

National

Black Professor Awarded \$400,000; Free Speech was Violated

▲ Judge to determine if he gets job back

NEW YORK (AP) — A jury has given Leonard Jeffries almost everything he asked for: a decision that he was wrongly relieved of his chairmanship of black studies at City College after he criticized Jews and whites, and a financial award for his troubles.

Now a judge will decide whether the professor should get his old job back.

A jury in Manhattan's federal court decided earlier that Jeffries' First Amendment rights to free speech were violated. Last week, it

laid the blame largely on four trustees the City University of New York, and it awarded Jeffries \$400,000 in damages.

The trustees had voted to oust Jeffries from his position as chairman of the black studies department at City College, a branch of City University.

"We're elated that there has been trial, tribulation and triumph," a smiling Jeffries said Tuesday outside the courtroom. "The message is clear that there is freedom of speech, that that umbrella stretches

to African Americans."

Jeffries created a furor across the country in July 1991 when he said in a speech that Jews and the Mafia had conspired to belittle blacks in the movies and that Jews had helped finance the slave trade.

The jury found that the trustees used the speech as a "substantial or motivating factor" in denying Jeffries a three-year term as chairman of black studies.

Now that the jury's work is done, Judge Kenneth Conboy will hear arguments on whether Jeffries should be restored as chairman, a process that could take a month.

Jeffries, 56, sought his chairmanship back and \$25 million in damages when he filed a lawsuit against City College last year.

City University and the state, which is defending the state-run

school, said they would appeal the damage award.

"The university still maintains that it acted in good faith and they should not have to pay," said Ed Barbini, a spokesman for Attorney General Robert Abrams.

The New York regional office of the Anti-Defamation League of B'nai B'rith denounced the award.

"Any dollar amount would be an unjustifiable reward for racism, bigotry, and anti-Semitism," said Myrna Shinbaum, the office's spokeswoman.

Most of the jurors refused to speak with reporters.

One, Robert Mercer, said the panel, four blacks and four whites, "all agreed the real criminals here were Gov. Mario Cuomo and Mayor David Dinkins."

He said both "pressured poor civil servants to do the dirty work" to get rid of Jeffries.

Mercer, a 46-year-old IBM researcher who lives in Westchester County, said there "was certainly no outrage at the speech" in the jury room.

But Mercer did say that he thought Jeffries was not a competent department chairman, teacher, or scholar.

"He ought to start a church," Mercer said.

Jeffries gave his controversial speech in Albany in July 1991.

In October 1991, City University's trustees decided to allow Jeffries to serve a one-year term as chairman of black studies, but voted to replace him the following March. Each of the trustees found liable in the case opposed even extending

Jeffries' chairmanship for one year.

During the trial, Jeffries said his "freedom of speech ... was crushed" by the reaction to his remarks.

His lawyer, Joseph Fleming, introduced evidence that showed school administrators found Jeffries was performing his job adequately despite the uproar.

The jury said trustees Edith P. Everett, Herman Badillo, Sylvia Bloom and Harold M. Jacobs each owe \$80,000 to the professor, although any damages will be paid by the state-run City University.

The jury assessed punitive damages of \$50,000 against City University's chancellor, W. Ann Reynolds, and \$30,000 against former City College's president, Bernard W. Harleston.

Jury Clears Man in Shooting of Japanese Exchange Student

BATON ROUGE, La. (AP) — The gun lobby is fond of saying, "Guns don't kill people, people kill people."

But gun-control advocates say the acquittal of Rodney Peairs in the shooting death of a Japanese exchange student who mistakenly went to Peairs' door looking for a Halloween party leaves one problem.

"The gun is there. And in a moment of panic it's used in a way that it's not intended to be used," Susan Whitmore of Handgun Control said Monday.

To the National Rifle Association, the verdict "underscores the fact that existing, rampant, unchecked, violent crime in the

United States has created an atmosphere of fear among honest Americans," said spokesman Bill McIntyre.

The killing Oct. 17 and Peairs' acquittal on a manslaughter charge Sunday led to yet another furious re-examination, abroad as well as at home, of gun-ownership laws in the United States.

Both sides in the trial agreed that Peairs was scared for his life when he killed Yoshi Hattori, 16, whom he mistook for a burglar. But the prosecution argued that, with minimal effort, the 31-year-old meat market manager would have discovered there was no danger at all.

Peairs was acquitted by a jury that deliberated for three hours after

a seven-day trial.

While District Attorney Doug Moreau told jurors he supports the right to bear arms, he argued that gun owners must accept the responsibility that comes along with the weapon.

Defense lawyer Lewis Unglesby called the shooting "a one-in-a-million deal where everything went wrong at the same time."

Handgun Control said statistics suggest otherwise. A gun is 43 times more likely to kill a member of the household than an intruder, the Washington-based group said.

Peairs, who sought psychological help, testified that he went to the bathroom and vomited immediately after shooting the student.

He is "as much a victim of gun violence as the victim himself," said Mike Beard of the Washington-

based Coalition to Stop Gun Violence. "His life is changed dramatically because of the presence of the gun."

Louisiana is one of two states that had more deaths from firearms than automobiles, he said. "At least with automobiles, we've tried to do something about it."

The student rang the Peairs' front bell twice, and Bonnie Peairs opened a door off the carport. He came around from the front — quickly, she said — and frightened her, so she yelled for her husband.

Peairs said he shot the boy after yelling "Freeze!" Hattori, who knew little English, may have misunderstood the word as "Please," according to testimony.

The case captured wide attention in Japan, where Hattori's parents collected more than 1.6 million petition signatures urging Congress

to adopt stricter gun laws.

White House spokesman George Stephanopoulos said he hoped the shooting wouldn't affect relations between the two countries.

"We understand and regret very much the tragic incident last year in which the exchange student was killed, and we extend our sincere condolences to his family," Stephanopoulos said.

He declined comment on the verdict but said, "We can certainly understand the disappointment of the Japanese people."

President Clinton "has been on the record for tighter gun-control laws," he said. "That's why he's been pushing for the Brady bill and other measures to keep guns out of the hands of criminals."

Richard Haymaker, the student's American host, has lobbied the Louisiana Legislature for gun

control, but with little success.

"The question becomes: Did Yoshi die in vain? And the answer is: Absolutely not," Haymaker said. "It's for the other children that we're trying to make a safer world."

Peairs testified that he was sorry for the killing, and there has been talk of a meeting between him and Hattori's parents.

"It's a question of whether it will be public or private" Unglesby said. "And Mr. Peairs' position is that he would like most everything he does from now on to be private."

Philip Taijitsu Nash, director of the National Asian Pacific American Legal Consortium, said his group would investigate whether a non-Asian person in an unfamiliar neighborhood would be as likely to have been shot under similar circumstances.

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