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Police officer fired, considers suing University

■ Maj. Jeff McCracken dismissed Lt. C.E. Swain for unacceptable conduct.

BY ERICA BESHEARS
EDITOR

The University Police officer who has been at the center of the controversy surrounding the department this fall has been fired following allegations that he falsified his timesheet.

Lt. C.E. Swain was called into the police department Wednesday afternoon to receive a letter from his super-

visor Maj. Jeff McCracken that stated the outcome of a disciplinary conference held Monday morning.

"It is my decision to dismiss you from your position as Lieutenant in the UNC-CH Public Safety Department on the basis of unacceptable personal conduct," the letter stated. McCracken did not return phone calls Wednesday night.

Swain has denied the allegations and said he planned to sue the University.

Chapel Hill attorney Alan McSurely, who called Swain's dismissal "ridiculous," said he and Swain would examine their options when they met today.

According to the letter, an employee of The Chapel Hill Newspaper reported

that Swain was in the newspaper's office between noon and 2 p.m. on Oct. 30, when he should have been on duty.

"I don't even stay in my office for two hours," Swain said, admitting that he might have dropped by the newspaper that day. "I listen to my radio no matter what I'm doing."



UNC Police Lt. C.E. Swain was fired for reportedly falsifying his Oct. 30 timesheet.

Anne R. England, the employee, could not be reached Wednesday night but reportedly told co-workers she did not mean to make a complaint.

In his letter, McCracken said his decision to fire Swain came in part because Swain refused to clarify on his behavior at Monday's conference. "In the absence of any information to the contrary from you, I can only conclude that the information from the employee of the Chapel Hill Newspaper is correct."

McCracken wrote that four aggravating factors in the case, which included "the need for you and your department

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Paper upset by role in dismissal

BY ERICA BESHEARS
EDITOR

The Chapel Hill Newspaper employee who laid the basis for Lt. C.E. Swain's dismissal Wednesday has said she never meant to make the complaint.

Anne R. England, who works as a paginator for the Chapel Hill Newspaper, could not be reached for comment Wednesday night. But she reportedly told her co-workers that she never wanted to cause Swain to be fired.

According to co-workers, England mentioned that she had seen Swain in the office on Oct. 30 during a conversation about controversy at the police department. Somehow, that information reached Maj. Jeff McCracken, who approached England and asked her to sign a statement to that effect.

Her statement, dated Monday, Nov. 10, became the basis for charges that Swain had falsified his timesheet.

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DTH/ZEBULON HOYT

Professor Reginald Hildebrand addresses students about the benefits of affirmative action in the Pit. The rally was sponsored by ACCESS.

Pit debate speaks out on affirmative action

BY MELANIE FLOYD
STAFF WRITER

A campus group brought affirmative action to the Pit at lunch Wednesday, when students and faculty members presented the issue to the busy noon crowd.

The event, which drew about 50 listeners and participants, was a speak out sponsored by the Alliance for Creating Campus Equity and Seeking Social Justice.

"The speak out is for anyone who wants to speak in support of or against affirmative action," said Blessing Okeiyi, a member of ACCESS.

Okeiyi said the event's planners wanted to inform people about affirmative action and to dispose of myths associated with it.

"A lot of people think that it's just about quotas, and that's not true," Okeiyi said.

Part of the initiative to hold the speak out and form ACCESS stemmed from Proposition 209 in California.

The proposition said race would not be used as a factor for education, contracting, or in public hiring policy in California, said Michal Osterweil,

ACCESS member.

"Proposition 209 eliminated affirmative action in California, and at the same time it took money away from programs like Headstart and set back women to a much lower level," Osterweil said.

Many believe the N.C. state government might encounter similar legislation in the future. Several other states, such as Michigan, have already passed legislation in accordance with Proposition 209.

"Twenty-six other states have similar legislation pending, including North Carolina and the U.S. Congress," said Reginald Hildebrand, a professor of African and Afro-American studies, who spoke at the speak out.

Osterweil said one of ACCESS' goals was to get the University to issue a statement supporting the preservation of affirmative action, despite the growing trend in opposing legislation.

