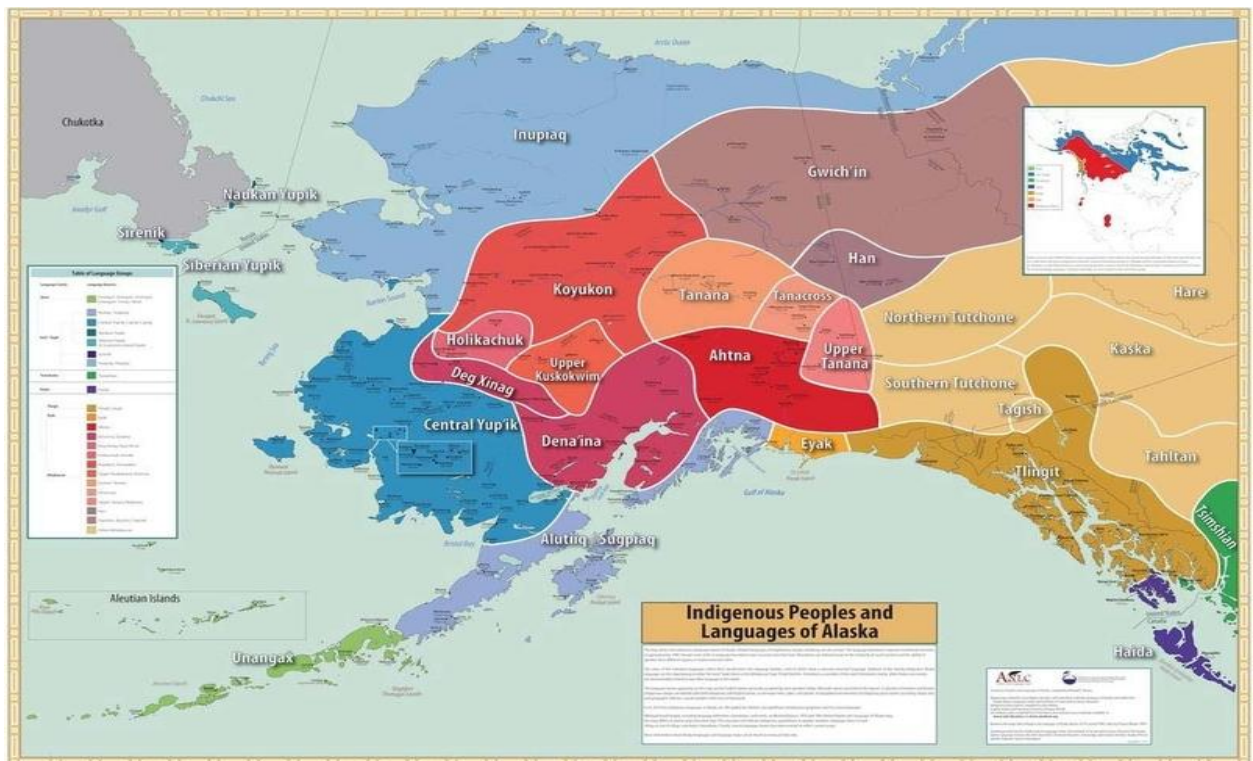
The map has always followed traditional tribal boundaries, Holton said. So Eyak remains an enclave, though there are no speakers. "If we were mapping languages as spoken today, he'd have to put a huge number of Yup'ik speakers in Anchorage," which is in traditional Dena'ina territory.

Some scholars believe that Yup'ik is the Native American language with the best chance of surviving the 21st century. It is commonly heard in Bethel. Martz cited radio news and call-in programs in the language, the presence of interpreters at the hospital, and education.

"There are two efforts that have had really good results," she said. "The school immersion program for kindergarten through sixth grade and the Yup'ik degree program at the college (UAF's Kuskokwim campus)." When she speaks Yup'ik to children who have been through the immersion program, they respond to her in Yup'ik, she said. "But most of the time, they speak English. And with each other, they speak English."

In addition to education and documentation, many of Alaska's Native languages have benefited from being part of a widely distributed linguistic group. Maps in "Vanishing Languages" show dozens of distinct languages dotting America's west coast from Puget Sound to San Diego, each with one or no speakers remaining.

In contrast, the "Eskimoan" group reaches from Asia to the Atlantic Ocean, with tens of thousands of speakers in Alaska, Canada and Greenland. Athabaskan groups stretch as far south as Mexico. It reminds Holton of the continuum of Romance languages, which spans southern Europe from Romania to Portugal. Nonetheless, "Simply based on the number of speakers and their ages," Holton said, it may be impossible for the most endangered Alaskan languages to keep from "going the way of Eyak." "Nowhere can I say things look great," he said. "It's a sad scenario but there are glimmers of hope. I choose to focus on the positive."



Courtesy Alaska Native Language Center A larger version of this map can be downloaded from www.uaf.edu/anla/map.

<http://www.reuters.com/article/2011/07/13/us-afghan-women-texas-idUSTRE76C7FY20110713?feedType=RSS&feedName=domesticNews>

First Afghan female military pilots arrive in U.S. for training

By Jim Forsyth, Reuters

Reuters.com, July 13, 2011

SAN ANTONIO, Texas--Sourya Saleh, wearing a black scarf to cover her hair and an olive drab Afghan Army uniform, doesn't look like a cultural warrior.

But she and three fellow Afghan women, the first of their gender to qualify as pilots in the Afghan Army, may help change attitudes about women in their conservative Muslim homeland where women's voices often go unheard.

"We are going to open the door for other ladies in Afghanistan," the Afghan Army Second Lieutenant told reporters at Lackland Air Force Base in San Antonio. "It is a big deal for us, to open this door for others. Other ladies who feel that they can't do it, we want to show them."

Afghanistan's first crop of female military pilots arrived for training this week, where they will first study English at the Defense Language Institute at Lackland. Dozens of male Afghan pilots have gone through similar training in the United States.

After six to eight months of language study, they will travel to Fort Rucker in Alabama for helicopter pilot training in the U.S. Army "Thunder Lab" program.

"What a great day this is," said Col. Eric Axelbank, Commander of the 37th Training Wing, which oversees U.S. Air Force basic training at Lackland. "This is a huge step, having female officers who will become pilots in a traditionally male dominated field."

Since the austere Taliban government was toppled by U.S.-backed Afghan forces in 2001, women in Afghanistan have won back basic rights in education, voting and work, which the militant group considered un-Islamic.

But they face an uncertain future as Afghan and foreign leaders have embraced the idea of seeking a negotiated end to ten years of war, through talks with the Taliban. Some analysts warn that could mean a step back for women's rights.

Stepping stone

The women pilots will among about 1,200 students at the Institute, where students from around the world learn English - the global vernacular of aviation.

