

THURSDAY



Road trip
UA travels to Southern Cal
— Sports, Page 1C



Move over, Bud
Dave's king of Bisbee beers
— Accent, Page 1D

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240 homes allotted for homeless

\$1-a-year leases planned in Tucson

By Joe Burchell
The Arizona Daily Star

Federal housing officials said yesterday they will make all 240 homes the government owns in Tucson...

Brian Flagg, president of the Southern Arizona Coalition for the Homeless...

He said the number of homes they can move people into is limited...

Costs guaranteed

The houses will be leased for \$1 a year to the Tucson Community Housing Corp...

Tom Reap, manager of the local HUD office, said final approval of the plan is up to his supervisors...

The homes, which range in price from \$7,000 to almost \$97,000...

State tosses Premier issue back to U.S.

By Jane Erikson
The Arizona Daily Star

Unable to decide whether Premier is a drug or a cigarette, the Arizona Board of Pharmacy voted yesterday to leave the fate of the controversial new product up to the federal government...

The board made its decision without discussion or public comment, following a two-hour closed meeting with a lawyer from the state Attorney General's Office...

The decision came about 2 1/2 months after the American Medical Association and other health organizations petitioned the board to halt sales of Premier...

Tobacco heated

Premier heats, rather than burns, a small amount of tobacco, producing what its manufacturer calls a "cleaner smoke"...

But the AMA and other health agencies and organizations last April petitioned the federal Food and Drug Administration to define and regulate Premier as a new and dangerous drug delivery system...

The other agencies include the American Cancer Society, the American Heart Association and the American Lung Association...

The FDA has not issued a decision...

Meets definition

The Pharmacy Board, meeting in Tucson, decided yesterday that both sides are right — and because Premier fits the definition of a cigarette, the board has no authority to regulate its sales...

Arizona law defines a cigarette as...



Saying goodbye — President and Mrs. Reagan bid a tearful farewell to their White House staff in an emotional ceremony at the East Room...

Staff members gave the Reagans gifts yesterday including harnesses for their horses in California and carpenter from their Camp David...

Miami violence spreads, yet wanes

By Richard Cole
The Associated Press

MIAMI, Fla. — Sporadic gunfire, arson and rock throwing broke out again in two black neighborhoods and spread to a third yesterday...

"Things are very calm, it's contained," Police Chief Perry Anderson said on ABC-TV's "Nightline"...

City commissioners, meeting in emergency session, appointed a panel with subpoena power to investigate the police shooting of a black motorcyclist, a fatal shooting that sparked the racial violence...

"It's the quietest night so far," said Deputy Police Chief Walter Martinez at 8 p.m. "We've got 250 men out," including field forces — small groups of officers equipped with riot gear that move in quickly to quell specific disturbances...

"We hope we can normalize and go back to routine patrolling," said Martinez. "We don't like being out here 12 hours and being about it."

Martinez said 50 arrests had been made by 1 a.m. today, bringing the total of arrests over three days to about 273.

City commissioners unanimously approved the special panel amid warnings from black leaders that there will be more disturbances if authorities do not act quickly to ease tensions...

The rioting that followed the fatal shooting of the 23-year-old, unarmed black motorcyclist by a 19-year-old policeman had left one person dead, eight shot, about 30 buildings burned and numerous others looted in the black neighborhoods of Overtown and Liberty City...

Earlier reports said variously that six or seven people had been shot. In addition to the one shooting death, the violence interrupted the city's preparations for a gala celebration as it plays host to Sunday's Super Bowl. See Sports, Page 1C.

Justices OK new rules on sentencing

System had split judges, bred lawsuits, confusion

By Linda Greenhouse
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WASHINGTON — The Supreme Court, ending a year of turmoil in the lower federal courts, yesterday upheld the new federal system for sentencing convicted criminals...

The 8-1 decision, written by Justice Harry A. Blackmun, swept away an array of constitutional objections to the seven-member commission, which was given the power by Congress to revise nearly all federal criminal sentences...

(As many as 100 criminal defendants may have to be re-sentenced as a result of the Supreme Court's decision, Chief Assistant U.S. Attorney Daniel Knauss estimated yesterday in Tucson. Details on Page 4A.)

The new system, which became effective Nov. 1, 1987, abolished parole and sharply limited the discretion traditionally enjoyed by federal trial judges to choose from among a broad range of sentences...

But in an explosion of litigation with few if any precedents in the federal court system, about 150 federal district judges invalidated the new rules on the basis that the United States Sentencing Commission was exercising powers not permitted by the Constitution...

