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"Don't Retreat On Civil Rights" Court Urged To Exclude Racism



REP. DAN BLUE

Black Pupils' Achievement Needs Upgrading

North Carolina's 140 school districts should improve their records on black student achievement and should be subject to state intervention if they don't. That was just one of the statements coming from black leaders at the two-day North Carolina Conference for Educating Black Children, held Friday and Saturday in Raleigh. The conference was an outgrowth of the 1986 National Conference for Educating Black Children, which produced a document called "Blueprint for Action." The blueprint outlined goals and specific actions to improve education for black children, whose academic achievement continues to lag behind that of whites. Participants said the conference's main purpose was to stop talking and start acting on the solutions. Black leaders and educators from across the state worked to set priorities and develop action plans. "This [blueprint] was not prepared as a waste of paper," said Pennie Battle, a Gates County School Board member who moderated one of the panels. "We are just a tiny beginning, but we are going to make a difference." State Sen. William N. Martin, D-Guilford, who spoke at a panel session about setting policy, said the 1989 legislative session would be a year for legislation to help black students. Both Martin and state Rep. Daniel T. Blue, Jr., D-Wake, said the state should require school systems to meet specific goals in improving the achievement of minority children. School systems that fail to meet those goals, Blue said, should be subject to some kind of state intervention. "Now, we really don't have any direct authority to say we don't think you've performed," he said.

BY CHESTER A. HIGGINS, SR.
NAPA News Editor
WASHINGTON, D.C.—When the United States Supreme Court last April by a vote of 5-4 voted to rehear a case involving a black woman, Brenda Patterson, versus a North Carolina credit union, to consider if an earlier 1976 ruling should be overturned, civil rights organizations were appalled. Last week civil rights and opposition lawyers and groups swarmed to Capitol Hill and the august halls of the Supreme Court as the justices

heard oral arguments for and against reversing the key ruling, Runyon vs. McCrary. Julius L. Chambers, attorney for the NAACP Legal Defense Fund, argued brilliantly that reversing Runyon, which prohibited private

The intent of the 1866 law in the Reconstruction era was to correct pervasive practices by private individuals that had the effect of putting blacks back into slavery.

schools from discriminating on the basis of race, would weaken decades of "joint congressional and judicial efforts to rid this country of racial discrimination." He declared that the court had cor-

rectly interpreted the intent of the post-Civil War law when it ruled for Ms. Patterson who charged the North Carolina Credit Union with racial harassment. The intent of the 1866 law in the Reconstruction era was "meant to correct... pervasive practices by private individuals" that had the effect of "putting blacks back into slavery. We are not working on farms now. We are working in credit unions," Chambers pointed out. "but the law's intent is the same." He urged the court not to retreat in the struggle to eliminate "the badges of slavery" in society. At issue was Patterson vs. McLean Credit Union, which seemed to be a routine case when it was first argued in the last Supreme Court term. The question then was whether Ms. Patterson, a black employee of the North Carolina Credit Union, could sue for racial harassment under a section of the 1866 law that says that all people have the same right "to make and enforce contracts... as is enjoyed by white citizens." The court voted to rehear the Patterson case to determine if the 1976 Runyon decision, which is based on the post-Civil War law, should be overturned. Concerned that the court's new conservative majority—Chief Justice William W. Rehnquist; Justices (See COURT, P. 3)

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Tawana Brawley Case Triggers Debate

Prosecutor Pushes For More Power

ALBANY, N.Y. (AP)—State Attorney General Robert Abrams may have found a trio of unwitting allies—the advisers to Tawana Brawley—in his efforts to make changes in state laws to aid criminal prosecutors. Actions by Rev. Al Sharpton and attorneys C. Vernon Mason and Alton Maddox, Jr. throughout the protracted Brawley investigation have provided impetus to efforts to toughen penalties for hindering prosecution and to allow the filing of defamation suits on behalf of dead people, said Abrams aide Nathan Riley. The seven-month grand jury investigation also may resurrect a debate over changing state laws which grant blanket immunity from criminal prosecution to those testifying before grand juries. Riley said there's "clearly going to be a strong interest in legislation" in light of events this year surrounding Brawley, a 15-year-old resident, whose story of being sexually assaulted by up to six white men in 1987 was labeled a sham by a special state grand jury in Poughkeepsie. As part of its voluminous report, the grand jury made several recommendations for changes in state laws dealing with prosecutions and investigations. Abrams, special state prosecutor in the Brawley case, echoed the suggestions and made a few of his own. (See TAWANA BRAWLEY, P. 2)



