

Opinion

Just a tap on the wrist

In Chapel Hill, use of a false ID to buy alcohol commands a minimum sentence of 50 hours of community service. But on Monday, a UNC student who pleaded no contest to assault on a female, plea-bargained down from second-degree rape, was sentenced to two years in prison suspended under supervised probation, a \$200 fine, and only 25 hours of community service.

Anyone who can see a sense of justice in that must have a very active imagination.

Frederick Harrison, a rising UNC junior, was charged with rape after an incident last summer at the Sigma Phi Epsilon house. A junior said she went into the house, drunk, on her way home on Aug. 20. Harrison, she said, took her into a room and raped her, although she did not remember the entire incident. She also said another student raped her, although probable cause was not found to press charges against him.

Harrison's sentence was further watered down by the stipulation that, once he completes the 25 hours and pays the fine, the probation will be unsupervised.

The maximum allowable sentence for assault on a female is two years in prison, also inexcusably light. Rape is punishable by up to 40 years in jail, but plea bargains and loopholes make this sentence all too rare.

The plea of "no contest" was probably the best one could've hoped for in this case. But if no contest pleas are supposed to be considered equal to guilty pleas during sentencing, Harrison's sentence is ludicrous. How does

it discourage rapists or encourage victims to come forward?

In this case, as in so many other rape cases, it hardly seems worth it for the victim to come forward and complain. These sentences discourage women who are already emotionally distraught to continue through the pain of the court system. Having to testify repeatedly, as well as being made to feel guilty, is more than most people can handle.

Part of Harrison's defense in the probable cause hearing was that the woman was fully competent because she was able to walk home. For second-degree rape, the perpetrator must know the victim was physically or mentally incompetent and uses force.

Walking, however, is not something that indicates sobriety, or even physical competence. Furthermore, it is highly dubious that Harrison could have thought she was mentally competent, but such a weakly worded law would allow him to put his word against hers.

Yes, women must be careful where they walk and who they spend their time with. But no one is ever responsible for rape because of how she is dressed or how drunk she is. When a person says no, any further advance is an invasion and an assault, and the courts must realize that and punish it accordingly.

The case is a disgrace to this university, but not nearly as disgraceful as the message that the Orange County Superior Court sent to the community with the "punishment." The sentence is inexcusable.

Keep Britt from seniority

Robeson County District Attorney Joe Freeman Britt is probably smiling right now. The "Deadliest D.A." is running unopposed for Superior Court judge in the Robeson County district.

However, he may not be smiling for long. Due to racial problems in Robeson County, a new minority judge, to be appointed by Gov. Martin, is in the works specifically to ease the tensions between whites, blacks and Indians.

Then the real issue arises over who will be the senior judge between the two. Senior judges get many influential powers to affect the outcome of every case in their districts.

The regular methods of establishing seniority do not apply in this case, and a political showdown is expected. Under normal circumstances, it would make sense that the elected official, as well as the person most involved in the district already, would step in. However, these are not normal circumstances.

Britt himself is a main cause of the racial tensions. The murder of Lumbee Indian Julian Pierce, Britt's only competitor for Superior Court, came at a time when Britt was falling from favor, and he has come under fire increasingly since then. Opposition to him seems to grow by leaps and bounds, forcing the county into chaos. Not very becoming of a judge.

The chaos will only get worse if he is made senior judge. There is a way to prevent it, and it should be used, before Robeson County explodes.

The Legislature should give Martin the exclusive power to choose the senior judge. Martin will then have the ability to follow up on his promises to help ease tensions in Robeson County.

Although it would be inappropriate for Martin to make any statement until the election and the appointment are both complete, his choice should be obvious and simple. He must choose the judge who has never been called, "the Deadliest D.A."

Reader's Forum

Sensational story unfair

To the editor:

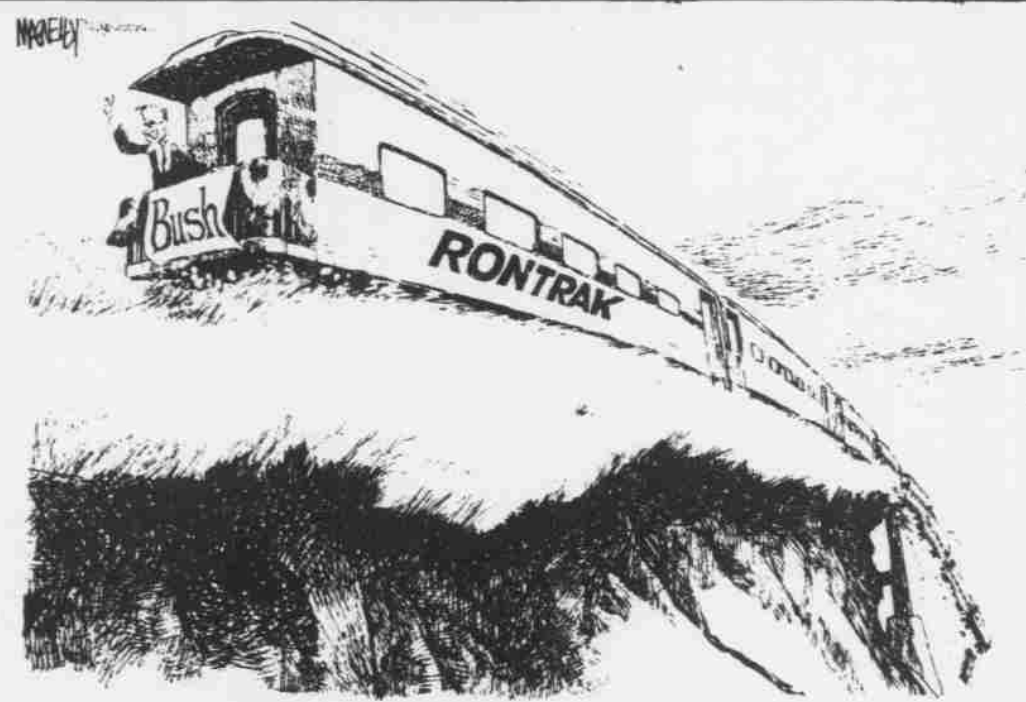
The June 2 issue of The Tar Heel contained an article about the alcohol-related death of UNC employee Carol Brewer on I-85 ("Interstate accident kills UNC employee"). The one-sided coverage and circumstantial evidence presented in this article offended me and many others who knew Brewer personally.

