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IN THE NEWS

Top stories from the state, nation and world

Clinton Promotes Perry To Secretary of Defense

WASHINGTON — Filling an embarrassing gap in his national security team, President Clinton promoted the Pentagon's No. 2 man to defense secretary Monday.

The quick reaction from Congress was enthusiastic, with predictions that Perry would win easy confirmation. Though he is little known to the general public, senators dealing with military issues are familiar with him from testimony at hearings.

Seemingly a reluctant warrior, Perry said he told the White House on Saturday that he could not say yes at that point because "I did not want to drive my family into a decision — my decision — without their support." After a talk with Vice President Al Gore and then a meeting with family members, he telephoned the White House on Sunday to say he would accept an offer if one were forthcoming.

Pro-Choice Activists See Victory in Court Ruling

WASHINGTON — A unanimous Supreme Court ruled Monday that protesters who blocked access to abortion clinics or in other ways conspired to stop women from having abortions could be sued as racketeers.

The decision, which could threaten Operation Rescue and other anti-abortion groups, also allows federal courts to order a halt to illegal protests at clinics.

Although focused only on interpreting a federal anti-racketeering law, the decision is a big victory for the National Organization for Women and the Clinton administration. NOW had taken the case to the court, and the administration had sided with NOW's view of the disputed law.

Judge Rules Packwood Must Hand Over Diaries

WASHINGTON — Sen. Bob Packwood's personal diaries are "unquestionably relevant" to the Senate Ethics Committee and must be provided to the panel, a federal judge ruled Monday.

U.S. District Judge Thomas Penfield Jackson said he had to "balance Sen. Packwood's expectations of privacy ... against the Ethics Committee's interest in examining them ..."

The committee had been awaiting the ruling before deciding its next moves: whether to expand the probe to include job offers to Packwood's wife and whether to hold public hearings.

The panel is investigating the Oregon Republican for alleged sexual misconduct, witness intimidation and obstruction of the probe.

EPA Sets New Standards To Eliminate Gas Fumes

WASHINGTON — The Environmental Protection Agency directed automakers to equip new cars with canisters that capture toxic, smog-producing gas fumes during refueling. The canisters will have to be phased in through a three-year span, beginning with 1998 models. Vans, specialty vehicles and small trucks will be given an additional three years to comply.

The EPA estimated the canisters would add \$10 to the price of a vehicle. But automakers have said costs could be closer to \$50 a car.

EPA Administrator Carol Browner said that when the canisters were fully phased into the driving fleet — a process that likely will take a decade or more — they would capture 95 percent of refueling emissions.

U.S. Congress Convenes Today for New Session

WASHINGTON — With midterm elections looming, Congress will convene Tuesday for a session likely to be dominated by President Clinton's call for radical health-care reform and by partisan wrangling over crime — and spiced by probes of two powerful lawmakers.

Proposals to overhaul the welfare system and the financing of congressional campaigns also dot the agenda, and leaders hope to complete action on a package of changes covering Congress. A Senate debate is set for February over a balanced-budget amendment to the Constitution.

But when Clinton delivers his State of the Union address Tuesday night, he is expected to put particular stress on health care and crime.

THE ASSOCIATED PRESS

Weather

TODAY: Partly cloudy; high mid-50s.

WEDNESDAY: Morning showers; high near 60.

Board Approves Condom Plan for High School

BY JACOB STOHLER
STAFF WRITER

At 8:45 Monday night, seven months of work and debate ended more or less where it began: with a plan to distribute condoms at Chapel Hill High School.

But parents opposed to the distribution plan, which the Chapel Hill-Carrboro Board of Education unanimously approved Monday night, said they would not hesitate to take the school system to court if necessary.

"If any teen becomes infected or pregnant, I personally will go out into the community and find kids to help bring

about a lawsuit," said Durham resident Victoria Peterson, a member of Putting Children First, a parent-watchdog group opposed to condom distribution.

