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## Court Opens Door To Voiding Voter ID

By Jonathan Drew and  
Gary D. Robertson

Associated Press

North Carolina's highest court opened the door Friday to nullifying a voter ID mandate approved by citizens in 2018 because the lawmakers who put it on the ballot were elected from districts tainted by illegal racial bias.

However, the North Carolina Supreme Court stopped short of striking down the voter ID requirement and another constitutional amendment that limited income tax rates, ruling that a lower court must gather more evidence on the measures before tossing them out.

Voter identification is not currently required in North Carolina, because it's held up in separate litigation regarding state voter laws. Friday's ruling doesn't alter that situation.

The long-awaited ruling, decided 4-3 by the court's Democratic majority, is a victory for the state NAACP, which sued Republican legislative leaders. It undoes a state appeals court ruling that upheld the amendments, and it sends the case back to Wake County Superior Court Judge Bryan Collins, who previously struck down the amendments.

Friday's ruling decried that the Republican-controlled legislature proceeded with putting the constitutional amendments on the ballot despite the fact that more than two dozen districts had been found to be tainted by illegal racial bias.

Writing for the majority, Associate Justice Anita Earls noted that "what makes this case so unique is that the General Assembly, acting with the knowledge that 28 of its districts were unconstitutionally racially gerrymandered and that more

than two-thirds of all legislative districts needed to be redrawn to achieve compliance with the Equal Protection Clause, chose to initiate the process of amending the state constitution."

However, the opinion said that before taking a step as serious as undoing constitutional amendments approved by voters, the trial court must gather more evidence on whether leaving the amendments in place would allow improperly elected legislators to escape accountability, further exclude voters from the democratic process or amount to continued discrimination.

In a dissent, Associate Justice Phil Berger Jr. wrote that the ruling by the court's Democratic majority "unilaterally reassigns constitutional duties and declares that the will of the judges is superior to the will of the

(See **COURT OPENS**, P. 2)



## Firestorm Over Minneapolis Teacher Rules

By Steve Karnowski

Associated Press

MINNEAPOLIS, Minn. (AP)—When Minneapolis teachers settled a 14-day strike in March, they celebrated a groundbreaking provision in their new contract that was meant to shield teachers of color from seniority-based layoffs and help ensure that students from racial minorities have teachers who look like them.

Months later, conservative media outlets have erupted with denunciations of the policy as racist and unconstitutional discrimination against White educators.

One legal group is looking to recruit teachers and taxpayers willing to sue to throw out the language. The teachers union paints the dispute as a ginned-up controversy when there's no imminent danger of anyone losing their job. Meanwhile, the feud is unfolding just months ahead of arguments in a pair of U.S. Supreme Court cases that could reshape affirmative action.

"The same people who want to take down teachers unions and blame seniority are now defending it for White people," said Greta Callahan, president of the teachers unit at the Minneapolis Federation of Teachers. "This is all made up by the right wing

now. And we could not be more proud of this language."

Recent coverage in conservative platforms such as the local news website Alpha News, Fox News nationally and the *Daily Mail* internationally sparked criticisms from prominent figures, including Donald Trump Jr. and former Wisconsin Gov. Scott Walker, who curbed the power of public employee unions in his state. Walker on Twitter called it "another example of why government unions should be eliminated."

The contract language doesn't specifically say that White teachers would be laid off ahead of teachers of color, though critics

say that's what the effect would be. The contract exempts "teachers who are members of populations underrepresented among licensed teachers in the District," as well as alumni of historically Black and Hispanic colleges, and of tribal colleges. Around 60 percent of the district's teachers are White, while more than 60 percent of the students are from racial minorities.

Advocates say students from racial minorities perform better when their educators include teachers and support staff of color, and that it's especially critical in a district that suffers from

(See **FIRESTORM**, P. 2)



### RALEIGH POLICE HOLD GUN BUYBACK EVENT

(AP)—Police say a gun buyback event in Raleigh has resulted in the surrender of 267 functional firearms and an additional 11 inoperable weapons.

The Raleigh Police Department says nearly 150 people voluntarily surrendered their firearms at Saturday's event.

The guns will be stored or sold on the open market, under a 2015 state law, and the proceeds given to local schools.

Gun violence is a priority for the city this year, Raleigh Mayor Mary-Ann Baldwin said in a recent interview.

Sixty-nine people were shot in Raleigh and more were killed in the first six months of 2022 than in the first six months of 2021 or 2020. A Wake County deputy also was shot and killed just over a week ago—one of seven deputies shot in North Carolina this month, two of them fatally.

### NORTH CAROLINA CORRECTIONAL OFFICER DIES AFTER TRAINING

(AP)—Authorities say a North Carolina correctional officer has died after participating in training.

The North Carolina Department of Public Safety says Officer Naomi Carroll-Moore died on Thursday.

The department says that sometime after a training exercise on Tuesday was complete at the North Carolina Correctional Institution for Women in Raleigh, she experienced a medical emergency and was transported to a local hospital.

Carroll-Moore, 56, was hired as a correctional officer in 2003. She worked in several prisons before leaving in 2009. She sought to return to the job and was rehired earlier this month.

### NORTH CAROLINA MAN DIES AFTER CRASHING CAR INTO A TRAIN

BENSON (AP)—Authorities say a North Carolina man has died after a car crashed into a moving freight train in Benson.

News outlets report that it happened Friday in Johnston County, before 6 p.m.

The North Carolina State Highway Patrol identified the man as 27-year-old Christopher Ray Valdez.

State Highway Patrol says a train was going north and the crossing guard was down when a driver went through the crossing guard. It was unclear why Valdez didn't stop for the crossing guard.

State Road 1330 was closed in both directions for several hours as crews cleaned up the crash.

### MAN CHARGED WITH MURDER IN SHOOTING OF NORTH CAROLINA DEPUTY

(AP)—Authorities in North Carolina charged a man with murder Thursday in the fatal shooting of a sheriff's deputy earlier this month.

Arturo Marin-Sotelo is charged in the Aug. 11 killing of Wake County Deputy Ned Byrd, Sheriff Gerald Baker said during a news briefing.

Lt. Walter Adams said the investigation is ongoing and additional arrests are expected. He urged anyone with information about the shooting to call the sheriff's office.

Baker identified Marin-Sotelo as "one of the suspects" authorities believe were involved in Byrd's killing. The sheriff's office did not provide any biographical information about Marin-Sotelo or describe his alleged role in Byrd's shooting. The sheriff's office did not take any questions at the news conference, citing the active nature of the investigation.

During Marin-Sotelo's first appearance in court on Thursday, a judge appointed an attorney for him and ordered him to be held without bail.

District Attorney Lorrin Freeman said she expects to see another man charged with murder this week. She said she will decide in the next 90 days whether her office will seek the death penalty or life in prison in the case.

Byrd, 48, was a K-9 officer who had been with the sheriff's office for 13 years. Baker said Byrd was killed after stopping along a dark stretch of road late at night.

Sheriff's Office spokesman Eric Curry said earlier that evening, Byrd had responded to a domestic call less than a mile away and then entered his notes into the system. When Byrd didn't respond to several attempts to check in, another deputy was sent to check and found Byrd shot outside his vehicle with his K-9 still inside the vehicle, Curry said.

