

The Daily Tar Heel

INSIDE
WEDNESDAY
MARCH 20, 1996



Devils Drop Tar Heel Laxers

Duke scored with 19 seconds left for an 11-10 win in men's lax. Page 9



Nelson Announces E-Branch Openings

More than 100 positions are available to interested students. Page 3



Virtual Bikers Create Safer Roads

Students participated in a study to develop better road conditions. Page 4

Today's Weather

Mostly Cloudy; high mid-40s.
Thursday: Sunny; high 50s.

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Former Attorney General Knew Details of Theft

BY THANASSIS CAMBANIS
EDITOR

George Oliver, who was student attorney general at the time 1,500 copies of The Carolina Review were stolen and then found outside his office, said he knew two of the people involved in returning the issues and that he was asked by one of them "how to get rid of" the stolen issues.

Oliver said that on Feb. 13, the day Aaron Nelson was elected student body president, Oliver spoke with a person who said he was in possession of the stolen issues.

That person told Oliver he "had to get the issues back somehow."

"I don't think I know everybody who took the Review," Oliver said, but he said he definitely knew the identities of two of those involved.

As elections returns were being announced in the Union Auditorium, a crowd of close to 50 Nelson supporters was circulating a copy of the Review issue that pictured Nelson on the cover with devil horns and accused him of not funding Christian groups because he was Jewish.

In his one term as a member of Student Congress, Nelson has voted to fund a number of Christian groups, and many of his supporters said they felt the Review article misrepresented Nelson's record and was anti-Semitic.

Oliver said that on election night he talked to a person who had the more than 1,500 stolen copies of the Review in his possession.

"The person was definitely interested in getting them back to whom they belonged," Oliver said. "I said, 'If they end up in my office, I could make sure they get back to whom they belong.'"

Calvin Cunningham, the current student body president, said he was "approached and asked about access to the Union with regard to The Carolina Review" on election night.

"I was asked to open the Union. I was asked to open Suite C and declined. I left the Union shortly thereafter."

Cunningham said he could identify two people involved with the return of the Review. But Cunningham said he preferred to protect the sanctity of the Honor Court by not revealing any names.

"I have full confidence that the attorney general will conduct a thorough investigation," Cunningham said.

At 9 a.m. on the morning of Wednesday, Feb. 14, less than ten hours after elections returns were announced, Oliver said he unlocked the door of Suite D, which houses the attorney general's office, and found the stolen issues on the floor.

"My involvement was exclusively in getting (the stolen issues) back," Oliver said. "I did not let them into Suite D. It's

not against the code of ethics to return something that's been taken."

Oliver's term as attorney general ended on the last day of February. David Huneycut is now the attorney general. Charlton Allen, publisher of the Carolina Review, called for an Honor Court investigation last week.

If an investigation of the Review theft had been requested while he was still attorney general, Oliver said that he would have delegated the investigation to someone else because he knew "the key players involved" in the theft and return of the free magazine.

Huneycut, who took over as attorney general in March, said he wanted to resolve the case as quickly as possible.

"I'm going into this with the intent of finding who is responsible for this theft," Huneycut said. "There are many witnesses and many suspects. I do expect people not to lie to me."

Whoever took the Review could possibly be charged in the Honor Court with theft or impeding another student's free speech, Huneycut said.

Based on the definition of the charges of theft and impeding free speech in the code, Oliver said he wasn't sure the actions of the people who took the Review were violations of the Honor Code.

UNC's Instrument of Judicial Govern-

See REVIEW, Page 5

Study Break



Josh Williams, a junior from Candler, spends part of his Tuesday evening playing video games in the Student Union.

Complaints Nix Night Parking Proposal

■ An advisory committee decided not to require students and employees to purchase night permits.

BY MOLLY FELMET
STAFF WRITER

A night parking plan that would restrict access to North Campus lots will not go into effect next semester, officials announced after a Tuesday meeting with concerned students and employees. A plan to improve safety and access to the Bell Tower lot will proceed as planned, officials said.

The plan would have restricted 10 North Campus lots from 5 p.m. to 9 p.m. to students and staff with daytime passes or a \$64 night parking pass.