WHAT A RIDE—One of the most thrilling adventures at the North Carolina State Fair is daring to take an exciting ride. These fairgoers seem to be enjoying it. (Photo by Talib Sabir-Calloway)

Judge Orders Minister To Aid King Observance

GREENSBORO (AP)—A Baptist minister charged with making harassing telephone calls to the NAACP offices in Greensboro was ordered to participate in observances of Martin Luther King's birthday and Black History Month. Guilford County District Court Judge William A. Vaden ordered the Rev. David Mabe, pastor of the Lighthouse Baptist Church in Pleasant Garden, to perform 100 hours of community service at the Hayes-Taylor YMCA and the Salvation Army shelter. He also was ordered to participate in 20 hours of programs at N.C. A&T State University in January and February commemorating Martin Luther King's birthday and Black History Month. The misdemeanor charge will be dismissed by prosecutors if he fulfills the requirements of the first-offenders program. "The hope is that, by having the opportunity to work with and get to know black people, he will change his opinion," said Carolyn Coleman, director of the NAACP's Southern Voter Education Project. Mabe declined to comment on the sentence. He said he did not make all the calls he was accused of making. NAACP officials said they began receiving harassing calls in January. The calls became more frequent in March and continued through August. The caller usually would hang up or say nothing. On some occasions, the caller used profanity and made racial slurs. (See MINISTER, P. 2)

Prison Overcrowding Emergency Sets Some Inmates Free Early

Because of a continuing rise in the rate of prison admissions, state Correction Secretary Aaron J. Johnson last week informed Gov. Jim Martin and state Parole Commission Chairman Sam Wilson that special powers designed to reduce prison overcrowding have been triggered for a fourth time this year. "Once again we are faced with the prospect of the early release of convicted offenders from prison because of overcrowding," Johnson said. "It is the price that must be paid for the past neglect of North Carolina's correctional system." "Although great strides have been made during the past three years, this latest emergency is a reminder of the great work that remains to be done," Johnson added. "The construction of new prisons, combined with the community-based alternatives suggested by Gov. Martin 2½ years ago, continue to be the only viable solutions to the problem of overcrowding." Special provisions of the Emergency Prison Population Stabilization Act were triggered last week when the prison population remained above the legislatively mandated "ceiling" or "cap" of 17,460 for a 15th consecutive day. As of 12:01 a.m. Wednesday, Oct. 19, the population of North Carolina's 87 prisons stood at 17,655. The law requires the Parole Commission to take steps to reduce the prison population to no more than 17,280 on or before Dec. 17. To reduce the prison population, the law states that the Parole Commission can only consider inmates eligible for parole. However, during a population emergency, the pool of eligible inmates expands to include Fair-Sentencing Act felons nine months before their release date (instead of the original 90-day re-entry parole) and all misdemeanants (except those serving sentences for assault and related crimes). With the triggering of the special provisions of the cap legislation, the state is required to stop accepting short-term misdemeanants, those serving 30-180-day sentences, into the prison system. Local law enforce-

