

It will be partly cloudy today, with a low this morning near 50 and a high near 70. Tonight the temperature should dip into the low 50's.

# The Daily Tar Heel

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"Oscar," the annual Academy Award, will be given out tonight in televised presentations. Anything is liable to happen, according to staff writer Jere Link. See p. 4 for a perspective of "Oscar."

## Student says Honor Court lawyers should work separately, but don't

By JAY JENNINGS  
Staff Writer

UNC student Lee Chavis is establishing a pool of student defense counselors to defend students accused of Honor Code violations, but new Student Attorney General Suzie Mitchell said elimination of the "rat clause" from the code may make Chavis's effort superfluous.

Chavis said he is appalled at the unethical coziness which he said exists between attorney general-appointed defense counselors and the prosecution staff.

"Once I heard the defense say to the prosecution, 'She's guilty as hell, but she wants to plead not guilty, so I have to go along with it,'" Chavis said. "He's not respecting her right to counsel. A lot of students don't know that goes on."

"I hate to see an accused student shafted due to incompetence and collusion of his defense counsel. If an attorney doesn't respect the rights of his client, I consider that incompetent and disloyal."

The staff of his new office, Chavis said, will make it a policy not to disclose confidential matters and client-counsel discussions with the prosecution.

The staff will be separate from the attorney general's staff to "give the defense more freedom in the way they handle cases. We won't be so concerned about obligation to the attorney general," Chavis said.

Under the current system, a student accused in Honor Court has the choice between having a defense counsel appointed for him from the attorney general's staff or of appointing the student of his choice as defense counsel. The majority of students decide in favor of attorney general-appointed counsel.

Chavis's complaint has roots in the facts that the attorney general is the titular head prosecutor and that defense counselors are trained in the non-adversary

system, whereby defense and prosecution work together in researching facts and gathering evidence in each case, pooling all findings for presentation to the court.

Chavis said this system results in the defense counsel having a dual allegiance — to his client and to the prosecution — which interferes with the defendant's right to independent counsel.

But Mitchell said Chavis's efforts may be unnecessary once the Honor Code revision which eliminates the "rat clause" takes effect. The revised code lacks only the chancellor's signature to become active.

"Lee is expressing a valid concern, but he ought to give the new proposals a chance to work," Mitchell said.

"I see it (a separate office) as an unnecessary duplication of effort. We have a staff trained to speak with instructors, gather facts and present them. It would be wisest to let us do it," she said.

The "rat clause" made it an Honor Code offense for a student to withhold knowledge of another student's guilt. Since the clause included defense counselors and their clients, it was the basis for the system of total sharing of information between defense and prosecution.

According to Mitchell, deletion of the requirement will not change the practice of cooperation between defense and prosecution, but "may allow defendants to be more open with their counsel. However," she cautioned, "anyone still has a moral obligation to report an admission of guilt."

"No matter what tactics the defense uses, they're under the same rules as we are. I can see in Lee's proposal the cases might rest more on technicalities and the verbal abilities of counsel and less on the facts."

"In our system, cooperation between prosecution and defense tends to lead to a benefit for the student. For example, if there are mitigating circumstances that

everyone understands, it would induce leniency by the court."

Chavis has three years experience as a defense counselor on the attorney general's staff. He was fired from the staff a year ago by then Attorney General Chuck Lovelace for advising a defendant to plead not guilty, although the defendant admitted guilt, because Chavis felt the evidence insufficient to warrant a conviction.

Chavis appealed to, and was reinstated to his position, by the Student Supreme Court. The ruling stated that the role of the attorney general is to prosecute defendants and that the office has no control over the defense function once counsel is appointed.

Darrell Hancock, chief justice of the Student Supreme Court, said, "Chuck Lovelace was the kind of person who boasted that he had a 100 percent conviction rate. . . . The ruling essentially said, 'If you're going to be a prosecutor, leave the defense counsel alone.'"

Chavis's brief in the appeal stated, "The defense counsel. . . must be free from fear that he will lose his job if he advocates the rights of his client."

Chavis said his belief is that the non-adversary system is incompatible with several rights guaranteed in the U.S. Constitution, especially the right not to incriminate one's self.

