

The Daily Tar Heel

91st year of editorial freedom

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Erasing history

A bill currently under consideration in the N.C. General Assembly would expand the rights of adults to have their arrest records erased. The bill is intended to help clear the reputations of innocent citizens who might otherwise have trouble getting jobs, says Sen. Robert W. Swain, D-Buncombe. Swain is sponsor of a bill to let adults without criminal convictions erase any record of their arrests. That bill won tentative state Senate approval Thursday after heated debate.

As first introduced, the bill stated that adults could have their arrest records cleared when the arrest had been a mistake, but only in cases of mistaken identity or where it is shown there was no probable cause to file the charges. The bill also gave the courts discretion in ordering the erasing of a record. Since then, the Senate Judiciary Committee has changed all that. Now, the bill would allow a person's record to be cleared if charges against him were dismissed or he was acquitted. Also, if a person has no previous convictions, the court could not stop a record from being cleared.

Senate committee members had good intentions, but they failed to recognize the importance of documentation. If a person is mistakenly arrested, and is able to prove so in court, the record of his acquittal will stand as adequate evidence of his innocence. Besides, if a person's record is expunged, and rumors of an arrest get around, he has no proof that he was acquitted. Conversely, according to the bill, a person whose record has been expunged can legally testify in court that he has never been arrested — even if he had been. There wouldn't be any proof.

Critics of the amended bill argue that it would allow too many people in different cases to have their records cleared. As Sen. Garry Hancock, D-Durham, said, the bill would remove records of some who are repeatedly arrested. He compared the situation with that of gangster Al Capone, saying that while Capone was widely known for his illegal activities, his only conviction came for income tax evasion. In addition, Hancock asked whether John Hinckley Jr., who was found not guilty by reason of insanity in the assault on President Reagan two years ago, could have his record cleared. "You cannot erase history, you can only distort it," he said.

Sen. R.C. Soles, D-Columbus, said inconsistencies in the wording of the bill would let someone clear an arrest record despite a drunken driving conviction in another state but it would not allow clearance if the person had a prior conviction for littering in this state.

Swain, who backs the amendments, has argued that a person could go through life being innocent and still have the "blight" of an arrest on his record forever. However, under current law, a person could have his arrest records erased after three years without criminal conduct.

Swain's bill is up for a final reading in the state Senate today. Before it is approved, senators should consider the bill's potential for misuse and the broad powers for cleaning arrest records that it creates. It is true that model citizens are sometimes arrested mistakenly and deserve to have their records cleared. However, the committee amendments as they now stand are too broad, allowing too many people to have their records cleared and virtually eliminating the importance of documentation.

Playing politics with the trump card

By KERRY DEROCHI

When Phil Painter was first elected to the Campus Governing Council in 1981, he was the only conservative member; as he said, he became a Don Quixote fighting windmills.

A year later, Painter helped six other conservative candidates get elected. Together, they formed a new conservative coalition, Painter earning the name Mr. Helms.

In his two years on the council, Painter brought more than a different philosophy. He introduced a new style of politics: a style of knowing the rules and how to use them. Singlehandedly, he tried to deny funding of long-existing campus organizations and purposefully delayed action on bills by leaving a meeting to kill quorum. He challenged a fellow CGC member in the Student Supreme Court.

All with a smile. "I didn't want to cause trouble," he says, laughing. "I love a good fight, as long as you are fighting to gain control. It's a lot of fun."

When speaking of Painter, fellow council members would mention his complicated strategies, how he knew when to compromise. They'd speak of the way he joked through a meeting, while cutting a budget or vetoing a bill. He was the CGC version of a Southern politician, polite and well-mannered, yet carrying with him a shrewd political determination. A council member may have laughed at Painter's jokes or agreed with his arguments. But if he made a mistake, Painter would catch it.

Hardly a day would go by when Painter did not spend the afternoon in the CGC office. There, he'd sit behind the large desk, debating a bill with another council member, or comb through the files, looking for the history of a group's funding. He memorized parliamentary procedures and could recite a bill's past with ease. He never missed a meeting.

