Supreme Court deals blow in the civil rights battle

WASHINGTON — The Supreme Court ruled 5-4 Monday that comparison of an employer's white and minority workers is not enough to prove discrimination, a decision one justice assailed as "major strides backwards" for civil rights.

In the ruling by Justice Byron White, the court said that in racial discrimination cases brought against employers, it is not enough merely to produce statistics showing the employer has hired more whites than non-whites for the job.

White held that the proper comparison is between the job and the racial composition of the qualified labor market.

"Racial imbalance in one segment of an employer's work force does not, without more, established a ... case of disparate impact with respect to the selection of workers for the employer's other positions," concluded the opinion in the case involving salmon cannery workers in Alaska.

White wrote that as long as there is nothing to deter qualified minorities from applying for jobs, "if the percentage of selected applicants who are non-white is not significantly less than the percentage of qualified applicants who are non-white, the employer's selection mechanism probably does not operate with a disparate impact on minorities."

To rule otherwise, White declared, would "inexorably lead to the use of numerical quotas in the workplace."

He was joined in the ruling by Chief Justice William Rehnquist and Justices Sandra Day O'Connor, Antonin Scalia and Anthony Kennedy.

In a scoring dissent, Justice Harry Blackmun wrote bitterly, "Today a bare majority of the court takes three major strides backwards in the battle against race discrimination.

"One wonders whether the majority still believes that race discrimination — or, more accurately, race discrimination against non-whites — is a problem in our society, or even remembers that it ever was."

Justice John Paul Stevens labeled the majority ruling the "latest sojourn into judicial activism." Also dissenting were Justices William Brennan and Thurgood Marshall.

Charles Stephen Ralston of the NAACP Legal Defense and Education Fund said that before reading the ruling it was hard to gauge its future significance but "it doesn't sound good at all."

"This is definitely a cutback on existing law and this will make it harder to win these cases," Ralston warned.

In other action Monday, the Court:

Ruled 5-2 that money spent on Church of Scientology instruction is not tax deductible. Marshall wrote that the payments are not contributions or gifts within the meaning of IRS rules and that such a ruling does not infringe on the First Amendment rights of Scientologists to freedom of religion. —(UPI)

Tony winner for Best Choreography for the same musical is (L-R) Henry LeTang, Fayard Nicholas, Cholly Atkins and Frankie Manning.

WA TONY FOR BROWN — Carol Channing (right) a Broadway institution, puts her arm around Ruth Brown, a Tony Award winner on June 4 for leading actress in a musical (Black And Blue).

Portsmouth blues singer wins Best Actress Tony

NEW YORK (UPI) — Blues singer Ruth Brown, who started her career in Portsmouth by singing in the choirs of a local high school and church, has won the Tony Award for best actress in a Broadway musical.

"For what I've made of my life I can only thank God," Brown said Sunday night in her acceptance speech.

Brown dedicated her award, the American theater's highest honor, to her mother and first granddaughter.

Brown won the award for her performance in "Black And Blue," which includes her renditions of "St. Louis Blues," "Body And Soul" and "If You Can't Sell It, Sit On It." Brown's competition in the "lead actress in a musical" category included her co-star, Linda Thompson, a previous Tony winner.

Brown had won the coveted Outer Critics' Circle award a week ago. The award generally has a great deal of influence on who is chosen for the Tony Award.

Brown began singing in the choirs of I.C. Norcom High School and Emanuel AME Church, both in Portsmouth. She performed for military personnel at military installations in southeastern Virginia during World War II.

Brown left Portsmouth in 1948 to record and went on to become an international singing star. She earned a gold record for "Teardrops" in 1949 and a Grammy nomination in 1969 for a remake of "Yesterday."

La. House kills Duke affirmative action bill

BATON ROUGE, La — The Louisiana House last week killed a bill that would have abolished state affirmative programs, handing state Rep. David Duke, a former Ku Klux Klan leader, his first legislative defeat since his election.

Duke, a Republican, from Metairie, branded the House action as "cowardice."