### APPLE WARNS OF SECURITY FLAW FOR IPHONES, IPADS AND MACS

SAN FRANCISCO, Calif. (AP)—Apple disclosed serious security vulnerabilities for iPhones, iPads and Macs that could potentially al-

(See **STATE BRIEFS**, P. 2)

## Judge Reinstates 20-Wk. Abortion Ban

By Hannah Schoenbaum

Associated Press/Report for America

Abortions in North Carolina are no longer legal after 20 weeks of pregnancy, a federal judge ruled Wednesday, eroding protections in one of the South's few remaining safe havens for reproductive freedom.

U.S. District Judge William Osteen reinstated an unenforced 20-week abortion ban, with exceptions for urgent medical emergencies, after he said the June U.S. Supreme Court decision overturning *Roe v. Wade* erased the legal foundation for his 2019 ruling that placed an injunction on the 1973 state law.

His decision defies the recom-

mendations of all named parties in the 2019 case, including doctors, district attorneys and the attorney general's office, who earlier this month filed briefs requesting he let the injunction stand.

"Neither this court, nor the public, nor counsel, nor providers have the right to ignore the rule of law as determined by the Supreme Court," wrote Osteen, who was appointed to the court by Republican President George W. Bush.

Unable to pass abortion restrictions that would survive Democratic Gov. Roy Cooper's veto, the Republican General Assembly leaders urged Osteen to restore the ban in a July 27

friend-of-the-court brief after the state's Democratic attorney general, an outspoken abortion rights supporter, rejected their demand that he bring the ban before a judge himself.

"I am encouraged that, although our attorney general has failed to do his duty, today we have a ruling that upholds the law," House Speaker Tim Moore said, referring to North Carolina Attorney General Josh Stein.

Osteen's ruling adds fuel to an already contentious midterm election year after the Supreme Court ruling propelled state-level politics into the spotlight. North Carolina Republicans in November will aim to clinch the five additional seats they need for a

veto-proof supermajority in the state legislature as Democrats stave off their challenges to preserve Cooper's power.

Republican lawmakers say a successful election season could open the door to further abortion restrictions when the General Assembly reconvenes early next year. Moore told reporters on July 26 that he would like to see the legislature consider banning abortions once an ultrasound first detects fetal cardiac activity—typically around six weeks after fertilization and before some patients know they're pregnant.

Cooper and other Democrats have already elevated abor-

(See **JUDGE REINSTATES**, P. 2)

## Statue Honors Woman Who Won Her Freedom

By Mark Pratt

Associated Press

The story of the enslaved woman who went to court to win her freedom more than 80 years before the Emancipation Proclamation has been pushed to the

fringes of history.

A group of civic leaders, activists and historians hope that ends Sunday in the quiet Massachusetts town of Sheffield with the unveiling of a bronze statue of the woman who chose the name Elizabeth Freeman when she

shed the chains of slavery 241 years ago to the day.

Her story, while remarkable, remains relatively obscure.

State Rep. William "Smitty" Pignatelli grew up not far from Sheffield in the Berkshires of western Massachusetts yet didn't hear her story until about 20 years ago. He found that many of his colleagues in the Statehouse were also largely in the dark about the significance of her case, which set the legal precedent that essentially ended slavery in Massachusetts.

"She's clearly a hidden figure in American history, and I really believe Black history is American history," said Pignatelli, a Democrat. "But unfortunately, Black history is what we haven't been told and taught."

The enslaved woman, known as Bett, could not read or write, but she listened.

And what she heard did not make sense.

While she toiled in bondage in the household of Col. John Ashley, he and other prominent citizens of Sheffield met to discuss their grievances about British tyranny. In 1773, they wrote in what are known as the Sheffield Resolves that "Mankind in a state of nature are equal, free, and independent of each other."

Those words were echoed in Article 1 of the Massachusetts

Constitution in 1780, which begins "All men are born free and equal, and have certain natural, essential, and unalienable rights."

It is believed that Bett, after hearing a public reading of the constitution, walked roughly 5 miles from the Ashley household to the home of attorney Theodore Sedgwick, one of the citizens who drafted the Sheffield Resolves, and asked him to represent her in her legal quest for freedom, said Paul O'Brien, president of the Sheffield Historical Society.

Sedgwick and another attorney, Tapping Reeve, took the case.

Women had limited legal rights in Massachusetts courts at the time, so a male slave in the Ashley household named Brom was added to the case.

The jury agreed with the attorneys, freeing Bett and Brom on Aug. 21, 1781.

Former Massachusetts Gov. Deval Patrick, and his wife, Diane, are residents of the Berkshires and have been instrumental in fundraising and organizational efforts. They led Sunday's ceremony.

"What I love about the story is that this remarkable woman, enslaved, sometimes brutalized,

(See **STATUE HONORS**, P. 2)



BETT FREEMAN

## STATE BRIEFS

Continued from page 1

low attackers to take complete control of these devices.

Apple released two security reports about the issue on Wednesday, although they didn't receive wide attention outside of tech publications.

Apple's explanation of the vulnerability means a hacker could get "full admin access" to the device. That would allow intruders to impersonate the device's owner and subsequently run any software in their name, said Rachel Tobac, CEO of SocialProof Security.

Security experts have advised users to update affected devices—the iPhone6S and later models; several models of the iPad, including the 5th generation and later, all iPad Pro models and the iPad Air 2; and Mac computers running MacOS Monterey. The flaw also affects some iPod models.

Apple did not say in the reports how, where or by whom the vulnerabilities were discovered. In all cases, it cited an anonymous researcher.

Commercial spyware companies such as Israel's NSO Group are known for identifying and taking advantage of such flaws, exploiting them in malware that surreptitiously infects targets' smartphones, siphons their contents and surveils the targets in real time.

NSO Group has been blacklisted by the U.S. Commerce Department. Its spyware is known to have been used in Europe, the Middle East, Africa and Latin America against journalists, dissidents and human rights activists.

Security researcher Will Strafach said he had seen no technical analysis of the vulnerabilities that Apple has just patched. The company has previously acknowledged similarly serious flaws and, in what Strafach estimated to be perhaps a dozen occasions, has noted that it was aware of reports that such security holes had been exploited.

## RFK JR.'S ANTI-VACCINE GROUP KICKED OFF INSTAGRAM, FACEBOOK

Instagram and Facebook suspended Children's Health Defense last week after the anti-vaccine group led by Robert Kennedy Jr. repeatedly violated rules prohibiting misinformation about COVID-19.

A nonprofit, Children's Health Defense is one of the most influential anti-vaccine organizations active on social media, where it has spread misleading claims about vaccines and other public health measures designed to control the pandemic.

In a statement, Kennedy compared Facebook's actions to government censorship, even though Facebook is a private company that can set and enforce its own rules about misinformation.

"Facebook is acting here as a surrogate for the federal government's crusade to silence all criticism of draconian government policies," Kennedy said.

Children's Health Defense had hundreds of thousands of followers at the time of the suspension, according to a statement from the organization, which also noted that it has sued Facebook over its moderation policies.

