

peaches. "Bring me anything," said one man. "It don't matter to

Ruled unanimously in a North Carolina case that prison inmates may sue in federal courts the doctors who treated them behind bars. Agreed, in an important test of affirmative action, to study a dispute over a Birmingham, Ala., plan for promoting more black firefighters. Said it will decide in a case from Washington state whether Indian tribes may control, through tribal zoning laws, the use of land owned by non-Indians within a reservation's boundaries. • Voted 7-2 to place new limits on states' power to impose residency requirements restricting the number of lawyers licensed to practice within their borders. The court barred Virginia from reinstating a residency requirement challenged by a lawyer living in neighboring Maryland. Refused to order Tennessee to help pay for continuing efforts to racially desegregate public schools in the Nashville area.

**HOMELESS** Continued on **6A** 

**KEITH HADLEY/Staff** 

Waiter Jim Link serves lunch Monday to restaurant for the homeless on Edgewood Oscar Shears at the 458 Cafe, a full-service Avenue that opened Monday.

# Not all metro water systems created equal, drought reveals

#### **By Charles Seabrook Environment Writer**

About 6 a.m. each day, water officials in north Fulton County watch nervously as water levels in their storage tanks start plunging — a sure sign that residents in more than 20,000 homes served by the system are waking up, brushing their teeth, flushing their toilets and

turning on their water sprinklers.

"It's touch and go," said Bill Wood, Fulton's deputy director of public works. "We don't know if we're going to run out of water from day to day."

Fifteen miles away, in downtown Atlanta, the morning water rush finds city Water Bureau officials more relaxed. Even in the throes of the severest drought in history, water demand is be-

ing easily handled by the city's delivery system, which serves nearly a million people.

"We don't have a problem right now," said Rob Rivers, head of the city's water bureau. "But we've imposed water restrictions because we want to show our willingness to conserve water."

For metro Atlanta, the drought of '88 has two faces.

**INSIDE TODAY** 

One is the crisis of supply that is dramatized by steadily decreasing levels of Lake Lanier and other North Georgia reservoirs.

The other is the crisis of delivery that confronts outdated water systems too slow to match their plants to the burgeoning demands of their customers. It

