

National

Marines Not Guilty of Sexually Assaulting Girl, 12

▲ Three of four Marines charged were from N.C.

QUEBEC (AP) — A judge has acquitted four U.S. Marines, including three from eastern North Carolina of sexually assaulting a 12-year-old girl, ruling that there wasn't enough evidence to prove it.

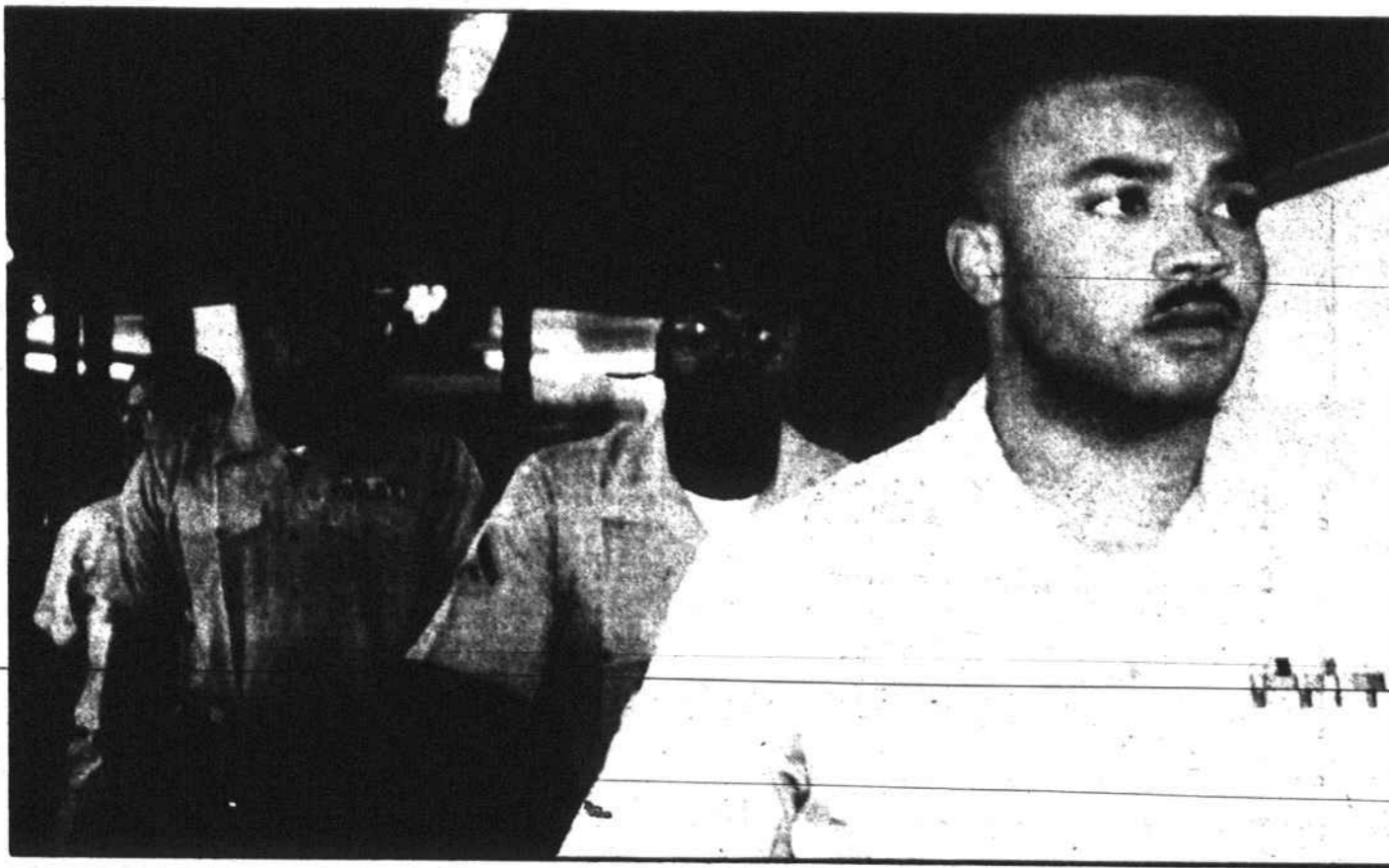
Quebec Court Judge Maximilien Polak said he believed the girl's story that she was raped by one man and fondled by three others, but he ruled her identification of the accused wasn't enough for a conviction.

