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Connerly's visit met with student protest

BY ANGELA MERS
STAFF WRITER

Hundreds of people filled the Student Union lobby with chants, signs and shouts advocating affirmative action Tuesday night before affirmative action opponent Ward Connerly's speech.

The Alliance for Creating Campus Equity and Seeking Social Justice and Black Student Movement members gathered outside the Union and marched in, protesting Connerly's anti-affirmative action views and advocating the right of an education for all students.

"I think student input is essential," ACCESS member Ali Fischer said. "The fact BSM and ACCESS are working together will create an incredible front."

Students shouted chants of "Education is our right, not for just the rich and white" to a group of onlookers.

ACCESS member Tasha Venters said it was important that people know why they were protesting.

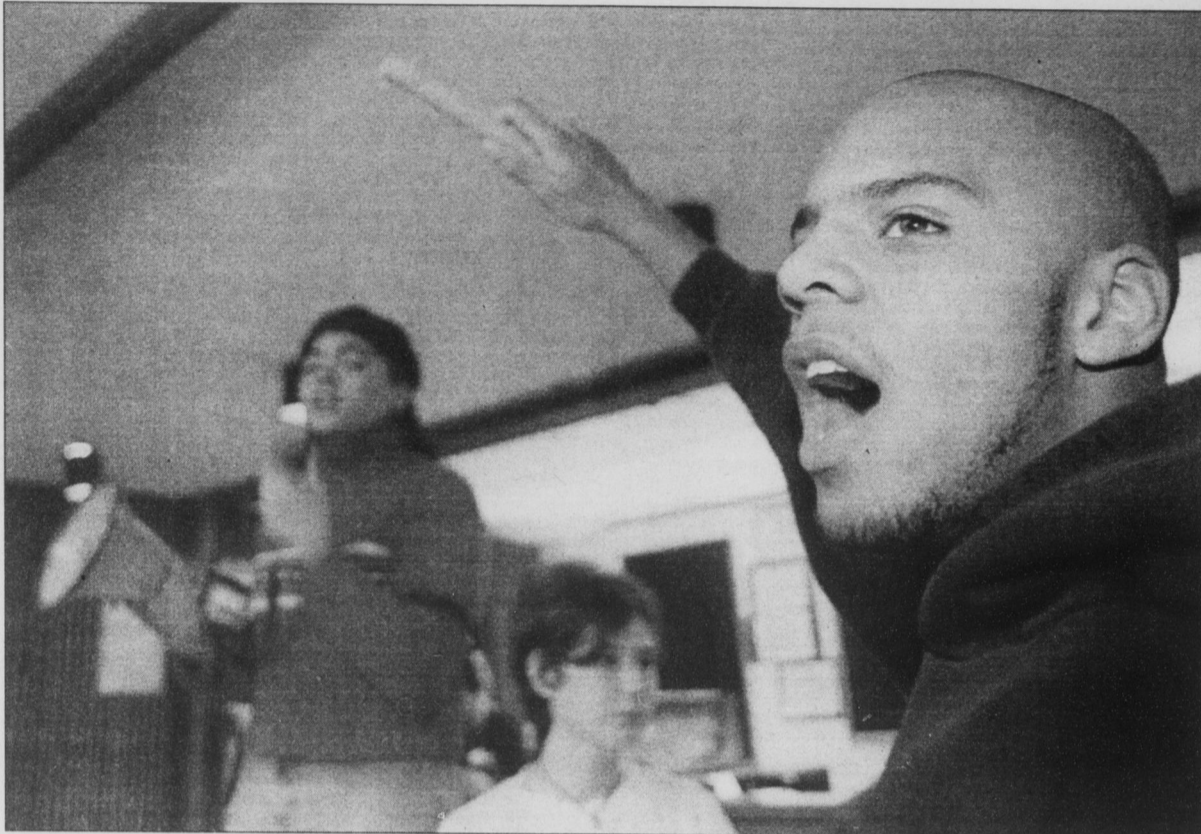
"The protest is not about shouting Connerly down," Venters said. "He has freedom of speech, and we want to hear what he has to say."

The main thing is people know the students at UNC support affirmative action, she said.

"I hope this will get the word out that the majority of people at UNC are for affirmative action," Fischer said.

Students who opposed affirmative action said they thought it was good that everyone got their views across.

"I think it will open up discussion around campus about the topic," said



Freshman Lamar Mack voices his opinion outside the Great Hall on Tuesday night. A large group of opponents to Ward Connerly's appearance on campus gathered outside the Great Hall to let their position be known.

Former UNC police officer files lawsuit

■ The lawsuit claims UNC wrongfully fired C.E. Swain and conspired against him.

BY LAURA GODWIN
MANAGING EDITOR

A former University Police officer fired after months of controversy filed a lawsuit Tuesday claiming the University conspired against him.