"In a nonadversary system, that right would be irrelevant or immaterial, because it assumes the defendant will come out and tell the truth," Chavis said.

"We've got some misconstrued notions about what our system is. I don't know if people are ignoring the facts or just not facing up to reality."

Presently, Chavis is training two assistants, Dennis Caddy and John Alan Jones, to be defense counselors. His legal adviser is third-year law student Carl Fox. He is seeking more counsels and advisors from the student body.

## Better interracial communication is goal of seminars

By ED WILLIAMS  
Staff Writer

A two-day seminar dealing with race relations and affirmative action within the University begins today.

UNC educators, administrators and students will discuss racial interaction, cross cultural communication, the status of women at UNC, the Bakke case and the University's approach to affirmative action.

The seminar, sponsored by the Campus Y and the Carolina Union Activities Board, originally included a meeting between UNC administrators and HEW representatives to discuss desegregation, but that meeting was canceled because of current litigation involving HEW's rejection of the University's desegregation plan.

"The seminar is more a conscience-raising matter than anything else," said Thomas Mayo, co-president of the Campus Y.

"We're trying to tell students that problems do exist," he said. "I think the biggest problem with black-white relations is that there are not many lines of communication open. Each side views the other as intolerant. We're trying to show both communities that interaction is possible and beneficial."

Interpersonal relations sessions include:

- Topics on race relations: "Cross-Cultural Communication" at 3 p.m. today in room 217 Carolina Union.

- Toward a Model for Student Activities at 4 p.m. today in the Music Gallery Carolina Union.

- Reception for the women faculty of UNC — Discussion: "Affirmative Action and the Status of Women" at 4 p.m. today in Great Hall lounge.

- The University's Approach to affirmative action at 8 p.m. today in the Faculty Lounge of Morehead Planetarium.

- Desegregation: HEW and UNC at 4 p.m. Tuesday in room 212 Saunders.

- Confronting racism: "An Exploration of Interpersonal Relationships" at 4 p.m. Tuesday in Deep Jonah Carolina Union.

- "Institutional and Social Implications of Bakke" at 8 p.m. Tuesday in Gerrard Hall.



Mile of Pennies

Two young contributors lay down part of the more than two miles of pennies collected Saturday in the annual "Mile of Pennies" drive for the APO Campus Chest. Zeta Beta Tau brothers collected \$1700, the first time the fraternity has achieved the two-mile mark. Campus Chest benefits 17 state and local charities. Staff photo by Scott Johnston.

## Hunt aid sought in student voting dispute

By PAM KELLEY  
Staff Writer

Eight members of the Orange Committee Friday asked that Gov. Jim Hunt pressure the N.C. Board of Elections into intervening for the group of conservative Democrats in the student voting controversy.

Committee members met with Joseph Pell, Hunt's senior assistant and asked that Hunt request the state elections board to enforce state elections laws in Orange County.

"We want someone to suggest to the state Board of Elections that it carry out its responsibilities and give guidelines to the

county," Stewart Barbour, Orange Committee member, said Sunday.

"Our lawsuit and voter challenges would not be necessary if the state Board of Elections were carrying out its proper functions," he said.

The governor probably will stay out of the matter, a top Hunt aide said Sunday. Pell said he would ask Hunt's legal adviser, Cozart, to help determine the governor's options.

The Orange Committee, in filing more than 6,000 voter challenges last month, charged student voters with maintaining permanent addresses outside Orange County.

The group secured a Superior Court order

that the county's voter lists be purged of persons whose home addresses are listed differently on UNC records, but the N.C. Court of Appeals delayed implementation of the Superior Court ruling.

"Students are controlling local elections," Pell said the group told him. "They said they weren't trying to take the students right to vote away. They just want them to vote where they have permanent addresses."

Ernest Riggsbee said he and seven other members of the Orange Committee spoke to Pell. The other members were Lucius Cheshire, head of the Orange Committee, Stewart Barbour, Bill Durham, Simpson Eland, Billy Ray, Bruce Riggsbee, Ernest Riggsbee and Henry Royal.