WATER Continued on 10A

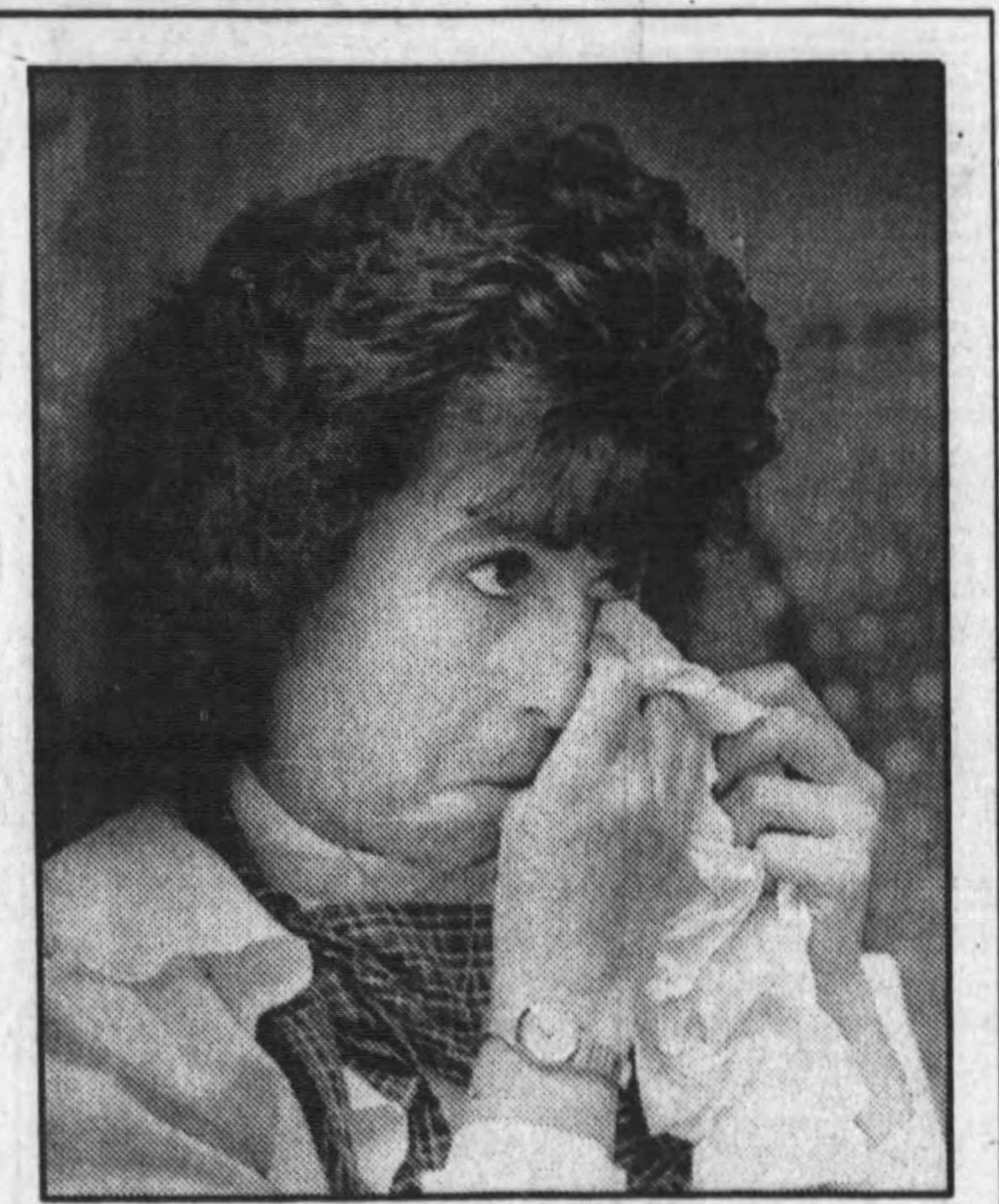
**COURT** Continued on **6A** 

# 40 athletes accept deal to avoid charges Agree to testify in agents'

trial, reimburse schools

**By Chris Mortensen** Staff Writer

## Namphy Declares Himself **President of Haiti** Page 3A S&L Quarterly Losses **To Top \$3 Billion** Page 1C Sunny.and Hot Mostly sunny today, with a high in the low 90s. Details, Page 34D



# Jackson faces a tough choice: Be an insider or a protester

#### **By Priscilla Painton** Staff Writer

June is the season of the Rev. Jesse Jackson's discontent.

It is the month in his presidential quests when, suspended between the end of the primaries and the beginning of the Democratic National Convention, Jackson is

'He doesn't know whether he wants [the vice presidency]. I mean, he honestly hasn't made up his mind.'

### - Ron Brown,

Jackson's convention manager

©Copyright 1988, The Atlanta Journal and The Atlanta Constitution Former All-America running backs Brent Fullwood of Auburn, Harmon of Iowa and Paul Palmer of Temple are among more than 40 athletes who have entered a pre-trial diversion program to avoid charges stemming from the nearly completed federal grand jury investigation of sports agents Norby Walters and Lloyd Bloom.

As part of the deal with the government, the athletes have agreed to reimburse their former universities the value of their scholarships for the years they were under contract to Walters and Bloom, sources close to the Chicago-based investigation said.

The athletes also agreed to testify in any subsequent trial of Walters and Bloom and to perform 100 to 250 hours of community service under the supervision of a federal probation officer.

Sources said the U.S. Attorney's office in Chicago offered the deal to "40 to 45" athletes and told them the alternative would be to face indictment on charges including mail fraud. All athletes who were offered the deal have accepted it, meaning no athletes will be indicted.

