

1ST CONGRESSIONAL DISTRICT CONTEST

Wittman and Rashid square off over criminal justice issues at first debate

BY JAMES SCOTT BARON
The Free Lance-Star

Candidates for Virginia's 1st District House seat disagreed over whether police reform decisions should be made nationally or locally and on the legal concept of qualified immunity that protects officers from most lawsuits.

Incumbent 1st District Rep. Rob Wittman and challenger Qasim Rashid squared off Thursday night in the Criminal Justice Forum and Debate, held at the Rappahannock Regional Criminal Justice Academy in Spotsylvania County, the first time the two candidates have met face to face for a debate since Rashid won the Democratic Party nomination for the congressional seat.

The 1st District includes Hanover and New Kent counties in the Richmond area and also covers the city of Fredericksburg, Stafford and Caroline counties, the Middle Peninsula, the Northern Neck and parts of Spotsylvania and Prince William counties. It has been represented by Wittman, a Republican, since 2008.

Thursday's forum gave each candidate opportunities to express their views on a wide range of law enforcement issues that have focused a spotlight on police behavior since the May 25 death of George Floyd at the hands of Minneapolis police. Although the candidates were generally courteous and polite to each other throughout the 90-minute event, they traded a few barbs.

"This election is about the future of our country," said Wittman. "There is a big difference between the two parties, and what they both stand for and what their ideas are about going forward."

Wittman said the standardization of a "one-size-fits-all" approach in the use of force is not in the best interest of the community and would deprive law enforcement officers of the tools they need to safely perform their duties.

"That direct accountability from communities to law enforcement leaders is exactly what needs to happen," said Wittman. "What's appropriate in Caroline County may not be appropriate in Prince William County."

But Rashid said he believes standardization is necessary to help protect the interests of law enforcement officers.

"We can't, on one hand, say that we don't want one law enforcement officer to be



Rob Wittman, R-1st, (left) and Democratic challenger Qasim Rashid spoke Thursday at a criminal justice reform forum in Spotsylvania County.

MIKE MORONES/THE FREE LANCE-STAR

fired for unjust reasons while the other one is protected, and then say we don't need a national standard," Rashid said.

Rashid labeled qualified immunity, which shields government officials from being held personally liable for constitutional violations, as a "Band-Aid solution" for officers who respond to calls that involve citizens with mental health issues, drug addiction or other personal challenges. The Democrat said he favors hiring professionals to help ease the burden on police officers who respond to those calls and suggested counselors would "take the lead and let law enforcement be the backup" when calls for help come in.

"Not only are we asking law enforcement to do things that we haven't given them the tools to do, we're asking society to be content without getting the support that [law enforcement] rightfully needs and deserves," Rashid said. "So, we concocted this issue of qualified immunity to protect law enforcement officers who mean well, but the end result is that the people who need support don't get the support they need."

Wittman said if law enforcement officers follow policies, procedures, protocols and the law, qualified immunity protects them from "frivolous lawsuits" in the performance of their duties.

"I would argue, [qualified immunity] is not concocted," Wittman said. "[It's] essential to protecting our law enforcement officers."

Another issue receiving attention following Floyd's death is the 1033 program: a Department of Defense

initiative that provides law enforcement agencies with military surplus equipment for little or no cost.

Rashid said a document prepared by the Charles Koch Institute asserts military grade equipment neither improves the safety of police officers, nor decreases crime.

"But it does do something very devastating to our community, in that it creates a wedge between law enforcement and the community, it decreases trust," said Rashid.

He added that money saved by not purchasing and maintaining surplus items could be better spent on broadband for citizens in rural areas, or for teacher and police salary increases. Wittman, who supports the 1033 program, said procurement of equipment under the program should be left to local agencies to determine.

"Instead of having a mandate from Washington saying that 1033 equipment doesn't make you safer ... I believe in your decision-making," he said.

About 70 guests attended Thursday's debate. Attendance was limited due to the coronavirus pandemic, and the majority in attendance were current or former law enforcement officers.

Neil Hornung of the Fraternal Order of Police Rappahannock Area Lodge 15 in Spotsylvania asked both candidates for their views on the use of non-lethal weapons, specifically during protests and demonstrations.

"You either go from a verbal command to using your firearm, or you have something in the middle that helps save lives," said Hornung.

Hornung, who said he wants both law enforcement officers and those they come in contact with to return home safely each night, noted that several communities have already prohibited the use of non-lethal weapons.