The measure, which also would have banned state contract set-aside programs from minorities, had been approved by a House committee, but the full House voted 44-41 in a procedural move to table the bill, effectively killing it.

The vote marked Duke's first legislative setback since winning his seat in a special election in February.

The measure would abolished state affirmative action programs as well as programs reserving a portion of state construction contracts for minority-run businesses.

The motion to table was made by Rep. Mitch Landrieu, a Democrat of New Orleans, whose district contains a large percentage of blacks. Landrieu said he discussed the procedural move with several colleagues before calling for the vote.

"A number of us got together and came to the conclusion that Mr. Duke is really trying to disrupt the legislative process since he got here," Landrieu said. "He has wasted an enormous amount of time and we have very few days left to do anything substantive in this session. We thought it would be better to put an end to this debate at this time."

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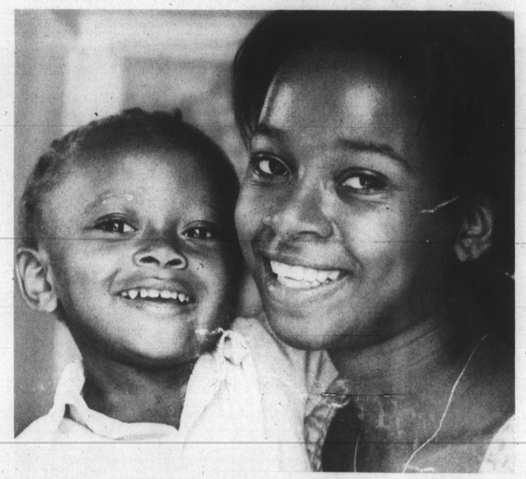

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Medicaid proposal on hold

The Department of Health and Mental Hygiene will put on hold its proposal to force non-emergency Medicaid patients out of hospital emergency rooms while it tries to correct many of the problems health care providers have with the plan.

Department officials appeared ready to present the proposal to a joint legislative panel for approval more than a month ago. But the day the Joint Committee on Administrative, Executive and Legislative Review was to consider it, the plan was removed for further work.

Committee officials confirmed Monday the proposal was being pulled from consideration again, to give DHMH officials a chance to make significant changes, said committee counsel Stuart Gordon.

The proposal has been ballyhooed as a way to save the department hundreds of thosands of dollars in Medicaid bills.

Under the original proposal, Medicaid patients who entered emergency rooms for treatment would be given a preliminary examination to determine if their condition was serious. Patients with conditions deemed serious would be treated.

If a Medicaid patient was found to be suffering from a non-emergency condition, he would be sent away with a list of more appropriate health care providers.

The plan hoped to cut the costs of paying for more expensive emergency room treatment when the situation was not severe.

Several groups, including the Maryland Hospital Association, objected to the plan, prompting it to be pulled from the AELR agenda.

DHMH Deputy Secretary Nelson Sabatini said he needs time to incorporate the changes discussed with health care providers into the proposal.

Among the changes will be the clearing up of a "semantic problem." Sabatini said that some hospital personnel saw the original proposition's order that a "triage" would determine the seriousness of a conditions as a possible door to lawsuits alleging malpractice and patient abandonment.

Instead, the patient will undergo a "screening exam" which Medicaid will pay for — to establish the condition.

Sabatini said he did not know precisely when the regulations will be completed. However, he said the department still wants to get the diversion plan on the books as quickly as possible.

Hospital personnel have argued that the proposal will leave many people without medical care in areas where there are few other means of care, as well as open liability in cases where patients are turned away.

Bowie sponsors conference

Bowie State University's Center for Alternative Dispute Resolution, in cooperation with the United States Department of Labor and the Federal Mediation and Conciliation Service, will sponsor its second annual labor relations conference, "Realities of the Workplace: Changes and Challenges."

The one-day conference will take place on June 15 from 8 a.m. - 5 p.m., in the Wiseman Student Center, on campus.

