

Home for troubled teens loses house, faces lawsuit

By LARRY STONE
Staff Writer

The proposed new site for the Janus Tree House has been sold to another buyer, but the long-standing trouble involving the tree house, the Town of Chapel Hill and citizens of the Dogwood Acres subdivision is still not resolved.

Last year, the Janus Tree House, a group home for troubled teenagers, was granted a special-use permit to move from its present location on Mallette Street to a vacant home in Dogwood Acres.

Lee Grohse, director of the home, said the house needed to move to improve the services it offers to the teenagers.

"Our house is just inadequate in terms of space," Grohse said. "We felt it was important to have our administrative and treatment offices at the house."

After searching for a home for about two years, the group made an offer on a house in Dogwood Acres, Grohse said. "We had to secure a special-use permit from the town,

which the council granted," she said.

At this point, neighbors of the proposed home began a campaign against the move. Neighborhood representatives filed a lawsuit against the Janus Tree House and the Town of Chapel Hill. The neighbors alleged the special-use permit had been improperly granted.

Henry Schliff, president of the neighborhood association and a plaintiff in the suit, said there were a number of reasons for filing the lawsuit.

"In a special-use permit hearing, which is supposed to be a legal proceeding, cross-examination is supposed to be allowed," Schliff said. "We were told we could not, and our lawyers could not, cross-examine the defendants."

"They wanted to move the administrative offices in to the house. That is clearly out of town zoning laws. The town has the right to issue a special-use permit, but it doesn't have the right to change that."

Schliff also said he did not think the Janus Tree House program was

very effective. "The jury is still out," he said. "They wanted to come here just so the administration could have comfortable offices."

The home was sold this summer to another buyer. Grohse said the real estate company had granted them several contract extensions but would not do it again. The Janus Tree House is still in its Mallette Street location, but the suit has not been dropped by the neighbors.

Schliff said the neighborhood is not going to back down from the suit as long as the special-use permit is still on the books. He said he was concerned at the possibility of the house being resold to the Janus group.

Grohse said the lawsuit was not completely unexpected. "It's a risk you take when you attempt to move," she said. "We feel confident we would have won the lawsuit."

Town attorney Ralph Karpinos said the suit is not moving at this point.

"The lawsuit is still in court, but

it's just sitting," he said. "It has not been calendared for trial. If the permit is not going to be used, then it is just a matter of disposing of the case."

"The town believes the permit was lawfully issued," he said.

Richard Wiggins and Michael Levine, attorneys for the neighborhood, were not available for comment Thursday.

Grohse said the neighborhood's opposition was fairly typical. "In general, neighborhoods always oppose these things," she said. "They opposed the move from the moment they heard about it."

The Janus Tree House is a moderate management home for boys and girls ages 13 to 17. Grohse said the house does not accept kids with severe problems.

"These kids have problems getting along with their family, problems at school, and some have juvenile court charges," she said.

One of the main sources of opposition to the home has been the requirement that it must house three

"Willie M." children. Willie M. children are emotionally disturbed or have emotional illness. Some have assaultive behavior, although the range varies from child to child.

"There are severe cases, but some children's aggression consists of lower level types, such as fighting," Grohse said.

Although the Janus Tree House has had about 20 Willie M. children over the years, no serious crimes or arrests have occurred in connection with these children, she said.

But Schliff said, "The special use permit has four conditions. One of these is that it cannot endanger the safety of those involved. Clearly, that is not so. The 'Willie M.' children have been involved in many crimes, including assault, rape and burning."

Willie M. children would also be allowed to ride school buses unsupervised and be in the neighborhood unsupervised, Schliff said. He cited several cases involving Willie M. children in neighboring cities.

"Clearly, they're a very different

and dangerous part of the population," he said.

Julian Caston, a longtime resident of Dogwood Acres, expressed the sentiment of many people in the area.

"We don't need that dern thing out here," he said. "We're just a neighborhood, and we don't need a bunch of Willie M. children running around."

Grohse said she is not bitter about losing the new site, but she does not feel it was a fair fight on the part of the neighborhood.

"Essentially they brought up anything," she said. "They circulated a brochure that we were a drug halfway house, and then later said, 'No you're not, but you're something just as bad.'"

As for the future, Karpinos said he and the town are working with both parties to resolve the lawsuit.

The Janus Tree House, which still lacks space for its operation, is also not sure which direction it will take.

"We have not made a decision yet," Grohse said.

Public perception of court system misguided, study says

By JASON BATES
Staff Writer

Americans misunderstand the problems of the criminal justice system, according to a recent study by an American Bar Association committee.

"The public conception with what is wrong with the criminal justice system is the exclusionary rule and the Miranda process," said Samuel Dash, chairman of the ABA committee and a professor of law at Georgetown University.

The exclusionary rule requires courts to exclude evidence normally admissible when it was obtained by illegal search or seizure.

"The panel didn't understand this to be correct, but public conception was that it was correct," Dash said. "Police and prosecutors do not find constitutional protection interfered with their work."

The study indicated that no more than five percent of all cases nationwide were dismissed because of the rule.