Public health advocates and misinformation experts have criticized Facebook for not acting more swiftly to contain potentially harmful misinformation about COVID-19 and vaccines.

Karen Kornbluh, director of the Digital Innovation and Democracy Initiative at the German Marshall Fund, said too many groups like Children's Health Defense have been allowed to flourish on social media for too long. She noted that the group remains on Twitter.

"Today's step is too late and too little," Kornbluh said, adding that tech companies must address the reasons misinformation spreads so readily on social media.

Facebook and Instagram confirmed the company action on Thursday in a statement to The Associated Press.

"We removed these accounts for repeatedly violating our policies," a spokesman for Meta, Facebook and Instagram's parent company, told the AP. Under the platforms' policies, suspensions are typically only enforced after multiple violations.

Several state affiliates of Children's Health Defense remain on Facebook and Instagram despite the ban of the national organization. Kennedy was kicked off Instagram last year but continues to keep an active account on Facebook.

## CHARLENE CURTIS, COACHING TRAILBLAZER IN ACC, DIES AT 67

WINSTON-SALEM (AP)—Charlene Curtis, the first Black women's basketball coach in the ACC, died Thursday after a battle with cancer, the conference said. She was 67.

Curtis was the head coach at Wake Forest from 1997-2004, after head coaching stops at Radford and Temple, where she also was the first African-American head women's basketball coach.

Curtis played basketball at Radford shortly after the passage of Title IX in 1972 and became the school's first 1,000-point scorer, male or female, and a member of its Hall of Fame. She majored in music and joined a Radford women's basketball team that didn't offer scholarships at the time.

Curtis worked in the ACC league office as the supervisor of officials for women's basketball for 11 years, retiring in 2019. Along with her ACC job, Curtis spent that time as the coordinator of women's basketball officials for the Southern Conference, the Big South and the Colonial Athletic Association.

"Charlene was a pioneer in the sport of women's basketball, but more importantly, she was an amazing individual," said ACC Commissioner Jim Phillips. "Her kindness and class resonated throughout her life, and she will be missed by all who were fortunate to know her and her inspiring spirit."

A native of Roanoke, Va., her early coaching jobs included an assistant at Radford and graduate assistant coach at Virginia in 1981. She worked with Virginia head coach Debbie Ryan and then-assistant Geno Auriemma. Curtis became Radford's head coach in 1984 at age 29, finishing with a 121-53 record in six seasons.

She also worked two years as an assistant at UConn before being hired at Wake Forest.

Curtis is survived by her partner of 24 years, Sharolyn Grant, and her sister and brother-in-law Millicent and Byrl Wright.

## Court Opens Door To Voiding—CONTINUED FROM PAGE 1

people of North Carolina."

Federal courts had declared that nearly 30 districts used in 2016 elections were unlawful racial gerrymanders. Ultimately over 100 of the 170 General Assembly seats had to be redrawn. Judges had permitted lawmakers elected in 2016 to serve in the General Assembly for the next two-year session. Still, the plaintiffs' lawyers said that this edition of the legislature was illegally constituted, so the amendment was unlawfully on the ballot and should be canceled.

In 2020, a split state Court of Appeals panel declared that such a threshold for blocking legislative action would cause chaos and confusion by allowing anyone to challenge any conventional legislation approved by a majority of lawmakers whose districts were struck down. The appeals court overturned Collins'

2019 ruling that struck down the amendments and found the General Assembly had exceeded its authority to place the referenda.

The state NAACP hailed Friday's ruling as limiting an improperly elected legislature's ability to change the state constitution.

"Rigging elections by tampering on the rights of Black voters has consequences. No legislature has the right to use racially gerrymandered maps—inflicting more than two-thirds of the districts of this state—to steal power from the people to change our state's constitution," said state NAACP President Deborah Maxwell in a statement.

The NAACP sought narrow relief—that a General Assembly elected from illegally distorted boundaries lose its ability to propose constitutional referenda. Unlike legislation, it argued, a

referendum needs support from three-fifths of the members of each legislative chamber to go on the ballot and isn't subject to gubernatorial veto.

Republican state House Speaker Tim Moore issued a statement arguing that Friday's ruling was a political decision.

"This party-line ruling is in direct contradiction to the rule of law and the will of the voters. The people of North Carolina will not stand for the blatant judicial activism and misconduct that has seized our state's highest court, and neither will I," Moore said.

The divided decision further intensifies sharp differences on the court and should bring greater focus on two seats on the statewide ballot this fall. Both are currently held by Democrats, so Republicans need to win one of them to regain a majority.

Friday's ruling didn't block regular state laws that require simple majorities and are subject to a governor's veto. GOP legislators have passed other regular laws lowering taxes and requiring photo identification to vote.

A rule-making law passed in 2018 after the voter ID amendment was approved sought to implement the mandate. Friday's ruling doesn't cancel that law. But it remains unenforceable pending two other lawsuits—one federal and one state—challenging current voter ID rules.

A majority on a three-judge panel of trial judges struck down those rules last September, saying the law was rushed through the General Assembly and still intentionally discriminates against Black voters. The state Supreme Court has since agreed to hear this case, too.

## Firestorm Over Teacher Rules—CONTINUED FROM PAGE 1

stubborn achievement gaps. Callahan said her union fought for years to get the protection added to their contract, and that she knows of two other Minnesota districts with similar provisions.

Minneapolis is one of many districts across the U.S. struggling with declining teacher headcounts and tight budgets. But Callahan disputed that the provision threatens anyone's job, noting that Minneapolis has nearly 300 unfilled positions as teachers and students prepare to go back to school, and the language won't take effect until the 2023 academic year.

Callahan called it "just one teeny, tiny step towards equity" that doesn't begin to make up for many teachers of color quitting the district in recent years because they felt underpaid and disrespected.

To Lindsey West, a fifth grade teacher at Clara Barton Community School who identifies as Black and Indigenous, the seniority language is one piece of a bigger mission of improving education.

West said she feels strongly that students of color benefit from having teachers that look like them, but said she's also seen that diversity can be empowering for White students. She

said she's sometimes been the first educator of color that Black or White students have had.

"We want to have kids from all demographics having experiences with people of different backgrounds and different cultures, and becoming aware that our shared humanity is what's important, and not the things that divide us," West said.

Minneapolis Public Schools interim Superintendent Rochelle Cox declined a request for an interview.

"The object of this provision is clearly to lay off White teachers first, regardless of merit, based on the color of their skin, and that is a big problem under the Constitution and the 14th Amendment," said James Dickey, senior trial counsel at the Upper Midwest Law Center, a conservative nonprofit that often takes on public employee unions. It has brought litigation over such issues as COVID-19 mask mandates and displays of Black Lives Matter posters.

Dickey said his group is considering suing and has had a flood of Minneapolis taxpayers—and some teachers—contact them to say they are "offended that my tax dollars could go to fund this kind of racist agenda."

He argued that a 1986 U.S.

Supreme Court decision known as the Wygant case bars such provisions and would serve as a precedent in Minnesota.