Axelbank said the Afghan women will undergo the same course of study in the United States as have male Afghan pilots, along with thousands of other military personnel who have trained at Lackland over the decades.

"This is a stepping stone in the development of the Afghan military," said Col. Howard Jones III, head of the institute. In Texas, the women will not only learn English, but also U.S. military history and American culture. Axelbank said 'gender integration' was a key part of the role that the women will play when they return to Afghanistan.

In addition to training pilots, the women will return to Afghanistan where they will meet men who will "for the first time find a woman who is not a relative in the role of an authority figure in their lives." Second Lieutenant Masooma Hussani said she just wanted to get her hands on the controls of a military helicopter to fulfill a lifelong dream of being a pilot, and to show that she was capable of the job.

"I want to do it, and I want to show that I can do it," said Hussani, of Bamyan province in central Afghanistan. "It used to be that the women of Afghanistan couldn't do anything." She said when she joined the Army, her parents were proud. "They said I was as brave as a man," she said.

<http://www.nytimes.com/2011/07/13/us/13sioux.html?ref=us>

North Dakota and N.C.A.A. Are at Odds Again Over University's Sioux Mascot

By Emma G. Fitzsimmons

New York Times, July 12, 2011

Officials at the University of North Dakota thought the long battle over the college's Fighting Sioux nickname was finally over when they reached an agreement last year to retire the mascot. Then, the North Dakota legislature passed a law this year forcing the university to keep the name.



The new law, signed by Gov. Jack Dalrymple, has left the university in a difficult position: defy the National Collegiate Athletic Association, which has mandated that all American Indian mascots be dropped, or break the law. The legislative debate has reopened wounds over retiring a beloved mascot that has graced hockey jerseys and pennants across the state for years.

University officials hope that a meeting later this month in Indianapolis between Mr. Dalrymple, legislative leaders and N.C.A.A. officials will help resolve the conflict. As it stands, if the university continues to use the name after Aug. 15, its athletics program would face penalties that could jeopardize much-lauded plans to join the Big Sky Conference.

Dale Wetzel/Associated Press A jersey with the Fighting Sioux mascot, now in dispute.

For many North Dakotans, the future of the logo — a profile of an Indian with feathers in his hair — is personal. Grant Shaft, the president of the state's Board of Higher Education, went to law school there and said five generations of his family attended the university. But Mr. Shaft says it is time for the university to move past the matter and comply with N.C.A.A. guidelines.

“My roots with the Fighting Sioux nickname go as deep as anybody,” he said. “The reality of the situation is that the Aug. 15 date is looming, and we're starting to realize the consequences are really untenable for the athletics department.”

The University of North Dakota is the last college still wrangling over how to get rid of its nickname and logo since the N.C.A.A. issued a policy in 2005 that banned American Indian mascots because they were seen as hostile and abusive. More than a dozen universities have already dropped such names.

The university tried over the last three years to receive an exemption by getting approval from both Sioux tribes in the state, Spirit Lake and Standing Rock. Although some members of the Spirit Lake tribe said they considered the nickname an honor and sued to preserve it, ultimately both tribes could not agree on the issue.

The N.C.A.A. agreed to attend the meeting with state officials this month, but reiterated that it would not change its policy. Bob Williams, the association's vice president of communications, said: “We need to have a discussion about how they are going to comply with the policy or how they are going to be subject to the provisions of the policy. That's it.”

Still, Al Carlson, the Republican leader in the State House, and other legislative leaders plan to make their case for keeping the name. Mr. Carlson, who did not return calls, told reporters earlier this year: “The alumni, the people that attend there, overwhelmingly want to keep the Fighting Sioux nickname.”

<http://www.nytimes.com/2011/07/13/us/13sioux.html?ref=us>

A spokesman for Mr. Dalrymple, a Republican, said: “The governor is going to Indianapolis because he wants to listen firsthand to the discussion between Al Carlson and the N.C.A.A. He’s trying to understand all points of view.”

The law he signed not only banned the university and the higher education board from taking any action to discontinue the name, it also said the state attorney general should consider filing a federal antitrust claim against the N.C.A.A. if the organization penalized the university.

Meanwhile, the penalties the university would face from the N.C.A.A. are severe. The university could not host any championships, and its teams could not compete in championship events wearing the logo. The university is also expected to join the Big Sky Conference next summer, but the conference says it supports the N.C.A.A. policy.

University officials are unsure of what step to take next. The only way to repeal the law would be for the governor to call a special session of the legislature, said Mr. Shaft, the higher education board president.

“This meeting is one step in the process,” Mr. Shaft said. “In short, the saga continues.”

Diversity

Officials: Joint training saves lives, money

By Markeshia Ricks - Staff writer
Air Force Times, 10 July 2011

When Col. Jay Fitzgerald entered the Air Force in 1985, it was unusual to see a soldier, sailor or Marine on base. Today, it would be unusual to not see one.

Airmen and members of other services work together more — and that’s a good thing, said Fitzgerald, who is chief of the Technical Training Operations Center and Current Operations at Keesler Air Force Base, Miss.

So far this fiscal year, more than 30,000 members of all services have taken a joint training course, and several of the programs — cryptology, weather forecasting and military working dogs, for example — are taught by Air Education and Training Command.

Fitzgerald pointed out that interservice training serves two purposes: It saves lives by making sure troops, regardless of their service, all speak the same language and have the same skills so they can work together; and it avoids duplication, saving taxpayer dollars.

“I think we’re going to continue to become more and more a joint force,” he said.

The Army’s chief of interservice training agrees with Fitzgerald, particularly on cost savings.

“The practice of combining military training and education in one facility is cost effective and makes good fiscal sense,” Roger Spadafora wrote in an email.

Interservice training provides troops — especially instructors — a sense of the values, history and culture of the other services, Spadafora said.

Col. Charles Douglass commands Kessler’s 602nd Training Group (Provisional), which oversees combat skills training for airmen who fight alongside soldiers in the war zone.

Joint training has become more necessary because of the wars in Iraq and Afghanistan, Douglass said. Since 2006, more than 34,000 Joint Expeditionary Tasking airmen deployed with the Army.

“We’re the most joint that we’ve ever been in part due to our combat experience,” Douglass said.

Miscellaneous

<http://www.marinecorpstimes.com/news/2011/07/marine-female-pft-pullup-flexed-arm-hang-071011/>

Female Marines may face pull-ups for PFT

By Dan Lamothe - Staff writer
Marine Times, 10 July 2011

The Marine Corps is considering an overhaul of the Physical Fitness Test for women that would incorporate a new upper-body strength test requiring pull-ups for a perfect score.

Details of the plan are outlined in a June 17 decision paper developed by Training and Education Command, out of Marine Corps Base Quantico, Va. Obtained by Marine Corps Times, it recommends that women be allowed to score up to 70 points for maintaining the existing flexed-arm hang up to 70 seconds. To score more on the 100-point upper-body strength scale, they'd need to do pull-ups.

