

The Daily Tar Heel

**INSIDE
FRIDAY**
OCTOBER 4, 1996



A dose of kindness
A School of Medicine-UNC Hospitals partnership has raised \$30,000 to build a Habitat house. Page 2



Building blocks
State officials are asking for stricter coastal building regulations in response to Hurricane Fran. Page 4



Art of celebration
Chapel Hill and Carrboro celebrate national art month with various events. Page 5

Today's Weather
Mostly sunny; low 60s.
Weekend: Sunny; mid 60s.

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Law school students react to professor's suspension

BY KAITLIN GURNEY
STAFF WRITER

UNC law students looked up from studying law cases Wednesday to discover they were in the midst of one. Tenured Professor Barry Nakell has been suspended without pay and discharge procedures have begun following his arrest for shoplifting Oct. 1.

Chapel Hill police reports stated Nakell was arrested for concealing a \$30 Tri-

angle Dining Guide and \$6 worth of deli food under his jacket while shopping at A Southern Season, located in the Eastgate Shopping Center.

Nakell, a celebrated civil rights attorney, taught criminal procedure and a seminar for third-year students in the School of Law.

Students' reactions ranged from shock to anger, and many were vocal about their support for Nakell.

"My feelings about Professor Nakell

are positive. He is a good professor and a good man, and I hope he knows there are students who support him," third-year law student Lisa Schneider said.

Miguel Hull, a second-year law student, said he enjoyed Nakell's criminal procedure class. "He's a great guy. I think it's a shame that people who don't know him will judge the situation without the full story," Hull said. "I know the (criminal procedures) class all thought highly of him and still do."

Students said they heard rumors throughout the law school that Tuesday's arrest was not an isolated event. Third-year student Richard Hollar said he had heard about a past incident, when Nakell pleaded guilty to misdemeanor larceny for stealing a book from a Carrboro used book store in 1991. But Hollar said it didn't affect his impression of Nakell.

"I'm concerned about Professor Nakell, and I like him. I hope the students, University and legal community

give him an opportunity in this case like he has given others. I wish him the best."

Second-year law student John Jaye said from what he had heard, "(Nakell) clearly has a problem and needs help. It's a hard situation, because you want to protect the integrity of the school. We can't have a law professor who steals—even if it is deli meat."

Since it is a law school affair, some students analyzed the case from a legal point of view. Jaye mentioned that a lot

of students felt law school Dean Judith Wegner's recommendation to Chancellor Michael Hooker for the termination of Nakell's employment was a swift and overly harsh one.

Hollar said students questioned whether the "innocent until proven guilty" principle was being applied.

Other students, like third-year law student Danielle Carman, supported

SEE LAW SCHOOL, PAGE 5

Same-sex marriage debate sullies race

■ A television ad claimed Harvey Gantt reversed his stance on gay rights.

BY JONATHAN COX
STAFF WRITER

Already one of the most closely watched races of the 1996 election year, North Carolina's race for the U.S. Senate is quickly becoming a replay of the 1990 campaign season.

The personal attacks that characterized the Senate race six years ago have reappeared in the Gantt-Helms battle with a television ad sponsored by Sen. Jesse Helms, R-N.C. The ad said that Gantt supported same-sex marriages and that he was "too liberal for North Carolina."

This ad ignited a firestorm of criticism from Gantt's campaign headquarters and an effort to defend his record.

"Harvey Gantt does not support same-sex marriages," said Lisa Mortman, spokesperson for the Harvey Gantt campaign. "Holy matrimony will always be between a man and a woman."

Gantt made his stance clear when he endorsed The Defense of Marriage Act, she said.

Gantt admitted in a 1991 article in The Washington Blade that the gay community's support was very impor-



HARVEY GANTT and Sen. JESSE HELMS, R-N.C., are up to old tricks.

tant in his campaign. He denies allegations that he was turning his back on his supporters, Mortman said.

"Harvey Gantt has never and will never turn his back on a citizen of North Carolina," Mortman said. "When it comes to kitchen table issues, he is the only candidate who has addressed the issues that matter."