Both candidates said they support non-lethal methods of law enforcement.

Jake Salmons of Stafford asked the candidates if they supported defunding police or redirecting police resources elsewhere.

"No, I don't want to defund police," Rashid said. "In fact, I want to get my own party to argue that we should make sure law enforcement should get the support they need."

Wittman said he, too, does not support defunding the police, and added, he favors increasing police resources overall.

Rashid, an attorney and author from Stafford, unsuccessfully challenged state Sen. Richard Stuart last year for the District 28 seat that covers parts of Spotsylvania, Stafford, Prince William, Westmoreland and King George counties. The latest campaign finance report posted by the Virginia Public Access Project shows Wittman has raised \$1.1 million for this campaign as of June 30, compared with about \$590,000 raised by Rashid.

The two candidates will debate again at 7 p.m. Sept. 21 in an online-only forum organized and hosted by the University of Mary Washington and co-sponsored by The Free Lance-Star, the Fredericksburg Regional Chamber of Commerce and the Fredericksburg chapter of the League of Women Voters.

Libyan military commander seeks legal immunity in federal lawsuit

BY MATTHEW BARAKAT
The Associated Press

FALLS CHURCH — A Libyan military commander who previously lived for decades in Virginia says he deserves immunity from a pair of civil lawsuits accusing him of atrocities and indiscriminate killings because he is Libya's head of state.

Family members who say their loved ones were killed or tortured by Khalifa Hifter's forces have filed two separate lawsuits against him in federal court in Alexandria. The lawsuits seek millions of dollars in damages that could be recovered from property Hifter, a dual U.S. and Libyan citizen, and his family still own throughout Northern Virginia.

Hifter leads the self-styled Libyan National Army, a faction in a civil war that has raged in the country for years. Once a lieutenant to Libyan dictator Moammar Gadhafi, Hifter defected to the U.S. during the 1980s and spent many years living in Northern Virginia. He is widely believed to have worked with the CIA during his time in exile.

Hifter returned to Libya in 2011 after Gadhafi's fall, and Hifter's army gained control of the eastern part of Libya. Last year, he launched a campaign to take Tripoli, its capital. But his army suffered significant setbacks in recent months after the United Nations-backed government opposing Hifter received military support from Turkey.

Hifter has received Russian and Egyptian backing.

Initially, Hifter did not respond to the lawsuits in Virginia, and a magistrate in one of the cases had recommended that the plaintiffs be awarded a default judgment. But earlier this month, lawyers representing Hifter sent a letter to the judge saying he wanted to defend himself. Hifter opponents who support the lawsuits against him say he changed tactics in the lawsuit after suffering military setbacks that might at some point force him to flee Libya.

In court motions filed Thursday, Hifter's lawyers say he merits head-of-state status that would render him immune from civil suit under U.S. law. The U.S. actually supports the United Nations-backed government that has been fighting Hifter. But Hifter's lawyers point to an April 2019 phone call President Donald Trump placed to Hifter in which Trump reportedly praised Hifter for his efforts to fight terrorism.

Faisal Gill, a lawyer for plaintiffs in one of the lawsuits, rejected the notion that Hifter deserves head-of-state immunity.

"An off-hand comment from President Trump is not official U.S. policy," Gill said. Hifter makes other arguments seeking dismissal of the suits, including claims that he was not properly served notice of the lawsuit and that the issues delve into a "political question" which courts are unsuited to resolve.

Hifter's lawyers also say the allegations of indiscriminate killing and torture are not valid and that the U.S. law designed to protect torture victims is "not intended to create liability for collateral civilian casualties resulting from legitimate military operations undertaken in a civil war."

A hearing on the motions to dismiss is scheduled for Sept. 15 in Alexandria.

Hifter's filing comes as Libya's U.N.-supported government, which opposes Hifter, announced a cease-fire Friday across the oil-rich country.

Latinos

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"I am concerned for children who already faced a disadvantage with the language barrier, seeing that gap widen by the lack of engagement the past six months, and then using a virtual format this fall," Ellison said. "It truly grieves me for their futures."

Many parents who are able to patch together supervision for home-based learning face another hardship: providing a laptop is only half the battle.

While 7 in 10 Latino parents across the country agreed that distance learning was necessary in a pandemic, 1 in 3 Latino families don't have regular internet access, according to a survey from Abriendo Puertas, a parent-led educational organization. Nearly 40% of parents reported the internet access they do have is through their phone, and almost 7 in 10 said they didn't feel equipped to help their kids with online schooling due to language barriers and not being familiar with class subjects.

