

REAGAN: President Tells Flexibility on 'Star Wars'

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more solid footing than they've been for a long time. I don't think the Soviets have yet to propose a date for a second Reagan-Gorbachev summit that the two leaders agreed would be held this year in the United States, the President expressed confidence that the summit would be held, probably after the Nov. 4 congressional elections.

Whether the Soviets will suggest a date or "whether they're waiting for us," he said, "we'll work that out. We'll have a summit." By the "forthcoming" summit, the President suggested, he and Gorbachev might arrive at a framework for arms control "and then hand it over to one of the negotiators to put it down on paper and work out the details."

Robust Foreful

The 75-year-old President, who last Friday had two non-cancerous polyps removed from his colon, looked robust and spoke forcefully during the interview.

He smiled when a reporter mentioned that he obviously was in good health. He said that the doctor who performed the CAT scan in Friday's physical exam had said something that he had told him last year, after surgeons removed a two-foot section of the colon in a cancer operation "inside 11 25 years younger than my age."

Reagan refused to declare the 1979 SALT II arms limitation treaty dead, even though he has announced his intention later this year to deploy more B-2 bombers equipped with cruise missiles than the unratified treaty would permit.

TEXT: Reagan Interview

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turn of the other party in the majority. And you'd be surprised how difficult, as it got down toward the last couple of years, it was for me to appoint anyone requiring Senate confirmation in the state, to get them qualified because I had just decided they'd wait—outlast me now and let all these things remain for—if their fellow got elected.

Q So you have to make a stand against this or you could be relegated into lame duck as far as—

A Yes.

Q I wanted to ask you about AIDS.

A White House spokesman Larry Speakes: We're out of time, Mr. President. I think maybe it might be a good idea to revisit this U.S.-Soviet "accept in principle," and be sure you've got the President's thinking on that.

Q OK, but if you will, Larry, we did have a couple of important questions we'd like to give to the President. One of them is on AIDS, if you don't mind.

A All right.

Q The Public Health Service has presented some pretty scary figures about AIDS, and it says that it will strain the existing health resources of the nation. First of all, do you think of AIDS as kind of public health enemy No. 1. And do you think it's time for a stepped-up government effort?

A Well, we have been spending a tremendous amount of money on AIDS research. You know our financial problems. I don't know how much more leeway there is for us, but we've been doing all that we can do because of the threat this represents. As a matter of fact, why don't some of you in the media start suggesting to people, because of another problem—and that is the problem of blood donors and so forth. You know, there's a practical answer to that if someone would just announce it. Why don't healthy and well people give blood for themselves? And it can't be kept in case they ever need a transfusion, they can get a transfusion of their own blood and they don't have to gamble on—

Q Mr. President, can I ask you one very quick political question. You one time said the vice presidency reminded you of an old role of dog sledding—only the lead dog gets a change of scenery.

A Yes, I remember.

Q Now, you've had Vice President Bush as your vice president for all these years. Do you still look on the vice presidency that way?

A Well, you know, I said that in talking about—well, actually, I was talking about the—well, I know, I was talking about that as well as my own lieutenant governor. But I've done here the same thing I did with the lieutenant governor in California, and that is, our dog sled—we're running double harness. The vice president is a party to and part of every decision and every meeting that we have.

Q If both he and your good friend Paul Laxalt run for the nomination, what are you going to do?

A I'm going to do—even without that—that I'm forced to do. And

When pressed on the issue, Reagan, in a move that he said threatened to exceed SALT II limits may be a bargaining tactic in arms negotiations, said: "I think I know something about negotiating, and I'm just an reluctant to come out with some of the declarations that many of you want to hear, either way, because in a way you commit yourself to advance to things that may become issues in a negotiation."

He emphasized, however, that the United States would not continue to abide by the SALT II limits unilaterally if the Soviets continued to violate it.

On the recent violence in South Africa, Reagan said he "meets it as the current state of emergency in that country. But he said he still believes in Botha's "sincerity," in attempting to reach a negotiated settlement to bring apartheid to an eventual end.

He praised Botha for the limited steps he has taken in recent months. As an application of U.S. sanctions against the South African government, he said, would "punish the very people we're trying to help." He said he would like to see an outsider's role in trying to reform the regime.

"What we think would be truly constructive and disastrous for us out of clear spite or anger to just remove ourselves and lose all contact with that government," the President said.