The Wygant case involved a teachers contract in Jackson, Mich., which took a different approach from the Minneapolis agreement. It effectively said Jackson could not make cuts that led to an overall reduction in the percentage of minority personnel employed in the district. White teachers sued after being laid off while some teachers of color with less seniority kept their jobs. A divided Supreme Court held that the layoffs violated the equal protection clause of the U.S. Constitution.

Andrew Crook, spokesman for the American Federation of Teachers, said he didn't know of anything similar to the Minneapolis wording in contracts in other states, though he said some contracts provide exceptions from straight seniority rules for teachers in hard-to-fill specialties such as math and special education.

Officials with other national public employee unions and professional associations either said they didn't know of anything similar in their fields or did not respond to requests for comment.

Two affirmative action cases set for oral arguments before the Supreme Court in October, involving Harvard University and the University of North Carolina, could have a bearing on the Minneapolis dispute. The cases are challenges to the consideration of race in college admission decisions.

Affirmative action has been reviewed by the high court several times over the past 40 years and has generally been upheld, but with limits. With three new conservative justices on the court since its last review, however, the practice may be facing its greatest threat yet.

Joseph Daly, a professor emeritus at the Mitchell Hamline School of Law who arbitrates disputes across the country, including many teacher cases over the years, said the Minneapolis language appears designed to survive a court challenge.

"The U.S. Supreme Court in the past has OK'd affirmative action when there were very valid objectives to be achieved in ultimately seeking equality for all human beings," Daly said. "Now the question of today is: Will this concept be upheld by the courts in light of the more conservative stance on the Supreme Court? I don't have an answer on that."

## Judge Reinstates 20-wk. Ban—CONTINUED FROM PAGE 1

tion access as a key campaign issue. The governor signed an executive order on July 6 shielding out-of-state abortion patients from extradition and prohibiting state agencies under his control from aiding other states' prosecutions of those who travel for the procedure.

"Denying women necessary medical care in extreme and threatening situations, even if rare, is fundamentally wrong, and we cannot let politicians mislead people about the real-world implications of this harmful law," Cooper said Wednesday.

North Carolina has become a refuge for residents of its more restrictive neighboring states, like South Carolina, Georgia and Tennessee, where abortions are now illegal after six weeks.

Before Osteen's ruling, abor-

tions were legal in North Carolina until fetal viability, which generally falls between 24 and 28 weeks of pregnancy, or in certain medical emergencies.

As other Southeastern states continue to chip away at abortion access, Alison Kiser, executive director of Planned Parenthood Votes! South Atlantic, said limiting treatment in "a critical access point state" like North Carolina will have ripple effects across the region.

The number of out-of-state patients at North Carolina's Planned Parenthood health centers has tripled since the Supreme Court ruling, Kiser said. So far in August, 36 percent of abortion patients traveled from other states, up from 14 percent in June.

But Republicans argue little

will change with the 20-week ban back in place. In 2019, fewer than 1 percent of abortions nationwide were performed after 20 weeks of gestation, consistent with data from previous years when abortion access was protected at the federal level, according to the Centers for Disease Control and Prevention.

"Abortions after 20 weeks are rare, but it's still incredibly important that people have access to this care," Kiser said. "The two primary reasons people need abortion care later in pregnancy is because they've received new medical information or, and ever more so now, they're facing barriers that have delayed their care."

The main delay, she said, is North Carolina's 72-hour mandatory waiting period to receive an

abortion after an initial doctor's visit. The General Assembly extended the waiting period in 2015, making North Carolina the fifth state to require counseling three days before an abortion—one of the longest waiting periods in the country.

The 2015 bill also amended the state law that Osteen reinstated Wednesday, narrowing the criteria for medical emergencies that could warrant an abortion after 20 weeks.

Hannah Schoenbaum is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues. Follow her on Twitter at twitter.com/HSchoenbaum.

## Statue Honors Enslaved—CONTINUED FROM PAGE 1

unable to read, listened carefully to the conversation around the table as the men she was serving discussed the concepts of life, liberty and the pursuit of happiness as 'inalienable rights,'" Patrick, the state's first Black governor, said in an email.

"I love that this powerless woman could imagine these powerful ideas as her own, and could persuade others to test that question. And I love that the Massachusetts courts had the integrity of purpose to take her question seriously."

Pignatelli was inspired to raise a statue of Freeman last year when he attended the unveiling of a statue of Susan B. Anthony in Adams, the Berkshire County community where the suffragist was born.

He brought together stakeholders and raised about \$280,000, enough money for the roughly 8-foot statue, as well as a scholarship fund in Freeman's honor for area high school students.

Gwendolyn VanSant, the CEO of BRIDGE, an area nonprofit that fosters racial understanding and equity, is overseeing the scholarships.

She called Freeman an icon and a trailblazer. "For me as an African-American woman, it's amazing to be walking in her footsteps," she said.

After the court case, Ashley asked Freeman to return to his household as a paid servant, but she refused and instead went to

work for Sedgwick, where she helped raise his children and was known by the affectionate name, Mumbet.

She was a healer, a nurse and a midwife, who bought her own property in nearby Stockbridge, VanSant said.

The Sedgwicks had such a deep respect for Mumbet that when she died in 1829 at about the age of 85 she was buried with them, the only non-family member in the family plot. Much of

what historians know about her was written by one of Theodore Sedgwick's daughters, the novelist Catharine Maria Sedgwick, O'Brien said.

The statue, cast by renowned sculptor Brian Hanlon, is being placed on the property of the First Congregational Church in Sheffield, not far from the Sedgwick home.

"We don't know if Elizabeth Freeman went to the church, but we know Ashley did, and it was

common for enslavers to bring enslaved people to look after their children at church," said O'Brien.

Although some 200 people were expected to attend Sunday's unveiling, the culmination of three days of celebrations, organizers have been unable to find any of Freeman's descendants.

VanSant hopes a permanent memorial will spur interest into Freeman's story. "Maybe her descendants will find us," she said.

## Extra Monkeypox Vax For Pride Events

By Mike Stobbe

AP Medical Writer

NEW YORK, N.Y. (AP)—The U.S. is setting aside an extra 50,000 doses of monkeypox vaccine for places with upcoming gay pride events, health officials said Thursday.

The number of doses sent to each place will be based on factors like the size of the event, how many health workers will be available to give shots, and how many of the attendees are considered at highest risk for catching the virus.

"More shots in arms is how we get the outbreak under control," Bob Fenton, the White House monkeypox response coordinator, told reporters Thursday. He said the effort is an attempt to "meet people where they are."

At least a dozen U.S. pride

events are scheduled over the next two months, including large gatherings in Atlanta and New Orleans in early September. U.S. officials said they would send up to 2,000 additional doses to North Carolina, where the Charlotte Pride Festival & Parade was held over the weekend.

Southern Decadence, one of the nation's largest LGBTQ events, is expected to attract 200,000 or more people to New Orleans over Labor Day weekend. The Bourbon Street Extravaganza, a free concert held amid the event, has been canceled over monkeypox concerns, organizers said this week.

Frank Perez, a former grand marshal of the parade that's the centerpiece of Southern Decadence, said a number of New Orleans gay bars have already had vaccine events. He said so far

officials have done an adequate job with the vaccine campaign although "more is better."