The conference provides a forum for management, union officials, and human resources, labor relations, and community service professionals to exchange new information and ideas about changes in the workplace.

Photo by P.A. Greene

Mozambique Ambassador to the United States, Valeriano Ferrao, extends greetings to Councilwoman Jackie McLean and former Congressman Parren J. Mitchell.

Mayor hosts ambassador

Mayor Kurt L. Schmoke and the Greater Baltimore Task Force on Africa recently hosted a Community Breakfast honoring Mozambique's Ambassador to the United States, Valeriano Ferrao.

The breakfast, held at Bethel A.M.E. Church, served as the kick for Baltimore's Annual Walk-A-Thon for African famine relief.

Mr. Ferrao addressed the role of Baltimore and other local communities in sustaining Mozambique's famine relief and development efforts in the midst of long-term food crisis.

He also discussed Mozambique's relationship with the Union of South Africa and his government's response to apartheid.

"Greater Baltimore Walking With Africa," a 10k fund-raising walk through downtown Baltimore celebrating World Food Day, will be held Sunday, October 15, 1989. Mayor Schmoke is the Walk's Honorary Chair.

The Task Force on Africa is coordinated by Baltimore Clergy and Laity Concerned (CALC), a noted interfaith human rights and social justice organization. Funds raised will be given to Africare, Catholic Relief Services, Church World Service and UNICEF.

Ex-boxer pleads guilty

Former heavyweight boxer Reginald "Reggie" Gross, accused of being an enforcer for a narcotics ring, has pleaded guilty in the drug-related contract slayings of three men.

Gross, 28, entered the guilty plea in Baltimore federal court Monday to charges of murdering the men as a hired killer for a gang that controlled the drug trade in two westside public housing projects.

In 1987, Gross was acquitted of one of the killings during a jury trial in Baltimore Circuit Court.

Gross, a former heavyweight boxer who once fought Mike Tyson at Madison Square Garden, pleaded guilty to the September 1986 killings of Andre Coxson, Zachary Roach and Rodney Young.

Gross faces a possible life sentence for each of the racketeering-related murder charges. Prosecutors said they will recommend a 75-year prison term when Gross is sentenced July 27.

The gang leader, Warren Boardley, 27, also pleaded guilty Monday in federal court to drug, racketeering and income tax charges as part of a deal in which he will receive a 47-year sentence.

In addition to Gross, six other members of the Boardley gang pleaded guilty to racketeering charges for their roles in the network that prosecutors allege made $250,000 a week in the Lexington Terrace and Poe Homes projects.

Charles Scheeler, an assistant U.S. attorney, said the gang was responsible for a string of murders and shootings during a war with a rival gang in the summer of 1986.

Gross, described as an enforcer for the Boardley organization, pleaded guilty to the Sept. 12, 1986, slaying of Coxson. He also admitted to killing Roach, a midlevel narcotics dealer, and Young, 11 days later.

Scheeler said the same .38-caliber revolver used to kill Coxson was used in the killings of Roach and Young. The prosecutor said an accomplice used the gun in the killings, while Gross used an Ingram MAC-11 submachine gun.

In 1983, the same submachine gun was used in two drug-related slayings at the Warren House Hotel in Pikesville that were ordered by Anthony Grandison, a West Baltimore narcotics dealer.

Unemployed may get cash from machines

By Alisa Samuels
AFRO Staff Writer

During the 1990's unemployed Marylanders could possibly punch a secret code in an automated teller machine and receive their benefits in cash.

Thomas S. Wendel, director of the Maryland Office of Unemployed Insurance that handles 100,000 claimants' benefits annually, said the state is studying to develop a quick-cash banking system to allow unemployed workers across the state to receive their checks much easier.

"With this system, people don't have to feel apprehensive about being unemployed and going to a grocery store to cash their checks," Wendel said.

The streamlining system is anticipated to save Maryland between $50,000 to $100,000 annually in paper-check-making costs, the director said.

But Wendel said he is uncertain when the "long-range" program could start.

"The implementation date could be a year, but at the same time it could also be six months or two years," Wendell said.