Completing one pull-up would be worth 75 points on a 100-point scale, with five points awarded for each additional pull-up, the document says. A perfect score would be obtained with six pull-ups.

Male Marines must perform pull-ups on their version of the PFT, with three pull-ups required for a minimum 15-point score, and five points awarded for each additional repetition through 20 and a perfect 100-point score. The other two 100-point tests in the PFT — crunches and the three-mile run — would not be altered for men or women, under the proposal.

The decision paper recommends that the proposal be adopted and announced in a Marine administrative message in September. It would go into effect in January.

“This recommendation incorporates a valid upper body strength test on the female PFT which requires minimal equipment and is safe, valid, and repeatable,” said the decision paper, prepared by Brian McGuire, physical readiness programs officer for the Corps.

“Training for the test also will improve performance in military tasks. Recognizing that many female Marines may not be able to do pull-ups initially, retaining the [flexed-arm hang] albeit in a devalued manner is a good introductory measure.”

Marine officials confirmed the decision paper exists, but said it is an “action officer level document” still under consideration. Information was collected in March and April during a related study involving 318 female Marines.

“The data obtained during the collection period is being used to determine the most suitable test for upper-body strength, and work still needs to be done before any recommendations for PFT changes are presented for decision,” said 1st Lt. Brian “Scott” Villiard, a TECOM spokesman. “Any discussion surrounding the topic of changes to the female PFT at this time is premature.”

After last summer’s Sergeants Major Symposium, the Corps’ senior enlisted community recommended to now-retired Commandant Gen. James Conway that the service review alternatives to the flexed-arm hang. In October, Marine leadership directed TECOM to do so, and in December the command began looking at push-ups and pull-ups as specific options, the decision paper says.

During the data collection effort, TECOM officials collected information at 12 locations across the Corps. Participants’ fitness levels were similar to the average female Marine, based on current PFT and Combat Fitness Test scores, the decision paper says.

The study found that 43 percent performed at least one dead-hang pull-up, and the 318 participants averaged 1.63 pull-ups as a group. More than 21 percent of participants performed at least three, and 37 percent performed at least three when lower-body movement — a banned practice

<http://www.marinecorpstimes.com/news/2011/07/marine-female-pft-pullup-flexed-arm-hang-071011/>

frequently known as “kip” — was allowed. With lower-body movement, 55 percent of all participants performed at least one pull-up.

TECOM officials reviewing the study recommended awarding a perfect 100-point score for six pull-ups because it corresponds to what the top 10 percent of participants accomplished, the document says. They suggested giving women the option of flexed-arm hang or pull-ups, and allowing those who unsuccessfully attempt pull-ups time to recover and be tested on the flexed-arm hang.

The decision paper suggests that if the proposal is adopted, female Marine PFT scores will likely decrease in 2012, as male scores did after dead-hang pull-ups were adopted in 1997. However, scores would eventually increase as pull-ups and other strength training are incorporated into Marine exercise programs for women, the recommendation says.

See Scoring plan attached

GAO continues criticism of Pentagon center for PTSD, TBI

By T. Christian Miller and Joaquin Sapien

ProPublica, NPR, 12 July 2011

If you want more explanation about the military's troubles in treating troops with traumatic brain injuries and post-traumatic stress, read no further than two recent but largely unnoticed reports from the Government Accountability Office.

It turns out the Pentagon's solution to the problems is an organization plagued by weak leadership, uncertain priorities and a money trail so tangled that even the GAO's investigators couldn't sort it out. The GAO findings on the Pentagon's Defense Centers of Excellence (DCOE) echo our own series on the military's difficulty in handling the so-called invisible wounds of war. "We have an organization that exists, but we have considerable concern about what it is that it's actually accomplishing," said Denise Fantone, a GAO director who supervised research on one of the reports. She added: "I can't say with any certainty that I know what DCOE does, and I think that's a concern."

First, some background. After the 2007 scandal over poor care delivered to soldiers at the Walter Reed Army Medical Center, Congress ordered the Pentagon to do a better job treating soldiers suffering from post-traumatic stress disorder and traumatic brain injury. The Pentagon's answer was to create DCOE. The new organization was supposed to be a clearinghouse to foster cutting-edge research in treatments.

DCOE was rushed into existence in late 2007. Since then, it has churned through three leaders, including one let go after alleged sexual harassment of subordinates. It takes more than five months to hire each employee because of the federal government's glacial process. As a result, private contractors make up much of the center's staff. "DCOE's development has been challenged by a mission that lacks clarity and by time-consuming hiring processes," according to the first report in the GAO series, focusing on "management weakness" at DCOE.

Just as concerning, the GAO says that it can't quite figure out how much money DCOE has received or where it has all gone. DCOE has never submitted a budget document that fully conformed to typical federal standards, according to a GAO report released last month. In one year, the center simply turned in a spreadsheet without detailed explanations.

The Defense Department says that DCOE got \$168 million beginning in fiscal year 2010—but the GAO isn't buying that number: "Because of unresolved concerns with the reliability of funding and obligations data provided by DOD (Department of Defense), we cannot confirm the accuracy of figures related to DCOE." The GAO report reproduces this disclaimer no fewer than five times. DCOE concurred with the bulk of the GAO's findings and promised to fix its accounting errors and prevent them from happening again.

In its defense, DCOE has never had an easy job. It was created on the fly and tasked to deal with some of the most complicated mental-health issues in the military's history. In addition, it has faced stiff bureaucratic resistance, with some Pentagon officials questioning its usefulness. The Pentagon said that DCOE was conducting a "comprehensive review" to improve its operations. "There is still substantial work to be done," said Cynthia O. Smith, a Pentagon spokeswoman. "We must ensure we are properly allocating resources and establishing priorities to take care of our service members."

One telling GAO footnote suggests the extent of the obstacles the organization has faced. In Pentagon war games, the enemy is generally represented by the color red. When Congress ordered up its improvements in 2007, the Pentagon created a special committee to push through reforms that led to DCOE's creation. The special committee decided to call itself the "Red Cell." Why? "The daunting task facing this team would likely make them the enemy of everyone else in the bureaucracy they sought to change," the GAO says.

Navy makes changes to Physical Readiness Program

By Travis J. Tritten

Stars and Stripes, 13 July 2011

The Navy physical got a little tougher this week.

Newly issued guidelines say sailors who cannot meet body fat standards will automatically be failed, will not be allowed to take the rest of the physical fitness test and will not be granted a “bad day” pass. Sailors can be given a medical waiver for the test, but too many waivers will mean standing before a medical review board, according to the Navy bulletin released Monday.