## Funds frozen

# BSM found in violation of CGC treasury laws

By DINITA JAMES  
Staff Writer

The Black Student Movement funds were frozen by Student Body Treasurer Todd Albert Friday after it was discovered Wednesday that the group holds more than \$4,000 in overdrafts.

But the CGC Finance Committee met Sunday and drew up a recommendation which would free the funds and allow the group to begin repayment of the debt.

The overdraft is a violation of the Student Government Code which states: "The total amount of all loans outstanding in the Social Expenditures Category for any organization shall never exceed the unexpended Student Government Appropriation, which shall be collateral for such loans."

The BSM was granted a loan of \$10,000 last fall of which the group has spent \$2,334.31 and have committed themselves to pay \$4,203.29. This comes to \$6,537.60. As of Friday, they had only \$2,177.59 in their unappropriated balance which, under the law, brings the group's overdraft to \$4,360.01.

The majority of the overdraft came as a result of the severe financial losses the BSM incurred on the "Kool and the Gang" concert March 23; the exact amount of the loss is still in doubt. The debts resulting from the concert were also in violation of the provisions for the loan, which state that the BSM could not use any part of the loan which was not seen by Feb. 20.

Organization funds have not been frozen since the fall of 1975, when the funding of the BSM and several other student organizations was suspended.

The Finance Committee stressed that its real interest lies in seeing the loan repaid. Along with Allen Johnson, BSM chairperson, it worked out a solution which included unfreezing the funds, urging the BSM to repay as much of the loan as possible before May 15, the scheduled time of

repayment, and extending the repayment period into next year, with a six percent interest rate and a schedule for repayment. The CGC will consider this solution at its regular meeting tonight.

The infraction was discovered Wednesday by Frances Sparrow, director of SAFO, who has refused to comment on the situation. CGC officials said they delayed freezing the funds because they felt such action would only worsen the situation.

As long as the BSM's funds were frozen, the group could not spend the money necessary to raise funds to repay the debt. After much consideration, officials said they felt the freezing of funds was the only option.

Albert said he felt the treasurer of each organization is responsible for knowing the financial situation of that organization. "I told each treasurer at the beginning of the year that they should keep records of their own inflows and outflows so that they would know how much money they had at any one time."

"The leaders of BSM knew of the loan situation last year and should have known about their spending for this year. Then it seems like they didn't care. The haven't brought in any money to pay back the loans but, officially, \$165."

At the committee meeting, Johnson expressed concern that the infraction was caught so late. "It's hard to believe that CGC would have a law like this and have large amounts of funds going through and catch it so late," he said. "A partial blame lies with CGC."

Jim Phillips, student body president, refrained from laying blame on any one party. "I think the situation is unfortunate," he said. "It's something that cannot be blamed specifically on anyone. BSM should have known its situation, but at the same time, I believe that the Finance Committee and the Executive Branch should have been aware of the situation and should have never let it take place."

## Hearts and flowers

# FILEFMC: Secret society provides introduction method

By AMY COLGAN  
Staff Writer

One victim found a note in her mailbox. A Residence Assistant in Parker found a bottle of champagne at her doorstep. One student was kidnapped by two men wearing suits and whisked away to Swenson's Ice Cream Parlor in a red jeep called Rachel. On Feb. 14, 35 girls were victimized — with Valentine's Day cards. And last Thursday, movie critic Judith Crist became a victim, receiving an invitation for ice cream.

During the past year, the UNC campus has been plagued by a rash of these events — flower deliveries, ice cream runs, anonymous love notes — all tied to one organization, FILEFMC.

One of the three founders of FILEFMC, who wished to remain anonymous and who refused to reveal the meaning of the code letters, said the purpose is "to secure its members in lasting relationships." Their strategy? "Instead of playing Joe Cool," he said in an exclusive 1 a.m. interview at Roy Rogers one day last week, "we come right out and tell 'em. No putting on airs, you see. We're not concerned with impressing her, just meeting her."