"I don't think the exclusionary rule is the problem at all," said Daniel Pollitt, Kenan professor of law at UNC.

The public misconception comes from "a big propaganda movement by the right wing to discredit the exclusionary rule," Pollitt said.

Mike Dodd, chairman of the N.C. Bar Association, said he would be surprised if even one percent of the cases in North Carolina were dismissed by the exclusionary rule.

Pollitt, who conducted his own study of the state four years ago, said the rule doesn't arise in even one percent of all cases.

Against popular beliefs, the committee said the main problems with the system are a lack of resources, especially money and manpower, and a massive but mostly unsuccessful effort to conquer America's drug problem.

"The real problem is they (police and the courts) were starved of

resources," Dash said.

"Money has to be put in the expanding court system," Dodd said.

The drug problem adds to the overcrowding of the court system and the courts' present emphasis on it does little to protect people from crime, Dash said.

"The public is getting angry at the wrong thing," he said. "The problem of crime in America goes deeper than law enforcement."

The public, which expects the

government to solve the problems of the courts, should lower its expectations, Dodd said.

The committee recommended that the ABA create a special commission to re-evaluate strategies in dealing with drugs and to educate the public and lawmakers.

But changes in the system are unlikely, Dash said.

"There are no short-term solutions," he said. "The public has to call on the legislators."

Town council addresses resident concerns on traffic issues

By KATHRYNE TOVO
Staff Writer

The Chapel Hill Town Council took action on several traffic proposals this week, and they will continue to address these issues in the coming months.

At its meeting Monday, the council discussed several petitions requesting changes in residential developments.

The council approved a request by local residents for three additional

stop signs to be placed on Kingston Drive at its intersections with Silver Cedar Court, Butternut Drive and Timberlyne Drive.

The application also requested the creation of sidewalks along Kingston Drive. The town has placed this project on the Capital Improvements Program to be reviewed and considered for construction.

Council member David Godschalk

said Kingston Drive is a narrow, standard road, and pedestrians now have no place to walk other than the street. The additional stop signs will help to alleviate the problem until the sidewalks can be built, he said.

The council also approved a reduction in the speed limit from 35 to 25 miles per hour on roads in the Oaks II subdivision.

But the second part of the Oaks

II application, which requested three additional stop signs for Pinehurst Drive, was denied.

No action was taken by the board on an application to reduce the speed limit from 45 miles per hour to 35 miles per hour along Estes Drive Extension from Airport Road to the Carrboro city limits.

Council member Art Werner said, "There was not a good enough reason

to lower it. We (the council) must be persuaded of the wisdom of doing it, and we just were not persuaded."

Maudy Benz, resident of Ironwoods development, said she believes the proposed change will increase safety along Estes Drive.

Many people drive along this road at 55 or 60 miles per hour, and they pose a real danger to the people in the neighborhood, she said.

Werner said the council will discuss townwide traffic issues at its January retreat and will attempt to create a policy regarding the placement of stop signs along roads.

Godschalk said stop signs previously have been placed in areas primarily to direct the flow of traffic. The council must determine whether stop signs also will be used to control speeding on roads, he said.

New IDs help students to recognize patrollers

By DANA CLINTON LUMSDEN
Staff Writer

UNC students can now ask members of the Student Patrol for identification to verify their status, after several students impersonated members of the patrol earlier this year.

"The students felt that they needed some sort of identification after these incidents," said Maj. Robert Porreca of University Police. "It was really a student idea."

The program, which was proposed by student government several years ago, is sponsored by the Department of Public Safety and the departments of housing

and traffic.

The students patrol the campus between 8 p.m. and 2 a.m. seven nights a week and are expected to report any incidents to the University Police by radio, Porreca said.

The students go through a 16-hour mandatory training session where they learn how to observe and describe an incident and use the radio.

There has been a slight decrease in the number of incidents because of the students' presence, Porreca said. "The program has been successful," he said. "It has really helped in situations where our officers couldn't be present."

MBA evening program on hold until review

By SIMONE PAM
Staff Writer

The MBA evening program has been interrupted during its third year to undergo evaluation, and will not be in session this year, said Lynne Gerber, director of UNC's MBA program.

The evening program is a section of the MBA program, designed for managers who are working full-time in the region so that they can work and also pursue their MBA, said William Perreault, associate dean for academic affairs.

The new program is being evaluated on the basis of its successes, needed improvements, faculty resources and community outreach, Perreault said.

Enrollment in the program in 1986 was 43 students. The following year, it rose to 54 students. This year, the program is on hold.

"We never made a commitment we would enter a class every fall," Gerber said.

The MBA program committee and faculty are currently discussing the program. They will either continue the present program, or changes will be made to introduce a new program,

Gerber said.

Perreault said definite plans should be announced by the end of the semester. "It is very likely we will have a new program in session in 1989," he said.

With the exception of meeting times, the evening program is identical to the day program, including the same faculty, course load and quality.

A formal application is required to enroll in the evening program. The administrators examine the applicants' leadership ability, work experience, past jobs, progression rate,

goals and objectives, community and extracurricular activities, elected or appointed positions and communication ability. Applicants must also answer an essay question and be interviewed, Gerber said.