"At one time or another she identified nine individuals in a crime that was committed by four people," Polak said.

The four Marines — Lance Cpls. Terry Cobb of Wilson; Mark Cunningham of Camp Lejeune; Clarence Morris of Elizabeth City; and Sgt. Leonard Perrell of Stafford Springs, Conn. — were dressed in khaki uniforms and showed no emotion after the June 8 verdict. They later refused to comment. They were charged with sexual assault and sexual interference involving a person under the age of 14.

Their ship, the USS Guam, was visiting Quebec on a goodwill visit at the time of their arrest.

The girl identified the four during the trial as the men involved in the August 1991 attack in which she said she was raped on the historic Plains of Abraham battlefield park.



Three of the Marines acquitted of sexually assaulting a 12-year-old girl in 1991 are: Terry Cobb of Wilson, N.C. (right); Clarence Morris of Elizabeth City, N.C. (center); and Mark Cunningham of Camp Lejeune, N.C. The fourth marine, Sgt. Leonard Perrell of Stamford, Conn., is not shown.

But a defense lawyer said in his summation that her recollection of that evening was sketchy and she originally identified only two of the Marines.

The judge noted that during the police investigation the girl couldn't recall any distinguishing characteristics other than that her attackers were black, English-speaking and in their early 20s.

Crown prosecutor René Verret argued there may have been incon-

sistencies in the girl's testimony, but she should be given special consideration because of her age.

In the lineups on the ship, only Cobb and Cunningham, both 23, were among a group of seven she identified three times as possible suspects. She didn't identify Perrell, 27, or Morris, 26, in the lineups. She identified those two during a preliminary hearing.

Verret asked for a conviction against all four, who are stationed at

Camp Lejeune, but he zeroed in on Cobb. He said the girl had identified him five times — three times during the ship lineup and then during the preliminary hearing and trial.

The Crown's case was hurt by Polak's ruling that other evidence, such as a saliva test from Cobb, was inadmissible because Quebec police didn't properly inform the suspects of their rights when they were arrested.

Pepsi Rejects Claims of Needles Found in Soda Cans

The Associated Press

Responding to reports of syringes and needles being found in Pepsi cans, Pepsi-Cola's U.S. chief said Wednesday it was virtually impossible for any tampering to have occurred at bottling plants.

The Food and Drug Administration said Tuesday it was investigating at least a dozen complaints of possible tampering, while at least one person was arrested on charges of making a false report.

People in 18 states have reported finding syringes and hypodermic needles in Pepsi cans over the last week, according to police and media reports.

Pepsi's North American division president and chief executive Craig Weatherup, appearing on all three television networks yesterday morning, was asked whether he was positive that tampering had not occurred in the plants.

"I can't give you a 100 percent guarantee, but I would assure you it is 99.99 percent assured that nothing is happening in the facilities themselves, in the plants. It's literally, physically impossible," he said on NBC's "Today" show.

Pepsi's highly mechanized production process churns out some 30 million cans a day, he said.

"These cans were produced at very different plants, some six months ago, some six weeks ago, some six days ago," Weatherup said. "And therefore there's no correlation between the complaints, when these cans were produced or where they were produced."

The cans are typically turned upside down, blasted with hot air and water and then flipped to be filled and sealed, a process that takes seconds.

Pepsi-Cola Co., based in

Somers, N.Y., has said it has no plans for a recall, and federal officials caution that the claims appeared unrelated and many could be hoaxes.

The cases have surfaced in Arkansas, California, Connecticut, Illinois, Indiana, Iowa, Louisiana, Maryland, Michigan, Mississippi, Missouri, New York, Ohio, Oklahoma, Pennsylvania, Virginia, Washington and Wyoming.

FDA Commissioner David Kessler said that a central Pennsylvania man had been arrested on federal charges of making a false report of finding a syringe in a Pepsi can. Christopher J. Burnette of Williamsport, Pa., was to be

arraigned yesterday, said FDA spokesman Jim O'Hara said. He faces up to five years in prison and a \$250,000 fine if convicted, O'Hara said.

Kessler had earlier said once "an initial complaint of tampering receives widespread publicity, there are always subsequent complaints, many of which turn out to be false."

The first report of a foreign object in a Pepsi can, a hypodermic needle that was found to be uncontaminated, surfaced last Wednesday in Tacoma, Wash.

The maker of soft drinks, bottled at more than 400 locations, is one of the most prolific and aggres-

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