

# The Carolina Indian Voice

"Building Communicative Bridges In A Tri-Racial Setting"

Robeson County

THURSDAY, NOVEMBER 30, 1989

25¢ PER COPY

## REGINALD OXENDINE TAKES SEAT ON LRDA BOARD



Dr. Reginald Lee Oxendine

Dr. Reginald Lee Oxendine of Pembroke has announced his candidacy for a seat on the board of directors of Lumbee Regional Development Association. Dr. Oxendine is seeking a seat to represent Pembroke and Union Townships.

Dr. Oxendine is married to Peggy Oxendine and they have two sons, Reginald Jr. and Micah. He is a graduate

of East Carolina University where he obtained M.A. in Educational Administration and a Degree as a Curriculum Instructional Specialist. He also has a B.S. Degree from Pembroke State University in Elementary Education and an Ed. D. Degree from North Carolina State University.

Dr. Oxendine has a distinguished career in the educational field including counselor for the Robeson County Schools, assistant principal of Fairmont Middle and Fairmont High Schools, Director of Indian Education for Lumberton City Schools, in addition to teaching in the Fairmont City Schools and the Robeson County Schools.

He is presently owner and operator of Arrow Publishing Company and has written and published several publications. He also owns and operates Pembroke Skateland.

Oxendine's community activities include being a charter member of the PSU Braves Club, the Robeson County Board of Education Advisory Council, the Purnell Sweet Booster Club. He has served as a member of the Pembroke Jaycees, the Pembroke Chamber of Commerce, Robeson County Historical Society, Manager of Little Baseball Team, and is presently a member of the Pembroke Optimist International.

Dr. Oxendine released the following statement: "I am dedicated to economic development and community service for our people. If I am elected to the LRDA Board, I pledge to always remember my responsibilities as a representative of Indian people..."

The election will be held Thursday, December 7, 1989 from 8 a.m. until 8 p.m. Voting will be held at Pembroke Elementary School and Union Elementary School. Any Indian age 18 or older may vote. You do not have to be a registered voter to vote in the LRDA election.

## 16th Annual Christmas Parade to be Held Dec. 8

On behalf of the town of Pembroke, the Pembroke Jaycees, the Pembroke Chamber of Commerce, citizens of Robeson and surrounding counties are invited to participate in the 1989 16th annual Christmas Parade.

There are several major changes concerning the parade line up and date: the new date is Friday, December 8 at 4:30 p.m. Line up time is 4 p.m. The new line up area is east of Pembroke at the Pembroke Elementary School. The parade will go through town one time and end at the PSU Performing Arts Center.

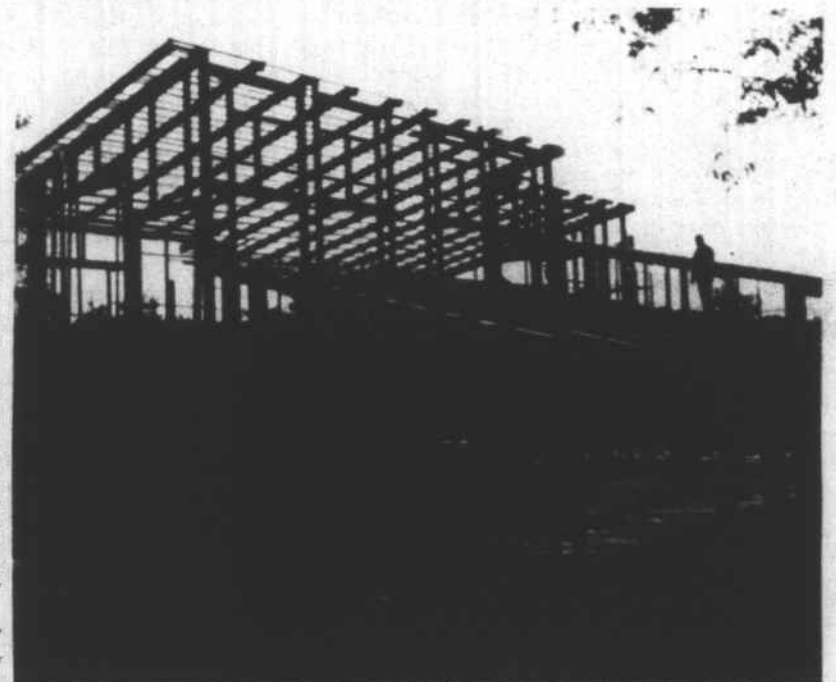
Last year's parade was very spectacular and colorful with beauty queens, floats, marching bands, marching units, fire trucks and the main attraction, Santa Claus and his little helpers. The parade last year had over 4,000 spectators with 86 entries participating.

