

# Deputy kills teen after mistaking toy for real weapon

RANCHO CUCAMONGA, Calif. (AP) — An anguished deputy sheriff was taken off duty and counseled Thursday after fatally shooting a teenager who was using a toy laser gun in mock combat with friends in a dark schoolyard.

The unidentified six-year veteran of the San Bernardino County Sheriff's Department had been called to Central Elementary School at 10 p.m. Tuesday after a passerby walking a dog reported armed prowlers, sheriff's spokesman Jim Bryant said Thursday.

Leonard Joseph Falcon, 19, who had been playing Lazer Tag with three friends, was shot to death after he fired flashes of light from the toy gun at deputies, Bryant said. He died of two 12-gauge shotgun wounds, coroner's investigators said. "This kid was in all likelihood thinking he was in the game and that this officer coming around the corner was one of his opponents," Bryant said.

He said Falcon's eyesight may have been hampered by the dark. "I agonize for that family," said Bryant, "but I also agonize for the deputy involved because I know he's a compassionate human being, a good citizen."

The dead youth was also "a good, solid citizen," a Chaffey Community College student who was studying electronics and worked at a fast-food restaurant, Bryant said.

Lazer Tag is manufactured by Worlds of Wonder in Fremont, Calif. Company spokeswoman Ellen

Van Buskirk said the company was declining immediate comment.

The deputy was placed on paid leave for at least five days and automatically given counseling by the department's contract psychologist.

In a bitter twist, the slain youth's father, Joseph Falcon, recalled that he had once refused to replace a broken toy gun for Leonard's 12-year-old brother because of a shooting four years ago in Orange County where a policeman killed a 5-year-old boy who brandished a toy weapon in a darkened apartment.

"We're in shock," Falcon said. "We can't believe something like this happened, but it did."

In Lazer Tag, players wear sensors that react to the beam of light emitted by the battery-operated guns. After a certain number of hits, players are eliminated.

"As a deputy was searching the dark school grounds, Falcon suddenly jumped out from the dark, poised in a shooting stance and pointing a gun at a deputy," Bryant said.

The deputy saw a flash from the gun, racked a shell into the chamber of his shotgun, and fired once, then fired again when he saw another flash, Bryant said.

The young man fell to the ground. The deputy reached down to recover the fallen man's weapon and only then discovered the weapon was a toy, Bryant said.

# Judge says schools in Kansas eliminated discrimination policy

TOPEKA, Kan. (AP) — Topeka's public schools have eliminated any traces of the "separate but equal" discrimination outlawed by a historic 1954 U.S. Supreme Court ruling even though they are not racially balanced, a federal judge ruled Thursday.

U.S. District Judge Richard D. Rogers, ruling on a suit that had reopened the landmark Brown vs. Topeka Board of Education case, said the district had achieved a high level of integration with a neighborhood school system and does not discriminate against minorities.

Chris Hansen, an American Civil Liberties Union attorney who acted for the plaintiffs, said he read the decision "as approving continuing segregation in Topeka under the guise of neighborhood schools."

Hansen said he will talk to his clients and other school desegregation lawyers before deciding to appeal.

Gary Sebelius, attorney for the school board, said the decision shows that the district has made great progress and that students will receive a good education no matter which of the public schools they attend.

The case, originally filed in 1951 by Oliver Brown, a black railroad worker, was reopened in 1979 by the parents of a group of 17 children who said Topeka had not wiped out "all vestiges of discrimination" from the old dual school system.

The reopened suit asked that the district do more to integrate minorities into a school system that is 74 percent white. Brown's daughter, Linda Brown Smith, mother of two students in the Topeka schools, was among the plaintiffs.

The suit said the district dragged

its feet in implementing desegregation and "sent out signals" to white residents prior to integrating white schools to give them time to get out of the path of integration. The suit also said the district concentrates black faculty in certain schools.

In his 50-page decision, Rogers said the Constitution does not require complete racial balance and that Topeka Unified School District No. 501 "provides a high-quality educational opportunity to its students on a non-discriminatory basis."

Rogers said Topeka had adequately eliminated all traces of the "separate but equal" school system it once operated.

Rogers said that "vestiges of past segregation in the district have been dissolved by time, demographic change and the district's steady course of race-neutral and integrative action."

"There is no significant or consistent disparity in the faculty and staff, facilities, transportation or extracurricular activities available to students," he said. "Students are assigned to schools on a race-neutral basis."

Hansen said, "He makes the proper findings of facts, applies the law and reaches the wrong conclusion. The irony is he does find the smoking gun, but he says it's irrelevant."

"In the context of school desegregation, the school district had a duty to desegregate and avoid acts that had the effect of segregation. Judge Rogers finds the district did not do those things, but nevertheless concludes that because the district went to neighborhood schools, the district now is unitary."

# 'Quiet room' is haven for parents at concert

UNIONDALE, N.Y. (AP) — While 18,000 mostly teen-age fans squealed at the rock idols of the moment, Bon Jovi, dozens of chauffeur-parents gathered in the new decibel haven of the "Quiet Room."

"I was going to stay in the parking lot for three hours until I heard about this," said 34-year-old Russell Decker of Brooklyn.

His wife, Denise, 34, and daughter, Helena, 11, were watching the sold-out concert Tuesday night at Nassau Coliseum while Decker and 6-year-old son Derek were among 70 people in the room under the stands.

The roar of electric guitars and the thunder of drums created a low steady noise in the room, but it was muffled enough that it was difficult to hear the words of the singers.

Paul Jackson, 45, of Raritan, N.J., wryly suggested the room be renamed the "not-quite-so-noisy room."

Jackson and most of the other parents passed the hours socializing

with strangers. They ate potato chips and drank soft drinks, coffee or tea supplied free by the coliseum, one of six concert halls operated by Facility Management Group of New Orleans.

The service started Oct. 22 when 35 parents took advantage of an offer of a lounge at the Louisiana Superdome in New Orleans for a Monkees concert.

The company eventually plans to offer quiet rooms at all six halls it operates, which also includes buildings in St. Louis, Los Angeles and Miami.

"It alleviates a lot of parental fears," said Bruce Lahti, Facility Management's vice president for marketing and promotions.

"You used to see parents hanging around outside, sitting in the cars, going to movies and just hanging around until the kids are done," he said.



Fran and Joseph Brown of Fair Haven, N.J., said they snuck in to see part of the opening act until the people assigned to the seats arrived.

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