The Navy tests sailors twice each year on their fitness using sit-ups, push-ups, running and body composition. The changes this week are the first major revisions to the service’s Physical Readiness Program since 2005, the Navy said in a release.

“Failing the [body composition assessment] portion of the [physical fitness assessment] is an overall PFA failure,” the release said. “Members who fail the BCA or are medically waived from the BCA, shall not participate in the physical readiness test.”

Body composition is based on measurements taken of sailors’ waists and limbs and is meant to show the amount of excess weight and level of fitness. The tests have always caused anxiety and have inspired some servicemembers to take extreme measures to lose body fat in advance of military physicals.

The Navy warned against that this week - the new guidelines specifically prohibit any attempts to temporarily alter body fat measurements via “body wraps, extreme starvation diets, and sauna suits,” according to the Navy bulletin.

Sailors will be required to meet the body composition guidelines and will be rated on a new five-tier scale of outstanding, excellent, good, satisfactory or failure, the Navy said.

Commanders can grant a chance to retake the test for those who fail the physical training requirements such as running and pushups.

Over-weight sailors cannot be granted a chance to retake the test, according to the new rules.

Medical waivers can be granted and will exclude a sailor from the physical requirements but anyone getting two consecutive waivers or three in a four-year period will be referred to a medical review board, which will forward its findings to Navy Personnel Command to review the findings.

New Australian law to make Muslims lift veils

BY ROD MCGUIRK

Associated Press/Stars and Stripes, 10 July 2011

CANBERRA, Australia (AP) -- Muslim women would have to remove veils and show their faces to police on request or risk a prison sentence under proposed new laws in Australia's most populous state that have drawn criticism as culturally insensitive.

A vigorous debate that the proposal has triggered reflects the cultural clashes being ignited by the growing influx of Muslim immigrants and the unease that visible symbols of Islam are causing in predominantly white Christian Australia since 1973 when the government relaxed its immigration policy.

Under the law proposed by the government of New South Wales, which includes Sydney, a woman who defies police by refusing to remove her face veil could be sentenced to a year in prison and fined 5,500 Australian dollars (\$5,900).

The bill - to be voted on by the state parliament in August - has been condemned by civil libertarians and many Muslims as an overreaction to a traffic offense case involving a Muslim woman driver in a "niqab," or a veil that reveals only the eyes.

The government says the law would require motorists and criminal suspects to remove any head coverings so that police can identify them.

Critics say the bill smacks of anti-Muslim bias given how few women in Australia wear burqas. In a population of 23 million, only about 400,000 Australians are Muslim. Community advocates estimate that fewer than 2,000 women wear face veils, and it is likely that even a smaller percentage drives.

"It does seem to be very heavy handed, and there doesn't seem to be a need," said Australian Council for Civil Liberties spokesman David Bernie. "It shows some cultural insensitivity."

The controversy over the veils is similar to the debate in other Western countries over whether Muslim women should be allowed to wear garments that hide their faces in public. France and Belgium have banned face-covering veils in public. Typical arguments are that there is a need to prevent women from being forced into wearing veils by their families or that public security requires people to be identifiable.

Bernie noted that while a bandit disguised with a veil and sunglasses robbed a Sydney convenience store last year, there were no Australian crime trends involving Muslim women's clothing.

"It is a religious issue here," said Mouna Unnjinal, a mother of five who has been driving in Sydney in a niqab for 18 years and has never been booked for a traffic offense.

"We're going to feel very intimidated and our privacy is being invaded," she added.

Unnjinal said she would not hesitate to show her face to a policewoman. But she fears male police officers might misuse the law to deliberately intimidate Muslim women.

"If I'm pulled over by a policeman, I might say I want to see a female police lady and he says, 'No, I want to see your face,'" Unnjinal said. "Where does that leave me? Do I get penalized 5,000 dollars and sent to jail for 12 months because I wouldn't?"

Sydney's best-selling The Daily Telegraph newspaper declared the proposal "the world's toughest

http://ap.stripes.com/dynamic/stories/A/AS_AUSTRALIA_UNVEILING_FACES?SITE=DCSAS&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2011-07-10-07-13-08

burqa laws." In France, wearing a burqa - the all-covering garment that hides the entire body except eyes and hands - in public is punishable by a 150 euro (\$217) fine only.

The New South Wales state Cabinet decided to create the law on July 4 in response to Police Commissioner Andrew Scipione's call for greater police powers. Other states including Victoria and Western Australia are considering similar legislation.

"I don't care whether a person is wearing a motorcycle helmet, a burqa, niqab, face veil or anything else - the police should be allowed to require those people to make their identification clear," State Premier Barry O'Farrell said in a statement.

The laws were motivated by the bungled prosecution of Carnita Matthews, a 47-year-old Muslim mother of seven who was booked by a highway patrolman for a minor traffic violation in Sydney in June last year.

An official complaint was made in Matthews' name against Senior Constable Paul Fogarty, the policeman who gave her the ticket. The complaint accused Fogarty of racism and of attempting to tear off her veil during their roadside encounter.

Unknown to Matthews, the encounter was recorded by a camera inside Fogarty's squad car. The video footage showed her aggressively berating a restrained Fogarty and did not support her claim that he tried to grab her veil before she reluctantly and angrily lifted it to show her face.

Matthews was sentenced in November to six months in jail for making a deliberately false statement to police.

But that conviction and sentence were quashed on appeal last month without her serving any time in jail because a judge was not convinced that it was Matthews who signed the false statutory declaration. The woman who signed the document had worn a burqa and a justice of the peace who witnessed the signing had not looked beneath the veil to confirm her identity.

Bernie, the civil libertarian, said the proposed law panders to public anger against Muslims that the case generated on talk radio and in tabloid newspapers, which itself is a symptom of the suspicion with which immigrants are viewed.

Muslims are among the fastest-growing minorities in Australia and mostly live in the two largest cities, Sydney and Melbourne. There are many examples to suggest they are not entirely welcome.

Muslim and non-Muslim youths rioted for days at Sydney's Cronulla beach in 2005, drawing international attention to surging ethnic tensions. Proposals to build Islamic schools are resisted by local protest groups. The convictions of a Sydney gang of Lebanese Muslims who raped several non-Muslim women were likened by a judge to war atrocities and condemned in the media.

In 2006, then-Prime Minister John Howard published a book in which he said Muslims were Australia's first wave of immigrants to fail to assimilate with the mainstream.

Government leaders have also condemned some Muslim clerics who said husbands are entitled to smack disobedient wives, force them to have sex and for suggesting that women who don't hide their faces behind veils invite rape.

"I wouldn't like to go and say this is Muslim bashing," said Ikebal Patel, president of the Australian Federation of Islamic Councils, of the proposed New South Wales laws.

"But I think that the timing of this was really bad for Muslims," he said.

<http://diversityinc.com/article/8456/>

Why Does the Fed Have So Little Supplier Diversity?