The details of the accident were reconstructed by investigators, and the article did not mention if there were eyewitnesses to the crash. Instead, we have only the conjecture about the nature of the accident. I certainly do not condone drunk driving under any circumstances, but I think it was inappropriate of The Tar Heel to print circumstantial evidence such as the presence of alcohol containers in the car when the investigators admitted that they did not know if the containers had been opened. The entire article assumed too much about the "facts" of the case and mentioned nothing about the fact that she had worked at the University for 13 years.

As the former administrative assistant in the English Graduate Studies Department, she was well-respected by graduate students and faculty members for her professionalism and compassion. As the student services manager at the College of Arts and Sciences for the last eight months, she handled all student records, a tremendous job in itself, but she always made time to help undergraduates who came to her with problems. Her talents were a valuable asset to this university, and she deserves to be remembered for her life of service and not for the circumstances surrounding her death.

I urge The Tar Heel to strive for less sensational coverage of tragedies like this one in the future.

MARY BETH HARDING
Graduate
English



Funds placement irrelevant to suit

To the editor:

In its June 2 issue, The Tar Heel printed a story and editorial about Johnny T-Shirt ("Johnny T-Shirt, UNC headed for court in fall," "Question funds, not license,"), both of which gave false and misleading information. Your staff writer reported that I said, "the University interferes with free enterprise by making money that's not going to educational purposes in the form of scholarships." Then the editorial staff formed an opinion about this misconception and stated "Helpingstine's assertion that the funds are misused is irrelevant to his case."

Obviously, neither you nor your staff could possibly understand our case if you would infer that I feel this is relevant. In fact, I have been more than outspoken about the irrelevancy of the subsequent funding of money acquired through the licensing program. Simply put, you can't steal and make it okay by giving it to a good cause.

If you would have researched past articles, however, you would have noted that it was the University's officials and attorneys who repeatedly told the public that their program was legitimate, because the profits went to needy scholarships.

Public sympathy was easily gained and the real issues were overshadowed.

Surprisingly, you did discuss a real issue in your editorial. This issue concerns the University's business activities. I wish I were so privileged that I might next hear UNC officials readily admitting that their collegiate licensing program is a form of competitive business as you have indicated. They, however, know it would imply a violation of N.C. Statute 66-58. This violation happens to be the relevant argument in our case.

I do oppose your view that UNC needs to engage in business. In order to protect our democratic free enterprise system in this country, laws and policies have been created to prevent federal and state agencies from competing with its citizens. They must be stringently followed by all respective government agencies, even by UNC.

Government's business is not to be in business. If justice prevails, the University will no longer merchandise products through licensing and hopefully pay more attention to its proposed function. That's right — education. Leave the T-shirts to Johnny.

C.J. HELPINGSTINE
President
Johnny T-Shirt

Summits, schools, promises and prayers

Week in Quotes

"After meeting Reagan, Russians will find it very difficult to see America as a threat." — British officials quoting Prime Minister Margaret Thatcher on the president's last night in Moscow.

"It's good to be back in school because without being educated we can't be liberated. We can continue demonstrating after we take our classes, but education has to also be a priority." — Ranna Bahu, 17, a senior at Friends Girls School in the West Bank city of Ramallah, vowing to demonstrate against the Israeli occupation.

"The highest level of performance attained by any substantial proportion of students in 1986 reflects only moderately complex skills and understandings... Most students, even at age 17, do not possess the breadth

and depth of mathematics proficiency needed for advanced study in secondary-school mathematics." — From a report issued Tuesday by the National Assessment of Educational Progress saying nearly half of American 17-year-olds could not solve math problems at a level normally taught in junior high school. Describing students' performance as "dismal," the report said one-third of the nation's 11th-graders reported they usually did not understand what their teachers were talking about in class. The "moderately complex skills" included computations with decimals and simple fractions, measurement, calculations of area of rectangles and interpretation of graphs.

"Due to Billy Martin's apology and his promise of good behavior, Billy will be permitted to go on the playing field and question umpires." — An umpire's association statement released Tuesday night after the baseball commissioner told the umpires and Yankees manager Martin to "stop it and stop it now." Martin did return to the field Tuesday to question an umpire, receiving a standing ovation for leaving the dugout.

"I am praying. Praying and meditating. I say the same prayer, over and over. I say, 'Bobby. You should rest now after 20 years. It is OK. It is time. We are very proud of you. God bless you, Bobby.'" — "Teng," meditating at Robert Kennedy's grave in Arlington National Cemetery on the 20th anniversary of his death.