

Hatcher extradition pending defendant's appearance

By HELLE NIELSEN
Staff Writer

Although North Carolina has issued a formal extradition request for Indian activist Eddie Hatcher, his case will not proceed unless he reappears, a tribal court administrator said Wednesday.

The N.C. extradition papers arrived Monday at the Idaho tribal court that has jurisdiction over Hatcher's case.

Hatcher has not appeared since he failed to show at a tribal court hearing Friday. Chief Tribal Judge Charles Lohah issued an arrest warrant for Hatcher, said Robert Gonzales of the Shoshone-Bannock tribes' court system, which presides over Hatcher's extradition hearing.

"If Mr. Hatcher appears, we will set a hearing date," Gonzales said. "If

"If Mr. Hatcher is unable to be brought to court, the case would probably die."

— Robert Gonzales of the Shoshone-Bannock tribes' court system

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Jack Ross, Hatcher's attorney in the tribal court, said he will request that extradition proceedings be put on hold until Hatcher returns.

"I don't know where he is," Ross said.

Hatcher faces extradition proceedings after he fled N.C. prosecution on kidnapping charges stemming

from last year's takeover of The Lumberton Robesonian. Since January he has stayed on the Fort Hall Indian Reservation in Idaho.

The federal government has issued an Unlawful Flight to Avoid Prosecution (UFAB) warrant on Hatcher because he fled the state. The warrant would enable federal authorities to obtain Hatcher and eventually turn him over to N.C. prosecutors, bypassing the tribal extradition proceedings.

Ross said.

"That created extreme fear and panic on Hatcher's part that the FBI would take him at any time," Ross said. "The main reason he didn't appear was . . . that neither the Justice Department nor the FBI would give any assurance that they would comply with tribal extradition law before taking Hatcher."

U.S. Attorney Maurice Ellsworth of Idaho, who would be making the decision to enter the Fort Hall reservation to arrest Hatcher, said, "We have not been willing to give Mr. Hatcher any assurances."

Robeson County district attorney Richard Townsend, who initiated

both the federal UFAB warrant and the state extradition request, could not be reached for comment.

No federal warrant has been issued for Hatcher's fellow activist Timothy Jacobs, according to Gayle Korotkin, a lawyer with Christic Institute-South, who represents Jacobs.

Like Hatcher, Jacobs faces kidnapping charges from the newspaper takeover and fled North Carolina.

Jacobs is in New York state, where he awaits a Feb. 28 extradition hearing.

Christic lawyers have requested an advisory jury in Jacobs' extradition hearing. A hearing on the advisory jury is scheduled for Friday.

"A jury represents the conscience of the community," Korotkin said. "In this very grave question, it is very appropriate for the community to have a say."

An advisory jury would not make a final decision but would give advice to the judge.

District Attorney Neil Rose of Madison County, N.Y., the prosecutor on Jacobs' case, said he finds an advisory jury unnecessary.

"The issues in the extradition case are very narrow," Rose said. "The only purpose (a jury) would serve would be to inject into the case emotion and sympathy, which doesn't belong there."

Task force proposes funding of Carrboro capital projects

By CHARLES BRITAIN
Staff Writer

The Carrboro Capital Improvements Task Force presented a report to the board of aldermen Tuesday that recommends funding certain town projects over the next five years.

The report suggests that the town provide funds for a study of town hall space use and improvements to streets, bikeways and athletic facilities.

The town should finance these improvements by taking money from a contingency fund and using it to develop these capital projects, the report said.

The report said private and state money should be used to develop the Carrboro town commons, create bus shelters and make parking and major street improvements.

The task force said the town should abandon the plan for flood prevention along Tom's Creek that was suggested last year because the plan's

benefits are outweighed by the cost.

Task force chairman Bill Aderholt said the board should not interpret the report as a request for a tax increase to raise the funds for the projects.

"The consensus of the committee was not to raise taxes and not to sell bonds," he said.

The report suggested creating a committee in three years to discuss the possibility of a bond referendum to finance a proposed community center.