Students representing many campus organizations, such as the Campus Y, Black Student Movement and Young Democrats, showed up at the event.

ACCESS started about six weeks ago and meets every Thursday night in the basement of the Campus Y.

Seeking universal solutions

■ Many universities across the country utilize student rape education programs.

BY COURTNEY WEILL
STAFF WRITER

She said no. He didn't listen. He said it was her fault — she came to his room, and she had gotten drunk on her own.

As the drama unfolds on the screen, the tension builds in the classroom. A group of Indiana University students stare intensely at the television.

These students are participants in a student-run program called "He Said, She Said,"

which educates about male and female perspectives of date rape, the effects of alcohol and issues of consent, said Samantha Brauner, coordinator of safety programming for the Office of Women's Affairs at Indiana University.

Most colleges and universities struggle to find ways to combat date rape, which is hard to define, quantify or understand. Educators believe many incidents could be avoided if people were forced to examine and discuss date rape.

Throughout the Indiana program, presenters work to dispel the many preconceptions that students bring to the sessions, said Todd Paddock, an experienced presenter.

"One reaction is that women who are raped are to blame for it, especially when talking about date rape," Paddock said. "Another reaction is, 'Fine, (date rape is) out there, but there is nothing we can do about it.'"

"Especially among men there is a reaction of anger — angry that men are being blamed for women making bad choices, or being blamed for a few bad

SEE CAMPUS CONNECTIONS, PAGE 10

Preventive measures

UNC athletes are required to attend sessions on drugs, alcohol and date rape. These sessions help teach UNC athletes to avoid problem situations.

How to Avoid Problem Situations

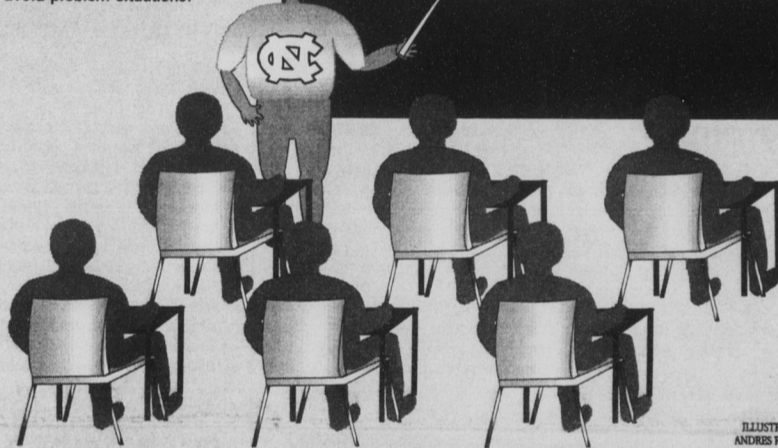


ILLUSTRATION BY ANDRÉS FERNÁNDEZ

Curbing the offense

BY M. LEE TAFT
SENIOR WRITER

Sports figures and sexual crimes seem to go hand in hand.

Every year, it seems some high-profile athlete gets busted for sex with a juvenile or a g r a v e d assault or rape.

But what happens when the accused is a scholarship athlete on a college campus? The cases aren't as few and far between as one might think.

In December of 1996, two Virginia Polytechnic Institute & State University football players were arrested on rape charges. In November of

last year, football player James McIntyre was arrested for rape at New Mexico State University.

Sometimes the cases hit closer to home. In 1992, UNC track All-American Reggie Harris was arrested for second-degree rape of another student. Following the charges, Harris was dropped from the team.

In 1993, UNC football player Omar Brown was accused of second-degree rape in Ocean City, Md., but his accuser failed to show in court and the case was dropped.

These cases are only a few in a growing number of rape and sexual assault cases involving college athletes.

Derita Ratcliffe, assistant athletic director for student services at Virginia Tech, said she felt athletes and their problems with the law have been blown out of proportion by the media.

"If you look at student athletes and their scrapes with the law when compared to the rest of the student population, I'm sure the numbers pale in

comparison," she said.

But a study done by researchers at the University of Massachusetts at Amherst found that male student athletes, though representing 3 percent of all male students at the school, are responsible for 19 percent of all sexual assaults and 35 percent of all cases of domestic violence reported by female students at Amherst.