"They are not implementing the \$64 night permit at this time, or (nighttime) restricted access plan," said Student Body President Calvin Cunningham.

"I think that I have clearly expressed that I don't support a policy that raises costs on students."

Michael Klein, director of the Department of Transportation and Parking, said the night parking plan would not be used next semester, after a Tuesday discussion among members of an advisory committee to the DTP.

"Based on discussion here and the past

Twilight Parking Plan

Lots that would have required night permit

- 261 spaces - Swain (NG1)
- 151 spaces - Sitterson (NG2)
- 91 spaces - Caldwell, Steele (NG3)
- 219 spaces - Peabody, Old East, Bynum Circle, Emerson, Davis Dr.
- 81 spaces - Undergraduate, Wilson Libraries (N8)
- 64 spaces - Hanes Visitor Lot

867 total spaces

Lots that would not have required night permit

- 697 spaces - Bell Tower Gated (BG)
- 187 spaces - Morehead, Porthole (N2)
- 410 spaces - Cobb, Conner, PGT (N4)
- 145 spaces - Boundary Street, Forest Theatre, Park Place (N5)
- 177 spaces - Water Tower Lot (N7)
- 280 spaces - Stadium Drive (S4)

1,896 total spaces

week, we have decided not to implement the (entire) night time package," Klein said.

A plan to improve the Bell Tower lot

See PARKING, Page 11

Students, Employees Lash Out Against Plan at Committee Meeting

BY DAVE SNELL
STAFF WRITER

Genetics graduate student Mike Nicholls works in his lab about 15 hours a day, sometime until the early morning hours. Under the Department of Transportation and Parking's original night parking plan, Nicholls would have had to pay \$64 a semester to park near his lab.

"Parking is bad enough during the day, and now we're going to mess it up at night," Nicholls told the Department of Transportation and Parking Advisory Committee at a meeting Tuesday. "I can't believe that you suggest charging employees and staff for coming in to work."



CALVIN CUNNINGHAM said students saw the parking plan as another fee increase.

Nicholls joined about 25 other students and employees at the meeting, in which DTP officials decided against making students and employees purchase permits to park in selected North Campus lots from 5 p.m. to 9 p.m.

More students turned out for the Tuesday meeting than for the tuition-increase meetings last semester. Student Body President Calvin Cunningham said.

"We've hit a sensitive nerve here," Cunningham said. "Students view this as another tax, another fee increase, another tuition."

However, parking officials said many students and staff needed guaranteed nighttime access to lots near campus buildings.

"Certain parts of campus are anarchy after five o'clock," DTP Director Michael Klein said. "Permit holders need to access facilities and are being crowded out."

Sarah Shields, a history professor and DTP advisory subcommittee chair-

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Congress Ignores Legal Counsel's Advice

BY SUZANNE JACOVEC
STAFF WRITER

Student Congress acted against the advisory opinion of the University's senior legal counsel last weekend by deciding not to fund speakers for a seminar because the event would have included a religious exercise, legal counsel Mary Sechrist confirmed Tuesday.

The group Overcomers of America had planned a two-day seminar to discuss ways to achieve racial harmony, said Student Congress Finance Committee Chairwoman Julie Gasperini.

"The president of the group said there would probably be an altar call at the end of the speeches and he considered it a religious experience, so we cut speaker fees from the group's allocation," she said.

The decision highlights an ongoing debate in congress about whether or not student fees should pay for speech without regard to its content, but not support the actual practice of religion.

In more practical terms, the debate is over whether to follow a clause in the Student Code stating that student government cannot spend money for "spiritual or religious exercises" or to follow the advice of the legal counsel and remove the clause.

Rep. Jamie Kilbourne, Dist. 1, wrote the clause in September in the wake of Rosenberg vs. The

University of Virginia Board of Visitors. In the Rosenberg case, the U.S. Supreme Court ruled that religious and politically partisan groups could not be denied student fee funding at a public university.

Ehringhaus and Sechrist advised the finance committee to remove the clause in February, Gasperini said.