"If you're going to do something, you might as well do it right," he said. "Most people in the CGC don't know what is going on. If you know Robert's rules, you have the advantage."

On Feb. 2 Painter made sure he had the advantage. Tired of the endless debate on the proposed student fee increase, he left the meeting, killing the council's quorum and temporarily delaying action on the bill. He left

because his amendment to decrease the student fee had been defeated. "I won't be a part of this," he told the other members as he gathered his books and jacket.

Late that night, the council met again and approved a fee increase referendum. Painter didn't attend. Instead, he started motions to take former CGC speaker Bobby Vogler and the council decision to the Student Supreme Court. Vogler had moved out of his Granville district in January, violating the CGC bylaws and throwing council decisions into limbo. That night, Painter decided to challenge him.

The court put a restraining order on the fee referendum and a week later threw out the election, saying the council had not allowed enough time between authorizing the referendum and the vote.

"It was a strategic move," Painter said. "In absolute principle, it was not the thing to do. I don't necessarily subscribe to winning by any means."

"I had a point to get across, and that was the way to do it," he said.

"He made the mistake; it was there for me to use to my advantage."

But Painter's success proved to be his council's biggest disappointment. "I'll always think back on the time he walked out on the meeting," CGC member James Exum said. "I'll remember it as a reminder of the 64th session and the way it failed."

Exum is now speaker of the new set of council members; Painter is busy rushing to job interviews. Looking back, he grimaces over the 12-hour stints as a budget financier and laughs when he remembers the faces of group leaders when he had threatened to deny their funding. He still opposes funding to groups such as the Association for Women Students and the Carolina Gay Association and thinks students should have a choice of which groups their fees go to.

"Groups, then, would be required to work with students," he said. "I really think that they work for their own selves. I won't go as far as to say they're resume-filling politicians. They're doing a lot for the 'good of the students' when it's really for the good of themselves alone."

Two weeks ago the fee increase was voted on in a special election and killed because of a low student turnout. "I'm glad that while I was here, there wasn't a fee in-



Phil Painter

crease," Painter said. "I did all I could to prevent it. I feel like I might have had something to do with it."

In the final round, Painter had won. And as Exum said, it shouldn't be a surprise. Painter always had the trump card.

"He would do what he thought was necessary within the rules to get across what he wanted," Exum said. "There are a lot of things to learn from that guy. No matter where you are on the political spectrum, there are a lot of things to learn from Phil Painter."

Kerry DeRochi, a senior English and journalism major from Greensboro, is editor of The Daily Tar Heel.

LETTERS TO THE EDITOR

No country faultless

To the editor:

This letter is in response to Carlos Martin-Gaebler's column ("The I-don't-give-a-damn syndrome," DTH, April 6). I am a student at UNC. I do give a damn. I do not watch soaps, I detest beer and I don't play video games. But I think I know why some people do spend so much time with soaps, beer and video. People feel powerless, overwhelmed, scared and in despair. Students know when they finish their education — an education which for some has been devoid of inspiration, excitement or purpose — they will have to find a job in a country which has no jobs for them — except jobs as meaningless as the education those students have just endured. They know they will face a society of scarcity, where machines and bombs are deemed more important than people, where the government intrudes even into your bedroom, where you are free to worship "as you please," so long as you are Protestant. When I see all these things, I grow sad and angry, and I want "revolution" — but I know that unless we very radically change our entire consciousness, it will become another Animal Farm, with the pigs being more piggish than the oppressors they overthrow. I am angry at dictators, right or left; at poverty; at the bureaucracies that manipulate, alienate and fragment us, and direct our lives into narrow channels. I am so sad sometimes that I understand why people watch soaps — they hope to see good triumph over evil. I understand why people drink so much beer: to forget the injustices right here at UNC. We all want to forget that this university has holdings in an apartheid regime. This is a place where a professor is being dismissed, and no one will