Dr. Rochelle Walensky, director of the Centers for Disease Control and Prevention, cautioned: "While we are offering the vaccine at these events to those at high risk, this is a two-dose vaccine series, and receiving the vaccine at the event will not provide protection at the event itself."

Health officials also are urging other steps to prevent the spread of the virus, including temporarily limiting sexual partners.

Monkeypox is endemic in parts of Africa, where people have been infected through bites from rodents or small animals, but it wasn't considered a disease that spreads easily among people until May, when infections emerged in Europe and the U.S.

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# Business & Finance

## Homeowning While Black: Bias In Lending Still Alive, Well

By Stan Choe

AP Business Writer

NEW YORK, N.Y. (AP)—How much does it pay to hide the photos of your family at your home, or anything else that shows your race? If you're Black and trying to find out how much your house is worth, one family suggests it could be hundreds of thousands of dollars.

A couple in Baltimore is suing an appraiser and a mortgage lender, alleging their home was severely undervalued because they are Black, blocking them from refinancing their mortgage. The couple says a separate appraisal, done after "whitewashing" the place by removing family photos and having a White colleague stand in for them, pegged the home's value higher by \$278,000.

The two "were shocked at the appraisal and recognized that the low valuation was because of racial discrimination," according to the suit filed earlier this week in U.S. District Court in Maryland.

Officials at the lender accused in the case, loanDepot, declined to discuss the allegations. But in a statement, the publicly traded company said it strongly opposes bias.

"While appraisals are performed independently by outside expert appraisal firms, all participants in the home finance process must work to find ways to contribute to eradicating bias."

The appraisal company in the case, 20/20 Valuations, could not be immediately reached for comment. Neither it nor the individual appraiser named in the suit has lawyers listed yet in the court filings.

The situation began last year, when two professors at Johns Hopkins University, Nathan Connolly and Shani Mott, wanted to do the same thing millions of

others across the country were doing. They hoped to take advantage of low interest rates and refinance their mortgage and a home-equity loan.

The couple had bought their four-bedroom home in 2017 for \$450,000 and had made several upgrades to it. They remodeled their club room for \$35,000, for example. They also invested in a tankless water heater, recessed lighting and other improvements that the family's lawyers say raised the value of the home.

That would be on top of the general rise that home prices enjoyed in the area and across the country between 2017 and 2021.

The couple applied in mid-2021 with loanDepot, which initially approved them for a 2.25 percent interest rate, pending an appraisal to ensure the home was worth enough in case of a default. A loanDepot lending officer told the family a "pretty conservative" estimate was \$550,000, according to the suit.

But the appraiser from 20/20 Valuations, who was hired by loanDepot, said the home was worth only \$472,000, according to the complaint. That pushed loanDepot to call to say it would not extend the loan, according to the complaint.

The suit alleges that while researching other homes to benchmark against the plaintiff's home, the appraiser ignored nearby sales in majority-White areas, similar to the plaintiff's, that had higher values. Instead, the complaint said he included lower-valued homes and ones in areas with more Black residents.

Later that year, the couple learned the government assessed the value of their home at \$622,000. After that, they tried for another loan. This time, they conducted an experiment where they replaced family photos

with ones borrowed from White friends and colleagues. They even brought in new artwork, including a vintage print featuring a "White pin-up model." And they made sure not to be home during the appraisal, with a White colleague there instead to greet the appraiser.

After that, the home appraised for \$750,000, or 59 percent more than the appraisal from less than seven months earlier.

"It's shocking to a lot of people that a home should be an objective valuation, but when the appraiser appraises it believing it's a Black-owned home, it gets one value, and suddenly it's worth 50 percent more when the appraiser believes it's a White-owned home," said John Relman of the Relman Colfax law firm that's representing the plaintiffs.

"You have two eminent professors at Johns Hopkins. They did everything they were told to do," Relman said. But "appraisal discrimination is so nuanced and so pernicious that it literally follows them into this predominantly White neighborhood. And they, unlike their neighbors, can't access the value that's rising and that they should benefit from."

The U.S. housing industry has a long history of racial discrimination, one that helped build the racial wealth gap and one that carries through today. Last year, on the 100th anniversary of the Tulsa race massacre, President Joe Biden said he was launching an interagency initiative to combat bias in home appraisals.

It's a history with which the plaintiffs are well aware. Connolly has written a book about how property ownership helped set the terms of Jim Crow segregation between the early 1900s and the 1960s. Mott has written about African-American and American literature and history.



**THE DIFFERENCE A LITTLE "WHITEWASHING" CAN MAKE—A Black couple in Baltimore thought the appraisal of their upscale home in a White neighborhood was very low. After researching what nearby homes were going for, they tried removing any signs that they were Black, including family photos and artwork. A White friend met the appraiser and the result was, their home was suddenly worth 50 percent more. They are suing.**

## Watchdogs Call B.S. On Nuke Review

By Susan Montoya Bryan

Associated Press

ALBUQUERQUE, N.M. (AP)—The U.S. government is planning to review the environmental effects of operations at one of the nation's prominent nuclear weapons laboratories, but its notice issued Friday leaves out federal goals to ramp up production of plutonium cores used in

the nation's nuclear arsenal.

The National Nuclear Security Administration said the review—being done to comply with the National Environmental Policy Act—will look at the potential environmental effects of alternatives for operations at Los Alamos National Laboratory for the next 15 years.

That work includes preventing the spread and use of nuclear weapons worldwide and other projects related to national security and global stability, the notice said.

Watchdog groups contend that regardless of the review, the NNSA will march ahead with its production plans for plutonium cores at Los Alamos.

The northern New Mexico lab—part of the top secret Manhattan Project during World War II and the birthplace of the atomic bomb—is one of two sites tapped for the lucrative mission of manufacturing the plutonium cores. The other is the Savannah River Site in South Carolina.

Democratic members of New Mexico's congressional delegation fought to ensure Los Alamos would be among the beneficiaries of the billions of dollars and thousands of jobs that will stem from the mission.

The U.S. Energy Department had set deadlines for 2026 and 2030 for ramping up production of the plutonium cores, but it's unclear whether those will be met given the billions of dollars in infrastructure improvements still needed.

Watchdog groups that have been critical of Los Alamos accused the NNSA of going through the motions rather than taking a hard look at the escalating costs of preparing for production, the future consequences to the federal budget and the potential environmental fallout for neighboring communities and Native American tribes.

"This is too little too late, a sham process designed to circumvent citizen enforcement of the National Environmental Policy Act," said Jay Coghlan, executive director of Nuclear Watch New Mexico. "The key sentence in NNSA's announcement is that absent any new decisions in the site-wide environmental impact statement, the agency will continue to implement decisions it previously made behind closed doors."

The Los Alamos Study Group, another New Mexico-based organization that monitors lab activities, said there is no indication that NNSA will pause any preparations for the sake of complying with National Environmental Policy Act, which mandates some scrutiny before moving ahead with major federal projects.

The group pointed to more than \$19 billion in new construction and operational costs for Los Alamos' new plutonium core production mission through fiscal year 2033. They say the price tag is expected to grow.