Peterson said Putting Children First already had received support from the Mississippi-based America Family Association Law Center, which she said was prepared to bring suit against the school system over the plan.

But according to school board Attorney John McCormick, the U.S. Supreme Court ruled last month that condom distribution at public schools was legal as long as schools allowed for a process of parental consent. Because the CHHS plan allows parents

a chance to opt out and refuse condom distribution from their children, the plan will not be in violation of the court's ruling, McCormick said.

"After reviewing it, I see no reason to alter the program proposed and approved on first reading by the board," McCormick stated in a Jan. 18 letter to Chapel Hill-Carrboro City Schools Superintendent Neil Pedersen.

In approving the plan, school board members thanked Putting Children First for their continued interest in the plan, praising the group's insistence that abstinence be stressed by school health officials. "The message (of abstinence) really is

the most important thing," board member Mary Bushnell said just before voting for the program. "But so many kids are sexually active, so we have to encourage them to use protection."

Putting Children First asserted that abstinence was the best way to prevent AIDS and pregnancy, and in their statement, the group listed 11 other objections to the plan. These included charges that condoms were not 100-percent effective and that some people suffered allergic reactions to the latex.

According to the statement, "Too many students are being pressured into sexual activity before they have the emotional

maturity and stability to handle this aspect of their lives. Abstinence is a message that students should hear even if they don't want to hear it.

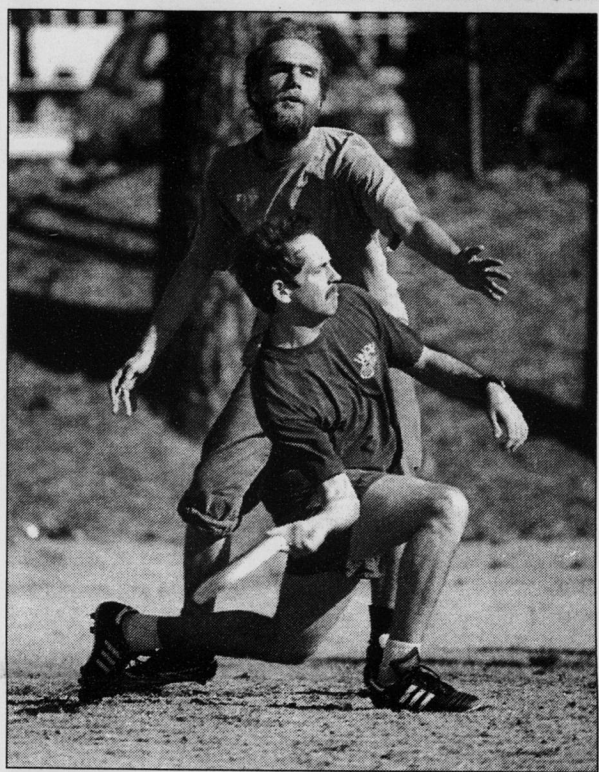
"One of the consequences of easy availability of condoms for our children is an increase in sexual activity, thereby increasing the risk factor and tending to counteract any benefits to be derived in the short term," the statement continued.

The statement was given to all members of the school board before the meeting.

"I appreciate the letter from Putting Children First, and it has caused me to

Please See CONDOMS, Page 4

Here Comes the Sun



DTH PHOTOS BY JAYSON SINGE

As campus sidewalks defrost in milder temperatures, UNC students cure a little cabin fever caused by arctic temperatures last week. Two students (left) soak up some rays Sunday during a game of ultimate frisbee, while Merle (above) makes an interception. Caroline Brown (below) studies outside Davis Library on Monday afternoon.

DTH/MISSY B ELL



No. 5 UNC Passes Key Road Test at Maryland

BY JON GOLDBERG
STAFF WRITER

COLLEGE PARK, Md. — North Carolina's women's basketball team is fortunate that, unlike figure skating, no points are awarded for style, grace or artistry.