The following entries will be judged: marching bands (high school and above); elementary bands; marching units; non commercial floats.

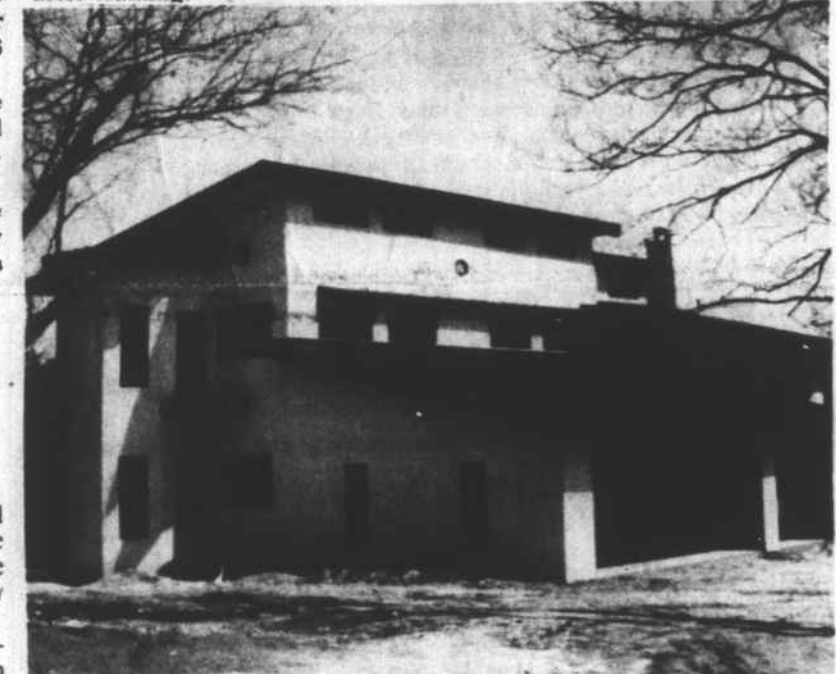
Any one wishing to participate should contact Charles Gregory Cummings of the Pembroke Jaycees at 521-9761 or 521-2784.

## Advanced Framing Systems

Available in Pembroke



This is a view of the framing of an Advanced Framing Systems house after framing.



This is a view of the house after completion.

by Oscar Sellers  
PSU Journalism Student

The Advanced Framing Systems, Inc. offers custom designing to people of the Pembroke area. The company offers pre-fabricated homes that utilize steel components that eliminates wood to a large degree.

John Oxendine, who is the Advanced Framing Systems agent in Pembroke, said, "The great thing about this concept is that the homes are built without wood or nails. It is like having an industrial framework on the home site."

Oxendine said that custom design means custom design. "The homes are all custom made to the buyer and, depending on what is desired, we negotiate

from there." Several points help make an AFS home unique. There is no danger of termites or chemical buildup from termite control, no wood to rot, warp or burn and the homes are made of pre cut material which reduces time and waste on site.

Reduced time wastage means the home can be readily assembled and ready for the application of the exterior or interior the home owner may choose.

AFS has been operating in Pembroke for one year after breaking off from Full Metal Products of Monroe, Georgia.

More information on Advanced Framing Systems may be obtained by calling Brawleigh Graham at 521-3231.

## VFW Post 2843 activities planned

Locklear-Lowry VFW 2843 of Pembroke will observe Veterans Day Sunday at Macedonia Methodist Church in Hoke County. All members and guests are invited to attend. Exit off Highway 211 in Red Springs

at John's texaco on 2nd Street and remain on Duffy Road to 8 miles. Rev. Hilton Deese is pastor.