Richmond Public Schools has struggled to meet the needs of a fast-growing Latino population, which accounts for about 20% of the system's enrollment of 25,000 students. The administration of Superintendent Jason Kamras in April began a push to distribute Chromebooks and internet hot spots; some Spanish-

speaking families didn't know the resources existed. Others didn't know school had gone virtual for the fall semester, advocates said.

Inequities in virtual learning threaten to exacerbate disparities in public education that already divide Latinos in low-income areas — specifically South Richmond — from more affluent communities.

The toll on the city's nearly 16,800 Latinos — second in the area to Chesterfield County, which has more than twice that number — is apparent across Richmond's 8th and 9th districts, which have the highest Hispanic populations in Richmond and line Broad Rock Boulevard and Hull Street Road, a majority Latino area.

Two schools with the highest Latino populations — the recently renamed Cardinal Elementary and Broad Rock Elementary — are tucked within these district lines. Nine in 10 students at Cardinal are Hispanic, and nearly 55% were considered economically disadvantaged as of 2019. At Broad Rock, 44.3% are Hispanic, and 62.4% come from low-income families. That's less than \$30,000 a year for a family of three.

With the pandemic, the poverty gap in Richmond has only widened as many Latinos lack access to unemployment or federal stimulus funds.

Nearly 3 in 5 students who speak little-to-no-English in

Richmond drop out of school, according to state data. In 2019, the school system undercounted roughly 800 English Language Learners, costing the city hundreds of thousands of dollars in resources.

"I think Richmond as a whole, and certainly RPS, did not quickly respond to the fact that the Spanish-speaking population has grown exponentially," Kamras said. "When I started in this role, we had almost no bilingual people working in our schools. We are working our way out of a big hole, and we have a lot more work to do."

RPS' outreach efforts include community walks, knocking on more than 6,000 doors, personally calling families, partnering with community organizations that serve Latino communities and using La Comunidad, a group made up of Latino parents and advocates, for outreach, said Matthew Stanley, the system's director of advocacy and outreach. Stanley said more than 100 computers and hot spots were distributed during neighborhood visits in efforts to track down families who had not received laptops.

Spanish radio has also been vital in sharing information, as well as social media platforms such as WhatsApp and Facebook, he added.

School systems are doing what they can, said Cynthia Reyes, PTA president of Cardinal Elementary, but it's nowhere

near enough.

Reyes said hearing reports of Latino parents not knowing that RPS was offering free Chromebooks is a failure on the school system's part. And while a support line for families exists, said Reyes, sometimes not getting through means a 48-hour wait. Other parents told her they're turning away the free laptops because of an agreement that might force them to pay for damage.

As of Friday, the district had distributed more than 16,000 laptops, with the goal of every RPS student having one by Sept. 8, the first day of school.

For intentionally damaged, lost or stolen Chromebooks, families can potentially incur charges of up to \$282.51 for a replacement, according to a document provided by RPS.

Shadae Harris, the system's chief engagement officer, said only 15 reports have fallen under these guidelines this year and that no families have been charged. While the policy states otherwise, RPS' process approves students receiving a new computer at no cost after filing an incident report. Damage would go through the Mobile Help Desk.

Bureaucracy can be daunting for Latino families already navigating language barriers.

Spanish radio host Oscar Contreras, a trusted source among the local Latino community who's helped inform listeners about the virus and school

system response, said there's no one solution.

"That stress is a heavy burden for a lot of our community," he said.

Contreras added that ELL students require extra in-person help that has been sacrificed to a pandemic with mandated stay-at-home orders.

The school system has about 3,500 students who are English Language Learners — almost 99% are Spanish speakers — with 65 teachers who specialize in ELL. This is roughly 1 teacher for 50 students. Virginia Department of Education guidelines require at least 1 ELL teacher for every 54 students in need of the services.

Lily Garcia, the president of the National Education Association, said there are concerns Latino students will stop going to school to work and support their families as money tightens. Nearly 2 in 5 Richmond Public School students who dropped out in 2018-19, the year before the pandemic, were Hispanic.

"They need special support, and it's not just English lessons ... they need social-emotional support. They need someone to know what they're going through," Garcia said.

"They need someone to be their cheerleaders."

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