## Don't Dawdle With Latest iPhone Update

By Mae Anderson and Michael Liedtke

AP Business Writers

NEW YORK, N.Y. (AP)—Apple regularly issues updates to the software powering the iPhone, and sometimes it's OK to dawdle when it comes to installing them. But that's not the case with its latest—an upgrade that Apple released Wednesday to close a security hole that could allow hackers to seize control of iPhones and several other popular Apple products.

Security experts are warning that everyone with an iPhone should install the update as soon as possible to protect all the personal information many people store on a device that's become like another appendage for many.

Without the latest update, a hacker could wrest total control of Apple devices, allowing the intruder to impersonate the true owner and run any software in

their name.

The company also issued fixes to block the security threat on iPads and Macs. The flaw may already have been "actively exploited," according to the company, which has had to fix other security problems with the earlier this year.

The good news? There's an easy fix: you should be able to find easily. Start with the Settings app, the one with an icon featuring what looks like gears in an old watch. Go into the "General" section, then "Software Update." The page you see will offer simple instructions or, if your device has already updated, a message to that effect.

The whole process typically only takes a few minutes, according to security experts.

Commercial spyware companies such as Israel's NSO Group are known for identifying and taking advantage of such flaws, exploiting them in malware that

surreptitiously infects targets' smartphones, siphons their contents and surveils the targets in real time. It's a risk that's best to avoid.

Apple devices are set to automatic updates by default, but it can take some time before they get around to it. Updates also don't usually trigger unless it can be done and it usually won't happen unless the iPhone is plugged into a power outlet at the time. It's quicker just to check for the latest updates and do it manually.

The reality is that hackers are constantly looking for ways to gain unauthorized access to phones, tablets, computers, and other internet-connected devices for a wide range of malicious and illegal purposes. Apple's products tend to be a prime target because they're popular, making them an attractive target.

"Apple is no different to any technology company in that

they're constantly dealing with vulnerabilities," said Jamie Collier, senior threat intelligence advisor for the cybersecurity firm Mandiant and an associate fellow at the Royal United Services Institute for Defence and Security Studies. "This is really a function of the fact that they're innovating. They're constantly developing, they're constantly improving services, improving their technology, improving their software. That means they're constantly rolling out new things."

The affected devices include the iPhone6S and later models; several models of the iPad, including the 5th generation and later, all iPad Pro models and the iPad Air 2; and Mac computers running macOS Monterey. The flaw also affects some iPod models.

You can update your iPad using the same process outlined above.

## Muscle Cars Drive Into The Sunset, Turn Electric—But Still Roaring

By Tom Krisher

AP Auto Writer

PONTIAC, Mich. (AP)—Thundering gas-powered muscle cars, for decades a fixture of American culture, will be closing in on their final Saturday-night cruises in the coming years as automakers begin replacing them with super-fast cars that run on batteries.

Stellantis' Dodge brand, long the performance flag-bearer of the company formerly known as Fiat Chrysler, is officially moving

toward electricity. On Wednesday night, Dodge unveiled a battery-powered Charger Daytona SRT concept car, which is close to one that will be produced in 2024 as the sun sets on some petroleum models.

Stellantis says it will stop making gasoline versions of the Dodge Challenger and Charger muscle cars and the Chrysler 300 large car by the end of next year. The Canadian factory that makes them will be converted to electric vehicles. Other automakers are moving—or have moved—in

the same direction.

General Motors has said it will build an all-electric Chevrolet Corvette. Tesla says its Model S Plaid version is the fastest production vehicle made, able to go from zero to 60 mph in under 2 seconds. Audi, Mercedes, Porsche and other European automakers already have high-performance electric models on sale. And Polestar, an electric-performance spinoff from Volvo, just announced a new Polestar 6 roadster for 2026.

One reason for the industry

shift is that electric vehicles are simply faster off the starting line. Their handling is typically better, too, because their heavy batteries create a low center of gravity.

Stricter government pollution requirements are another factor, too. As automakers in the U.S. face more stringent fuel-economy requirements adopted by the Biden administration and produce a broader range of EV vehicles, they will have to jettison some of their gas-fueled muscle-car models.

Tim Kuniskis, CEO of the Dodge brand, said the possibility of government fines for not meeting gas-mileage requirements hastened the shift to the electric Charger. "Compliance fines and things like that associated with a big cast-iron supercharged V8, yes, it's tough," he said.

Still, it will take a few years for the gas-powered classics to go away.

"Over the next several years, I think we'll continue to have some internal combustion stuff, probably through most of the decade," said Sam Abuelsamid, a research analyst at Guidehouse Insights. "But increasingly, the focus is going to be on the electric ones."

Under new gas-mileage standards that were unveiled in April, the fleet of new vehicles will have to average around 40 miles per gallon in 2026, up from 25.4 mpg now, the EPA says. The standards are likely to become

even stronger in the future, a trend that will compel U.S.-based automakers to shed some gasoline muscle cars if they are to avoid fines.

Of all major automakers, the EPA says, Stellantis had the lowest average fuel economy—21.3 miles per gallon—and the highest average carbon dioxide emissions. So the company likely will have to eliminate some models to avoid fines. Its limited-edition Charger SRT Widebody, with a supercharged 6.2-liter Hemi Hellcat V-8, for instance, gets only 12 mpg in city driving and 21 mpg on the highway.

To many gearheads, the thought of a muscle car without noise and smells is heresy. But Kuniskis says Dodge is working hard to make the electric experience match internal combustion. The Charger, he said, will generate its own air flow to make an exhaust noise that rivals gas performance cars. And the transmission will shift gears.

When the electric Charger was driven through a garage door and entered a building Wednesday night at a racetrack in Pontiac, Michigan, it roared just like a gas muscle car.

Electric vehicles, Kuniskis said, have the potential to perform better than gas muscle cars with fast acceleration. But he said they are kind of sterile. "It doesn't have the emotion. It doesn't have the drama. It

doesn't have the kind of dangerous feeling that ICE (an internal combustion engine) has when it's loud and rumbling and shifting and moving the car around."

Kuniskis wouldn't say how fast the electric Charger will go from zero to 60 mph, but said it would be faster than the company's current petroleum performance cars. He also wouldn't say the range-per-charge for the new Challenger, but added that range isn't as important as making it a true muscle car.

Rick Nelson, the owner of Musclicar Restoration & Design in Pleasant Plains, Illinois, near Springfield, cautioned that switching from loud fuel-burning engines to quiet electricity may be a hard sell to old-timers who grew up with the sounds and smells of racing.

Nelson, 61, said he restored his first car while a teenager and spent hours at drag strips. He acknowledged that the switch to electricity is inevitable and is needed to attract a new generation that has become used to quiet speed. Still, he said, electric muscle cars won't have manual shifters, and he'll miss the smell of racing fuel at the track.

Already, Nelson said, businesses are cropping up to put electric powertrains in classic muscle cars. He has been in touch with an engineer at Tesla about retrofitting batteries and electric motors into some classics.



THE NEW ELECTRIC DODGE CHARGER WILL STILL BE REALLY LOUD

# Opinion



## Don't Wait: Get Into the Encryption Habit Now

By Thomas L. Knapp

William Lloyd Garrison Center

In early August, a Nebraska prosecutor charged a mother and daughter with violating the state's ban on abortion after 20 weeks. That ban was passed in 2010, but didn't go into effect until the Supreme Court's ruling earlier this year overturning Roe v. Wade.