The day program takes two years to complete, excluding summer sessions. The evening program takes three years.

Presently, tuition is the same for both the day and evening program. The first class entered in the fall of 1986, and will graduate in August, 1989.

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out of the market. Foreign goods were much cheaper and, lo and behold, our trade deficit grew."

In February 1985, Reagan decided the trade deficit was too high, Shipley said. The dollar has fallen since 1985,

and American goods are now competitive on a price basis only because import prices have risen substantially.

"This is one reason why the trade deficit is not going down as fast as it went up," he said.

The chances for a balanced budget are remote, Shipley said, but it is possible to reduce the budget to about \$50 billion within two years.

"If we get it down below that it will produce a drag on the economy that could cause a recession," he said. "You'd have to look at the defense budget and revenues to bring it down."

Reagan cut taxes in the early 1980s to stimulate economic growth, but Congress did not curb government spending growth enough to prevent the huge deficit, said UNC economics professor Roger Waud.

"The spur to economic growth that was expected did not come quickly enough to avoid the recession of 1982, which led to the huge deficit," Waud said.

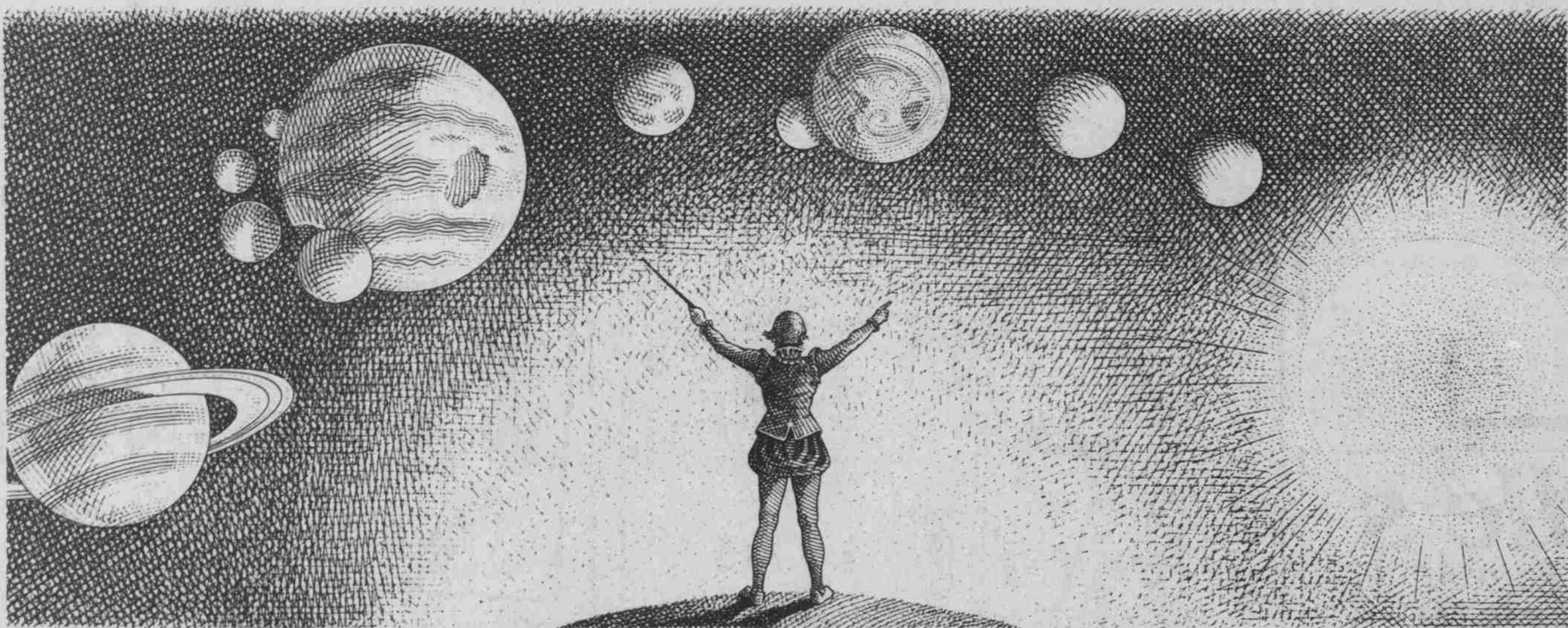
Reagan and Congress could not agree on which government spending programs to cut, Waud said. Congress wanted to cut defense spending, but Reagan refused because defense spending under the Carter administration was at its lowest level since before the Vietnam War, he said.

In order to reduce the budget deficit, the federal government must place limits on services which can grow out of control, Waud said.

"For example, you can walk around the Carolina campus at night and see classrooms that are fully lit and nobody is in them," he said. "If the professors and students who use these rooms had to put a quarter in a meter to keep the lights on, then the lights would not be on."

"But since the taxpayers of North Carolina are paying for those lights, you've severed the relationship between the consumer of these services and the people who pay for them. Therefore the service is used in excess and wasted."

Waud said this is analogous to government services such as Medicaid, in which the direct beneficiaries of the services, who do not bear the burden of paying for them, will overuse the services and make them more expensive.



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