The 15-month-long investigation ATHLETES Continue on 6A

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VOL. 121, NO. 4 0 80 PAGES, 8 SECTIONS NEWSMAKERS 2A EDITORIALS ABBY OBITUARIES BRIDG 10D HOROSCOPE 6D 10A SCIENCE CLASSIFIEDS JOHNSON 12D TEEPEN KUDZU COMICS 9D 9D TELEVISION 12A CROSSWORD MARLETTE WILLIAMS 7D DOONESBURY MOVIES 2D

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After a seven-year search, Bonni Shrout was reunited with her missing daughter Monday. Page 1B

confronted with a recurring personal dilemma.

From his days at the Southern **Christian Leadership Conference 20** years ago to the present, he has been torn between his impulse to stand on the outside of institutions and rebel against their expectations or to join them and become one of their most adept operators.

In the context of this year's presidential campaign, this conflict can be seen in his mixed signals about whether he should be nominated as his party's vice presidential candidate. In political terms, it's a decision about whether to

fight for the civil rights coup that a spot on the ticket would represent or to accept that a Jackson vice presidency might bring defeat to the Democrats in November.

At first, Jackson said he should be considered for the job. Then he said he should be offered the job and would push the likely Democratic nominee, Gov. Michael Dukakis of Massachusetts, for an answer. Then he said he did not want to put Dukakis in that position and simply reiterated his desire to be taken se-

**JACKSON** Continued on **7A** 

## A tempest over a tiara: Dispute taking the luster off Miss Georgia's crown

#### **By Kathy Hogan Trocheck** Staff Writer

It's just a little tinsel and rhinestonetrimmed tiara, \$82 retail, but around Georgia these days, there's a nasty little tempest brewing over the crown that proclaims its bearer as Miss Georgia and guarantees her a trip to Atlantic City, N.J., for the Miss America pageant in September.

With this year's Miss Georgia pageant but a day away, one Atlanta beauty queen has been dethroned and her crown awarded to her third runner-up. The Scholarship Atlanta it took the Miss Atlanta crown away from & always has been all-white and almost exclu-

Foundation Inc. lost its franchise to hold the pageant. Miss America officials are auditing the Georgia pageant, which has come under fire from critics as being racist and rigged.

The controversy has the family of the ousted beauty queen contemplating a lawsuit, and the Miss Atlanta pageant, the organization that took her crown, is involved in an intrastate tiff with the Columbus civic group sponsoring the Miss Georgia contest.

Last month, state pageant officials did not renew the Atlanta group's franchise because

Faith Ann Brown, 22, of Kennesaw and awarded it to the third runner-up, Jennifer Anderson of Dunwoody. (The first and second runners-up had won other pageants in the meantime.) The Miss Atlanta board said Miss Brown had violated her contract.

In retaliation, the Miss Atlanta folks launched a letter-writing campaign to a supreme authority: the Miss America pageant.

Miss Atlanta board members say the Miss Georgia pageant is tightly controlled. The 40member Miss Georgia board, they point out,

sively made up of Columbus residents. No black has ever been crowned Miss Georgia.

In a final move to ensure that their replacement queen has a fair shot at the Miss Georgia crown, Miss Atlanta officials have asked the Miss America pageant to monitor. the 1988 state pageant.

"We've sent a representative down there already," James Lees, president of the board of directors of the Miss America pageant, said Friday. The audit, which he described as rou-

**CROWN** Continued on **GA** 

THE ATLANTA CONSTITUTION

# Homeless

## From Page 1C

me.'

6 ....

The Rev. A.B. Short, who helped found the 28-seat diner, said he wants more from his concept than a few dozen filled stomachs.

"Food is not really what we're serving here," said Short. "What we're serving is friendship, hospitality, brotherhood and sisterhood."

Short began thinking about the restaurant two years ago after a passing comment from Bobby Freeman, who chairs the Atlanta Community Food Bank's board of directors. Freeman had volunteered to help serve in a soup kitchen, but was disappointed at the lack of interaction with the clients. The two men wondered whether it would be possible to manage a small restaurant where homeless people could have a meal without walking singlefile into a building and eating from paper plates.