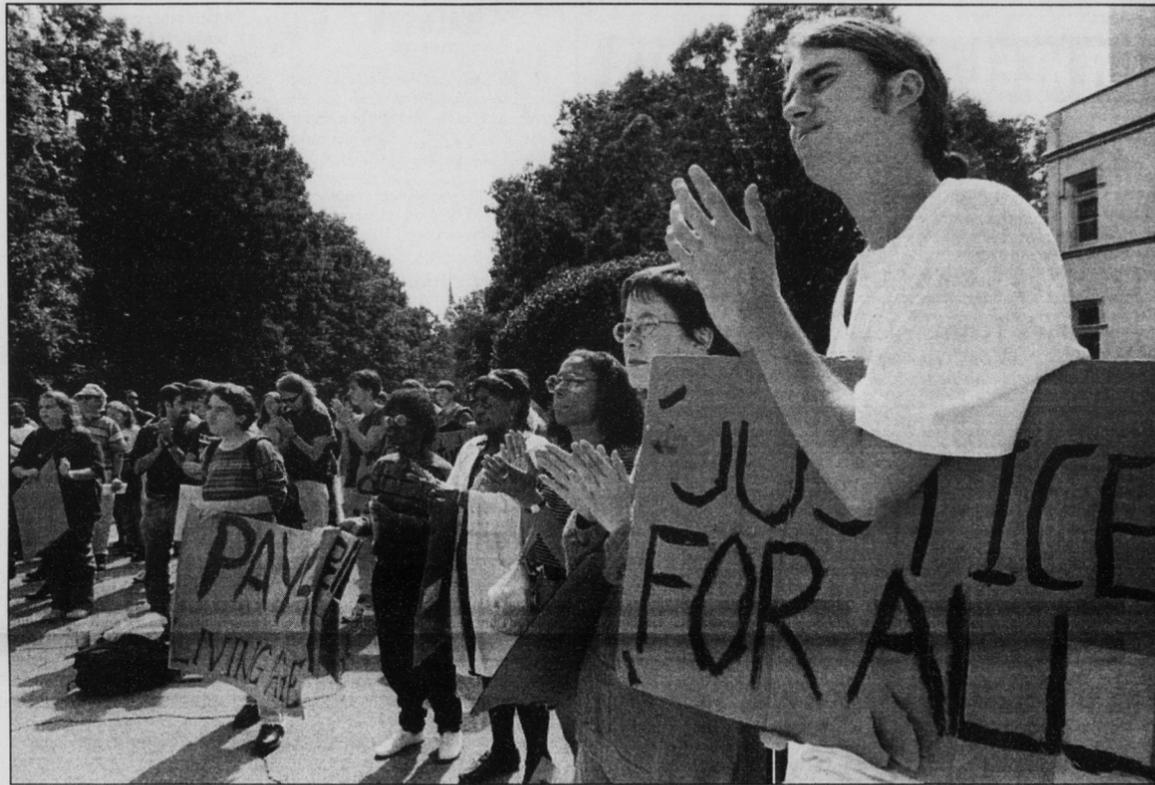
Gantt's campaign team insisted that this ad was a ploy by the Helms camp to turn the focus away from his own failures.

"We have a U.S. senator who does not know how to tell the truth," Mortman said. "He is a senator with a failed record and no agenda for the 21st century."

Members of Helms' campaign committee defended their tactics. They said

SEE GANTT/HELMS, PAGE 4

APPLAUSE FOR A CAUSE



Supporters of the UNC Housekeepers Association cheer on the speakers at Thursday's rally. The Housekeepers, the Coalition for Economic Justice and supporters marched from the Pit to South Building to protest poor working conditions. See story, page 3.

Festival organizer enriches, brings together community

BY BRENNIA PEARSON
STAFF WRITER

Those who venture out to Chapel Hill's annual Festifall street fair on Sunday will probably be too wrapped up in toying with fine arts and crafts, sampling international foods and jamming to the tunes of local bands to take the time to thank the woman behind it all.

Carol Walborn, the fair's coordinator, will most likely not be the fair's most celebrated feature, but not because she isn't worthy of the title.

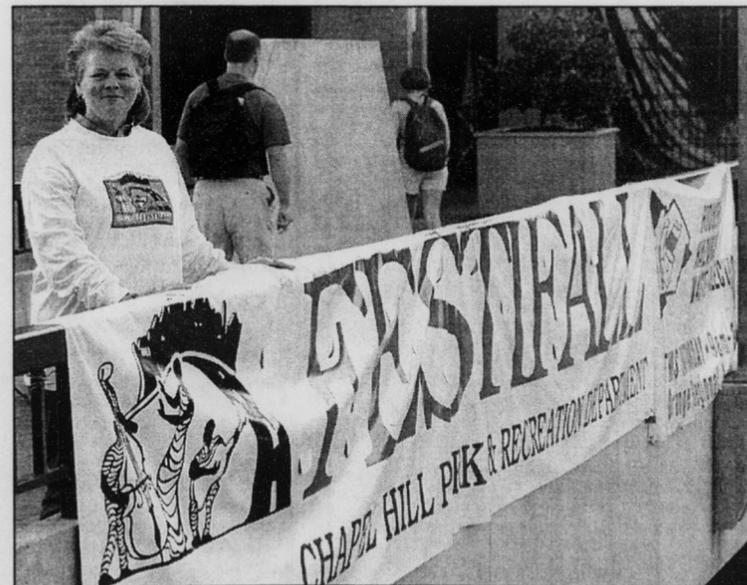
Walborn, the mastermind behind both the Festifall

and the Apple Chill festivals, has worked for the Chapel Hill Parks and Recreation Department for seven years and will open her 14th fair Sunday.

Walborn's main goal in coordinating the fairs is to meet the needs of and strengthen the community.