Part of the state's evidence consists of Facebook messages between the two, indicating that the mother obtained "abortion pills" for her pregnant daughter.

Police obtained those messages in the usual way: They presented a search warrant to Facebook and the company turned over the data.

If the two women had used Facebook's optional "end-to-end encryption," the police would still have been able to get that data—but they wouldn't have been able to read it.

Facebook has since announced its intention to make end-to-end encryption the default, rather than an option, in its Messenger service.

That's a good thing.

Whatever your opinion of abortion in general, or of Nebraska's laws and the women's alleged actions in particular, the case illustrates how easy it's become for government to eavesdrop on our communications in real time, or seize and read our private files after the fact.

Between constantly advancing technical means, the tendency of judges to defer to law enforcement, and government's willingness to just plain break the law when the law doesn't suit their purposes (see Edward Snowden's disclosure of the NSA's illegal spying programs for examples), it's become far TOO easy.

Some politicians on both sides of the major party aisle disagree. They don't think it's easy enough. They're constantly working on laws they hope will make strong encryption less available (or, with "back door" schemes, just less strong).

This is the kind of battle that's easier to fight now than later.

Strong encryption has been widely available for more than 30 years now.

But in order for the government to lose its war on our privacy, we need to see far more widespread adoption at both the individual and corporate levels... and we need that adoption to outpace unscrupulous politicians' ability to keep up with it.

In a mostly unencrypted world, encrypted communications (of most kinds—there are exceptions) tend to stand out. In such an environment, it's not unlikely that at some point, encryption will itself be deemed "suspicious" and its use treated as grounds for investigations and searches.

But if we're all using encryption, all (or even most) of the time, prosecutors will need other pretexts, maybe even real evidence, to get permission to pry into our private affairs.

Which is exactly as it should be.

By using encryption on principle at least some of the time, and by asking your messaging providers to enable it by default, you'll be protecting your privacy. And everyone else's.

Thomas L. Knapp (Twitter: @thomasknapp) is director and senior news analyst at the William Lloyd Garrison Center for Libertarian Advocacy Journalism (thegarrisoncenter.org). He lives and works in north central Florida.



## Like Black Families, HBCUs are Financially Short-Changed

By Charlene Crowell

Center for Responsible Lending

As college students settle into campus life, many Black Americans remember the multi-generational sacrifices that have established higher education as a bridge to a better life.

Despite the continuing pandemic, the rise of inflation, or the nation's \$1.7 trillion in student debt, parents, grandparents and others urge their students to "get that degree." And once again, an estimated 300,000 Black students are expected to enroll at one of the nation's 101 Historically Black Colleges and Universities (HBCUs).

But unlike previous years, a new educational challenge has swept across these campuses: finding affordable housing. The unfortunate situation for many HBCUs is that dormitories do not always have the capacity to house all of its own students. In these cases, students and their families are forced to find rental housing near campuses or those located near transit systems to access campus life.

*Achieving Financial Equity & Justice for HBCUs, a research report by the Century Foundation chronicles historical under-funding of HBCUs as early as 1871 to Reconstruction, to post-World War II, and beyond.*

*For example, the enactment of the GI bill in 1944 spurred college enrollment of thousands of veterans returning to civil life. Yet Black America's experience with the nationwide higher educational expansion was distinctly different.*

*"HBCUs were cut off from state and federal resources provided to predominantly White-serving institutions," states the report. "Without adequate state or private support, HBCUs were not able to expand the campus infrastructure and housing and hire faculty and staff to serve increased demand. As a result, an estimated 20,000*

*Black veterans seeking a college education were turned away from southern Black colleges, a denial rate double the rate at other colleges."*

*The Century report also notes that decades later, 1965's Higher Education Act created Pell Grants as a key form of financial assistance that could cover the costs of non-tuition items, thereby lessening the need to borrow heavily to finance higher education. But as college education costs began a still-continuing increase, Pell Grant appropriations did not have a comparable increase.*

*That funding failure heavily contributed to the onset of racial disparities in accruing student loan debt. An estimated 70 percent of all HBCU students are financially eligible for this funding.*

*Another recent report by the Frederick D. Patterson Institute, the research arm of the United Negro College Fund, sought to better understand institutional needs and priorities, and how federal funding and philanthropic donations currently fall short of long-standing needs.*

*Despite a two-year uptick in federal funds that delivered \$6.5 billion to 101 HBCUs under the Biden Administration, these institutions remain severely underfunded.*

*"The fiscal challenges HBCUs face have developed over decades and will require additional funding over a sustained period to properly address them," states the report. "The influx from the past two years is not enough. The federal government has consistently fallen short of mandated funding levels for HBCUs... One result of recurring budget shortfalls is that institutions have been forced to delay spending on infrastructure, such as student dorms, recreation buildings and research facilities. Many HBCUs face a large and growing backlog of deferred maintenance projects."*

*The report also notes that HBCU endowments, which many institutions of higher learning dedicate to capital projects like construction/renovation and permanent scholarships, are underfunded as well. Citing a report by the Government Accountability Office, the report found that HBCUs have an average of \$15,000 in endowment per student, compared with \$410,000 at comparable non-HBCUs.*

*"Smaller endowments mean less money for faculty salaries, scholarships, research, program expansions and, perhaps most important, day-to-day operations," says the report. "This disparity has a domino effect on other spending."*

And just like Black consumers frequently find access to capital comes at a high cost, so do HBCUs, according to the report.

"[I]t costs Black minority-serving institutions more to borrow money compared with White institutions. According to a 2018 research paper, a Black minority-serving institution would have to pay underwriters \$35,000 more for a \$30 million bond than a White university. This tendency is three times greater in the Deep South due to a historical pattern of racism."

With all these stated issues, the UNCF report also offers a number of key data points worth noting:

1. HBCUs provide an average of 6,385 jobs in each state and territory and generate an average of \$704.7 million a year in total economic impact;

2. HBCUs have a 34 percent mobility rate of moving their students from the bottom 40 percent in household income into the top 60 percent—a figure double that of the national average and five times more than Ivy institutions; and

3. HBCUs graduate 80 percent of Black judges, 50 percent of Black doctors, and 50 percent of Black lawyers.

Just imagine how much more HBCUs could accomplish if better funding were obtained and sustained: more dormitories with the capacity to house all students desiring to live on campus; less deferred maintenance; more and larger need-based scholarships that would lighten the need for student loans.

Throughout HBCUs' history, there is also an important intangible quality that is seldom mentioned: a nurturing environment that welcomes students to pursue their heartfelt dreams. Even now, 39 percent of HBCU students are first-generation college students.

It is time for federal and state governments that take a bite out of each worker's paycheck, to return a better proportion of those dollars to HBCUs. Investing in HBCUs pays large and lasting dividends for all of us.

