

Supreme Court rejects Houston redistricting plan

WASHINGTON- The Supreme Court rejected a challenge to the way Houston elects nine of its 14 city council members, turning away arguments the system was motivated by racial considerations.

The decision on Monday came a month after the court ruled, 5-4, that a largely black congressional district can be constitutional if drawn to satisfy political rather than racial motives.

This time, without comment, the majority let stand rulings that upheld the redistricting completed in 1997, that reset Houston's nine council districts and five at-large seats.

The court's only black justice, Clarence Thomas, took the somewhat unusual step of writing a formal dissent, saying he would have heard the case. It takes a minimum of four justices to agree to take on the issue. The Houston ruling and last month's decision, involving a crazy-quilt North Carolina con-

gressional district, provide a roadmap for drawing boundaries under the 2000 census.

With the census in mind, Thomas - a dissenter in the North Carolina case - said he would have heard the Houston case because the high court left a gap in its guidelines.

Thomas wrote that the court should address it now "because every jurisdiction in the country will have to accommodate the 2000 census data in the near future."

The gap centers on whether the reapportionment plan takes into account the total population of districts or the voting age population.

In Houston, "Such a determination might be dispositive of whether the city has violated" the Constitution's guarantee that everyone will have "equal protection" under the law.

A group of Houston residents, led by retired chemistry professor Edward Chen, con-

tended the redistricting plan gave too much political clout to minority voters, specifically blacks and Hispanics. The plan was adjusted in 1999 and probably will be changed again in 2001.

"Sure, we're disappointed," Chen said about Monday's ruling. "But we've done something because we made people aware of the fact that it violated the Constitution of the United States of America."

Chen's appeal said he and the other plaintiffs deserved to have their lawsuit heard by a jury. "The failure to even permit a trial on a map so distorted and with substantial evidence of race-based motivation illustrates that courts below are confused," the appeal said.

Lawyers for Houston urged the justices to reject the appeal.

They said a federal trial judge correctly threw out the case, and that the 5th U.S.

Circuit Court of Appeals correctly upheld the dismissal.

In its ruling in March 2000, a three-judge panel of the 5th Circuit court called the case "extremely close and difficult" but concluded that no jury trial was necessary.

Since Houston began using single-member districts in 1979, there have been at least two majority-black districts and one majority-Hispanic district.

The 1997 map maintained that tradition and was challenged as unconstitutional the day it took effect.

The challengers alleged that city officials violated the constitutionally required one-person, one-vote doctrine by creating white-majority districts with significantly more residents than in some minority districts, thereby devaluing the votes of the white-majority district residents.

The case is *Chen v. Houston*, 99-1946.

Victim's kin remember Pennsylvania race riot

YORK, Pa. (AP) - Anyone who wants to know who Lillie Belle Allen was need only consider how she came to die, and why, her family says.

On the night of July 21, 1969, during a race riot in York, Allen's sister Hattie Dickson drove down a street packed with angry, armed white men. The car stalled. Allen stepped out to take the wheel from her panicked sister.

Allen, a black preacher's daughter from Aiken, S.C., raised her arms and shouted: "Don't shoot!"

All she wanted to do was get the car turned around. There were fish, caught that afternoon on a family excursion, yet to cook. There were children at home who needed to be fed. There was a new life ahead, in New York City.

Instead, the 27-year-old Allen was cut nearly in half by a barrage of gunfire.

Thirty-two years later, nine white men have been arrested in the slaying, including Mayor Charlie Robertson, after a new investigation of the case. The mayor, a police officer during the riots, is accused of encouraging whites to kill blacks and handing out ammunition to men who shot at Allen's car. He has denied involvement in Allen's death.

Inside the Cadillac that night, hunkered down on the floorboards, were Allen's father, mother, sister and brother-in-law, watching helplessly as Allen tried to crawl for cover.

Pieces of glass bounced off their backs and stuck in their hair.

Somehow, the other oc-

cupants were unscathed. The killers got away.

"She sacrificed her life for all of my family," said Jenny Settles of Windsor, S.C., one of Allen's four surviving sisters. "She always had that sense that, 'I will handle this, I am going to be the strong one.' She never thought about herself if someone else was in trouble."

When she was killed, Allen was only passing through York, visiting Dickson.

Allen was leaving behind an ex-husband and the drowsy flatlands of Aiken for Settles' home in Brooklyn. A talented seamstress who made clothes for her children, Allen talked of starting a clothing-design business in New York City.

