

# Will there ever be another ineligible Alabama HS athlete?

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Tara Davenport -- the mother of Charles Henderson senior and Rutgers basketball signee Maori Davenport -- explained last week that she hoped [her now-dismissed lawsuit against the AHSAA will lead the governing body to change the way](#) it deals with eligibility issues.

Maybe it will.

But it's also possible Davenport created a bold new template for how athletes will attack when ruled ineligible by the AHSAA.

The Davenports filed a lawsuit to challenge the [AHSAA's suspension of Maori Davenport](#) after she received pay from USA Basketball for playing in an international tournament, but Pike County Circuit Court Judge Henry "Sonny" Reagan never ruled on the merits of the case.

Instead, after [Reagan issued a temporary restraining order that lifted the suspension and allowed Davenport to play](#), Carl Cole, the Davenports' attorney, used a series of delaying tactics to keep the case out of a courtroom until Charles Henderson's season finished.

To make this gameplan work, of course, a player needs a sympathetic local judge to rule in the player's favor. Perhaps it's an overly cynical view, but it's not terribly hard to find a judge with a burning desire to get re-elected who sees a convenient way to curry favor with voters by supporting a local athletic hero.

It's possible the AHSAA's Legislative Council makes changes to the AHSAA's amateurism rule this spring that would give Executive Director Steve Savarese, or his successor, leeway to consider unique or special circumstances when issuing player discipline.

That's what happened a few years ago when the AHSAA Legislative Council altered its recruiting rule, making a playoff ban possible, but not mandated, by the rulebook. That's how [Muscle Shoals football saw its postseason ban lifted](#).

It's also possible AHSAA Legislative Council members look at the Davenport's legal maneuvering and believe any change to the amateurism rule is meaningless, considering the new playbook that's been introduced.

There's no disputing Maori Davenport was and is a sympathetic figure. She and her family held a reasonable expectation that USA Basketball wouldn't send the summer payment unless it was allowed by AHSAA rules.

There's no disputing the court of public opinion ruled that Davenport's punishment -- a season-long suspension even after she reimbursed the \$857.20 to USA Basketball -- didn't fit the crime.

There's also no disputing the AHSAA amateurism rule was broken, just like there's no evidence Maori sought any payment from USA Basketball.

The controversy centers on a subtle but powerful distinction -- the rule was broken, not Maori broke the rule. That seemed to be the point ESPN analyst Jay Bilas was making when he exposed the story to a

nationwide audience.

But what else could Savarese and the AHSAA have done? The rulebook clearly mandates the punishment and gave Savarese no discretion.

While Bilas and others painted Savarese as a dictatorial villain, the opposite seems to be true. He'd only be a dictator if he ignored the AHSAA's amateurism rule and made a decision based solely on his opinion of the matter. That would be arbitrary and capricious.

The real villain here is USA Basketball. How the pre-eminent organization for American amateur basketball made such a reckless and careless mistake frankly remains beyond comprehension.

There's still the unanswered question of whether Charles Henderson will be required to vacate any wins in which Davenport participated in this season. But forcing a school to vacate wins is the most hollow punishment. Everyone knows who really won those games.

None of that, of course, matters much in the future.

Will the next player ruled ineligible by the AHSAA file a lawsuit, try to delay court proceedings as long as possible, and then ask the case to be dismissed once the season concludes?

That might be the unintended, but lasting, legacy that Davenport vs. AHSAA gives to Alabama's high school sports landscape.

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