By Barbara Frankel

Diversity Inc., 12 July 2011

BARBARA FRANKEL: Hello, this is Barbara Frankel from DiversityInc and I'm here with Bill Cunningham of Creative Investment Research (CIR). We're going to talk today about some interesting findings he has.

Can you first explain to our audience a little bit about who you are and what CIR is?

WILLIAM CUNNINGHAM: I'm a social investing adviser and I run a firm called Creative Investment Research. A social investing adviser is your generic investment adviser except that we look at social factors as they impact the value of stocks and bonds. My firm is a specialist firm. We started out looking at and reviewing and rating banks that are owned by women and "minorities." From there, we started to look at brokerage firms, investment advisers and other firms that are owned by women and "minorities." We expanded from there to look at certain community-development types of issues. We created a number of community-development investments, and that led us to being concerned about ethics in the marketplace and the rule of loss. We commented and warned the SEC in 2003 and 2006 that our analysis led us to believe that the market was going to stumble badly down the road unless certain reforms were enacted.

[Read Luke Visconti's interview with SEC Commissioner Luis Aguilar.](#)

FRANKEL: I know you recently put out some research that you did on the Federal Reserve Board. Why did you decide to do this and how difficult was it to get the information?

CUNNINGHAM: What we did was issue a FOIA, a Freedom of Information Act request, which is a formal request of a federal government agency for information. We were asking to get information from the Federal Reserve on their "minority" business contracting. How much money did they spend with women firms (WBEs), minority firms (MBEs) and others? We were really looking for information on their spending patterns or their support of minority-owned banks. We were basically trying to complete the data set that relates to their providing support for foreign banks, foreign corporations, domestic corporations out of the legislation and the initiatives that were surrounding the financial crisis.

We initially went in looking for information on minority-owned banks. What we found was that the Fed has not spent a lot of money with women- and minority-owned firms. In response to our Freedom of Information Act request, the Federal Reserve Board responded by providing data on their contract awards for the year 2010, broken out by ethnic and by gender designations. We were able to find out that, for example, in 2010, the Fed only spent 1.73 percent of their contracting dollars with minority-owned firms and 6.31 percent with women-owned firms. The total amount of money that they spent was reported at \$113,109,000. This is only for the Board of Governors in Washington, D.C. This does not cover the entire Federal Reserve System.

We are trying to get a feel as to how much support they were giving to minority firms to compare that to the level of support that they provided to Goldman Sachs and Merrill Lynch and other financial institutions and corporations as a result of the financial crisis.

FRANKEL: Do you think they were initially very reluctant to give you this information?

<http://diversityinc.com/article/8456/>

CUNNINGHAM: They were. We've asked for this information many, many times over the course of the past 10 years. I should say that Creative Investment Research was founded in 1989, so we've been very familiar with this and very aggressive and consistent with respect to trying to get this type of data. They have, as I said, always been reluctant to release this data. The other set of data that they recently released concerned the ethnic and gender breakout of their workforce, so that surprised us too. That's really unprecedented. They've never released information showing the exact makeup, again, from a gender and ethnic perspective of their workforce.

FRANKEL: I wanted to focus on their supplier-diversity results, which are considerably lower than [The DiversityInc Top 50 Companies for Diversity](#) or certainly our [Top 10 Companies for Supplier Diversity](#). They are a little bit lower for women-owned businesses, but they're extremely low for minority-owned businesses. Why do you think that is?

CUNNINGHAM: I think they haven't been required to really take a look at trying to do business with minority-owned firms until now. As you know, it's part of the Financial Reform Act otherwise known as Dodd-Frank. There is a requirement now that the Federal Financial Institution Regulatory Agencies create what are called Offices of Women and Minority Inclusion and that they seek to find ways to take on a cost-effective, high-performance basis and do more contracting with women and "minorities."

I just think that the Fed has been insular, isolated from these types of requirements in the past. They haven't had any desire really to reach out or to extend their efforts or to do anything innovative in this space at all. With the new law, they understand that there are new requirements that become active in this space. Their response to our FOIA request was a recognition that they have not done as well as they could have and probably the best strategy is just to get the data out there, and [also] that this type of data will become available down the road as the Fed comes under Dodd-Frank, Section 342, the Offices of Women and Minority Inclusion. It provides a baseline for them to grow.

The other thing I will say is that one of the reasons why the Fed's numbers are so low for minority firms in particular is probably consistent with what the Fed buys and the kinds of things that they buy. We're probably talking about a lot of economic analysis, economic consulting at a very high level at the Fed. This data covers the waterfront, so it covers pens and papers and paperclips, but it also covers high-end consulting economic analysis that they might get. I'd say they've been negligent, really, in looking for ways to work with women-owned and minority-owned firms. Now given 342, they have an additional incentive to become more active.

FRANKEL: What happens to them if they don't comply?

CUNNINGHAM: What happens under Section 342 [is] the director of the Office of Women and Minority Inclusion can look at all contracts that had been granted by the agency and he or she can recommend to the agency head, in this case, Ben Bernanke, that certain contracts be canceled due to the fact that certain vendors may not have been as responsive or as flexible or as encouraging, if you will, of increased participation of women and "minorities." That's one thing.

Secondly, this data will have to be reported to the Congress, and the Congress will, hopefully, take a look at this data and, given the diverse and diversifying structure of the country, call the Fed officials ... and question them about why their performance is so low. As we all know, once that happens, I'm certain that these entities and these officials will get very active.

FRANKEL: Good. It'll be interesting to see that. You're going to keep paying attention to this?

<http://diversityinc.com/article/8456/>

CUNNINGHAM: Yes. This is something that we had been focusing on for years and years, and given Dodd-Frank, Section 342, and given some of the other things that we are doing, we're going to be tracking this very carefully. Not only for the Fed, but also for the Department of the Treasury, the FDIC, OCC, the whole alphabet soup of federal agencies that are covered by Dodd-Frank, Section 342.

FRANKEL: I think that what we'll do is check in with you again in a couple of months. When do you think you'd be monitoring this?

CUNNINGHAM: One of the things that the Fed is doing and the other agencies are doing as they set up these new offices [is] they are releasing a lot of information. As you know, we've held a number of webinars on Section 342; we've set up a group on LinkedIn, Office of Women and Minority Inclusion, and a group on Google, [and] every time we get information like this, we post it to those groups so that the broader community of women and minority contractors and businesses and women and "minorities" in general are informed as to the status and the nature of the performance of the agency. Every time something comes out, we are posting it to our groups and posting it to the web.

FRANKEL: Good. Thank you. Anything you want to add?

CUNNINGHAM: I think just that this bears watching on the part of women and "minorities" and certainly women- and minority-owned firms. We estimate that there is \$136 million in new contracting opportunities that are going to result from this law. Nothing will result if people aren't advocating on their own behalf. This is something that bears watching.