"Something almost mystical happens when people sit down together and share a meal," said Short. "Walls break down." Short mentioned the idea to some of the people who frequented his various programs for the homeless, and enlisted their aid. All was not smooth in the beginning. The first time Short walked into the former drive-in liquor store behind the Martin Luther King Jr Center for Nonviolent Social Change, the piles of twisted metal, dirty glass and other debris were so deep that the floor could not be seen. The outside concrete, which never had been painted, had two decades of mold growing on it. Short borrowed a dump truck and parked it in the lot.



**KEITH HADLEY/Staff** 

Emmett Dowdy partakes of his free lunch Monless. The 28-seat diner served about 25 people Court

### From Page 1A

Let stand a ruling from Missouri that forces some states to pay for expert witnesses on hypnosis when criminal defendants challenge prosecution witnesses' hypnotically enhanced testimony.

Agreed to decide in a Nevada case whether people accused of driving under the influence of alcohol are entitled to jury trials.

The private club decision was an important symbolic victory that gives new impetus to proponents of similar laws elsewhere. The Women's Legal Defense Fund and other women's groups said Monday that they would push for similar laws around the country and that they hope the decision will encourage more cities and states to follow New York's lead.

There is no federal law against sex discrimination by private clubs, and such discrimination still is legal in most places.

Some major cities have adopted laws curbing discrimination by business-oriented private clubs in recent years. At least two states, California and Minnesota, have applied their laws banning discrimination in business establishments or public accommodations to private clubs.

members do not use them for business or professional discussions.

The court made no mention of country clubs, but the same general principles would apply to discrimination laws that cover such clubs. White did not precisely define how private and selective a club must be to have a First Amendment right to exclude women or other groups such as blacks.

The New York law provides that clubs are not "distinctly private," and thus are "public accommodations" covered by the city's 1965 Human Rights Law if they have more than 400 members, provide regular meal service and regularly receive income for use of the facilities by non-members.

The law originally barred all institutions covered by it from discriminating on grounds of race, creed, color, national origin or sex. It has been amended to bar discrimination on grounds of handicap or sexual orientation.

Monday's decision apparently upholds New York City's ban on all these forms of discrimination by private clubs. The debate leading to adoption of the law and the discussion of the case have focused on the sex discrimination issue because it is the only form of discrimination clubs covered by the law admit to practicing in their membership pol-The decision was expected by most legal experts because many considered it valid under standards laid down by the court in two previous decisions. In 1984, the court ruled 7-0 that the all-male Jaycees organization could be required to accept women under a Minnesota law that bars discrimination by "public accommodations," and that had been interpreted as applying to some private clubs.

That was in November of 1987.

day at the 458 Cafe, a restaurant for the homeon its first day of operation Monday.

The building — bought for \$60,000 with federal grants - now is a clean, bright room where sun slips in through pink-flowered curtains and tidy white tables hold fresh carnations. Eventually, the restaurant will seat 35 people, who will hold 'reservations" good for several weeks while the volunteer staff gets to know them and helps assess their needs besides food.

"We're basically looking to establish some sort of relationship with people, see what they want to do and what's the next step for them," Short said. "I'm hoping that we can share a common meal and a

common space." Soup kitchens will and should

endure, Short said. "We need the soup kitchens, the

large feeding groups in town," Short said. "If they weren't doing what they're doing, then we couldn't do

Short envisions a multipurpose stop for the homeless, complete with criminal legal services in the front part of the building, weekly visits by a mobile medical clinic and Alcohol and Narcotics Anonymous support groups.

The restaurant will be operated by the Community of Hospitality, a

non-profit religious group that grew out of Short's activities, and the food will be provided by the Atlanta **Community Food Bank.** 

As Short sat on the restaurant porch at noon Monday some of the early patrons started streaming out, and each one waited to shake the pastor's hand.

"Man, was that good," said one man, rubbing his stomach as he closed the restaurant door.

"And we ate every bit of it, too," his friend said proudly.

"Well, I'm glad," answered Short, smiling up at them. "You come back."

Two of those joining Justice Byron White's opinion for the court, Justices Harry Blackmun and Anthony Kennedy, in the past year have resigned their memberships in private clubs that exclude women.

