

# WCAU's Lemon says he was a victim of profiling

**In a lawsuit, the reporter says he was accused of shoplifting.**



**Don Lemon** says he was accosted after leaving Tower Records with a CD player. It wasn't in a bag; he had a receipt.

**T**o WCAU's **Don Lemon**, racial profiling is more than just a story.

Lemon, 33, an African American reporter who joined NBC10 in June 1999, alleges that he was assaulted by a Tower Records security guard in Center City after buying a CD player in February.

In a civil complaint filed Monday in Philadelphia Common Pleas Court, Lemon alleges that "racial profiling" was "the sole basis" for his being accused of shoplifting.

The eight-count lawsuit includes allegations of battery, defamation, false arrest and imprisonment, infliction of emotional distress, and invasion of privacy.

Named in the suit are MTS Inc., of Sacramento, Calif., which owns the Tower Records national chain; Tower Records Video Books at 100 S. Broad St.; and **Christopher Wirth**, a former security guard there.

Lemon is seeking damages in excess of \$50,000.



**Gail Shister**  
*TV Talk*

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# Ch. 10 reporter sues Tower Records for 'racial prof

**SHISTER** from D1

Here's what happened, according to the complaint: About 3 p.m. on Saturday, Feb. 3, Lemon bought a CD player at the Tower Records at Broad and Chestnut Streets.

The cashier said there were no bags large enough to fit the CD player and told Lemon he could leave the store without the merchandise in a bag.

Lemon walked several blocks to his car. As he was putting his purchase into the trunk, the complaint says, "an unknown male" (later identified as Wirth) whose face was unshaven and who wasn't wearing a uniform approached him and yelled to give him the CD player.

When Lemon refused, the complaint says, Wirth "forcibly and violently pushed" him into the street and traffic. Convinced he was being mugged, Lemon began to fear for his life. He asked Wirth to identify himself, but Wirth refused.

Lemon showed Wirth his Channel 10 employee ID card, to which, the complaint says, Wirth responded: "Yeah, right." With a crowd gathering, Wirth loudly accused Lemon of stealing the CD player.

At this point, Lemon told Wirth he was going to call the police. The complaint says Wirth "bumped, shoved and knocked" him, preventing Lemon from entering his car to reach his cell phone.

Lemon continued to demand that Wirth show him identification. Wirth displayed "a small toy-like security badge" that, the complaint says, didn't indicate he was a Tower employee.

Finally, Lemon got into his car and phoned the Philadelphia Police. Several patrol cars and officers on foot arrived. Initially, they assumed Lemon was the perpetrator and that Wirth had made the call.

Lemon showed an officer his receipt for the CD player. Another officer said he recognized Lemon as a Channel 10 reporter. Lemon returned to Tower Records and spoke with the manager about the incident.

Wirth apologized to Lemon, the complaint says. He was put on investigatory suspension by Tower Records and was later let go.

Lemon had no comment yesterday, "on advice of counsel." **Louise Solomon**, public-relations manager for

the Tower Records chain, said: "We have not yet seen the suit; therefore, we can't comment." Wirth could not be reached for comment.

Lemon's attorney, **Richard K. Washington Jr.**, says his client was a victim of racial profiling in the same way that some African American drivers have been singled out to be stopped by New Jersey State Police.

"In this case, he [Lemon] didn't have the item in a bag and he happened to be an African American," Washington said. "It wouldn't be a far stretch to assume all African Americans who don't have items in bags are thieves. Shopping while black. Driving while black."

Ironically, Lemon received merit awards from FBI bureaus in his two previous reporting stops — St. Louis and Birmingham, Ala. — for his "Most Wanted" reports. They resulted in the capture of some of the areas' most dangerous fugitives.

Lemon, a native of Baton

Rouge, La., and a former model, began his TV career in 1991 at New York's WNYW. While working there, he earned a degree in radio/television from Brooklyn College.

**She's b-a-a-ck.** **Alicia Calaway**, the mucho-muscled personal trainer from CBS's *Survivor: The Australian Outback*, will be in town May 13 to flex her biceps at the **Susan G. Komen Breast Cancer Foundation's Race for the Cure**.



**Alicia Calaway** of "Survivor" will be in town May 13.

Calaway, a New Yorker, will lead the warm-up exercises around 8 a.m. in front of the Art Museum. KYW's **Amy Caples**, **Pat Ciarrocchi**, **Denise Saunders**, **Stephanie Stahl** and **Dawn Stensland** are hosting the 11th annual event.

Calaway was voted off *Survivor* on the eighth episode March 14 but returned as part of the jury for the final episodes.

**"Wasteland" redux.** *Wasteland*, the **Kevin Williamson** drama that was wasted by ABC after three



**"Wasteland," trashed by ABC**, will head to Showtime chronicles the lives of six pals in their 20s.

episodes in fall '99, has found new life on cable's Showtime.

Beginning next month, all 13 *Wasteland* segments will run on Showtime Next, a new multiplex channel targeted for 18-to-24 year-olds.

*Wasteland* follows six Manhattan pals in their 20s coming to terms with life after college. Stars include: **Marisa Coughlan** (*Freddy Got Fingered*); **Rebecca Gayheart** (*Scream 2*); **Brad Rowe** (*Billy's Hollywood Screen Kiss*) and **Eddie Mills** (*Dawson's Creek*.)

Williamson created the WB hit *Dawson's Creek* as well as the blockbuster big-screen

franchise *Scrubs*.

**Short stuff.** **Greta Van Susteren** is in town to signing a 1-year deal, insiders say. **Mark Tully**, WCAU's chief since Mervyn D'Lee joined NBC's *Dallas* as new vice president by 'XAS top 10" who brought was news boss (1993-'98.)

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