FRANKEL: We'll watch it and we'll be in touch with you and we know that you'll be watching it.

Misconduct

Ala. Guard colonel resigns after investigation

By Markeshia Ricks - Staff writer
Air Force Times, 9 July 2011

A wing commander who used a fighter jet for personal trips and pocketed nearly \$96,000 in extra pay for unauthorized compensatory time has left his job with the Alabama Air National Guard's 187th Fighter Wing.

Col. Jeffery Smiley, who has been at the helm of the Montgomery, Ala.-based wing since January 2006, submitted his resignation June 21.

Alabama National Guard officials said Smiley resigned for strictly personal reasons, according to a news report on wsfa.com, the website of an Alabama television station. His resignation comes months after an Inspector General investigation found Smiley had violated Air Force and National Guard regulations.

National Guard Bureau officials would not say June 23 whether Smiley had been reassigned or would retire. Smiley has been in the Air Force for 31 years.

Smiley was investigated during the third year of his command after an anonymous complaint was filed with the Air Force Inspector General's Office. After multiple investigations, four of eight allegations were deemed to have merit.

The investigation concluded Smiley accumulated excessive comp time and converted it into flight training time, for which he received nearly \$96,000. The IG also found that he used government property — an F-16 — to visit family several times in 2006; neglected to conduct a semiannual climate survey of the unit for three years while he was installation commander; and improperly coerced his officers to join the National Guard Association of the United States.

In April 2010, Brig. Gen. Paul D. Brown Jr., commander of the Alabama Air National Guard, sent Smiley a letter of counseling.

Brown conducted the initial investigation of the allegations and found none to be substantiated. He referred to his own interpretation of the allegations in his letter to Smiley.

“By a ‘preponderance of the evidence standard,’ a recent Alabama Army National Guard Inspector General investigation has substantiated four allegations of apparent misconduct on your part,” Brown wrote. “While my own review of the allegations and available evidence lead me to conclude that the substantiated allegations are primarily of a technical nature, devoid of any malicious or fraudulent intent, I want to emphasize to you, a senior officer under my command, conditions can develop and/or exist which cast doubt on your overall judgment and create an appearance of impropriety.”

Brown went on to write that he considered “the totality of the circumstances leading up to this counseling” and concluded that he was confident that Smiley was capable of accomplishing his duties as wing commander.

Smiley was given the opportunity to submit additional information for the record and indicated that he would provide it to Brown. The supplemental information, however, was not included with the National Guard Bureau's Feb. 17 response to a Freedom of Information Act request submitted to the agency in November 2010.

Col. Scott Patten, who serves as vice commander of the 187th, will serve as interim commander of the 187th until a permanent replacement is selected.

<http://www.military.com/news/article/carrier-xo-removed-over-relationship.html>

Carrier XO Removed Over Relationship

By Brock Vergakis

Associated Press/ **Military.com**, 12 July 2011

NORFOLK, Va. -- The former executive officer of the USS Dwight D. Eisenhower had an inappropriate relationship with a woman Soldier in the Army when both were married, but Navy investigators did not find evidence of adultery, according to an investigative report obtained Monday by The Associated Press.

Capt. Robert Gamberg was removed in June from his post as the nuclear-powered aircraft carrier's second in command. The Navy detailed the relationship in a report released after a Freedom of Information Act request.

"There are times when I can't believe how lucky I am ... an amazing articulant (sic) compassionate, caring sexy man loves me-just as I am-just as much as I love him," the unidentified woman wrote in a March 4 email.

The next day Gamberg responded: "I have never felt so loved. What an amazing feeling. (Redacted) you are an amazing woman and I love you with my whole heart!"

A message left for Gamberg through a Navy spokesman was not immediately returned. He was previously cited for conduct unbecoming an officer and for failure to obey an order or regulation. Rear Adm. Ted Branch, commander of Naval Air Force Atlantic, has recommended that Gamberg be required to show why he should be allowed to remain in the Navy.

Under military law, sex must take place for adultery to occur and the report said there was no proof it had occurred.

Still, the Navy's investigator noted that Gamberg's conduct was not fitting for an officer and a gentleman, which is part of military code.

The redacted report does not indicate who filed the initial complaint alleging an adulterous relationship, but suspicions were raised when the woman said she participated in group runs with just Gamberg.

In the report, an unidentified man said Gamberg and the woman were followed on two early morning weekend "group runs" and that he found the pair were meeting alone in an empty parking lot, where they spent between 45 and 60 minutes in one of their vehicles before going for a run.

The woman was not identified and it was not clear where she was based. The Army has several installations in the region. The Navy said revealing the identities of those involved would be a "clearly unwarranted invasion of personal privacy."

The report also said there were "at least 3, and perhaps more" women who Gamberg had an "unusually familiar relationship" with. It did not elaborate.

As evidence, the report cited a March 29 email from another unidentified woman.

"Hey my gorgeous Capt!! I just sent you a text from class ... long video and found myself daydreaming ... wondering if we will ever get a chance to have a real go at things," the email said.

He responded later the same day, saying he would definitely have to schedule a tour for her aboard the Eisenhower.

The report said it was difficult to determine the timing and extent of any of the other relationships.

Reports of family violence, abuse within military rise

By Nancy Montgomery

Stars and Stripes, 10 July 2011

The number of reports of family violence within the military, which had been in decline over several years, has been rising over the last two years, and reports of abused children and spouses increased significantly last year, a report by the Defense Department's Family Advocacy Program shows.

But what it means — more people reporting who had kept silent in the past, better record-keeping or more people in the military abusing their spouses and children — is unknown.

“It’s really hard to say at this point,” said Tib Campise, analyst at the Family Advocacy Program, the armed forces program set up decades ago to prevent and treat domestic violence and child abuse within the military. “I don’t think I could answer whether anybody has a good sense of the prevalence (of family violence) across the military.”

In fiscal year 2010, the rate of confirmed spouse abuse was 11.2 per one-thousand couples, up from 10.1 per thousand in 2009 and 9.4 per thousand in 2008. Prior to 2008, the rate had been steadily declining from 16.5 per thousand in fiscal year 2001.

The report said 16 domestic abuse deaths were reported to the Family Advocacy Program in fiscal year 2010. In 81 percent of the cases, the alleged perpetrator was an active-duty troop.

Also, 2010 saw an increase in the number of substantiated child maltreatment cases reported to Family Advocacy, from 4.8 incidents per one-thousand children in 2008 and 2009 to 5.7 per thousand in fiscal year 2010. “That’s a big jump,” said David Finkelhor, a sociologist and family violence expert at the Crimes against Children Research Center at the University of New Hampshire. It doesn’t look like year-to-year bouncing around. It looks like it means something.”