"We'll have a definite decision in the next six months," he added.

During that time, he said agency officials would have completed discussions with TransFirst Corp. representatives to weigh the program's pros and cons in Baltimore. TransFirst developed the pilot automated system in two counties in Washington state.

Wendel said Washington initially believed if it could earn 50 cents on every transaction, it was doing well. But now Washington said 50 cents is less of a savings it had planned.

Also in Washington, some of the 1,000 participating banks and 10 Safeway supermarkets are complaining that their regular customers cannot get to the ATM's because the unemployed are tying up the lines.

Apparently, in addition to an entry password, claimants also have to punch in benefits eligibility codes.

In Maryland, the system could be implemented in pilot offices or zip codes once the project is thoroughly studied Wendel said.

On the average, Maryland unemployed benefits range from $25 to $205 a week he said.

"This program would cost us some money through the banking system, but because the money is in a float, until the claimant cashes his check, we can earn interest to pay the bank back for keeping the accounts," said Wendel.

Wendel disputes claims that this system would make it simple and easier for the unemployed who are already "beating the system," to get money.

"The majority of the claimants out there are not out to beat the system," said Wendel. "They represent only two or three percent."

Claimants can find out how much money is credited to their account after meeting eligibility requirements. They can also request direct deposit, said Wendel.

Wendel said the Department of Human Resources is considering using the automated system for child support and welfare checks.

Stokes accused of shoplifting

CLEVELAND, Ohio — Municipal Judge Carl Stokes, a former mayor of the city, was accused Friday night of shoplifting $17.25 worth of dog food from a pet store in suburban Shaker Heights.

The owner of the pet shop filed the complaint of petty theft, alleging Stokes left the store without paying for a bag of dog food. But store owner, Kim Litke, had no comment when questioned by WKYC-TV, the station reported.

The station also said Stokes denied taking the dog food, but the city's police chief, Walter Ugrinic, said there were some witnesses.

We have a suspect and he's identified as Carl B. Stokes," Ugrinic said.

He said two witnesses saw Stokes leave the store Friday morning without paying.

"I know nothing of any shoplifting," Stokes told the TV station, although he went to the police station Friday night.

Police officials said Stokes admitted going to the Pad and Fin store, but said he left when there was no one to wait on him. He said he returned later in the day and bought dog food.

This is the second such incident involving Stokes. Last December he signed a statement saying he left a store without paying for a screwdriver, but no charges were filed.

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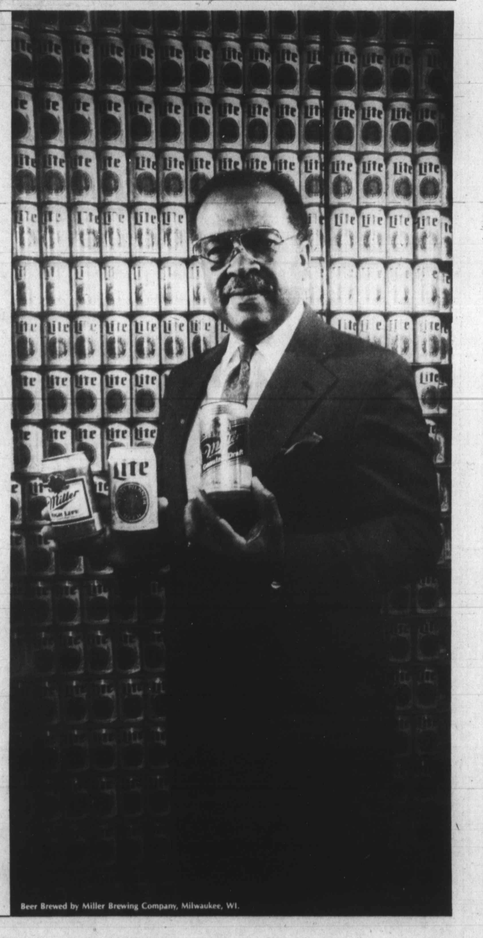

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