Campaign '88: Candidates For Local, National Office Begin Final Election Push

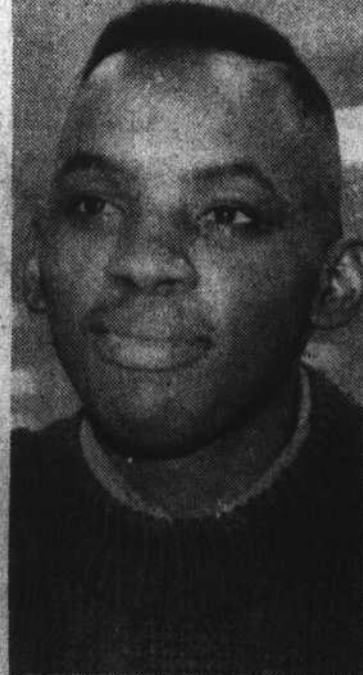
The race for Superior Court judge between Judge George R. Greene, a Democrat, and Carlton E. Fellers, a Republican, is of statewide interest and particularly for District 10A. Voters should be aware that it is a choice between these two judges on election day, Nov. 8. Both are running for Superior Court and you can only vote for one. President Ronald Reagan gave Republicans a boost in North Carolina last week when he paid a visit to Raleigh and delivered a rally on Oct. 23 as a kickoff to meet the candidates and the "1988 Democratic victory season." The Fourth Congressional District unity tour and rally begins at 9 a.m. in Hillsborough at the courthouse. The schedule: Pittsboro, 10:45 a.m.; Chapel Hill, at the Pit on the UNC campus, 1:30 p.m.; Chapel Hill Democratic headquarters, 2:30 p.m.; Louisburg at the courthouse, 5 p.m.; Raleigh at the Fayetteville Street Mall with a rally at 6 p.m. The rally will feature Lt. Gov. Bob Jordan, state Sen. Tony Rand, U.S. Sen. Terry Sanford, and Rep. David Price. Council of State candidates Rufus Edmiston, Bob Etheridge, Lacy Thornburg, Jim Graham, Ed Renfrow, John Brooks, Harlan Boyles and Jim Long will also be there. Etheridge, a Democrat running for state superintendent of public instruction reported to The CAROLINIAN that his "priorities are the same as during the primary campaign. First, we must raise the level of achievement of all students. Second, we must lower the dropout rate. I am deeply troubled by the fact that North Carolina students score so poorly on national achievement tests. I am also concerned that nearly 23,000 students leave high school each year without a diploma... We must focus more upon results of our schools rather than regulations and red tape which stifle creativity and innovation." In Connecticut, Democrat Michael S. Dukakis compared tactics with the Watergate scandal in accusing Republican George Bush of distorting his record. "Above all, the truth should matter a lot in a presidential campaign because, as we learned in Watergate, it matters a lot in the Oval Office," he said. He said that in the Bush campaign, as in the Nixon White House, (See ELECTION YEAR, P. 3)

The race for Superior Court judge is a contest between two former lawyers, George R. Greene and Carlton E. Fellers. Voters should be aware that it is a choice of voting for only one of these judges on Nov. 8.

The president's visit precedes Gov. James Martin's three-day campaign tour of the state by train, known as the "Martin Express." The tour will begin in Asheville on Oct. 24 and end in Morehead City on Oct. 26. The train will consist of three AMTRAK passenger cars and will travel along the Norfolk Southern line. The train will stop in 22 cities along the way and approximately 100 passengers per day will be aboard the train. The majority of the passengers are volunteers. NASCAR driver Richard Petty and entertainer Jimmy Dean will be aboard the first day. The Democrats will hold a youth message at the Raleigh Civic Center.