Substantiated child maltreatment cases include physical, sexual and emotional abuse and neglect. Nearly three quarters of the cases — 72 percent — were classified as neglect or emotional abuse.

The report said 29 child deaths from abuse or neglect were reported to Family Advocacy last year. Twelve of them were under a year old. An active-duty troop was responsible in 76 percent of the killings, and in 65 percent of them, the alleged perpetrator was male.

According to Defense Department spokeswoman Maj. Monica Matoush, the mounting reports could be related to more military social workers and other FAP personnel using a standardized format to determine whether cases are substantiated with evidence supporting the claims of abuse.

“Allegations that may have been diverted or unsubstantiated under previous criteria are now classified as [substantiated],” Matoush wrote in an email.

But the overall number of reports also has been increasing since 2008.

It’s possible, Matoush said, that more people are reporting because of increased awareness. Or, it could be more actual abuse and neglect “related to (the) cumulative wear and tear effect of eight years of combat-related operations and deployments on military families with young children, reflect stressors related to the current national economic climate, or (be) a combination of these or other factors.”

Deborah Gibbs, deputy program director of the Women, Children and Families Program for Research at the research institute RTI International, who has done studies on Army families, said numerous studies have produced conflicting reports of abuse rates. She said the social science consensus, however, was that spouse abuse rates are higher in the military than in civilian life, but that, paradoxically, child maltreatment rates are lower.

<http://www.stripes.com/news/reports-of-family-violence-abuse-within-military-rise-1.148815>

“The best data around show they have higher rates of spouse abuse, which may have negative repercussions for kids. But the best evidence is that rates of child maltreatment are probably lower in military populations than civilian populations,” she said. “I think that surprises people.”

However, she added that it was clear that deployments increased child maltreatment rates, especially neglect. “It’s just common sense. These parents left at home are dealing with huge stresses,” she said. “Most do heroically well. Some run into difficulties.”

According to a September report by the Government Accountability Office, the Defense Department is lacking in efforts to understand how much spouse abuse exists within the military and whether its prevention and treatment efforts are effective. “DOD’s leadership lacks the visibility over information needed to understand the magnitude of the domestic abuse problem, identify trends in domestic abuse, and use fact-based information to improve the effectiveness of its efforts,” the report said.

Among the biggest problems the report found was deficient data.

Matoush in an email disagreed with the GAO criticism.

“With respect to targeting families most at risk of domestic abuse, DOD shares this problem with the civilian sector, since there is not yet a consensus on risk factors for individuals, nor for couples, in part because the range, frequency and severity of behaviors subsumed under the terms ‘domestic abuse’ or ‘domestic violence’ vary widely,” she said. “FAP also notes that deployments should not be overemphasized as a risk factor, since domestic abuse occurs in families that haven’t experienced deployments, and many military families have had multiple deployments without domestic abuse.”

Numbers reported to the Defense Department’s Family Advocacy Program are just one part of the puzzle, though. In addition to those who can’t or don’t report their abuse, worried about the abuser’s career or their own safety, are an unknown number of reports made to civilian authorities, military law enforcement or commanders, which are not also reported to FAP.

Another DOD database, the Defense Incident Based Reporting System, compiles law-enforcement cases of family violence in which alleged abuse is a crime, and is compiled by the services from military police reports.

But “the services are providing only a fraction of the required data, and reporting from the services has not improved significantly in the last several years,” the GAO report said.

The GAO recommended in 2006 that the databases be reconciled and that a central database be created. That never happened, and still isn’t feasible, the report said “because of the condition of the data in the law enforcement system.”

FAP’s data are also incomplete for use in trend analysis or targeting at-risk families, according to the GAO. While it does capture things like age, rank and sex of offenders, it has little information about circumstances thought to increase risks of domestic violence, including deployment information.

A better database has not been a priority, a DOD official told the GAO in a letter last June, because other “operational requirements that affect much greater numbers of military personnel have had higher priority.”

Matoush said that those problems were being addressed.

“The database issue has received constant attention over the last half decade, thus the fact that all Military Departments are now reporting to and compliant with DIBRS (Defense Incident Based Reporting System),” her email said. “The length of time it has taken to reach this point is attributable to system complexities and resource priorities within the Military Departments.”

Post-9/11, Sikhs say they are mistaken targets

BY Tamara Lush

Associated Press/Stars and Stripes, 11 July 2011

ELK GROVE, Calif. (AP) -- Kamaljit Atwal's neighborhood seems like an unlikely place for a hate crime. His street in this Sacramento suburb seems a model of diversity.

Atwal and his family are one of two Sikh families on the block from India. On Atwal's street alone, there's a Vietnamese family, a Mexican family, a black woman and a white man.

But in March, Atwal's 78-year-old father Gurmej Atwal and his 67-year-old friend Surinder Singh were shot and killed while taking an afternoon stroll in the neighborhood.



AP Photo/Rich Pedroncelli

Atwal and his fellow Sikhs in the area wonder if the same ugliness that has brought violence to other Sikhs is the reason why.

The men had long beards and were wearing turbans, both traditional symbols of their religion. Police are investigating whether their killing was a hate crime.

"It's a complete case of mistaken identity," said Rajdeep Singh of the Washington, D.C.-based Sikh Coalition, which is the largest Sikh civil rights group in the U.S. "When people look at me with a turban and beard, the first thing that comes to mind is, 'That guy looks like Osama bin Laden.' "

Since the Sept. 11, 2001, attacks, Sikhs have reported a rise in bias attacks, both verbal and physical, against them. The backlash that hit Muslims across the country has expanded to include them and their faith as well, with some assuming the sight of a long beard and turbaned head can only mean one thing.

Kamaljit Atwal said life used to be peaceful for him, his wife and their three children since moving to his quiet suburban block in 2003. Crime has gone down for four years in a row, in Elk Grove, where about 54 percent of its 153,000 residents are nonwhite.

Atwal keeps a framed photo of his father on the fireplace mantel, not far from where the retired Indian civil servant once enjoyed his tea. Almost every day, Gurmej Atwal and his friend drank tea together, took a walk and met with other Sikh retirees in a nearby park.

"My gut is that it was a hate crime," said Atwal. He said that other elderly Sikhs are so afraid of being out in public since the shootings that they no longer socialize in the park.

Mayor Steve Detrick said he's not convinced the double shooting is a hate crime because the area has a history of accepting others.

"Elk Grove is probably one of the most accepting about racial and religious diversity in the country," he said. "I think somebody looked at these guys as an easy target. They were gunned down by cowards."

Amar Shergill, a Sikh and Sacramento attorney who lives in Elk Grove, said the problem is not Elk Grove's. When people - including some politicians - try to stigmatize all Muslims as anti-American, Shergill said, all people who look different are targeted unfairly.