"The street fair is a town celebration," she said. "It has to reflect the wants of the community. I think one of the most successful aspects of it is the fact that it brings people together of all ethnic backgrounds and cultures."

SEE WALBORN, PAGE 2



DTH/BEN MCALLISTER

Carol Walborn, Festifall and Apple Chill coordinator, has planned the Chapel Hill street fairs for the past seven years. Sunday's fair will highlight local artists, craftsmen and musicians.

Town officials prepare to kick off fall with fest

BY GIBSON PATE
STAFF WRITER

Arts and crafts, international food, dancing, games and a variety of musical entertainment will take over downtown Chapel Hill on Sunday at the 24th annual Festifall Street Fair. The fair, sponsored by the Chapel Hill Recreation and Parks Department, should attract between 25,000 and 30,000 people who come to enjoy the craft booths, children's activities and musical groups, coordinator Carol Walborn said.

Of the 130 booths, most will feature local arts and crafts, but out-of-state craftsmen will also be displaying their wares.

The fair does not cater just to craftsmen. Spicy food connoisseurs are invited to WCHL radio's annual chili cook-off.

Music is also a draw as two stages will feature blues, gospel, world music, jazz and several types of rock 'n' roll. Walborn specifically highlighted Chapel Hill High School's band, Plutopia reggae band and Nomadic Angel, a Middle Eastern dancing group, as examples of the cultural talent available at Festifall.

Each of the 14 groups scheduled to perform were chosen from a field of 30 applicants, which were decided upon by an entertainment committee, Walborn said. "Typically, we go for groups that have never been a part of the fair," she said. "Since most of the groups performing are from the area, it is a great way to showcase local entertainment."

Chapel Hill police Lt. Gerri Cole said the department will have four full-time officers from the new Dedicated Traffic Unit on duty. Festifall does not bring in as much traffic as spring's Apple Chill Festival, but the police will be ready, Cole said.

"Lt. (Tim) Presley has established a working plan which includes traffic patterns and barricades with officers at each station," Cole said. "Since the festival is only from one to six and is planned, we do have an end in sight."

Walborn said the comprehensive advanced planning should make Festifall a fun afternoon for all.

"Every year we have a different group of entertainers and kind of people that come out to enjoy the festival."

Daily Tar Heels disappearing from racks at suspicious rate

BY JOHN SWEENEY
ASSISTANT UNIVERSITY EDITOR

For the second time in three weeks, copies of The Daily Tar Heel disappeared Thursday from newspaper boxes unusually quickly.

Students across campus reported difficulty finding copies including Marc McCollum, executive branch chief of staff, who said newspapers from Davie and Howell halls had disappeared by about 9:30 a.m.

The box outside the Smith Center had no papers by 9 a.m., and boxes in front of the Student Union and the Undergraduate Library were out by early afternoon.

The same situation occurred Sept. 19. DTH General Manager Kevin Schwartz said he could not think of any reason why the newspapers would have been taken from boxes so quickly. Schwartz, who has overseen DTH distribution for nine years, said that, on an average day, about 500 copies of the DTH were left in boxes.

Following the Sept. 19 disappearance, Schwartz said there were no copies left. As of press time, no estimates had been made on how many copies of Thursday's paper were in the boxes.

Schwartz said there had been occasions before Sept. 19 when there were no copies left at the end of the day.

Student Body President Aaron Nelson said he heard there were no copies of the DTH left on campus at about 1 p.m., including distribution sites near the Tar Heel Cafe and the Health Sciences Library. The disappearances have been reported to University Police.

Student Attorney General David Huneycutt said stealing newspapers is "most definitely" a violation of the student code.

"If it turns out that the papers were stolen by students, we could prosecute for theft and/or deprivation of free speech," he said. "But right now we have to determine if they were stolen and, if so, who did it."

Margaret Barrett, judicial programs officer at the University, said stealing papers was a serious offense and that students should report any suspicious activity to Huneycutt.

Chapel Hill District Attorney Carl Fox said that his office could not prosecute if, in fact, the newspapers were stolen.

"When you have something like that that's being given away, it doesn't have a value," Fox said. "I don't think there's anything that can be done."

But attorney Mark Goodman of the Student Press Law Center said the paper's printing and advertising costs constituted value and that charges should be brought against anyone who takes copies with the wrong intentions. "Someone who takes a great quantity of copies for the purpose of destroying them or depriving others of the right to them is clearly going beyond the invitation to take the newspaper provided," he said. "It's clear enough to provide criminal intent for a theft charge."

In other areas, thefts of free publications have resulted in charges. In 1995, a Texas man was charged with theft for taking about 5,800 copies of the University of Texas paper, The Daily Texan. In 1989, two Florida students faced misdemeanor charges for taking several hundred copies of a campus paper.

Goodman said, "These kinds of thefts continue to happen because prosecutors, police and school officials refuse to do anything about it."

Graham Brink and Amy Cappiello contributed to the story.

Grad school is the snooze button on the clock-radio of life.

Comedian John Rogers