Even though the No. 5 Tar Heels (15-1) played a sloppy, turnover-riddled game, they managed to escape College Park with a 79-67 victory against Maryland (8-8) Monday night.

Despite her team's sloppy play, UNC head coach Sylvia Hatchell will take a win at Maryland. It was her first win at College Park since she arrived at UNC in 1986.

"We were not clicking, we had a lot of situations where we could have scored," Hatchell said. "But we're happy with the win."

North Carolina only shot 42.6 percent from the field but held Maryland to an abysmal 35.5 percent. In addition, the Terrapins were 1-for-12 from beyond the 3-point arc.

The two teams combined for 46 personal fouls.

"This was our poorest offensive game of the season. We did not play well at all We've got to get our concentration back. Thank God for our defense."

SYLVIA HATCHELL
UNC head coach

UNC point guard Marion Jones paced the Tar Heels with 17 points, seven rebounds and four assists. Tonya Sampson added 16 points and 12 rebounds but committed nine turnovers.

"It's always been hard to play at Maryland," said UNC center Sylvia Crawley, who had 15 points. "To beat Maryland at home for the first time means a lot to me as a senior."

North Carolina started out at a snail's pace, scoring only two field goals in the first 6:30. To add to their woes, the Tar Heels turned the ball over 18 times in the first half.

"This was our poorest offensive game of

the year," Hatchell said. "We did not play well at all We've got to get our concentration back. Thank God for our defense."

As badly as the Tar Heels played, the Terrapins matched their ineptness throughout the first half by committing 18 turnovers and shooting just 39 percent from the floor.

"It's disappointing to lose as usual," Maryland head coach Chris Weller said. "We played hard, harder than we did in our last game. I was pleased that we stayed in touch most of the game and did not back off of shooting the ball."

The second half proved to be more of the same.

Turnovers continued to plague both teams, as North Carolina continued to lose the ball on the fast break, miss layups and play out of control.

"Give Maryland credit, they had something to do with that," Hatchell said.

But Maryland did not pass through UNC's open door, as it failed to score in the first five minutes of the second half. The Terrapins also turned the ball over 10 times in the second half.

Stephanie Lawrence also made some

Please See MARYLAND, Page 7

Police Have Another Suspect in Shooting

BY JAMIE KRITZER
STAFF WRITER

Chapel Hill police have arrested a man and now have at least one other probable suspect in connection with Saturday night's shooting of a Carrboro man at McDonald's.

Kenneth Minard, 23, of 102 N. Guthrie Ave. Apt. B in Durham was charged with one count of assault with a deadly weapon with intent to kill inflicting serious injury, and one count of careless and reckless driving for leaving the scene. He is being held in Orange County Jail on \$100,000 secured bond.

"We do believe there are more individuals involved (in the shooting)," police Capt. Barry Thompson said.

Thompson said he wasn't sure how many suspects were being sought but Chapel Hill police investigators were questioning several witnesses to the shooting.

The victim, Shawn Baldwin, 18, of 112 Eugene St. in Carrboro was in good condition Monday afternoon at UNC Hospitals, spokeswoman Kathy Neal said.

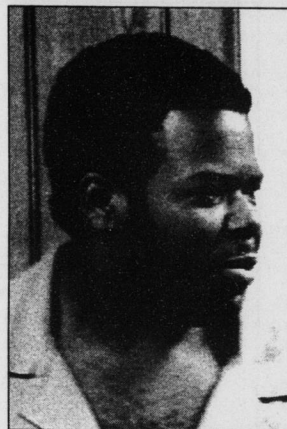
Baldwin had been listed in serious but stable condition Sunday after he was shot in the chest with a handgun that either could have been a .38-caliber pistol or a .357-caliber Magnum, according to arresting officer Lt. Robert Frick.

Frick was surprised at Baldwin's condition Monday. "The officers at the scene said it looked pretty bad," Frick said. "I'm surprised he made it."