On the other side, 115 judges found the commission not to work validly. The result was an almost paralyzing uncertainty that led the Supreme Court, in a break from its usual procedure, to agree last summer to resolve the constitutional questions without waiting for a ruling by a federal appeals court...

The principal issue was whether the Sentencing Commission itself, which Blackmun described as "an unusual hybrid in structure and authority," violated the constitutionally required separation of powers either in its composition or its placement in the judicial branch...

The Sentencing Reform Act of 1984 established the body as an "independent commission in the judicial branch," with members appointed by the president and confirmed by the Senate. At least three members were to be Blackmun.

The majority opinion by Judge J. Clifford Wallace cited an August 1982 meeting at which a Phelps Dodge Union's suit revived in '83 copper strike

By Bob Egolko
The Associated Press

SAN FRANCISCO — A federal appeals court yesterday reinstated an Arizona mining union's lawsuit claiming a conspiracy between Phelps Dodge Corp. and local police led to discriminatory law enforcement and excessive bail during a bitter copper strike in 1983...

In a 9-2 decision, the 9th U.S. Circuit Court of Appeals said allegations by the United Steelworkers of America of collusion between Phelps Dodge and authorities in the "company town" atmosphere of Ajo, west of Tucson, were enough to allow the conspiracy suit to go to a jury...

The majority opinion by Judge J. Clifford Wallace cited an August 1982 meeting at which a Phelps Dodge Union's suit revived in '83 copper strike

By Steve Lawrence
The Associated Press

STOCKTON, Calif. — Children returned to class to confront their fears with help from psychologists yesterday, just one day after a gunman fascinated by toy soldiers killed five youngsters at the school he attended as a boy...

The day after

Children return to school where 5 died

By Steve Lawrence
The Associated Press

STOCKTON, Calif. — Children returned to class to confront their fears with help from psychologists yesterday, just one day after a gunman fascinated by toy soldiers killed five youngsters at the school he attended as a boy...

Blood was washed from the pavement overnight and bullet holes were patched at Cleveland Elementary School, where experts said it was important that pupils, mostly children of Southeast Asian refugees, deal with the trauma immediately...

"I still feel upset, but I have to bring my kid to see the teacher to let the teacher know my kid's all right," Brom Lee said. "Everybody's angry. Your kid there, you get angry, too."

His daughter, 7-year-old Nary, said she was scared to return because "I saw blood." Holding tightly to her father's hand, she pointed to her leg and said, "I saw somebody get shot right here..."

Police said Patrick Edward Purdy, wearing an olive-drab shirt bearing the Iranian battle cry "Death to the Great Satan," on Tuesday sprayed more than 100 shots from an assault rifle, killing five youngsters, ages 4 to 8, and wounding 30 other people...

Purdy, a drifter police said was either 24 or 26, killed himself with a pistol shot to the head after firing a volley of shots...

"We did this we may never know," said Capt. Dennis Perry. "We can only assume that some problem came up in this guy that made him do it. Obviously, he had a military hangup..."

Carved into the stock of Purdy's rifle was the word "Honor" and "Iranian for the Party of God. Hezbollah is the name of a Shiite Muslim faction in Lebanon. Also carved into the rifle were the words "freedom" and "victory..."

Purdy said the man, in the days leading up to the blood-bath, lived in a motel room, in which officers found a broken rifle, about 100 toy soldiers scattered about and an olive-drab cloth on which were drawn "three starling-type faces..."

Records indicate that a Patrick Edward Purdy attended Cleveland Elementary through third grade, from 1969 to 1973, said a...

By Robert A. Rankin
Knight-Ridder Newspapers

WASHINGTON — Surging imports of European-made manufacturing machinery lifted the U.S. trade deficit to \$12.5 billion in November, the Commerce Department reported yesterday...

The November figure was a 22 percent increase from October, and was the biggest monthly trade performance since June, the department said...

American hunger for foreign-made goods in November sharpened, as imports soared by \$1.1 billion to a record \$37.7 billion. Meanwhile, foreigners found many U.S.-made goods less appealing, and U.S. exports fell for the second straight month — by \$639 million — to \$27.2 billion...

The deficit in October was \$18.3 billion. Yesterday's report was all bad

WEATHER



Feels like spring. Today is expected to be sunny, with some high clouds and southeast winds of 10 to 20 mph. Looks for a high in the lower 70s, an overnight low in the upper 50s. Tomorrow's forecast: Cloudy. Yesterday's high was 72, and the low 37. Details, Page 2A.

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