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## Environmental Justice Concerns Loom Over Rail Merger

By Hazel Trice Edney

TriceEdneyWire.com

A few months back, I wrote a column focused on my misgivings about the proposed merger of two huge railroads—Canadian Pacific and Kansas City Southern. As I wrote at the time, I feared that the merger would add to the environmental and health burdens already facing Black communities and other communities of color by introducing more rail traffic and more carbon emissions while also negatively impacting things like emergency response and commute times.

I hoped that my piece—along with the continued concerns raised by stakeholders throughout the merger's regulatory review process—might raise some eyebrows within the U.S. Surface Transportation Board, the federal body charged with evaluating the merger's merits. Environmental justice is no joke, after all. And aren't the days of simply forcing communities of color to bear the brunt of the pollution caused by industry, shipping, refining, and other such activities behind us by now?

Unfortunately, it seems for the time being that my hopes for racial justice amid this railroad super-merger were misplaced. To understand the source of my disappointment, look no further than the location of the public hearings scheduled by the Surface Transportation Board.

In Texas, Harris County Precinct One is home to more than a million residents living in Houston and nearby unincorporated communities. It's one of the most heavily populated communities on the route of the proposed merger between Canadian Pacific and Kansas City Southern, and also a handful of "non-attainment" areas along the route. Non-attainment areas are those deemed by the federal government to exceed allowable thresholds for certain environmental pollutants.

If approved, Precinct One residents would see about eight additional freight trains moving through their community every day. Those trains would bring in tow more than just freight. They'd also bring all the problems I articulated in my last piece: emissions, dirty air, delayed rail crossings, longer commutes, slower emergency response times, and more.

Precinct One is no stranger to dirty commerce. And while most would agree that a certain amount of pollution is unavoidable in an economy like ours, the fact of the matter is that this corner of Harris County

has already carried more than its share of the weight associated with growth and gains in the broader economy.

Children living in neighborhoods along the merger's route—which will follow existing Union Pacific rail lines—already suffer from a disproportionately high rate of asthma. And 24 percent of Black children in Harris County have asthma, according to a 2015 survey—more than double the rate for other demographic groups. Adding more trains to these already heavily trafficked routes—in a community that already hosts an elevated concentration of polluting industries and transit—will only exacerbate these serious health concerns.

To put a finer point on it, communities in Precinct One and across Houston have a genuine stake in the outcome of the merger review process. Their concerns aren't invented, they aren't trivial, and if the merger proceeds as is, they can't be avoided. Why, then, has the Surface Transportation Board declined to hold a public hearing within the community? Hearings like these are commonplace, and while they may seem old fashioned, they represent the most direct and impactful way for a citizen or another stakeholder to state their case on issues that matter to their specific community.

To his credit, Precinct One County Commissioner Rodney Ellis has been vocal in his requests that the Surface Transportation Board host a hearing in his community. He's also articulated requests intended to mitigate the impact of the merger if it is approved, from installing HEPA filters in schools to conducting multilingual outreach to communities with surface-level rail crossings so residents can anticipate and plan for longer commutes and other impacts.

Despite months of outreach from Commissioner Ellis, and despite the clear environmental justice concerns at play, the rail companies haven't reached out to Ellis. And perhaps even more concerning, the only public hearing that the federal regulator, the STB, announced would be held in Texas was scheduled for Vidor, Texas—a town that was notoriously almost completely White until recently—instead of Houston. Vidor is in particular a town with a notorious and disturbing history of so many overt issues with racism that it has been dubbed by some as "the most racist town in America."

I believe in giving people the benefit of the doubt. I believe that most of us want to do the right thing. And I believe the people overseeing this process want the best for all involved.

But I also believe an error has been committed, and that the people of Houston and other towns with significant racial minority populations deserve a chance to say their piece when it comes to the merger. A public hearing may not resolve all of my concerns with the merger. But the absence of a public hearing will certainly make my concerns that much more pronounced. Especially when the location that is selected may not be friendly for people of color to testify at once the sun sets.



## What it Does

By Dr. E. Faye Williams

TriceEdneyWire.com

I receive and read emails from many sources—even those I oppose. (I believe in knowing what your adversary is thinking!) Common sense informs me that what I read from the other side is full of misrepresentations and LIES! I am aggravated with their fabrications of working for the benefit of the average citizen. I am angered by what I receive—not for the information, but for an apparent lack of response from my side.

Even with my limited public reach, this week I'm going to brag about and highlight the recent accomplishments of the Biden-Harris administration and Democratic legislators. By any measure, there have been events that can only be described as "good news" for the administration.

The list includes:

- The July job report showed the economy adding 528,000 new jobs and an unemployment rate reduction to 3.5 percent. 6.6 million jobs were created during the first twelve months of the Biden administration.

- The \$280 billion CHIPS PLUS Act was signed into law to significantly boost domestic semiconductor production, plus authorize scientific research for the next ten years. This will reduce supply chain shortages and boost technical/economic growth.

- The PACT Act expands VA health care and benefits for Veterans exposed to burn pits and other toxic substances affirming our commitment to their care.

- The Senate approved the NATO Treaty expansion to include Sweden and Finland. This increases the NATO footprint in Europe and reduces the potential for further Russian aggression on the continent.

- New gun safety legislation includes incentives for state initiated red flag laws, expands background checks on people between the ages of 18 and 21 seeking to buy a gun, and expands an existing law that prevents domestic abusers from owning a gun to include dating partners rather than just spouses and former spouses.

The crown jewel on this list of major accomplishments is the Inflation Reduction Act. This is a significant revenue plan that most analysts predict will lower prescription drug costs, significantly address climate change, and make a reduction in the federal deficit (aiding the inflation fight).

The medical component of this act for the first time allows Medicare to negotiate drug prices with manufacturers which will lower costs of the most commonly used prescriptions. Medicare recipients will benefit from a \$2,000 annual cap on out-of-pocket drug costs and a monthly \$35 cap on insulin. Had Republicans not blocked it, the \$35 cap on insulin would have extended to all Americans. Thirteen million Americans who currently benefit from the Affordable Care Act (Obamacare) will receive premium reductions averaging \$800.00 which puts more discretionary income in their pockets.

The environmental component of the act targets a 40 percent reduction in harmful emissions by the year 2030. Significant investment will be made in the development of renewable energy sources. Wind turbines and solar energy will become more commonplace. Citizens will receive electric vehicle and home energy tax credits.

Considering the proposed spending of the first two components, one could ask how this act is being paid for. The revenue component of this act establishes a 15 percent minimum tax on corporations making \$1 billion or more annually. This tax will generate a deficit reduction estimated at \$300 billion. A 1 percent tax will be placed on all stock buybacks. The IRS will receive additional funding allowing increased scrutiny of ultra-wealthy tax cheats. Most importantly, no new taxes will be imposed upon families earning \$400,000 or less annually.

These actions truly benefit the non-wealthy among us and are worthy of our understanding and appreciation. DON'T LISTEN TO WHAT THEY SAY, LOOK AT WHAT THEY DO!

Dr. E. Faye Williams, Esq. is a minister, a UN Peace Ambassador, President of the Dick Gregory Society, author of *Dick Gregory: Wake Up and Stay Woke*, and Host of "Wake Up and Stay Woke" on WPFW-FM-89.3 radio, as well as a columnist for Trice-Edney Wire Service.