Carrboro Mayor Eleanor Kinnaird said Wednesday, "It (the report) sends a message to the board of aldermen that the people want a community center and are willing to pay for it."

"The idea of a community center has now been put on the front burner."

The Capital Improvements Task Force was created by the board of aldermen in 1988 and is made up of Carrboro citizens.

The purpose of the task force was to get community feedback on capital projects and from these suggestions, select and set priorities for all capital improvements being considered by the town for the next five years.

The board of aldermen approved the task force's request to turn the report over to the town staff so they could create a five-year capital improvements plan for Carrboro.

A request to designate certain projects as high priority and include

them in the annual town budget was postponed until next Tuesday when the board will hold its budget planning session.

"I thought it was an excellent report, and the task force is to be commended for a good job," Kinnaird said. The task force succeeded in representing what projects the people of Carrboro want the town to spend money on.

Kinnaird said she also supported the suggestion that the town place a certain amount of money aside every year for possible future capital projects.

An issue of particular importance to University students is the allocating of money for the improvement and construction of sidewalks in Carrboro, she said.

"Many residents of Carrboro are students at UNC, and the sidewalks would be helpful to those who have to walk to campus," she said.

State Senate blocks passage of prison bill amendment

By JOHN BAKHT
Staff Writer

An \$80 million emergency appropriations bill in the N.C. General Assembly to improve and build new state prison facilities is being held up by an amendment that would require 10 percent of the building contracts to be awarded to minority firms.

The bill was introduced in the state Senate after lawyers for the state and for prison inmates settled a class action lawsuit brought by inmates regarding prison overcrowding.

Because of the expensive nature of the settlement, the General Assembly must approve the settlement proposal, which is contained in the first part of the emergency bill.

In addition to the construction of new facilities, the bill, introduced by Sen. Ken Royall, D-Durham, calls for the creation of several programs to reduce the number of prison inmates through the development of alternative programs.

After Senate approval of the original bill, the House amended it Tuesday to provide specifically for minority contractors. But the Senate did not agree with the amendment.

The amendment, sponsored by Rep. Thomas Hardaway, D-Halifax, split the legislature largely along partisan lines, said Rep. Anne Barnes, D-Orange.

Hardaway said in a written statement, "I regret that the Senate has seen fit to (reject) the 10 percent goal provision and to suggest that the House retreat from its position on this amendment."

The N.C. Department of Corrections wants improvement efforts to get underway so the state can avert "this merry-go-round of lawsuits" that inmates have filed, said David Guth, public information officer for the department.

"For years, we (the prisons) were the product of neglect," he said in a telephone interview Wednesday. "Now we're paying the piper."

Because of overcrowding, about 19,000 offenders were admitted last year to state's corrections system, and about 19,000 were released, Guth said. "That means there are a lot of people coming in (to jail) and not spending much time in it. It raises questions about public safety."

If it approves the bill, the General Assembly will have until July 1, 1994 to meet all the terms of the lawsuit settlement. For the next two years, \$80 million would be appropriated to the prisons.

The bill contains several immediate improvements in the corrections system, including the construction of new prison facilities with an increase in corrections staff; the development of the IMPACT program, a military boot camp for offenders 18 to 22 years old; expansion of the electronic in-house arrest program which puts prisoners under electronic supervision in their own homes and an increase in the number of parole and probation officers.

Ambassador to speak on Africa

"Constraints to the Development of Africa" will be the subject of a speech by His Excellency Ambassador Valeriano Ferrao today at 4 p.m. in Hamilton 100.

Ferrao is the ambassador to the United States from Mozambique. A reception to follow the speech will be held at 6 p.m. in Toy Lounge in Dey Hall.

Police

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filing a motion to dismiss Edwards' case because it had been filed on Oct. 31.


In her ruling, Judge Nesnow said that "it appears that (Edwards) filed within the 30-day limit."

McSurely said he thought the

University filed the motion to dismiss to purposely delay the process. "In my view, they stalled it for about a month for a charge that was baseless on its face," he said. "Their strategy is to delay her hearing until after the students go home."

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