C.E. Swain filed the suit against Assistant Vice Chancellor for Auxiliary Services Carolyn Ellland, University Police Maj. Jeff McCracken, Human Resources Administrator Drake Maynard, individually and in their capacity as University officials, the University, as well as "other unknown University officials," seeking compensatory damages in excess of \$10,000.

The suit claims the University violated Swain's state and federal constitutional rights, wrongfully fired him, discriminated against him, as well as conspired against him.

Swain was fired on Nov. 19 for falsifying his timesheet. In a letter to Swain, McCracken wrote that Swain conducted personal business at the Chapel Hill News offices on Franklin Street while still on duty. Swain denies incorrectly reporting hours.

In a statement, Swain said he filed his suit on behalf of University employees and students who "might be scared to speak their minds about wrongdoings for fear of being fired or expelled."

"The lawsuit is not for me. Yes, University officials have hurt my family, my career and my reputation. Yes, they fired me abruptly, cut off my pay and threw me into the street after 10 years of loyal service," Swain stated. "Yes, I want my injuries compensated and I want my reputation back. But the lawsuit is based on more important values."

Senior University Counsel Susan Ehringhaus said she had received the suit, but could not comment. "I can't comment beyond to say I have no comment," she said.

The suit claims the University retaliated against Swain for being a "whistle-blower."

The allegations stem from a Sept. 27 incident following a UNC home football game in which Swain cited Board of Trustees member Billy Armfield's 18-year-old daughter Caroline Hancock for underage possession of alcohol.

Swain claims University Police officers, including McCracken, pressured him to remove Hancock's citation because of her father's status. Swain said he refused to remove the citation.

The citation was removed for three days, but police officials said it was for investigative purposes only. Armfield



Former University Police Lt. C.E. SWAIN said his suit was filed for those scared to speak about the wrongdoings of UNC.

SEE LAWSUIT, PAGE 2

Speech sheds new light on racial debate

BY VICKY ECKENRODE
STATE AND NATIONAL EDITOR

Ward Connerly mentioned in his speech that his staff warned him against speaking on college campuses, saying he would encounter hostility — they couldn't have been more right.

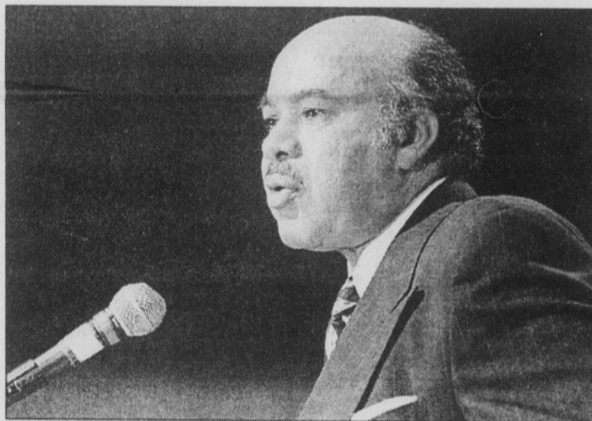
Connerly, a leader in passing California's anti-affirmative action measure Proposition 209, spoke to a highly polarized audience Tuesday in the Great Hall concerning the controversy of race-based admissions.

"I don't know a campus in America that isn't practicing racial preferences — sometimes at a very obscene level," Connerly said.

Throwing out affirmative action policies from university admissions was the only way to level the playing field and end unfair discriminations, Connerly said.

"When you talk about race, invariably your attention is drawn to the academia," he said. "We practice race preferences more than any institution — it scraps out of every pore of the university."

While Connerly said he envisioned a colorblind society, he admitted that discrimination and racial tension still existed in society. "White people are saying



Ward Connerly speaks to a packed house in the Great Hall on Tuesday night. Connerly is an avid supporter of California's Proposition 209.

there's no racism, and black people are saying, everywhere I go, there's racism," he said. "Somewhere along the way there's truth."

Connerly compared the objectives of anti-affirmative actions to the Civil Rights Movement of 1964.

"Why, today, do people who would have embraced the words then, renounce them today?" he said.

After Connerly's speech, the floor was opened to the audience for questions, releasing a flood of questions attacking Connerly's stance.

One audience member asked Connerly if he felt that admission policies should also disregard all special

preferences.

"I've looked as hard as I can, and I can't find anything about athletic preferences or legacy preferences in the '64 Civil Rights Act," Connerly responded.

The final question of the program, posed by Lee Gause, a UNC senior from Wilmington, resulted in a back-and-forth exchange over the issue of Connerly's race.

Gause criticized the promotion of Connerly as a "black conservative" rather than simply a conservative. When Connerly retorted he was not the one who wrote the description, Gause supplied a heated counter. "No, but the ones that brought you here did."

Move to increase fees for technology delayed

BY JESSICA GALAZKA
STAFF WRITER

Conflicting opinions on how best to pay for technology kept the Chancellor's Committee on Student Fees from reaching a consensus on a proposed \$26 fee increase.