White's opinion noted that some clubs might have a First Amendment right to discriminate, especially if they can prove they were formed primarily for religious or free-speech purposes or that their

# Athletes

### From Page 1A

of Walters' and Bloom's dealings with college athletes has centered on the government's theory that the agents conspired to induce the athletes to defraud their schools by offering them cash and contracts in violation of NCAA rules. The fraud prosecutors have contended, allegedly continued when many of the athletes signed annual NCAA-required "student-athlete affidavits" stating they had not signed with an agent or otherwise broken NCAA teering and obstruction of justice against the agents, sources have

The often-delayed decision on indictments could come in the second week of July, sources said. Bloom said earlier this year that he was told by Assistant U.S. Attorney Howard M. Pearl that he and Walters would be indicted.

Pearl has refused comment throughout the investigation.

All of the athletes who were offered the pre-trial diversion program to avoid indictment signed the student-athlete affidavit after accepting money from the agents.

Fullwood, for example, signed a

The value of the players' scholarships range from \$4,000 to \$7,000 annually, sources said.

The number of hours of community service required of each athlete varies, depending on the circumstances of the individual case, sources said.

"Eight to 10" athletes who dealt with Walters and **Bloom** will be cleared entirely. They won't be indicted or offered the pre-trial diversion program because they signed the affidavits before accepting money from the agents. This group includes former Alabama basketball players Derrick McKey and Terry Coner, who signed with Walters and Bloom in February 1987, two months into the 1986-87 basketball season. McKey and Coner had signed their affidavits the previous

structed Pearl to offer the pre-trial diversion program to all athletes who might otherwise be indicted, sources said.

Sources said Valukas based his decision on the following factors:

All of the athletes were from financially needy backgrounds and were "victims" of the alleged scheme by Walters and Bloom, and the government thought it would get less public sympathy if it indicted athletes.

Given the time to "remedy" their mistakes, all athletes filed appropriate documents with the Internal Revenue Service reporting the money they received from the

tion by an attorney. The players who were initially untruthful were reprimanded and assigned more hours of community service, sources said.

Names of all athletes who have entered the pre-trial diversion program and who received money from alters and Bloom will be made public at a press conference if the grand jury indicts the agents. sources said.

In addition to Fullwood, Har mon and Palmer, other athletes known to have been offered the government's deal include former Missouri football player John Clay of the Los Angeles Raiders; former Ohio State football player Cris Carter of the Philadelphia Eagles; former Clemson football players Kenny Flowers of the Atlanta Falcons, Terrence Flager of the San Francisco 49ers and Terrence Roulhac (not presently playing); former Michigan

football players Garland Rivers of the Detroit Lions and Bob Perryman of the New England Patriots; former Pittsburgh football player Tony Woods of the Seattle Seahawks; former Florida football player Adrian White of the New York Giants; former Fort Hays State football player Frankie Neal of the Green Bay Packers; and former Ohio State basketball player Brad Sellers of the Chicago Bulls.

The federal investigation began on March 27, 1987, one day after sports agent Kathy Clements of Skokie, Ill., was beaten by a masked intruder in her office. Chicago police described the incident as a "message" beating but have not connected it to Walters and Bloom. The federal probe began after a detective found a copy of a March 12, 1987, article in The Atlanta Constitution about Walters' and Bloom's dealings with college athletes on Clements' desk.

rules.

The pre-trial diversion program will not officially begin until the grand jury decides whether to indict Walters and Bloom, sources said. The grand jury is considering possible charges of mail fraud, wire fraud, tax fraud, extortion, rackecontract with Walters and accepted \$4,000 from him in August 1986, one month before Fullwood's senior season at Auburn. He later signed the student-athlete affidavit. He will be required to repay the value of his 1986 Auburn scholarship, estimated at between \$4,000 and \$5,000.

U.S. Attorney Anton Valukas of the Northern District of Illinois inagents.