Allen's dearest wish, her sisters say, was for her chil-

dren, raised by Allen's parents after her death, to go to college. That didn't happen.

"We definitely would have gone to college," said Debra Taylor, 43, who lives in Aiken and works as a technician at a government nuclear installation. "We'd get out for summer vacation, she'd give us chores, and afterward, give us homework and math problems."

She recalled her mother as "one of those TV moms: She'd be inside cooking one minute and outside playing ball the next."

Allen's sister Gladys Oden, 45, lives in York, just down the block from the mayor.

"She cried out the day she was gunned down. She yelled, 'Please help me!'" Oden said. "She still cries out today, until justice is served."

Education

(Continued from Page 1) Furthermore, critics argue, the notion of subsidizing-with taxpayer dollars-public student tuition at private schools is unconstitutional. Supporters, however, claim the argument is undercut since private preschools and universities already receive public funds.

Bad school districts, opponents say, would become worse by diverting money and better-performing students from poor public schools to private schools. Even if private schools enrolled maximum numbers, they say more than 90 percent of students would remain in public systems- as would the question of how to provide quality educations for them.

The president of the National Education Association,

quoting an August 1999 Gallup Poll on education, said it found "that three-quarters of Americans would rather improve their public schools than provide vouchers for private and religious schools" and opined that "for a fraction of the cost of a voucher we can put struggling students in smaller classes, where all of them- not a select few- will learn to read, write and compute at a higher level."

Skeptics also include some at private schools, who fear government funding would open a door to state regulation, perhaps of their curricula, teaching methods, textbooks, even their religious instruction.

Still others claim vouchers and tax credits would give private schools the real choice- to refuse kids who

are poor, or who have academic or behavioral problems.

"A voucher does not allow for the playing field to be even," says Dr. Augustin Orci, Clark County School District Assistant Superintendent for Elementary Schools. Orci, who becomes Deputy Superintendent for K through 12 on July 1, believes imposing limitations- perhaps integral parts of a given voucher program- could lead to exclusion of certain students.

Southern Nevada does provide some options for parental choice. Homeschooling is one option and is regulated by the state department of education. Beyond that, school districts operate so-called "magnet" schools, and they coordinate activities of the growing "charter" school movement.

Said Wayne Tanaka, principal of the new Andre Agassi College Preparatory Academy under construction in West Las Vegas: "It gives a parent the opportunity to choose what school to apply. For most schools, a child goes to the school he's zoned for. The only time that changes is (See Education, Page 14)

Pa. mayor drops re-election bid

YORK, Pa. (AP) - Mayor Charlie Robertson, who was charged last week with the murder of a black woman during the city's 1969 race riots, said late last week that he will not seek a third term.

The announcement comes one week after Robertson narrowly won the Democratic primary over Councilman Ray Crenshaw, York's first black candidate for mayor.

"I am proud of what I have accomplished," Robertson wrote in a letter to Eugene DePasquale, chairman of York County's Democratic Party. "The city is a better place than it was when I took office. I would have loved to continue serving the city for another four years, but I recognize this is not possible."

The mayor did not immediately return a telephone message from The Associated Press.

Robertson is one of nine white men charged in the July 1969 shooting death of Lillie Belle Allen, 27. Robertson was a police officer at the time.

Prosecutors say he gave bullets to white gang members who shot at Allen and told them to kill blacks. Court papers quote Robertson as having said: "If I weren't a cop, I'd be leading commando raids against niggers in the black neighborhoods."

The mayor has admitted he yelled "white power" at a rally the night before the slaying, but denies giving away ammunition or making the "commando raids" remark.

DePasquale said he received the letter Thursday afternoon.

"I think he just knew that this thing continually would be a drag on the city and he would not be able to effectively campaign, so he put the city above himself" and withdrew, DePasquale said.

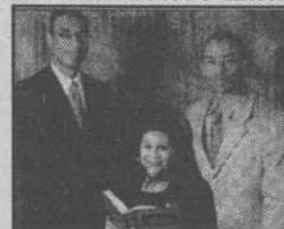
He said the party's 20-member executive board would meet next week to discuss who will replace Robertson.

Crenshaw, who lost the Democratic nomination by 100 votes, told WGAL-TV he hopes he is considered a top candidate. "I have every intention of doing what it takes" to get back in the running, Crenshaw said.

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