Black Males Declining In College Enrollment More In Prisons Than In Colleges

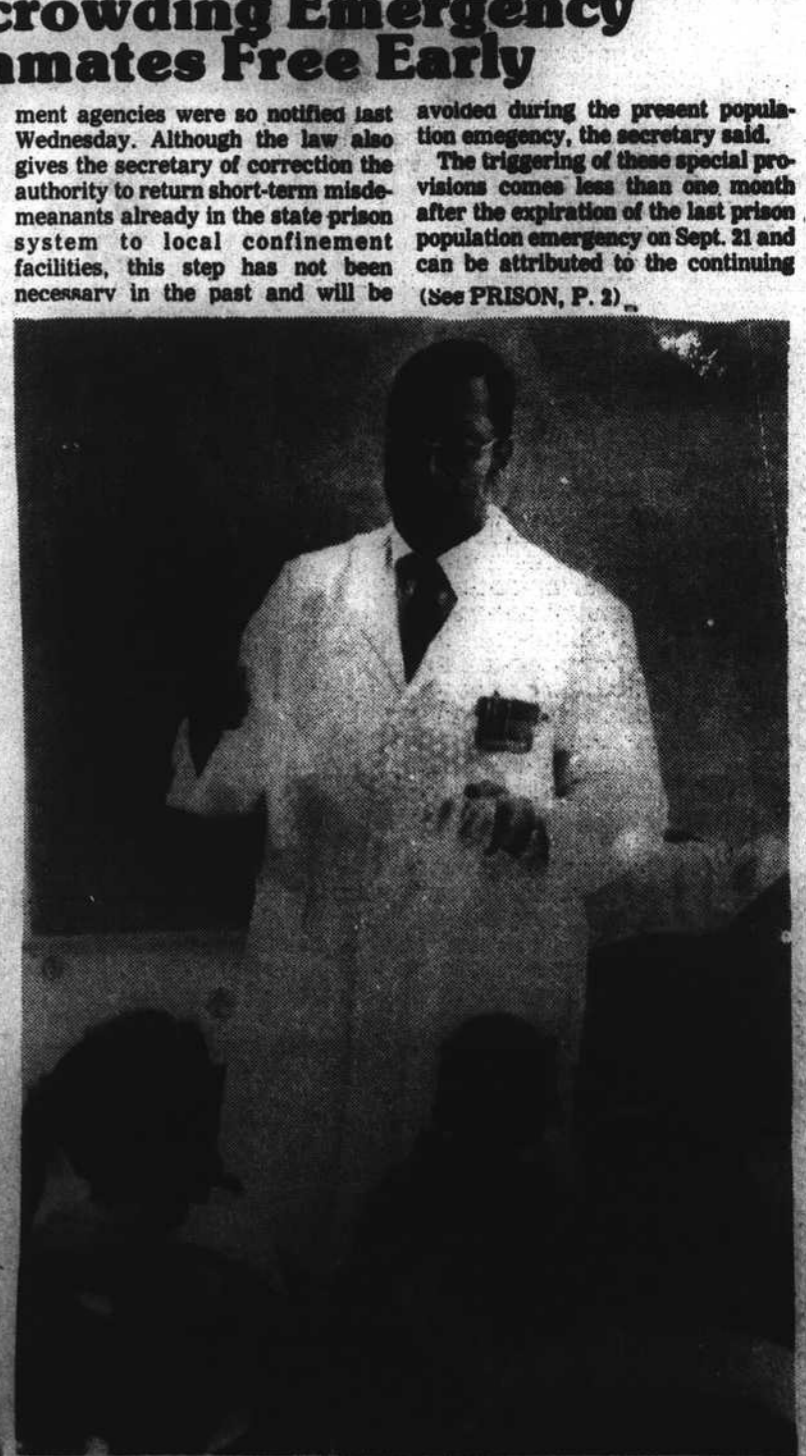
BY SHIRLEY REED-BLASH
NAPA Staff Writer
The alarming disparity between black female and male college graduates in the state of Maryland has prompted the Montgomery County Branch of the National Association for the Advancement of Colored People to form a special task force to investigate the problem, an effort that may have a widespread impact. Roscoe Nix, president of the Montgomery County NAACP, said at a recent news conference that the task



BLACK CHILD CONFERENCE — Phillip McAdeo, a student of Southern Alamance High School, was a participant in the Educating the Black Child Conference and related his experiences and frustrations of dealing with an unresponsive school system and classmates who have become mixed in that system.

force was sparked by a report released last spring by the Maryland State Board of Higher Education, which revealed that 70 percent of the degrees awarded to black college graduates in 1987 went to females. Less than one-third of the graduates were black males. This represents a 10 percent drop in 10 years. In 1977, 42 percent of the college degrees awarded went to black male students, according to the report. "If black males are not reaching their potential, you are sowing the seeds for an underclass that is increasingly hostile," said John Diggs, chair of the task force and the Montgomery College Board of Trustees. His remarks were underlined by the revelation that, in Maryland, more college-age black men are in prison than in college. A variety of reasons for the decline in black male enrollment, including deterioration of the family structure, failure of teachers to encourage black males to excel academically and media stereotypes that portray them as "pimps, football players, basketball players and entertainers," asserted Nix, who added, "but that's speculation." Nix said that if his organization is able to identify concrete answers to the questions posed by the report, it could have major national implications. "Our state is not unique. We hope that we can come up with something that could serve as a model for other communities in our nation." The 15-person task force formed to study the decline in black male enrollment in Maryland is comprised of black male and female professionals—some of whom are from disadvantaged backgrounds, according to a report. The number of black students (78 percent) enrolled in Montgomery County schools who elect to pursue a (See MALES DECLINE, P. 2)

ment agencies were so notified last Wednesday. Although the law also gives the secretary of correction the authority to return short-term misdemeanants already in the state prison system to local confinement facilities, this step has not been necessary in the past and will be avoided during the present population emergency, the secretary said. The triggering of these special provisions comes less than one month after the expiration of the last prison population emergency on Sept. 21 and can be attributed to the continuing (See PRISON, P. 2)



TOOLS OF THE TRADE — Dr. S. R. Cloud displays the type of surgical gloves he uses for his dental practice to schooling children who are enrolled in the After School program at the Garner Road FAMILY YMCA. (Photo by Talib Sabir-Calloway)