He added that he thinks the answer to apartheid must grow out of negotiations between the government and recognized black

leaders in South Africa. He placed the blame for what he called "the big setback" in moving toward those negotiations on "the literally civil war in the black community where they're now fighting each other."

Sympathy for Botha

At the same time, he expressed sympathy for Botha as he battles political factions in his country over even the most modest steps toward ending apartheid.

On his recent nominations to the Supreme Court, Reagan said his main criterion in making the selections was to find judges who "will interpret the law and not write the law." Although he said he felt "very strongly" about social issues such as abortion and school prayer, he insisted he has "never given a litmus test to anyone that I have appointed to the bench, nor did I in this instance."

Money Spent on AIDS

When asked about the growing menace of AIDS, Reagan said the Administration has been spending "a tremendous amount of money" on research despite budgetary constraints. "I don't know how much more leeway there is for us," he said, "but we've been doing all that we can do because of the threat this represents."

Reagan offered what he called "a practical answer" to one aspect of the AIDS threat—the danger of contracting AIDS from a blood transfusion. "Why don't healthy and well people give blood for themselves?" he wondered, explaining that the blood could then be kept in the event they ever needed it. "They can get a transfusion of their own blood, and they don't have to gamble."

Reagan indicated that he has no hard information about reports that Libyan leader Muammar Kadhafi was losing his grip on his country in the wake of the U.S. bombing raids on suspected terrorist outposts in Tripoli and Benghazi in April.

When asked if he thinks the bombings were responsible for a fall-off in international terrorism in the last two months, Reagan said: "I'm almost afraid to answer that. If I answer it, it might challenge somebody to perform some acts just to prove me wrong."

Q But if the Soviets insist on linking that with some sort of a constraint on SDI deployment?

A Well, you know, there's one thing about SDI that I think all of us should look at. First of all, research is not violating any agreements or treaties. If research shows that there is such a weapon, wouldn't that be—wouldn't there be a practical reason then to say to all the world, here it is and why don't we have it? And as we then, after World War I, we ruled out gas as a weapon of war, but no one threw away their gas masks because we always—you've always got to think that you know how to make it. The world cannot forget that it knows how to make a ballistic missile. And someday, there could be another madman—as there was in Germany that came along, and this other madman—he could decide. But if you've got this and it's practical, then you can all go to sleep and rest easy at night, knowing that if somebody tries to cheat, it won't work because you have that system.

Q But going back to what you said earlier, this also could be part of our negotiations on arms control generally?

A That's right, Yes.

Q In that answer you addressed research and not deployment. I believe Mr. Gorbachev now has taken the position that he'll allow research to go ahead.

A Yes.

Q It's the next step that seems to be the sticking point.

A All right, but now allow me to hold back on some things because, as I said before, I am in a position of having to negotiate.

Q Mr. President, thank you very much. I was going to ask you a health question, but it isn't really good because obviously you're in very good health.

A Yes, and I'll tell you it was one that nobody seemed to mention—personally did the CAT scan, said the same thing that he said a year ago. Inside 11 25 years younger than my age.

4th Ruling Issued in Death Sentence

Trial Held Fair for Man Called 'Animal' by Prosecutor

By PHILIP HAGER, Times Staff Writer

WASHINGTON—Over bitter dissent, the Supreme Court on Monday upheld the murder conviction and death sentence imposed on a Florida defendant whom the prosecutor called an "animal" who should have had his own face "blown away" by the man he shot between the eyes.

In a decision marked by unusually harsh exchanges between the justices, the court voted 5 to 4 to reject an appeal by Death Row inmate Willie Jasper Darden. It was the fourth time that the grisly 12-year-old case had come before the justices.

Darden was accused of shooting a Florida store owner at close range, ordering the victim's wife to engage in sex with him as her husband lay dying and then severely wounding a 16-year-old boy who had sought to help the couple.

Remarks Called Improper

The court majority, in an opinion by Justice Lewis F. Powell Jr., concluded that, although the prosecutor's remarks were improper, they were not sufficient to have deprived Darden of a fair trial.

In dissent, Justice Harry A. Blackmun accused the court of tolerating a "level of fairness" in a criminal trial "so low, it should make conscientious prosecutors cringe."

Blackmun, joined by Justices William J. Brennan Jr., Thurgood Marshall and John Paul Stevens, criticized the court for its "impudence" with Darden's repeated appeals—and accused Chief Justice Warren E. Burger for taking the rare step last fall of publicly disclosing his opposition to the court's decision to review the case.

