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#### **Feds to look into Lee County Sheriff Scott's 'Hussein' Obama comment at Palin rally**

BY RACHEL MYERS, rmyers@news-press.com and JENNIFER BOOTH REED, jreed@news-press.com • October 6, 2008

One day after Lee County Sheriff Mike Scott sparked national controversy by referring to Democratic presidential candidate as Barack Hussein Obama, the federal government is investigating a complaint about his remark and members of the local ACLU and NAACP have called for an apology, saying Scott's action was racist.

Meanwhile, Scott's office has been inundated with more than 600 calls from people registering their support or opposition to what he said.

Scott, who is up for re-election, denies any wrongdoing.

"Unless he changed his name, my position hasn't changed," Scott said. "It seems very clear to me that people have one of three stances on this thing: There are those who dislike it, there are those who like it, and there are those who think it's a whole big deal about nothing, which is where I stand."

On Monday, Scott appeared in his uniform in front of more than 9,000 people at a rally for Republican vice presidential candidate Sarah Palin and used Obama's middle name, Hussein. Critics say that by doing that Scott implied Obama is a Muslim. Obama, who is named for his Kenyan father, is a Christian. Scott did not refer to Palin or Republican presidential candidate John McCain by their full names at the event at Germain Arena in Estero.

Scott maintains he spoke only for himself and not on behalf of his office or the residents of Lee County. "Like every other elected official I am aware of, from president to governor to state representatives, etc., we engage in political activities whether for ourselves as candidates or for others," Scott said.

A complaint sent to the U.S. Office of Special Counsel alleges that Scott violated the Hatch Act because his agency receives federal dollars, and Scott was engaging in political activity while on duty and in uniform. Erica S. Hamrick, senior attorney for the agency, said in an e-mail Tuesday that an investigation was being opened. Neither she nor her office could be reached for further comment Tuesday.

Spokespeople for McCain and Palin quickly distanced their camps from Scott's use of the name. The Obama campaign could not be reached for comment.

Some also are questioning whether Scott violated the county code of ethics. The statute says no county government employees are allowed to wear any uniform or clothing that would identify them as such while engaging in a political campaign not sponsored by the county, even if they are off-duty. But the sheriff, according to Sgt. Larry King, is not considered an employee of the county — he is an elected official. His budget is approved by the county, but he answers to the governor and to his constituents.

Commissioner Tammy Hall said her office, too, received several calls about the matter, many from out-of-

state. Hall said several of the people may not have been aware that the commissioners do not oversee the sheriff. She reiterated, though, that her office has a good working relationship with Scott and she backed his integrity.

Still, other local officials were outspoken against Scott's choice of words. Lyle Olson, executive committee member for the Democratic Party of Lee County said the action showed "totally poor judgment."

"It was meant to incite anti-Obama feelings," Olson said. "Then he tries to claim it was his personal opinion, yet he was standing there in his uniform."

James Muwakkil, founder of the 300-member Fort Myers Coalition for Justice and a life member of the NAACP and ACLU, called for a formal apology. He said that while he supports the sheriff's right to speak his mind, he criticized him for doing so while in uniform. He felt it was an affront to all county residents who may not share the sheriff's views. He also felt there were racial connotations.

"He spoke in an inflammatory manner," Muwakkil said. "As a citizen he has the right to free speech, but not when he represents all people with that sheriff's uniform. That uniform represents something much bigger than him. That uniform represents justice and equality for all people."

According to the Florida Sheriff's Association in Tallahassee, a sheriff can wear his uniform however he sees fit.

"It is up to his discretion," said William Powers, general legal council for the association. "Deputies can not campaign in their uniforms, but the incumbent can because he's an elected official."

It is not the first time a Lee County Sheriff has found himself in the national hot seat. Former Sheriff John McDougall twice appeared on the "Today Show," once denouncing abortion and again to warn tourists away from Lee County, saying it wasn't safe. In 2000, he was arrested after he left office, when he tried bringing water to dying hospice patient Terri Schiavo in Pinellas Park.

- Video: Sheriff Scott speaks at Palin rally

### **From this morning's editions of The News-Press**

Sheriff Mike Scott defended his use of Barack Obama's middle name, "Hussein," while on stage Monday at a rally for vice presidential hopeful Gov. Sarah Palin.

"I absolutely, unequivocally don't regret saying it," Scott said. "In order to be a speaker at this event, I had to give my full name — Michael Joseph Scott — to the Secret Service, even though I'm the sheriff of Lee County. So why would I apologize? Is there some kind of double standard here where I have to give my full name, but I can't use his?"

Scott was one of several people who spoke before Palin's arrival in front of a standing room-only crowd at Germain Arena.

