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PAGE 372 OF 803

Colleges

Defense Attorneys in Agents' Trial Put Spotlight on Colleges

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The cross-examination was painful to watch. Devon Mitchell, a former University of Iowa defensive back, had been called by the prosecution as a witness this week in the Federal trial here of the agents Norby Walters and Lloyd Bloom on charges of mail fraud and racketeering. Questioned by the prosecution, Mitchell, now with the Detroit Lions, acknowledged that he had signed a contract with the agents before his college eligibility expired, accepted some \$14,000 in loans from them and then falsely filled out National Collegiate Athletic Association and Big Ten forms to conceal his conduct.

Now Bloom's attorney, Dan Webb, was asking Mitchell to review his college transcript. Mitchell nodded impassively as Webb recited the courses, which included football, karate, billiards, tennis, ancient athletics, recreational leisure, introduction to military organization, jogging (which Mitchell eventually dropped), speed reading, advanced bowling, and advanced slow-pitch softball.

The athlete then admitted that he had dropped out of school shortly after playing

his final football game, and that in his four and one-half years at Iowa he had never formally declared a major.

He went on to explain that he did not feel that he had cheated the university by signing with the agents and by accepting their loans. "I was just borrowing against my future," he said. "The way I looked at it, the money was mine."

Mitchell's testimony followed that of his former Iowa teammate Ronnie Harmon, now with the Buffalo Bills, and of the Iowa assistant athletic director, Fred Mims. By the time those three, along with the former Michigan running back Robert Perryman and the former Purdue defensive back Rod Woodson had been examined and cross-examined, it was unclear who was on trial: the agents or the athletes and their universities. Such confusion is the result of the defense attorneys' strategy to shift the spotlight from Bloom and Walters to collegiate football.

The agents are accused of defrauding several universities of scholarships paid to the student-athletes. But the defense contends the schools received exactly what they paid for — young men for whom football was a priority and academics an afterthought — and that in some cases the athletes should have

The focus has been on the system rather than on the agents.

been declared ineligible before they even met Walters and Bloom.

The contention seemed plausible when Mims testified that an athlete must be "making qualitative and quantitative progress" toward a degree to maintain eligibility, but was unable to provide Webb with a convincing explanation of how Mitchell or Harmon were making such progress.

Harmon's academic adviser had written that during his senior year Harmon was "still not working toward degree," but Mims said the statement did not mean what it said. Woodson's expenses-paid trip to Florida as part of the Playboy all-America team and Mitchell's acceptance of the loan of a car from an Iowa booster were also cited by the defense as N.C.A.A. violations.

The testimony suggests that the athletes were not innocent lambs led to the slaughter.

Harmon, apparently aware that signing a contract might cause problems, went so far as to tape record secretly his meeting with the agents. All the athletes acknowledged that they willingly entered into the agreements with Walters and Bloom knowing they would be violating N.C.A.A. rules.

Perryman testified that when the monthly payments promised by the agents were late, he would call them. He also requested that they provide the money to purchase a Lincoln Continental. When Perryman's coach, Bo Schembechler confronted him about signing early, Perryman lied to him. Because the football season was over, Perryman testified, he felt no obligation to Schembechler.

If the spotlight the first week was primarily on the athletes and their schools, the shadows of the agents were a constant presence.

Each athlete described an almost identical scenario in which the agents explained how Walters's success with black entertainers might be translated into the athletic arena and gain the players lucrative commercial endorsements; how they showed the players large sums of money, and promised them the money upon the signing of contracts that could be postdated until eligibility expired

and immediately put in a vault to avoid the consequences of their impropriety.

While defense attorneys have suggested that before approaching the athletes Walters received legal advice indicating he could proceed with impunity, the agents' conversation captured on Harmon's tape suggests that Walters was well aware of the effect the signings would have on the athletes if revealed before the players' eligibility expired.

The tape shows that when Harmon's father asked Walters about the propriety of the early signing, Walters assured him: "The whole thing hinges on some jive semantics. The point is we won't tell them."

Perryman also testified that when he indicated to Bloom he wished to terminate their agreement, Bloom threatened to expose him, saying that such a revelation might result in Michigan's forfeiture of the 1986 Big Ten championship.

The trial resumes tomorrow, and among witnesses expected to be called by the Government during the week are Theodore Hesburgh, the former president of Notre Dame; Gene Corrigan, the Atlantic Coast Conference commissioner, and Michael Franzese, a reputed organized-crime figure whose name Walters is said to have invoked.