"The original intent of the clause was that we don't want to be funding things such as communion or crosses and candles for altars because these are religious exercises with no secular connotations," Gasperini said.

"This should be differentiated from exercises of educational, secular value."

Kilbourne, a law student, said the clause originated after Kallisti, a campus pagan organization, requested funds in September for religious exercises. Kallisti was the first religious group to approach congress after the Rosenberg decision.

"We realized the danger of ... opening ourselves to lawsuits from people not wanting their student fees to go to religious exercises for consti-



JULIE GASPERINI said the Student Congress denied funding for a religious seminar.

tutional reasons," Kilbourne said. "Both sides have an interest in the situation, so it's safest to play as close to the middle as we can."

Kilbourne said a separation of church and state must exist in some form, but he understood the legal counsel's concern about congress becoming embroiled in debate about funding religious groups.

If the committee acted against the advice of University legal counsel, it would have to seek outside counsel in the event of a lawsuit or other conflict, Gasperini said.

For the most part, congress has been able to balance the legal counsel's advice with the existing code because groups have not asked for money for religious exercises, Gasperini said. "The clause had very little effect on allocations this past weekend because religious groups have been very responsible within their own budgets to fund religious exercises," she said.

Sechrist said she and Ehringhaus based their opinion on the three-pronged "Lemon Test," established by Lemon vs. Kurtzman, a 1971 U.S. Supreme Court case involving issues of church and state.

"The reason we advised Student Congress not to use the clause was because in order to determine if something is a religious exercise, they would have to analyze and investigate so deeply that they would become entangled in religion," Sechrist said.

Rainy Day Reading



A UNC student studies Tuesday afternoon in the Student Union. With the rainy weather, many students used their free time to catch up on their homework.

Republican Primaries

Bob Dole won more than 200 of the 219 delegates up for grabs in Tuesday's primaries. Dole's sweep clinched the Republican party's presidential nomination.

Dole Sweeps Steel Belt States, Clinches Republican Nomination

THE ASSOCIATED PRESS
Sen. Bob Dole clinched the Republican presidential nomination Tuesday with a Midwest primary sweep that set the stage for a generational battle in November pitting the World War II hero against the Baby Boom Democratic incumbent.

"The fall campaign is under way," Dole said triumphantly. "It is 230 days to defeating Bill Clinton."

Republican leaders said Dole's chances against Clinton would only be boosted by the early end of the nomination fight, made possible by an early primary calendar and Dole's roaring comeback after early stumbles. Even so, Ross Perot began maneuvering into the race and GOP officials

worried a three-way race would hurt Dole's chances.

Dole defeated persistent rival Pat Buchanan by lopsided margins in Ohio, Michigan, Illinois and Wisconsin and welcomed delegates picked up earlier by his defeated rivals. As a result, Dole gained more than 200 delegates and crossed the 996 mark needed to mathematically clinch the GOP nomination, according to The Associated Press count.

The Kansas senator refused to declare victory in the nomination chase, eager to maintain some meaning for next week's California primary. Still, he knew the prize that eluded him in two prior White House bids was his.

"The first time I came up empty. The last time I came up short," Dole told AP. "This time I'm coming up full."

Dole said he would soon begin the process of picking a running mate and preparing for the August GOP convention in San Diego. He sounded a bit irritated with Buchanan's daily demands that his views be written into the party platform. "Last time I checked I was the one winning," Dole said. "He has to decide if he is a good Republican."

A new national poll showed Dole moving to within eight points of Clinton in a head-to-head match-up.

"Now that we have a clear candidate that will tighten up even more," Dole told

AP. "We're going to be hard at work convincing the American people we have the right agenda for the next generation and the next century."

But the prospect of another three-way race had some Republicans openly worrying about another Clinton victory.

"Bill Clinton is going to be defeated if it's a two-man race," Wisconsin Gov. Tommy Thompson said on CNN. "I think there's always a problem if Ross Perot or someone else gets in."

Dole said he would likely make an effort to dissuade Perot.

"Go up and down his issues list—if we just had Bob Dole in there we would get it done," Dole said.

A lunatic is a minority of one.

George Orwell