say why, but many of us think it is because he isn't afraid of questioning the sacrosanct FBI; because he dares to assert that concern with civil rights is what education is all about. And even his colleagues don't have the courage to uphold his academic freedom. This University has authorities in the financial aid department, who by virtue of their perspective should know better, nevertheless do nothing to protest the "big brother" leanings of the Solomon Amendment, by which poor males are forced to register for the draft or else receive no federal funds for school. (The poor are always the first to have to fight the wars engineered by the rich.) But some students aren't doing any of those things. Some students are involved in political activities designed to correct the injustices Martin-Gaebler named. We have all kinds of folks here in the United States, just like in Spain. During Franco's regime, some Spaniards sat around drinking beer, too, while others joined a resistance movement, and still others came here seeking refuge. I am no blind patriot, and I could probably compile a longer list than Martin-Gaebler's of all this nation's injustices. I am poor and black and female, and I have seen some of those injustices first hand. But I am here, and Martin-Gaebler is here. He could have gone to school in any nation, but he came here. Why? Even Spain has its sins. In addition to Franco, there is more to Spain's history which is shameful. Remember that it was the Spaniards, among others, who financed huge ships full of white "explorers" (i.e., invaders) who came here uninvited and destroyed the native American population — as much by force

of religious conversions as by direct annihilation. In other words, we are all in this together: Spain, the United States and every other inhabited nation. The way to stop student apathy (fear) is to keep on writing about political insights, but not to scapegoat one nation over another, and not to stop at writing — but to become actively involved in changing things no mat-

ter where. Whether communist or fascist or monarchic or "democratic," no one, no nation, is clean, not anywhere on this Earth. So let's stop scapegoating each other and work for change in both our behavior and in our consciousness.

Alethea Brown
Carrboro

Rallying in Raleigh

To the editor:

With the state of our economy, it becomes increasingly important to prioritize government spending. As a sign of the times, more concerns are being expressed in fiscal terms, and within one week, two expeditions will reach beyond our campus to influence views where they count. On Tuesday, April 12, Students Taking Action for Nuclear Disarmament will enable anyone concerned about the arms race to lobby in Washington for budget cuts in nuclear arms spending. On Thursday, April 14, a broad coalition from all 16 state universities will travel to the N.C. Legislature to rally against budget cuts in education. We are facing possible hikes in tuition and cuts in faculty — mostly blacks and women.

April 14, buses provided by the Coalition for Education will be leaving the campus at 2 p.m. Since the trip is free, fiscal consciousness should tell us that rallying in Raleigh costs far less than the \$36.6 million we might lose.

Andrea Stumpf and Ken Smith
Campus Y, co-presidents

Letters?

The Daily Tar Heel welcomes letters to the editor and contributions of columns for the editorial page. Such contributions should be typed, triple-spaced, on a 60-space line, and are subject to editing. Column writers should include their majors and hometowns; each letter should include the writer's name, address and telephone number.

