

# Complaint filed after local racial incident

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An incident involving several black Reston families and a white employee at a convenience store has resulted in the filing of a complaint with the Fairfax County Human Rights Commission.

The complaint, signed by Carl English of Wedge Drive, states that Betty Nester, an employee at the Tall Oaks Shopping Center Seven-Eleven Store, refused customer service due to race, voiced numerous racial comments and refused to issue a refund on service.

The complaint further states that Nester threatened Beverley Sharp of Gold Cup Lane with bodily harm. Sharp had gone to the store with English to resolve an earlier problem.

A clerk at Seven-Eleven, present during the June 11 incident, confirmed that Nester refused to sell cigarettes to English and that she had stated that she "didn't like colored people." Nester is a manager at Seven-Eleven.

The clerk, Pam Whited of Herndon, said of the racial comment, "I couldn't believe it, I couldn't believe she would say that."

Whited, however, said she did not hear the manager threaten bodily harm to Sharp.

The incident, which took place between 9 and 10 p.m. last Sunday, apparently began when four teenaged boys left a large family

party at the home of Carl and Sandra English to play pinball at the Tall Oaks Seven-Eleven. The boys, all of whom are black, were Eddie Sharp, 15, Eric English, 13, Carlton English, 14, and Mark Head, 15. Head resides on Pegasus Lane.

According to Eddie Sharp, the boys had played one round on the pinball machine and were into a second round when Nester came out from a back room and told them that only two could play at one time. An exchange of words followed, and Nester told the boys to get out of the store, he said. She also refused to refund them their money from the unfinished game.

The boys left the store and hailed Officer Mark Garman on the way back to the English home. Sharp said they explained their complaint to him, but were told that the store was private property, that the manager could ask them to leave, and that their only recourse was to write the company for their refund.

The boys arrived back at the party and convinced several parents to return to the store with them. Those returning to the store with the boys were Carl English, president of Alanthus Data Communications Corporation in Germantown, Md., Edward Sharp, energy planning and analysis department head at Mitre Corporation in McLean and Beverley Sharp manager of revenue systems at the Washington Post.

All three parents, reached separately on Tuesday, said that when they returned with the boys to the store, Nester again refused to refund the money, stated that she didn't want any "colored people" in her store, refused to sell English a pack of cigarettes, threatened to "beat up" Beverley Sharp if she didn't leave, and called the police because she said the group was trespassing.

The parents also called the police and waited outside the store.

Officers Garman and Ray Tricairico responded to the scene, and were later joined unofficially by two additional cruisers on patrol.

Tricairico said Tuesday that "race has nothing to do with anything involved in that situation" and referred a reporter's inquiries to Capt. Daniel Kriss of the Reston Police Substation.

Also on Tuesday, Capt.

Kriss stated that the officer handling the call judged it to be a trespassing complaint, that there were no arrests and no report filed.

Beverley Sharp said that she had asked one of the officers to accompany them into the store to see for himself that they were refused service because of their race. The officer refused, she said, but did question the manager separately about the incident.

According to all three parents, one of the police officers stated that it was not against the law to refuse to serve them because of their race. Tricairico, however, said emphatically that such a statement had not been made, and reiterated, "I don't really feel the incident involved race."

(The Fairfax County Human Rights Ordinance states, "It shall be unlawful for any public accommodation to discriminate against any person on the basis of race, color, religion...")

Beverley Sharp said she plans to consult a lawyer before deciding on her own course of action, and that she would also file a complaint with the Human Rights Commission "if that seems reasonable."

A spokesman at the Seven-Eleven headquarters in Fairfax, who refused to give his full name to a reporter, said Tuesday that the incident "had nothing to do with race."

He referred the reporter to "the police report" which he said stated that the youths had used "abrasive and foul language" in the store and that the police had been called because the group refused to leave the store.

Capt. Kriss confirmed that no report was ever written on the incident.

Pam Whited stated that the youths were not rowdy or disorderly when they were playing pinball. She also said that the parents, though upset, were not abrasive.

A spokeswoman at the Human Rights Commission said that the complaint could take six months to resolve. Following an investigation, if the commission finds probable cause, the parties enter into conciliation. If not resolved at that time, then the complaint goes to an 11-member citizen board for resolution.



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