Locklear Lowry VFW 2843 will hold their regular monthly meeting at the post home. Voice of Democra-

cy winners from the local high schools will be present. All members are urged to attend. Supper will be served at 7 p.m. William D. Oxendine is Post Commander.

## Justice in Robeson County

by Bob Mangum  
Chairperson, Rural Advancement Fund Justice Project

This press release is to draw attention to the assault on the Constitutional rights of North Carolinians that is taking place in Robeson County.

There is a standardized procedure by which the courts in our State do business. Generally called "due process," it was formulated from Constitutional mandates and put in place to insure that every individual's rights would be protected and everyone would be treated fairly. Just as a manufacturing plant uses an established process to produce the finest product possible, so the court system uses an established process to produce its product - justice. When the manufacturing plant, or the court system, takes short-cuts through the process or changes the process from day to day, the product suffers. Such is the case in Robeson County. Justice is suffering.

The business of the RAF Justice Project is to look at "due process." We do not address the guilt or innocence of defendants, nor dispute the rights of victims. On the contrary, our efforts are aimed at insuring that victims, taxpayers, and defendants receive the finest product the courts can produce - justice for all. Over the past five years we have spent hundreds of hours monitoring the courts, researching court records, and meeting with local and state court personnel and our legislators to help improve the substance and the image of criminal justice in Robeson County. We have helped effect such important additions as a Public Defenders office, a Dispute Resolution Center, and a Human Relations Commission. Our involvement in the courts has helped some of our judges to be more responsive to the real needs of the people and more open to modifying their methods to better address the problems of Robeson's court system. Our involvement in the organization of Concerned Citizens for Better Government helped clarify for the public the nature of the injustices in the court system and how the people could bring about change. The renewed hope of the citizens in responsive government has resulted in more candidates running for office, more citizen participation in voting and speaking out on issues, and thus more racially balanced town councils, school boards, judicial bench and court system.

In recent months justice has taken a beating from Superior Court Judges Robert Farmer and Beverly Lake as a result of their actions prohibiting properly qualified attorneys from participating with the Public Defender in the defense of an indigent defendant. The issues are of fundamental importance to the practice of law and the protection of basic legal rights. These issues, unfortunately, are masked by a case of considerable notoriety and are seen through the drama of past traumatic events rather than for their potential impact on our basic rights. Eddie Hatcher is not the issue.

The issue is that Judge Farmer, ignoring a prior order of a judge of equal jurisdiction, said that attorneys willing to work pro bono (free) would not be permitted in any way to associate with the Public Defender in the defense of a client. Since such an association had already been approved by Judge Dexter Brooks, Judge Farmer's action was an insult to and a discount to of Judge Brooks. Accepted judicial practice dictates that one superior court judge not over-rule another. This practice is upheld by a long tradition of courtesy, comity and case law. It is so startling a departure from common practice that we must ask why two separate judges, supposedly acting independently, took the same hostile stance. It has the appearance of collusion. Judge Lake further aggravated the situation by holding UNC Law Professor Barry Nakell in contempt of court when Professor Nakell was attempting to resolve a procedural dilemma created by Judge Lake's own behavior.

Locally, the issue focuses on whether or not our Public Defender-like our District Attorney--can consult with, reason with, be aided by or be co-counsel with pro bono attorneys. To allow the prosecution access to all the legal help it can get while limiting the defense to only the legal resources available in its own office handicaps the defense and undermines the adversarial system. It is analogous to a referee tying one boxer's hands behind his back and then insisting that a fair fight will ensue. This matter comes at a critical time for Robeson's Public Defender Office. Only eight months into practice, it is already inundated with a case load more than twice the size recommended by

the American Bar Association and the National Legal Aid and Defender's Association. It is underfunded and understaffed. Effective service is always impeded by overload. And for a judge to tell the Public Defender that he cannot do what any competent attorney would do, i.e., avail himself of appropriate, professional, expert help when it is offered is to increase the burden of the Public Defender Office and harm everyone who looks to that office for service. Nationally, pro bono programs are on the rise, and Larry McDevitt, the new president of the N.C. Bar Association, says that he intends to make pro bono programs a priority during his tenure as president. As a matter of policy the Justice Project supports a relationship between the Public Defender and pro bono attorneys. The willingness of private attorneys to assist defendants on a pro bono basis, either independently or through a Public Defender office, serves the highest traditions of the bar, saves the state money, and is ethically and morally appropriate.