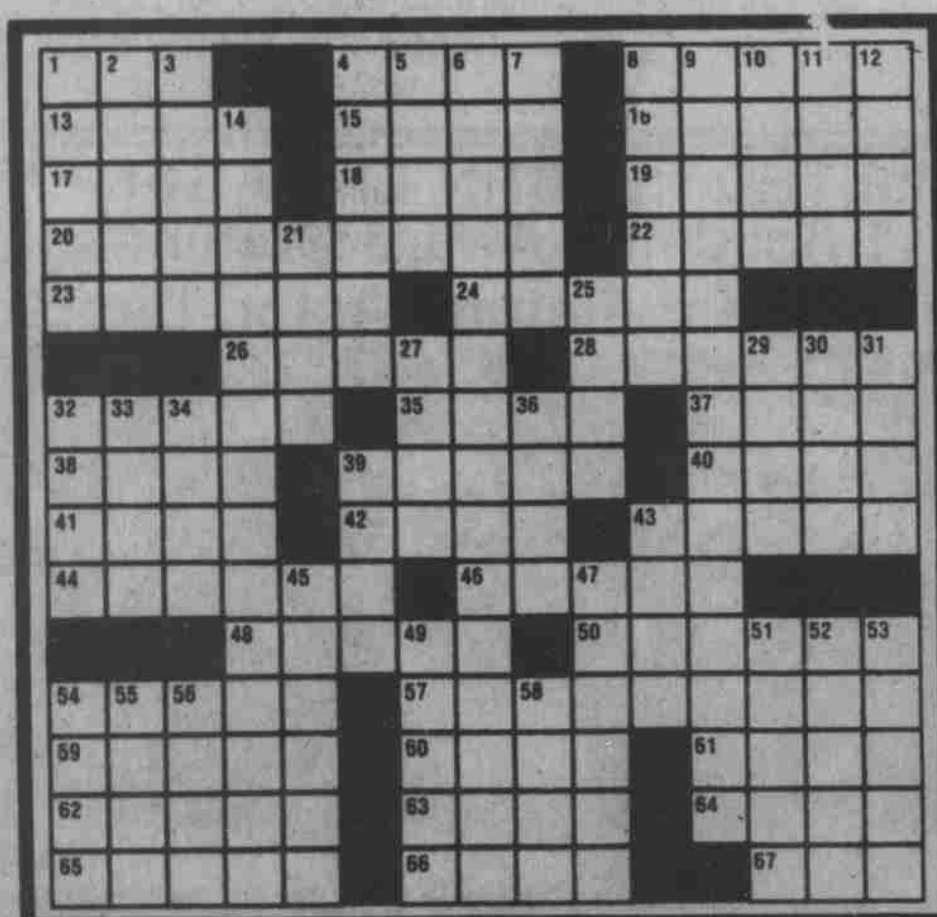
THE Daily Crossword by May Mannix

- ACROSS
- 1 Scrooge word
- 4 451
- 8 Tureen adjunct
- 13 Ancient kingdom
- 15 Chief
- 16 Sign up: var.
- 17 Others: Lat.
- 18 Swiss river
- 19 Gamut
- 20 Telephone connections
- 22 Count, for one
- 23 Monumental slabs
- 24 Vermont ski resort
- 26 "Otello," for one
- 28 Swordsman
- 32 Small lakes
- 35 Architectural pier
- 37 London art gallery
- 38 Skip
- 39 German port
- 40 Small amount
- 41 Nocturnal insect
- 42 Fear of Good Hope
- 43 Discussion group
- 44 Firearm part
- 46 Register
- 48 Departed
- 50 Beard of grain
- 54 Old Roman garment
- 57 Prematurity
- 59 Island in the Sundas
- 60 Relative of etc.
- 61 Greek letters
- 62 Came up
- 63 Proofreader's word
- 64 Not often seen
- 65 Opposite of knock
- 66 European river
- 67 Superlative suffix
- 11 Lie at ease
- 12 Robt. —
- 14 George Eliot milieu
- 21 Washes against
- 25 Twinkling — eye
- 27 Hindu deity
- 29 First murderer
- 30 Diminutive ending
- 31 Angler's need
- 32 Mausoleum
- 33 God of love
- 34 Observance
- 36 Numerical suffix
- 39 Repeat
- 43 Beautiful woman
- 45 Wine
- 47 Loftier
- 49 Like some gardens
- 51 Bristles
- 52 Monarchs
- 53 Charm, for example
- 54 Gore
- 55 Beginner: var.
- 56 Melville opus
- 58 Breathing soup

Yesterday's Puzzle Solved:

GAOL SWAIL EGIS
 ARBO TUBA CORK
 SAINTFRANCISDAY
 PROTEGES SALTINE
 PER LON
 APACE BRO EPACT
 SERTAN OCA ADAY
 CANDRESTICKPARK
 ALTE APLO TIDPIE
 PEIERS ORO WATTS
 RAPT PET
 AREOLE RELOCATE
 FISHERMANSHABE
 RANI KOREA ARUT
 OLEO YEARS TIES

- DOWN
- 1 Outdoes
- 2 Apportion
- 3 — Salasle
- 4 — longue
- 5 Faculty
- 6 Household gods
- 7 That is: Lat.
- 8 "— forget"
- 9 Old salt
- 10 Mild expletive



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French government expels Soviets

By KELLY SIMMONS

In what some political observers have labeled "the biggest spy sweep in French history," 47 Soviet diplomats and journalists were expelled from France Tuesday on charges of espionage.

