



Sherri A. Mason spent two summers trolling the Great Lakes with a fine net, looking for tiny plastic beads used in toiletries and the pollutants they carry.

PHOTOGRAPHS BY BRENDAN BANNON FOR THE NEW YORK TIMES

# Scientists Turn Their Gaze Toward Tiny Threats to Great Lakes

By JOHN SCHWARTZ

NORTH EAST, Pa. — The newest environmental threat to the Great Lakes is very, very small.

Tiny plastic beads used in hundreds of toiletries like facial scrubs and toothpastes are slipping through water treatment plants and turning up by the tens of millions in the Great Lakes. There, fish and other aquatic life eat them along with the pollutants they carry — which scientists fear could be working their way back up the food chain to humans.

Scientists have worried about plastic debris in the oceans for decades, but focused on enormous accumulations of floating junk. More recently, the question of smaller bits has gained attention, because plastics

degrade so slowly and become coated with poisons in the water like the cancer-causing chemicals known as PCBs.

“Unfortunately, they look like fish food,” said Marcus Eriksen, executive director of the 5 Gyres organization, speaking of the beads found in the oceans and, now, the lakes. His group works to eliminate plastic pollution.

Studies published in recent months have drawn attention to the Great Lakes, where there may be even greater concentrations of plastic particles than are found in oceans. The National Oceanic and Atmospheric Administration has also been looking at the impact of microplastics on marine life.

In recent months, major cosmetics companies including Johnson & Johnson, Uni-

lever, and Procter & Gamble have pledged to phase out the use of the beads in favor of natural alternatives, though they say the shift could take two years or more. The Johnson & Johnson statement says, in part, “Our goal is to give consumers peace of mind that our products are gentle on people and gentle on the environment.”

Johnson & Johnson, along with others, has questioned whether the spheres are actually getting through wastewater treatment plants. So Sherri A. Mason, an environmental chemist at the State University of New York in Fredonia, has spent the past two summers trolling the Great Lakes with a fine-mesh net that has a broad mouth for skimming surface waters.

Working with students aboard the histor-

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From left, micro beads and other plastic particles taken from Lake Ontario, Dr. Mason in the lab and larger particles found along the shore of Lake Erie.

# Arrests Challenge Los Angeles County Sheriff’s 4-Term Tenure

By JENNIFER MEDINA

LOS ANGELES — A man trying to visit his brother in 2011 in a downtown Los Angeles jail was arrested by a deputy sheriff, who took him, in handcuffs, to a windowless break room and shoved him against a refrigerator. One deputy stood guard while others kicked and punched the man, still in handcuffs, his face against the floor. They wrote a report accusing the man of assault and pressed charges, which the district attorney later dropped abruptly.

Later, knowing the Sheriff’s Department was facing a federal inquiry into the jails, two sergeants went to the home of an F.B.I. agent, demanding to know details about the investigation. When she did not comply, the sergeants lied and told her that she was a criminal suspect who faced imminent arrest.

A generation ago, the Los Angeles Police Department was rocked by corruption and abuse charges after the Rodney King beating, eventually undergoing what is widely viewed as one of the most complete police turnarounds in 50 years. But these days, even as the Police Department is praised, the larger Los Angeles County Sheriff’s Department is enmeshed in a new round of allegations of pervasive civil rights violations that to some feel uncomfortably familiar.

If the law enforcement troubles 20 years ago had one face, it was Daryl Gates, the hard-nosed police chief, who was ousted by the mayor. This time, it is Lee Baca, the entrenched sheriff, who is up for re-election next year. Though his

victory was long viewed as assured, the election is turning into one freighted with the troubled history of law enforcement in this region, a referendum less on Sheriff Baca than on the agency he has led for 15 years.

According to indictments filed in federal court here on Monday, the Sheriff’s Department has allowed and even encouraged a culture that relies on excessive force and goes to great lengths to cover up evidence of misconduct.

There are allegations of falsified reports, obstruction of justice and conspiracy with 18 officers linked to what the United States Attorney’s Office here called an institutionalized behavior of acting above the law.

Now, Sheriff Baca is facing renewed calls for his resignation, even as he prepares to run for his fifth term overseeing the largest county law enforcement agency in the nation.

“We have now again reached a mo-

ment in time where people are — and really should be — questioning their confidence in the system,” said Miriam Krinsky, a professor at Loyola Law School who led a county citizens commission investigating allegations of abuse last year. “The question really is, ‘How can the department function with the dark cloud that now sits over it?’ This is where L.A.P.D. was at its bleakest moments, with a profound loss of the public trust. If Sheriff Baca were in this position for any private company, he would no longer be there.”