The organization began in early fall with 11 members, all UNC students. Each member has a code name — Big Fig, Stang, L'ing Rod, State Quail, Sweet — and an

official tee shirt. There is an FILEFMC bank account at Northwestern Bank. "Je t'aime; je t'adore. Que puis-je dire de plus. . ." is their motto, and "Miss Grace" is their theme song. Big Fig said the group here is the first national chapter, but he reported a colony is being founded at Princeton University.

"Here at home, membership is down to nine because two have established lasting relationships," he said with a twinge of remorse. "We had to declare them inactive."

Unlike other honorary organizations, FILEFMC does not select honorees on the basis of campus involvement or academic achievement; instead "we look for girls with a good sense of humor, who like simple fun."

"Our only criterion is that we have been enchanted by the lady's presence for as much as a split second," Big Fig said. "Anybody is fair game."

Usually victims appreciate the ice cream, flowers, cards or champagne, he said, once they have recovered from their initial shock. "We have KOD points — kiss of death — for uncooperative girls or for those who smite us," Big Fig said. "So far, most girls, single or steady, are flattered by the attention. FILEFMC has a file of thank you notes to prove it."

One of the notes is from movie reviewer Crist, and reads: "With fine regards and

## Democrats raise funds while protestors march

By ROBERT THOMASON  
and MICHAEL WADE  
Staff Writers

RALEIGH — Democrats from across the state Saturday clinked their punch glasses and kicked off the party's annual Jefferson-Jackson People's Day Celebration fund-raising bash while hundreds of shouting Wilmington 10 protestors marched only two blocks away and Raleigh police scurried to keep the protestors orderly.

The weather was hotter than most political discussion as Gov. Jim Hunt, state Democratic chairperson Betty McCain, Agriculture Commissioner Jim Graham, Speaker of the House Carl Stewart and a host of other Democratic leaders shook hands with 2,000 guests at the Governor's Mansion.

Conversation at the mid-afternoon event centered on spring weather as guests seemed more interested in the punchbowl and hors d'oeuvre tables than discussion of the political bombshell U.S. Commerce Secretary Juanita Kreps dropped at the fund-raising breakfast that morning.

Kreps angered party leaders, including Hunt, when she endorsed U.S. senatorial candidate Luther Hodges of Charlotte over seven other candidates for the party's senatorial nomination in the May 2 primary election.

Party regulars criticized the former Duke University vice president for not leaving partisanship out of what has traditionally been a neutral party event.

"Such a comment at an occasion like this is a devious abuse of power," the governor said later in the morning.

Early in the afternoon, between 1,200-2,500 Wilmington 10 supporters kept police busy when they stopped briefly at the Governor's Mansion while preparations were underway for the 3 p.m. reception.

Two persons were arrested for resisting police and assault on an officer when marchers reached the state Capitol two blocks from the Governor's Mansion. Police served a summons on one rally leader because the public address system amplified speakers' voices louder than the maximum 40 decibels.

The Rev. Leon White, coordinator of the march, and Wilmington 10 defense attorney James Ferguson chastised police for harassing demonstrators.

At the reception, Secretary of State Thad Eure was in a festive mood when he laughingly told "Daily Tar Heel" reporters he has no intention of declaring UNC-N.C. State University sporting events as state holidays.

Often called "the oldest rat in the Democratic barn" because he has been in office more than 40 years, Eure earlier



Jackson and Jefferson view goings-on in Raleigh

quipped that the state's Easter holiday was due to the annual baseball game between N.C. State University and Wake Forest University. State and Wake were arch-rivals many years ago when the Baptist school was in Wake County.

At a \$25 a plate dinner Saturday night at the state fairgrounds, keynote speaker John White, chairperson of the Democratic National Committee, said the national party leaders are fully behind efforts of state Democratic candidates to defeat Republican U.S. Sen. Jesse Helms.

"The DNC will spend money on the

Democratic candidate in North Carolina," the keynote speaker said. "The committee hasn't made direct contributions to candidates since 1966, but I'm going to change that."

The national chairperson declined to comment on HEW Secretary Joseph Califano's action against the UNC system and his anti-smoking campaign, both of which have angered many North Carolinians. John White said he does not want to "politicize" what state Democratic leaders have said is Califano's "anti-North Carolina campaign."