**When Scott took the stage, he declared the world had three types of people, "the ones who make things happen, the ones who watch what happens and the ones who wonder what happened. Let's leave Barack Hussein Obama wondering what happened."**

The arena, about three-quarters full at the time, burst into screams and applause.

Obama's middle name comes from his father, Barack Hussein Obama, Sr., who was from Kenya.

The name is of Arabic origin and is a common last name in Muslim countries in the Middle East and Africa. Obama is a Christian.

Peter Bergerson, a politics professor at Florida Gulf Coast University, said Scott isn't the first person to use Obama's middle name, and given that Election Day is four weeks away, he likely won't be the last. Bergerson said he wasn't sure of Scott's intentions, but others have used Obama's middle name to allude the Democrat might be Muslim. It also reminds people of Saddam Hussein.

"It's been used by some conservative radio commentators and entertainers with a negative twist to it," Bergerson said. "It could have been designed to remind people of Barack Obama's father's heritage, and it has a Muslim name to it."

Scott's comments immediately became the talk of the cable news networks. A McCain spokesman, Tucker Bounds, condemned the comments on MSNBC.

Palin's spokeswoman Tracey Schmidt quickly sent out a press release, while the rally was still going on, distancing the Palin camp from the comment.

"We do not condone this inappropriate rhetoric, which distracts from the real questions of judgment, character, and experience that voters will base their decisions on this November."

Scott said that didn't change his stance.

"That's somebody else's comment, not mine," he said. "I have nothing to apologize for.

"People have a date of birth, a Social Security number and a name. All I did was say the man's name."

When asked why he then didn't use Palin's middle name, he admitted he didn't know it. He related there are times when he uses his daughter's middle name, and this should be viewed as no different.

"I just wanted to use his full name," Scott said. "And frankly, if this is such a hot-button issue, he, as a Harvard lawyer, could have changed it if he didn't like it."

Scott, who was wearing his uniform, said he was representing his own views, not his office.

He defended making those comments while in uniform, though.

"That's what I wear every day," Scott said. "That's what I wore to the McCain rally in Tampa with my fellow sheriffs. But at no point did I say I was speaking on behalf of the sheriff's office."

— Staff writer Dave Breitenstein contributed to this story.

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## Document 2

### Pre-Rally Speakers Invoke Obama's Middle Name

October 08, 2008 10:01 PM

ABC News' Intiyaz Delawala reports: Two pre-rally speakers in the last three days have invoked Sen. Barack Obama's middle name "Hussein" in their warm-up speeches at McCain and Palin events, prompting the campaign to distance themselves from the remarks.

At a pre-rally speech in Bethlehem, PA today, Lehigh County GOP Chairman Bill Platt referred to the Democratic presidential candidate twice by his full name, Barack Hussein Obama. Critics charge that such references wrongly imply that Obama is Muslim, when he is in fact a practicing Christian. While Hussein is a traditional Arabic name, Obama was named after his Kenyan father who shared the same name.

The McCain campaign sought to immediately distance themselves from the remarks today, which were made well before Sen. John McCain and his running mate Gov. Sarah Palin had arrived at the event.

As McCain spoke to the crowd of thousands at the indoor rally, the McCain campaign released a statement, saying, "We do not condone this inappropriate rhetoric which distracts from the real questions of judgment, character, and experience that voters will base their decisions on this November."

In a pre-rally speech on Monday in Estero, Florida, Lee County Sheriff Mike Scott also referred to Obama by his middle name, telling the crowd of nearly 9,000 Palin supporters, "On Nov. 4, let's leave Barack Hussein Obama wondering what happened," prompting loud cheers from the crowd as Scott walked off stage. Scott's remarks came as part of a string of warm-up speeches while Palin attended a private fundraiser in nearby Naples, FL, over an hour before she had arrived at the event site.

According to the Fort Meyers News-Press, an investigation has now been opened into whether Scott violated the Hatch Act by engaging in political activity while on duty and in uniform. The local ACLU and NAACP chapters have also asked for an apology.

Scott, who became sheriff in 2005 and is currently up for reelection, says he does not regret his remarks. "I absolutely, unequivocally don't regret saying it," Scott told the News-Press on Monday. "In order to be a speaker at this event, I had to give my full name — Michael Joseph Scott — to the Secret Service, even though I'm the sheriff of Lee County. So why would I apologize? Is there some kind of double standard here where I have to give my full name, but I can't use his?"

"Unless he changed his name, my position hasn't changed," said Scott of Obama. "It seems very clear to me that people have one of three stances on this thing: There are those who dislike it, there are those who like it, and there are those who think it's a whole big deal about nothing, which is where I stand."

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