

# Congressman's defense: Sex talk was just fantasy, never real

■ **TRIAL:** Reynolds' phone-sex conversations with a 16-year-old were never acted out, lawyers say

CHICAGO (AP) — With the kind of sex talk heard more often in barrooms than in courtrooms, lawyers debated on Monday whether U.S. Rep. Mel Reynolds had sex with a teen-age campaign worker or merely fantasized about it.

Prosecutors and defense lawyers offered starkly contrasting portraits of the 43-year-old congressman in opening statements at his trial on sex-abuse charges.

One side painted a picture of a sexual predator whose target was a 16-year-old girl from a broken home. The other spoke of a man whose weakness for phone sex was trumped up into felony charges.

"What Mel Reynolds did in this case is he had phone sex," defense attorney

Sam Adam declared. He urged jurors to "examine your own hearts and say to yourself, 'Have I ever talked this way to an adult friend of mine?'"

Reynolds, a Democrat in his second term, is charged with criminal sexual assault, aggravated criminal sexual abuse, child pornography and obstruction of justice for allegedly trying to derail investigation of the case.

Prosecutor Andrea Zopp said Reynolds pursued campaign worker Beverly Heard, then 16, while he was running for Congress in the summer of 1992.

"She was exactly what Mel Reynolds was looking for," Zopp said. "Because she was the kind of girl who would fall for his rap and his act."

The heart of the prosecution case is a collection of wiretap tapes in which Reynolds and Heard, now 19, discuss sexual encounters that allegedly occurred when she was 16 and 17.

The tapes' importance is magnified

because Heard has recanted her accusations against Reynolds, saying her statements were coerced by investigators. Prosecutors say Reynolds orchestrated the recantation, but Circuit Judge Fred G. Suria Jr. on Monday barred prosecutors from raising that allegation.

The prosecutors won a crucial point when Suria ruled they may play the tapes for the jury of six blacks and six whites. Defense lawyers had argued the tapes should be barred because Heard has denied that the acts described on them ever happened.

Reynolds, who is black, has claimed he is the target of a racial and political vendetta by Cook County's State's Attorney Jack O'Malley, who is white.

The tapes were the core of Zopp's opening statement. While Reynolds' wife, Marisol, watched without apparent emotion, Zopp read aloud from tape transcripts in which Reynolds discussed his and Heard's genitalia.

In another conversation, Reynolds and Heard discuss in graphic detail Heard's sexual relationship with her lesbian lover, and Reynolds asked if Heard and her lover would be interested in having sex with him.

Zopp apologized to jurors before she began recounting the conversations.

"It's not my language," Zopp said. "It's the language that Congressman Reynolds chose to use with Beverly Heard in his conversation."

As Zopp talked, Reynolds stared down at the defense table and occasionally took notes.

Adam recounted Reynolds' rise from humble beginnings in tiny Mound Bayou, Miss., and argued that he was on trial as a result of "outrageous pressure" on Heard.

"The question is not whether you like him, not whether you'd vote for him ... but whether they can prove him guilty beyond a reasonable doubt," Adam said.

# Woman may join Citadel, judge rules

■ **DECISION:** Only the Supreme Court can keep Faulkner out of the all-male military school now

CHARLESTON, S.C. (AP) — A federal judge cleared the way for Shannon Faulkner to join The Citadel's all-male corps of cadets, ruling Monday that there is no time to consider an alternative program designed to keep her out.

The only way the state-supported military college can prevent her from becoming a cadet is to persuade a higher court to block her.

"We will explore all the options and that includes the Supreme Court," Citadel spokesman Terry Leedom said.

Faulkner was happy, but she knows the fight isn't over.

"Even if I don't enter the corps, some other woman will, because I'll fight it to the end," she said.

The 4th U.S. Circuit Court of Appeals ruled in April that she must be allowed to become a cadet unless South Carolina developed a program giving similar training to women.

The state came up with a \$10 million women's leadership

program at Converse College, a private school in Spartanburg about 200 miles from The Citadel in Charleston.

U.S. District Judge C. Weston Houck is to hold a trial on the alternative and rule on its constitutionality, but he said there's no time to do that before Faulkner is to become a cadet — Aug. 12. School rules require she become a cadet no later than August. She is entering her junior year.

Houck scheduled a trial for Nov. 6.

Faulkner's lawyer, Val Vojdik, is fighting the alternative program and wants a three-month delay to prepare for the trial. The state and The Citadel wanted a quick ruling.

"We were concerned the defendants were trying to jerry-rig a plan held together with strings and glue and get the court to approve it," Vojdik said.

Houck said the state and The Citadel were slow in filing details about the alternative program, then delayed as Faulkner's attorneys sought more information.

"Instead of being open and fair as they promised, it has been business as usual for the

defendants," he wrote. "They have continued to make the plaintiffs dig for every piece of information they get. As a result, this case is not even near being in a position to try."

Faulkner has been taking day classes at The Citadel since January 1994 under Houck's order, but she has not been allowed to take military training while the case has wound through the courts.

Virginia, which has the only other state-supported, all-male military college, is creating a women's leadership program at Mary Baldwin College to keep women out of the Virginia Military Institute.

The 4th Circuit has approved that program. The Justice Department has appealed to the Supreme Court. The Virginia program begins in the fall, as does the Converse program.

Also Monday, Faulkner's lawyers asked Houck to order The Citadel to allow her to play the bagpipes as a band member if she becomes a cadet. Faulkner has failed a flute audition for the band, but the motion said the college allows men a chance to learn bagpipe even if they do not play when they enroll.

# 'Motor voter' law upheld after California challenge

■ **RULING:** Federal court says law is within Congress' power to regulate elections

SAN FRANCISCO (AP) — Rejecting Gov. Pete Wilson's challenge, a federal appeals court today upheld the federal "motor voter" law, which lets people register to vote when they apply for drivers' licenses or welfare.

The law was within Congress' constitutional power to regulate federal elections, said the 9th U.S. Circuit Court of Appeals in a 3-0 ruling.

The law, supported largely by Democrats, took effect this year but was resisted by Wilson and four other Republican governors, who refused to implement it. The governors of Illinois, Michigan, Pennsylvania and South Carolina joined Wilson in arguing that the law violated states' rights and would be costly.

By requiring states to create "federal voter registration agencies" out of state agencies, Congress reached into "the

heart of state sovereignty," California Deputy Attorney General Cyrus Rickards told the court last month.


But the court said the Constitution gives Congress broad power to regulate federal elections, even if states must bear the cost.

"Congress may conscript state agencies to carry out voter registration ... without compensation" for federal elections, the court ruled.

The Justice Department says 2 million new voters have registered nationwide since the law took effect, a sharp increase over the same period last year.

The law has been upheld so far by every court that considered it, including a federal appeals court last month in Chicago. Pennsylvania dropped its challenge after losing its first court contest. Decisions are pending in Michigan and South Carolina.

The law was defended in court by the Clinton administration and a coalition of minority groups and voting-rights advocates.



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