"The general consensus is that students are against it, and others are for it," said Roger Patterson, associate vice chancellor for finance.

At Monday's committee meeting, members expressed mixed feelings about passing the increase, which would enable Academic Technology & Networks to handle the increased demand for its services.

The Student Fee Audit Committee recommended that the chancellor not approve the technology fee because the state, not students, should pay for technology, since it is so essential to students' educational experience and central to the University's mission.

"Our concern is that this fee has a history of being increased over the past years," said Katherine Kraft, president of the Graduate and Professional Student Federation.

"It's time to put the skids on. It's an objection of principle," Student Body President Mo Nathan

said. "(Technology is) mission central — having benefits too important to be paid for by students."

But faculty and administrators said they feared that if students did not pay for increased technology needs, the N.C. General Assembly would fail to make up the difference.

"We should not be surprised the technology fee is growing," said John Oberlin, executive director of ATN. "We are on the cusp of a technological era."

Patterson expressed some faculty members' fears that the state legislature would be unable to fund technology.

"I certainly understand students' concern that the state should bear more of the cost, but the difficulty we face is the situation the state is in with the budget," he said.

Nathan and Kraft agreed students understood the implications and were willing to forego services to make a political statement.

"This is a high-stakes game of chicken," Nathan said. "We're willing to take it to the next level."

Some possible solutions were offered to the problem.

Oberlin said he could not foresee any

SEE FEES, PAGE 2

Judge to study Meadowmont case documents before issuing verdict

■ Attorney Mike Brough said property values would decrease on Pinehurst.

BY REYNOLDS RICHTER
STAFF WRITER

Superior Court Judge F. Gordon Battle ended the hearing in the continuing case of Meadowmont developers and the neighbors of the proposed complex Tuesday in Hillsborough.

Battle will review four notebooks of testimony and several sets of site plans on Meadowmont before issuing a verdict.

The Chapel Hill Town Council approved Meadowmont, a 454-acre mixed-use development near the Friday Center, in 1995 after public hearings and

debate. The development includes multi-family housing, a shopping center and a school.

Attorneys for both parties completed their arguments concerning the proposed shopping center and road connecting Meadowmont to Pinehurst Road.

Attorney Mike Brough said the Council violated its own ordinance when it approved an infrastructure permit for the Meadowmont subdivision. The permit would allow the construction of the connecting road, as well as 400 lots and water and sewer service.

An existing ordinance governing special-use permits requires that the new development not decrease the value of neighboring property.

Brough said Monday two independent appraisers calculated a 10 percent decrease in the value of several proper-

ties along Pinehurst Road as a result of increased traffic from the proposed Meadowmont connector.

"We're simply asking the court ... to require Town Council to follow the law," he said.

Although Pinehurst Road currently receives little through-traffic because it is incomplete at one end, it could handle 7,500 cars a day, Town Attorney Ralph Karpinos said Monday.

But Brough said the road's maximum capacity was inflated.

"While it was always true that it would be planned for some extension ... it's not 7500 cars a day," he said.

Robert Marzulla, attorney for the Meadowmont developers, said Brough's suggestion that the development would lower property values was leading the court on a "wild goose chase."

Any devaluing effects of increased

traffic would be overshadowed by the residents' proximity to a new school, park and shopping center, Marzulla said.

"If you're on the ninth hole of a golf course, chances are that your property value has increased because of the golf course being there," he said.

Marzulla said the property concerns of individual residents should not have so much influence over the development process.

"If this is the case, any time a citizen of Chapel Hill wants to stop a school, pool ... or a house on a neighbor's lot, all he has to do is hire a property appraiser," he said.

On Monday Brough questioned the Town Council's ability to make Town Manager Cal Horton responsible for the creation of a plan to ease traffic in the Pinehurst Road area.

Karpinos defended the Council's decision. "Our position is that there was no such improper delegation to the manager," he said.

Brough also said the amount of retail space granted to the Village Center exceeds the set proportions for retail space. The special-use permit requires 60 percent of the development to be office space, although the shopping center is slated to contain 38 percent, he said.

But Karpinos said Brough and the town interpreted the ordinance differently. Karpinos said the area in question consisted of 70 acres, which can be legally developed under its mixed-use zoning.

The Town Council voted on five special-use permits for Meadowmont in July. The two permits currently challenged were not approved unanimously; both were passed by 6-3 votes.

Not actual suffering but the hope of better things incites people to revolt.

Eric Hoffer

INSIDE

Wednesday

UNC students all fired up

The use of marijuana at UNC is on the rise. One out of six students describes himself as a frequent user. The focus page is a pictorial of a world dominated by bong. Page 4

Today's weather

Cloudy; high 50s
Thursday: Partly cloudy; low 60s