Monday morning in Hillsborough Criminal Court, Minard appointed defense attorney Rick Butler at his first appearance hearing. A probable cause hearing will be held Feb. 11 to determine if charges should be brought against Minard.

George Doyle, the assigned prosecutor for Monday's hearing, said Minard had been in court just a few days earlier on charges of possession of drug paraphernalia. The charges were dismissed.

"I was distressed when I saw him on the shooting charge," Doyle said. "All I remember was him (Minard) telling me that he was looking forward to going back to New York."



KENNETH MINARD leaves the Orange County Courthouse after his first appearance in court.

Police investigators believe Minard was arguing with Baldwin over a certain amount of money one owed the other. The shooting occurred inside the West Franklin Street McDonald's at about 11:45 p.m.

Minard fled the scene in a white rental car but was arrested minutes later on nearby Nunn Street. Later, Frick found a handgun about 75 steps from where Minard was arrested.

Frick was driving past McDonald's when the call came over his radio that shots had been fired at the fast-food restaurant. "It was just a matter of being in the right place at the right time," he said.

"I looked over at the McDonald's and saw a man running to a white midsize car. He jumped in the driver's seat and when he drove out, he went in the opposite direction (toward Carrboro)," he added.

Frick turned around and chased Minard's car, which he said was probably traveling faster than 50 mph. Frick soon cornered Minard in a driveway on Nunn Street. Then, Frick and officer Joe Layton approached the car and arrested Minard.

UNC Honor Court Hears Fewer Cheating Cases

BY CHRIS GIOIA
ASSISTANT UNIVERSITY EDITOR

The good news for the Honor Court is that academic cheating fell to 50 percent of total cases this semester, from 80 percent over the last two years.

The catch: The number of cases involving other violations, such as forgery and deception of University officials, has increased, according to reports by the Committee on Student Conduct.

But Lilly Farahnakian was not upset about the rise in cases. "I don't think the number of Campus Code violations increased," said Farahnakian, chairwoman of the Undergraduate Honor Court.

"I think there was an increase in the number of incidents reported."

Enforcement of the Campus Code as a whole has improved, said Margaret Barrett, judicial programs officer. The statistics "may indicate greater enforcement and reporting of other offenses on campus," she said.

Increased faculty involvement and awareness are the prime reasons for the court's effectiveness, Barrett said. "I'm hoping first-year students are more aware in their academic life," she said.

"The penalty of suspension and an F in the course, which is just the normal sanction for academic cheating, will deter students."

A major difference between last fall's cases and previous years' is the diversity, Farahnakian said. Whereas the court's work used to consist almost entirely of

academic cheating cases, fall semester cases were more mixed. Only half of the offenses involved cheating.

"If you look, you see a lot more cases of falsification of University documents, making false statements and so on."

Another surprise for Farahnakian was a plagiarism case overturned by Chancellor Paul Hardin.

After the Honor Court convicted a student of plagiarism on a paper, the decision was upheld by the appellate University Hearings Board. Still, Hardin overturned the case, citing insufficient evidence, Farahnakian said. "I was outraged and shocked that he overturned that," she said. "The original court felt there was enough evidence to find the individual guilty beyond a reasonable doubt, and the UHB upheld the decision."

"It was a slap in the face to student self-governance," she said. "When (a case) goes through that many people and one person overturns it, that's a hit to us and to the UHB."

Hardin was not available for comment Monday.

Apart from Hardin's reversal, all appeals were denied by the hearings board and the chancellor, Farahnakian said. "The decisions (of the hearings board) have been a lot more consistent, and that was different from last year," she said.

Eighteen cases were tried by the Honor Court last semester, Barrett said. Nine involved academic cheating in the form of plagiarism on papers, copying of exams and collaboration.

I can sometimes deal with men as equals and therefore can afford to like them.

Gloria Steinem