Many athletes who initially withheld information from, or lied to, FBI agents and/or the U.S. Attorney's office were not properly told that they were targets of the probe and that they needed representa-

# Crown

### From Page 1A

tine, already had been planned, he said.

Meanwhile, the whisper sweeping the Georgia pageant circuit from Thomasville to Clayton is that this year's winner already has been anointed and the pageant scheduled to start Wednesday at the shell-pink Three Arts Theatre in Columbus is but a sham.

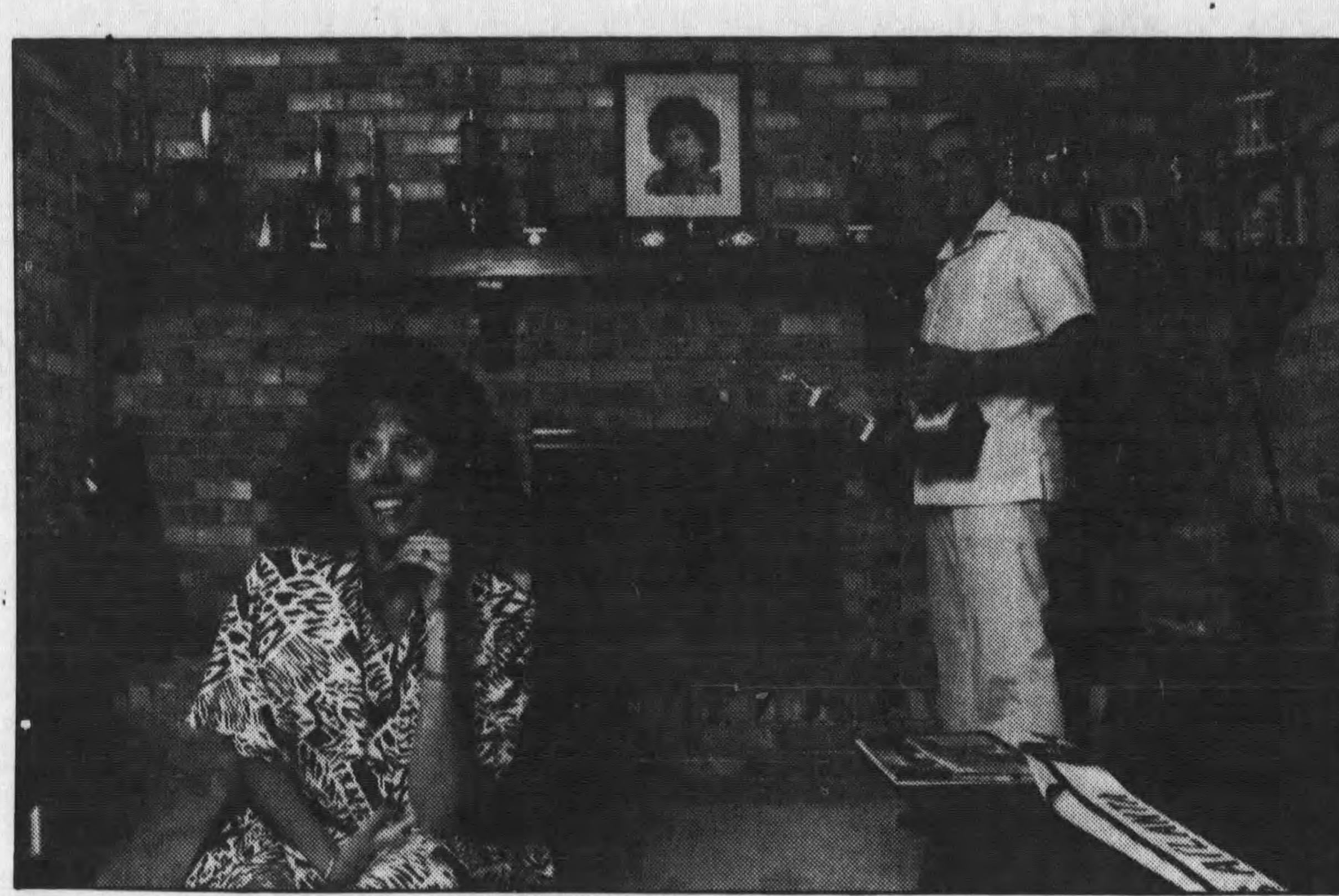
One Miss Georgia official said charges of favoritism and unfairness are as endemic as acne and sweaty palms at pageant time. The fact that this year's controversy seems to have oozed out of the gossip circuit and into print makes the charges no less groundless, she said.