At UNC, efforts are being made to make sure athletes stay out of trouble. Sue Gray, director of health education, and John Blanchard, director of athletic academic affairs, have developed several programs to prevent any further incidents from occurring.

As part of the Student Athlete Development Program, Gray and her staff meet with each athletic team four times a year. In the group meetings, informational films and speakers cover a variety of topics, including date and acquaintance rape.

SEE ATHLETICS, PAGE 10

New state legislation vows to crack down on drunk drivers

■ The new laws will permit officers to conduct drug tests on drunk drivers.

BY IDA JAMALUDIN
STAFF WRITER

Soon drinking and driving in North Carolina will be as hazardous to your car as it is to your health.

Beginning Dec. 1, state legislation will mandate that law enforcement officers confiscate the cars of drunk drivers. The legislation, signed by Gov. Jim Hunt in August, is an effort by state legislators to ensure deaths and injuries caused by drunk driving are kept to a minimum.

Robert Carver, deputy director of Public Affairs at the N.C. Department of Crime Patrol and Public Safety, said this new legislation would hopefully lead to a decrease in drunk driving.

"The idea is to take the means of

habitual drunk driving away from drunk drivers, and that's taking their cars away," he said.

"We will continue to push for stricter driving while intoxicated laws, and we certainly back any move towards it put forward by state legislators."

The effects of this new legislation appear to be twofold. Should the defendant be convicted, not only will the community be spared from one more drunk driver, but the proceeds from the sale of the confiscated vehicle will be given to the local school system.

Fred Hartman, media spokesman for the Governor's Office, said the new legislation would also cut down on bureaucratic red tape involved in drug testing.

"Police officers will not require the permission of judges to conduct a drug test on drunk drivers," he said.

Hunt expressed similar support for the new, stricter laws on drunk driving and drug searches.

"Our drunk-driving laws are tougher than ever. We'll take your license. We'll

"Our drunk-driving laws are tougher than ever. We'll take your license. We'll take your car. We'll put you in jail."

JIM HUNT
Governor of North Carolina

take your car. We'll put you in jail. And now, we can test for other drugs," he stated in a recent press release.

Cheryl Jones, state chair of N.C. Mothers Against Drunk Driving, said she felt triumphant about the new legislation.

"Our volunteers have been lobbying the legislators since back before 1983," she said. "We feel that we have played a big role in its implementation."

However, this only marked a milestone in the ongoing battle against drunk drivers. MADD aims to have

Tougher drunk-driving laws to take effect Dec. 1

In August, Gov. Jim Hunt signed into law a legislative package called the Governor's Driving While Impaired Initiative. These new laws:

- Allow seizure of vehicles used by repeat DWI offenders.
- Prohibit registering vehicles to DWI offenders with revoked licenses.
- Increase immediate administration license revocation from 10 days to 30 days.
- Help police catch underage drivers who have been drinking.
- Permit drug testing for those arrested for DWI.
- Strengthen the sentence for habitual impaired driving.
- Toughen the penalty for DWI offenders.

SOURCE: OFFICE OF THE GOVERNOR

DTH/STAFF

drunk driving classified as a felony.

"This is not the end as far as we're concerned," Jones said. "Starting the beginning of (next) year, if you steal pine straw, it's a felony, but drunk driving is classified as a simple misdemeanor. I think if stealing pine straw is a felony, that drunk driving should be one too."

Jamie Lynch, a junior from Charlotte, said the legislation was a good idea. "This punishment will not only benefit the drivers, but also the whole community," she said.

"Drunk driving happens more frequently than drug dealing, and this severe penalty is going to stop people driving drunk."

Journalism is literature in a hurry.

Matthew Arnold

INSIDE Thursday

Larry, Curly and ... Mo?

It's time for the Big Quiz! This week's

Diversions tests your knowledge of random entertainment trivia. Page 5

A dramatic return

Back from an injury, forward Antawn Jamison racked up 26 points as UNC ravaged Richmond 84-65. Page 11

Today's weather

Mostly sunny;
low 60s
Friday: Chance of rain;
high 50s