The North Carolina judicial system has a good reputation, being generally well regarded in legal circles. It is unfortunate that the behavior of Judges Farmer and Lake brings discredit on the North Carolina judiciary. The positions taken by Judges Farmer and Lake are antagonistic to the protections guaranteed by the U.S. Bill of Rights and offend fair play and due process. We trust our courts to behave as mandated by the Constitution: to be neutral arbiters, to serve as a buffer between the power of the state and the individual, and to protect the powerless. To do these things, our courts must maintain true judicial independence and a balanced adversarial system. The court needs complete information from both prosecution and defense to make a fair decision. It is the duty of the court to be pro-active in keeping itself unbiased. Judges Farmer and Lake appear to have lost their judicial independence. In fact, they give the appearance of advocating on behalf of the state. Additionally, whether by design or not, their actions cast a chill on the willingness of anyone to participate in the defense of controversial clients. The treatment of Barry Nakell sends its own message. Mr. Nakell has for years been telling the citizens of Robeson that we can address our grievances through the courts. Further, he has helped us do it. Judge Lake's actions send the opposite message. These judges are also wasting thousands of dollars of taxpayer's money by creating delays and forcing appeals.

It is our moral duty as well as the mandate of this organization to address these matters. In 1987 the NC Supreme Court reiterated the following statements of the 1951 Court:

"It is not enough for a judge to be just in his judgment; he should strive to make the parties and the community feel that he is just; he owes this to himself, to the law and to the position he holds...The purity and integrity of the judicial process ought to be protected against any taint of suspicion to the end that the public and litigants may have the highest confidence in the integrity and fairness of the courts."

In light of these words, the Rural Advancement Fund Justice Project has requested that the Judicial Standards Commission carefully examine the actions of Judges Farmer and Lake to determine to what extent they have compromised their neutrality and why they have acted in ways that have brought the "taint of suspicion" to bear on the "integrity and fairness of the courts." We call upon the public defenders around the state to monitor the events in this case in order to protect their rights to needed resources and to insure that no precedent is set limiting the legal assistance available to public defenders. We ask the public to do two things: (1) Urge our legislators to see that enough money is appropriated to insure that our Public Defender Office has adequate staff and resources to be effective, and (2) Pay attention to the on-going court issues in Robeson that have been intensified by this controversy. Superior Court judges are elected. Make sure the ones you elect are fair to all.

Certainly Robeson County is not Tiananmen Square or South Africa. No army of our nation is rolling over us or shooting us in the streets. But each assault on our freedoms, no matter how subtle, is a step closer to making that possible.

## Citizens Forum on Farmworker Issues Scheduled

Telamon Corporation will sponsor a citizens forum on Thursday, December 14, 1989. The forum will begin at 3 p.m. in the small auditorium at the Robeson County Public Library in Lumberton.

The purpose of this forum is to provide the public an opportunity to make known problems, concerns, and or suggestions regarding farm labor issues, employment, training, and service programs for farmworkers, and other farm related matters

that individuals deem important. A representative will be elected to present these concerns and issues at the January meeting of Telamon's North Carolina State Council.

Telamon Corporation is a private, non-profit organization founded in 1965 and funded through the Job Training Partnership Act to provide training, employment, and supportive services to low income migrant and seasonal farmworkers in an eight state region.

## Optimist Children's Store to Open December 2

Don't miss the Optimist Children's Store for children 3-12 years old. The store is located at 114 W. 4th Street in Downtown Lumberton. The store will be open on Saturdays from December 2 through the 16th from 10 a.m. until 4 p.m. There will be gifts for the entire family with

nothing over \$5. The Optimist members will assist the children as they make their gift selections and will wrap the gifts free. This will be a great opportunity for your little ones to do some Christmas shopping of their own. For more information call 739-3094.