"This happens every year," said Pat Johnson, an Atlanta representative for Miss Georgia whose name frequently crops up as an alleged pageant fixer. "This isn't anything new. I'm not even going to comment about it."

ber of the Scholarship Atlanta Foundation and a former Miss Georgia board member. "They're very jealous," agreed Margaret Ann Bond, another Atlanta board member. "We put on a fabulous pageant every year. We give the most scholarship money [\$1,500], and we have the most people come to our pageant, usually around 700 people. We really put on a first-class pageant."

In the early days of Miss America, Miss Atlanta automatically represented Georgia in Atlantic City. Columbus has been home of the state pageant since the Jaycees there wrested the Miss Georgia franchise away from Atlanta in 1945, giving them control over preliminary pageants in the state. The sponsorship has since passed to an autonomous board.

"The pageant works better in a city the size of Columbus," said Lindsay Barton, 42, a Columbus pharmacist and vice president for franchises for Miss Georgia. "There is a tremendous amount of community involvement in this pageant, and I don't think you'd get that kind of involvement in a bigger city." Meals, motel rooms, prizes and scholarship money for the winners are raised mostly in Columbus.



JOEY IVANSCO/Staft

en to pursue the Miss Georgia crown.

Faith Ann Brown plans to be at the Three Arts Theater this week, just as she has been for the past five years. This year, though, the \$2,000 rhinestone and sequin evening gown, the sash and the crown will be back home. Miss Brown, a slender brunette who won the title of Miss Atlanta last August, will be sitting in the audience.

And when the announcer introduces Miss Atlanta, it will be 22year-old Jennifer Anderson who walks across the stage.

**Privately, Miss Atlanta officials** say Miss Brown, who has appeared in 14 pageants since age 17, was determined to work with an unauthorized talent coach, which they said violated her contract.

They asked her to resign, suggesting she should cite career considerations.

Miss Brown, who denies breaking her contract, refused to resign. "I told them I couldn't resign. I'm a Christian. My parents and I sat and prayed about it. I feel the Lord put me here for a reason, not so that I could just throw my hands up and say, 'I quit.'" Since then, the Browns have consulted a lawyer and taken their case to Columbus. "I didn't contact Miss Georgia [officials] to complain," Miss Brown said. "I wanted them to know how I felt because I was very concerned with the pageant system itself. I didn't want this to happen to anybody else." Wade Burns, an architect and developer who is president of the Miss Atlanta board, called state pageant officials "wrong," adding that the Atlanta board "to my knowledge, has never violated a rule, regulation, ethical standard or even a request from the Miss Georgia or the Miss America organization." Still, Burns said he will be in Columbus this week to cheer on Miss Anderson. At a singing engagement Friday before the West End Rotary Club, Miss Anderson, a regional sales representative for a national cosmetics company, seemed unshaken by all the controversy.

But the state pageant's critics are adamant that something is rotten in Columbus.

In April, Kim Styes Foley, a member of the Miss Atlanta board and a former Miss Georgia runnerup, wrote a letter to Miss America officials charging that Frances Frazier, last year's first runner-up to Miss Georgia and this year's Miss Peachtree City, told her Mrs. Johnson had promised Miss Frazier the state crown this year.

Mrs. Johnson and Miss Frazier have denied the story.

"That's just not true at all," said Miss Frazier, 26, an entertainer from Rome making her third and last try for the Miss Georgia title. "I have not been told by anybody that the crown would be mine. I could go back this year and not even make the top 10. ... Every year it is different."

Some, including Ms. Foley, have called the judging process into question. Although the judges award points to contestants, the final tally is done by accountants.