"When the process becomes radicalized, that's when the disturbed actors take out on Sikhs and Muslims and people who are perceived to be Muslims," he said.

http://ap.stripes.com/dynamic/stories/U/US_SEPT_11_SIKHS?SITE=DCSAS&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2011-07-11-05-44-58

Singh said there's just not enough awareness of Sikhism, which is 500 years old and is the world's fifth largest religion with 18 million adherents. The faith, which originated in the Indian region of Punjab, draws from Hinduism and Islamic Sufism and the faithful believe in karmic cycles of rebirth, similar to Buddhists.

Prior to 2001, Sikhs say, people were merely curious about the turbans and why adherents don't cut their hair. After Sept. 11, some people felt that Sikhs were the enemy.

The Sikh Coalition said there have been at least 700 attacks or bias-related incidents against Sikhs since Sept. 11 in the U.S. Hate crimes against Sikhs are lumped in with hate crimes against Muslims, Arabs and South Asians - all groups that have experienced increased discrimination since the attacks of 2001.

The group will hold meetings in New York on July 30 and in San Francisco on Aug. 27 so Sikhs can talk about bias and discrimination in the last decade. Videos of the meetings will be sent to lawmakers and police agencies. The coalition is also spearheading an effort this summer to stop bullying of Sikh children in schools after kids reported that other students tried to forcibly cut their hair, set their turbans on fire or attack them.

"Suddenly, our life has changed," said Rana Singh Sodhi, the brother of a man who was murdered outside of his Arizona gas station five days after Sept. 11. "We didn't have any issue before 9/11."

Sodhi said that he and his family have stopped going camping in isolated areas because they fear what will happen.

The man who was convicted of killing Sodhi's brother expressed anger over Sept. 11 and before the murder, had told his wife that "all Arabs should be shot."

In 2004, vandals scrawled the words "It's not your country" in blue spray paint on the wall of a Sikh temple in Fresno. No one has been arrested in that case.

In 2010, a Sikh cabdriver was beaten by two men in Sacramento - located in a region with more Sikh residents than any in the nation. During the attack, one of the men called the cabbie "Osama bin Laden," and also repeatedly told the assailants that he wasn't Muslim, authorities said. In early June, Pedro Ramirez was sentenced to 13 years in prison for the attack a second man was sentenced to a year in jail.

On Memorial Day of this year, four weeks after the U.S. raid that killed Osama bin Laden, a Sikh man who is a subway employee in New York said he was punched in the mouth by a man who called him "the brother of Osama."

No one has been arrested.

Racism

<http://www.nytimes.com/2011/07/09/opinion/09dow.html?emc=tnt&tntemail1=y>

Death Penalty, Still Racist and Arbitrary

By DAVID R. DOW

New York Times, July 8, 2011

Houston

LAST week was the 35th anniversary of the return of the American death penalty. It remains as racist and as random as ever.

Several years after the death penalty was reinstated in 1976, a University of Iowa law professor, David C. Baldus (who died last month), along with two colleagues, published a study examining more than 2,000 homicides that took place in Georgia beginning in 1972. They found that black defendants were 1.7 times more likely to receive the death penalty than white defendants and that murderers of white victims were 4.3 times more likely to be sentenced to death than those who killed blacks.

What became known as the Baldus study was the centerpiece of the Supreme Court's 1987 decision in *McCleskey v. Kemp*. That case involved a black man, Warren McCleskey, who was sentenced to die for murdering a white Atlanta police officer. Mr. McCleskey argued that the Baldus study established that his death sentence was tainted by racial bias. In a 5-to-4 decision, the Supreme Court ruled that general patterns of discrimination do not prove that racial discrimination operated in particular cases.

Of course, the court had to say that, or America's capital justice system would have screeched to a halt. Georgia is not special. Nationwide, blacks and whites are victims of homicide in roughly equal numbers, yet 80 percent of those executed had murdered white people. Over the past three decades, the Baldus study has been replicated in about a dozen other jurisdictions, and they all reflect the same basic racial bias. By insisting on direct evidence of racial discrimination, the court in *McCleskey* essentially made the fact of pervasive racism legally irrelevant, because prosecutors rarely write e-mails announcing they are seeking death in a given case because the murderer was black (or because the victim was white).

In Texas, though, they do come close. In 2008, the district attorney of Harris County, Chuck Rosenthal, resigned after news emerged that he had sent and received racist e-mails. His office had sought the death penalty in 25 cases; his successor has sought it in 7. Of the total 32 cases, 29 involve a nonwhite defendant.

Since 1976, Texas has carried out 470 executions (well more than a third of the national total of 1,257). You can count on one hand the number of those executions that involved a white murderer and a black victim and you do not need to use your thumb, ring finger, index finger or pinkie.

Well, you might need the pinkie. On June 16, Texas executed Lee Taylor, who at age 16 beat an elderly couple while robbing their home. The 79-year-old husband died of his injuries. Mr. Taylor was sentenced to life in prison; there he joined the Aryan Brotherhood, a white gang, and, four years into his sentence, murdered a black inmate and was sentenced to death. When Mr. Taylor was executed, it was reported that he was the second white person in Texas executed for killing a black person. Actually, he should be counted as the first. The other inmate, Larry Hayes, executed in 2003, killed two people, one of whom was white.

The facts surrounding Lee Taylor's execution are cause for further shame. John Balentine, a black inmate, was scheduled to die in Texas the day before Lee Taylor's execution. Mr. Balentine's lawyers argued that his court-appointed appellate lawyer had botched his case, and that he should have an opportunity to raise issues the lawyer had neglected. Less than an hour before Mr. Balentine was to die, the Supreme Court issued a stay.

<http://www.nytimes.com/2011/07/09/opinion/09dow.html?emc=tnt&tntemail1=y>

Lee Taylor's lawyers watched the Balentine case closely; their client too had received scandalously bad representation, and, they filed a petition virtually identical to the one in the Balentine case. But by a vote of 5-to-4, the justices permitted the Taylor execution to proceed. If there were differences between the Balentine and Taylor cases, they were far too minor to form the boundary between life and death. But trivial distinctions are commonplace in death penalty cases. Justice Lewis F. Powell Jr., one of the five justices in the McCleskey majority, retired from the court in 1991. Following his retirement he said he had voted the wrong way. If Justice Powell had changed his mind a year sooner, Warren McCleskey, who was executed in Georgia in 1991, would still be alive.

And because of a vote from a single Supreme Court justice, John Balentine lives while Lee Taylor died. When capital punishment was briefly struck down, in 1972, Justice Potter Stewart said the death penalty was arbitrary, like being struck by lightning.

It still is, and it's the justices themselves who keep throwing the bolts.

David R. Dow, a professor at the University of Houston Law Center, is the author, most recently, of a memoir, "The Autobiography of an Execution."