Burger, noting that over the years about 95 federal and state judges already had reviewed the case, had called Darden's claims "meritless." The chief justice repeated that observation in a concurring opinion Monday—and added that "at some point, there must be finality."

Blackmun, in turn, accused Burger of undermining public respect for the court's case-review process by openly suggesting that he had made up his mind against Darden before the case was fully presented to the court.

Darden was charged in the 1973 shooting death of Carl Turman, a Lakealand furniture store owner. At

trial, a state prosecutor referred to Darden as an "animal" who should not be let out of his cell without "a leash" held by a guard. "I wish (Turman) had had a shotgun in his hand . . . and had blown (Darden's) face off," the prosecutor said. "I wish I could see him sitting here with no face, blown away by a shotgun."

In a subsequent appeal of his conviction, Darden asserted that prosecutorial misconduct had deprived him of a fair trial. Ethical codes bar prosecutors from expressing personal opinions or from

seeking to inflame a jury. Darden contended also that he had been denied effective assistance of counsel and that a prospective juror had been improperly excluded because of the juror's views on capital punishment.

The court majority rejected all three of Darden's contentions (Darden vs. Wainwright, 85-5319). The justices acknowledged that the prosecutor's comments, deserved the condemnation they received from every court that had reviewed the case—but they noted that not one of those courts concluded that the remarks had made the trial unfair.

Powell pointed out that Darden's attorney himself had told the jury that whoever committed the crime "would have to be a vicious animal." Further, Powell said, there was strong evidence against Darden, reducing the likelihood that a prosecutor's mere argument.

"We agree . . . that Darden's trial was not perfect—few are—but neither was it fundamentally unfair," Powell said.

Blackmun's dissent said that the trial outcome rested heavily on whether the jurors believed Darden's claims of innocence. The prosecution's attack on Darden's

"very humanity" could well have affected the jury's evaluation of his credibility, depriving him of a fair trial, Blackmun said.

Other Decisions

In other actions the court—

—Saved the government what the Reagan Administration said could have been hundreds of millions of dollars in revenue by ruling that tax-exempt charitable organizations may be taxed on income from group insurance they provide for their members.

The court, by a 6-1 vote, said that the American Bar Endowment, must pay taxes on dividends assigned to the organization by the more than 50,000 lawyers enrolled in its insurance program. Such dividends—calculated at \$19 million over a recent four-year period—are used by the endowment to help fund legal research and education projects.

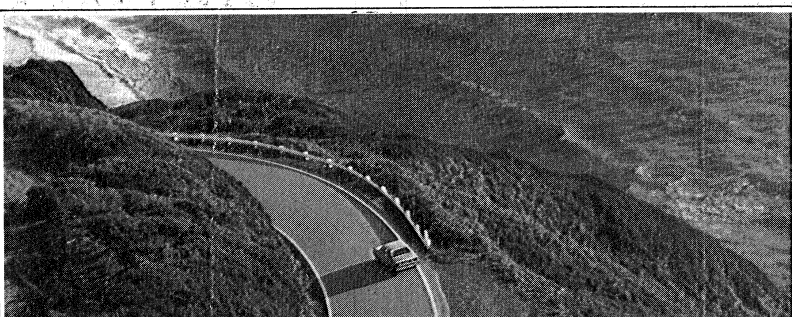
Marshall, writing for the court, said that Congress had intended to prevent such organizations from engaging in unfair competition with taxable businesses. Stevens dissented and Justices Powell and Sandra Day O'Connor, without explanation, did not participate in the case (U.S. vs. American Bar Endowment, 85-599).

—Ordered a federal appeals court in San Francisco to reconsider a 1985 decision that private landholders are entitled to "just compensation" for water rights acquired by the state of Hawaii. Hawaiian officials, backed by nine other Western states, including California, had told the justices that the appellate ruling would unfairly limit the ability of states to control water resources within their geographic boundaries (Ariyoshi vs. Robinson, 85-406).

Man Slated to Die Today

Given Stay by Texas Court

HUNTSVILLE, Tex. (UPI)—Death Row inmate Calvin J. Williams received a stay of execution Monday from a Texas appeals court pending a hearing on his claim that minority members had been unconstitutionally kept off of his jury. Williams, 25, had faced execution today for the killing of a woman during a 1980 robbery in Houston.



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