The Interior Ministry claimed that the gravity and extent of their activities, which centered on high technology and the armed forces, was the reason for the expulsion. These expulsions follow the recent removal of Soviets from Spain and Britain, but officials said the incidents were unrelated.

Relations between France and the Soviet Union have been strained recently because of President Francois Mitterrand's decision to condemn Soviet nuclear weapons. Now the relationship is expected to be even colder.

No one seems to know why the French made such a hasty decision, but sources claim that several activities, rather than one isolated case, caused the incident.

Blast off!

The space shuttle Challenger blasted off Monday afternoon, manned by four astronauts who will make the first American space walk in nearly a decade.

The shuttle mission, which is two-and-one-half months behind schedule, will last for five days and will include several scientific experiments. The Challenger is lighter than the previous shuttle, Columbia, and is more powerful.

The mission of the shuttle is to deploy a 5,000-pound Tracking and Data Relay Satellite, which was launched from the cargo bay of the Challenger Tuesday.

However, the satellite is now cruising thousands of miles from its planned position — it is somewhere above the equator near Brazil. The National Aeronautics and Space Administration expects the missile to wander back on course during the coming weeks.

The TDRS is equipped with the most extensive communications antennae ever lifted above the Earth's surface — two 16-foot gold-coated antennae, three small dish antennae and 30 helix antennae. It is powered by two 57-foot-wide solar arrays which convert sunlight into 1,700 watts of electricity.

Hungry like the Wolfpack

About 14,000 Wolfpack backers were on hand to greet the new NCAA champions as they returned from Albuquerque Tuesday afternoon. Cheering their "Cinderella" team, which won the game on sophomore Lorenzo Charles' breathtaking final shot, red-and-white clad fans packed themselves into Reynolds Coliseum.

the Legislature has decided to postpone the decision until the 1983-85 state budget is finalized. (The bill is in a legislative subcommittee; however, the committee has made no plans for discussion of it.)

Plans to cut the UNC budget have not been finalized either and probably will not be for another month.

Both bills are being held in order for state tax returns to make their impression on state revenues, and the final budget forecast should be set sometime between May 15 and June 15.

THE WEEK IN REVIEW

However . . .

Followed by his team, coach Jim Valvano walked through the crowd first. The jubilant victor compared college athletics to sex — "When it's good, it's very, very good. When it's bad, it's still good."

About 2,000 people met the players at Raleigh-Durham Airport earlier Tuesday. The crowd of fans included people from nearby towns as well as N.C. State students. The state Legislature also honored the champions. The House Finance Committee opened its daily session with a banner from the 1973-74 national championship, which State won, draped across the head table. And Sen. Robert Davis proposed that Congress name the next three bomber squadrons after Whittenburg, Lowe and Gannon. Sen. William Redman proposed that they add a fourth squadron to be named after Valvano.

No money handed out

Out-of-state students anxious to find out if they have to pay more for tuition will have to wait a little longer, for

Some appropriations were made this week, however. The Campus Governing Council approved a \$3,000 loan for the Carolina Concert Committee Tuesday night. The Committee has already received \$100,000 from the CGC for the April 23 concert.

The reason for the needed extra money was because costs were running higher in security, program printing and talent and promoter fees. The requirement for obtaining the loan calls for it to be repaid before any of the concert's profits are donated to charities.

The CGC also appropriated money to the Student Government Executive Branch for bus rental to transport students to a pro-education rally in Raleigh on April 14. The rally is being held to protest the increase in out-of-state tuition.

Kelly Simmons, a sophomore journalism and English major from Reidsville, is an editorial writer for The Daily Tar Heel.