The Justice Department told county officials this year that it was opening a civil investigation into excessive force and abuse at the jails. The department also said it would look into whether the Sheriff’s Department was complying with federal orders on the treatment of inmates with mental illness. And this summer, the Justice Department concluded that deputies had used racially biased practices and excessive force in the suburbs in the northern part of the county. In the last several months, two juries found Mr. Baca personally liable for cases of excessive force in the jails.

The allegations of wrongdoing are hardly new here. For several years, lawyers from the American Civil Liberties Union and other advocates have repeatedly accused officials in the jails of abuse and mistreatment. Each time, Sheriff Baca has calmly said he was confident that the allegations, if true, did not reflect anything more than a few rogue deputies. Last week, he stepped in front of a wall of television cameras

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Sheriff Lee Baca in Los Angeles on Monday after 18 of his officers were indicted in a federal inquiry. He says there is no departmental problem.

# A Utah Law Prohibiting Polygamy Is Weakened

## Religious Freedom Cited In Case of ‘Sister Wives’

By JOHN SCHWARTZ

A federal judge has struck down parts of Utah’s anti-polygamy law as unconstitutional in a case brought by a polygamous star of a reality television series. Months after the Supreme Court bolstered rights of same-sex couples, the Utah case could open a new frontier in the nation’s recognition of once-prohibited relationships.

Judge Clark Waddoups of United States District Court in Utah ruled late Friday that part of the state’s law prohibiting “cohabitation” — the language used in the law to restrict polygamous relationships — violates the First Amendment guarantee of free exercise of religion, as well as constitutional due process. He left standing the state’s ability to prohibit multiple marriages “in the literal sense” of having two or more valid marriage licenses.

Judge Waddoups, who was appointed by President George W. Bush, wrote a 91-page decision that reflects — and reflects upon — the nation’s changing attitude toward government regulation of personal affairs and unpopular groups. The Supreme Court supported the power of states to restrict polygamy in an 1879 decision, *Reynolds v. United States*.

Judge Waddoups made clear that the Brown case was not an easy one for him, writing, “The proper outcome of this issue has weighed heavily on the court for many months.” He noted the shifts in the way the Constitution has been interpreted over the past century to increase protection for groups and individuals spurned by the majority.

“To state the obvious,” Judge Waddoups wrote, “the intervening years have witnessed a significant strengthening of numerous provisions of the Bill of Rights.” They include, he wrote, enhancements of the right to privacy and a shift in the Supreme Court’s posture “that is less inclined to allow majoritarian coercion of unpopular or disliked minority groups,” especially when “religious prejudice,” racism or “some other constitutionally suspect motivation can be discovered behind such legislation.”

The challenge to the law was brought by Kody Brown, who, along with his four wives and 17 children, stars in “Sister Wives,” the reality television show. The family argued that the state’s prohibition on cohabitation violated its rights to privacy and religious freedom. The Browns are members of the Apostolic United Brethren Church, a fundamentalist offshoot of the Mormon Church, which gave up polygamy around 1890 as Utah was seeking statehood.

The judge cited the decision in *Lawrence v. Texas*, the 2003 Supreme Court case that struck down laws prohibiting sodomy. He quoted the majority opinion by Justice Anthony M. Kennedy that stated the Constitution protects people from “unwarranted government intrusions into a dwelling or other private places” and “an autonomy of self that includes freedom of thought, belief, expression and certain intimate conduct.”

In a statement, Mr. Brown said he and his family were “humbled and grateful for this historical ruling from the court today.” He noted that “many people do not approve of plural families,” but “we hope that in time all of our neighbors and fellow citizens will come to respect our own choices as part of this wonderful country of different faiths and beliefs.”

As same-sex marriage has gained popular approval and legal status in recent years, some have hoped — and some feared — that other forms of cohabitation might follow. Justice Antonin Scalia, in his bitter and famous dissent from the 2003 *Lawrence* case, said the nation was on the verge of the end of legislation based on morality, and was opening the door to legalizing “bigamy, same-sex marriage, adult incest, prostitution, masturbation, adultery, fornication, bestiality and obscenity.”

Jonathan Turley, a law professor at George Washington University who represented the Browns in this case, disagreed with Justice Scalia’s reasoning and said in an exchange of emails that the case “is about privacy rather than polygamy.” He added, “Homosexuals and polygamists do have a common interest: the right to be left alone as consenting adults. There is no spectrum of private consensual relations — there is just a right of privacy that protects all people so long as they do not harm others.”

Utah’s attorney general’s office has suggested in the past that it would appeal any decision that struck down the polygamy law. Attorney General John Swallow resigned last month under a cloud of multiple investigations, and his replacement has not been named.

Mr. Turley said an appeal by the state would be unwise, adding, “Utah has been on the wrong side of history in fighting privacy, and they would now be on the wrong side of the law as well.”