According to pageant observers, friction between the Columbus and Atlanta pageant organizers is nothing new.

"I think they feel threatened

For Barton and his wife, Liz, the Miss Georgia pageant is a family affair. Their comfortable brick splitlevel is the summer home of Miss Georgia.

There, to prepare for the Miss America pageant, she will pedal an exercise bike, work out with weights and hone her talent routine. She will have wardrobe fittings, work on her tan and be quizzed on current events.

When she moves out, Barton said, she'll be handed a key to the house to let her know she is part of the family. "All six of the girls who have lived with us have been treasures," he said.

#### But none has been black.

When he was on the Miss Georgia board, York said, Liz Barton "told me on numerous occasions that she would not allow a black to stay at her home. And, by contract, Miss Georgia has to stay at the Barton home."

York and other Miss Atlanta board members believe it is no coincidence that Miss Georgia officials revoked the Miss Atlanta franchise shortly after the Atlanta group "I think they feel threatened named two black Atlanta women — down there," said Lee York, a mem- Pat Upshaw and Maxine McNutt —

home as her father looks over some of the other Faith Ann Brown, recently stripped of her crown as Miss Atlanta, sits in her parents' beauty pageant trophies she has won.

to their board.

In May, York wrote Miss America officials that he had "firsthand knowledge" blacks were not being given a fair shot at the crown, citing alleged statements by Mrs. Barton.

Barton calls the charges against his wife "a total lie. My wife never made that statement." As for taking the Atlanta franchise away, Barton said his board considered "problems" before revoking the Miss Atlanta franchise, including what he called "difficult personalities" on the Atlanta board. "I didn't know they'd incorporated blacks on their board until after our vote. That might have been a factor in their favor if we'd known about it," he said.

**Miss Georgia board President** Joe Dickens acknowledged that the pageant has never had a black board member. "But no black has ever applied," said Dickens, an Americus resident and one of a handful of board members not from Columbus.

Barton said he is insulted by the Atlanta group's charge of racism. Last year, a black female judge from Atlantic City helped judge Miss Georgia, and this year, he said, "at least two of our hostesses happen to be black. We've had a number of blacks in the competition, and a lot have finished in the Top

The black contestant who finished highest in recent years, Barton said, was Kym Clark, who as Miss Peachtree City finished in the Top 10 in 1985.

Miss Clark, 28, a television reporter in Memphis, Tenn., said the racism she encountered in beauty contests was mostly subtle, like being asked by judges if she thought the state was ready for a black Miss Georgia or being given white bobby pins with her crown when she won the Peachtree City pageant.

At the time, she said, she was reluctant to raise the issue. "I don't know if it's the judges who don't want a black Miss Georgia or if it's some of the pageant officials," Miss Clark said. "They [pageant officials] have a lot of influence with the judges, they judge together at other pageants, and most of the people who judge our state pageant run the state pageant in their own state."

The Miss Georgia pageant, like others in the Deep South, is among the most successful in the Miss America system. All four nights of

the Columbus pageant are sold out, and the Saturday night finale, shown on Georgia Public Television, traditionally draws one of the viewing network's largest audiences.

Still, Georgia has not had a Miss America since 1953, when Neva Jane Langley of Macon won the title. Now Neva Jane Fickling, the wife of Macon millionaire William Fickling Jr., she will be a judge at this year's Miss Georgia, contest.

"These people are so hungry for a Miss America that it's appearing like they're just doing some things that are not right," Lee York said.

Critics say the Miss Georgia pageant has evolved into a competition dominated by "professional pageant girls" professionally coached and dressed in \$2,500 custom-made evening gowns and \$120 "supersuits" for the swimsuit competition, who travel around the state easily winning titles in pagwithout residency eants requirements.

The lure of \$10,000 in scholarship money and \$20,000 to \$30,000 in personal appearance fees, plus the promise of career enhancement, is motivation for many young wom-

"It's made me even more determined to show my personal abilities," she said. "I just want to go down to Columbus and do the very best job I can do."