

Appeals court upholds promotions practice

United Press International
CINCINNATI — A federal appeals court Tuesday upheld an affirmative action promotions policy in the Detroit police department that white police officers had challenged as "reverse discrimination."

The 6th U.S. Circuit Court of Appeals ruled the policy, requiring that 50 percent of all officers promoted be black, was justified to remedy past discrimination against black officers.

The white officers claimed they were unconstitutionally dis-

criminated against on the basis of race because black officers who had lower scores on promotional exams were promoted ahead of them to fill the quota.

But the appeals court said voluntary "race conscious" affirmative action plans, like the 50-50 quota adopted by Detroit's Board of Police Commissioners in 1974, are permissible if they are designed to correct past discrimination.

The three-judge appellate decision upholds a 1980 Detroit

U.S. District Court ruling backing the policy.

The white officers had argued even if there had been discrimination against black officers, the 50-50 quota system went too far in remedying the problem.

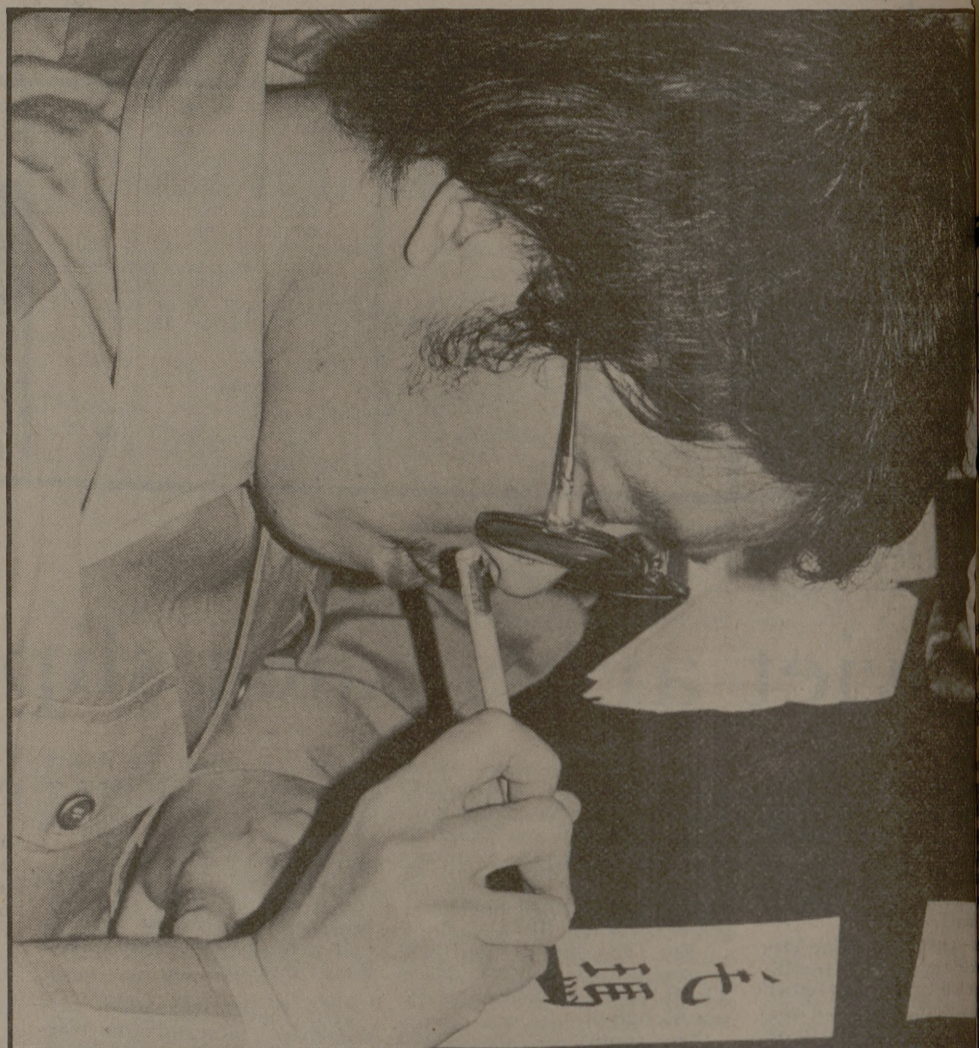
But the appeals court majority said the 50-50 promotions quota, based on a goal of reaching a 50 percent black and 50 percent white police force by 1990, was reasonable.

Judge Gilbert Merritt dis-

agreed with this portion of the majority decision.

Although Detroit's population may have been about 50 percent black in 1974 when the promotions policy was developed, Merritt noted, the most recent U.S. Census figures indicate the city is now about 63 percent black.

As a result, Merritt said, the 50-50 promotions policy no longer is fair to black officers, because it does not reflect the city-wide proportion of blacks.



How do you spell that? staff photo by [unreadable]

Yau-Shan Horng, a graduate student in building construction from Taiwan, prints a student's name in Chinese at the Republic of China's booth in the

Memorial Student Center. There will be an international fashion and talent show in Rudder Auditorium at 8 p.m. on Thursday.

States battle over Pecos

United Press International
WASHINGTON — Instead of the law west of the Pecos, the Supreme Court this week hears arguments on the law of the Pecos—a controversial 34-year-old agreement governing the

river that meanders through New Mexico and Texas.

The two states are at war over water from the Rio Grande tributary that has become historically synonymous with Judge Roy Bean who called himself the

"law west of the Pecos."

The Supreme Court is scheduled today to hear arguments on efforts to resolve a deadlock on the Pecos River Compact.

The deadlock comes because the Texas and New Mexico representatives are the only voting members on the three man commission overseeing the 1949 compact involving the 725 mile-long river.

Since 1969, they have been unable to agree on whether Texas has been shorted on its share of water and just how the water should be apportioned.

A special master appointed to resolve the dispute has recommended the third commission member—who is appointed by the president—be given voting

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Nude photo use OK'd

United Press International
ALBANY — The Court of Appeals ruled Tuesday that

nude photographs of model-actress Brooke Shields taken when she was 10 years old may

be republished if they do not appear in pornographic magazines.

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