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Ndiaye could face Honor Court sanctions

BY AARON BEARD
SPORTS EDITOR

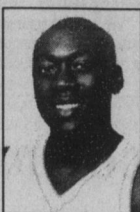
The student attorney general will determine whether Makhtar Ndiaye will face sanctions from the Honor Court for falsely accusing Utah forward Britton Johnsen of using a racial slur, Athletic Director Dick Baddour said Wednesday.

"The matter of Makhtar Ndiaye's postgame comments has been turned over to the student attorney general by the Division of Student Affairs to investigate possible misconduct," Baddour stated in a press release from the UNC Athletic Department.

"... As upset as he was after the loss to Utah, he is even more disconsolate about the controversy that has been a result of his postgame comments."

Baddour also stated the athletic department would provide anger management counseling for Ndiaye at the player's request.

Student Attorney General Sabrina Presnell would not comment on specifics in the case but estimated it could take at least two to three weeks before a hearing could be held if charges were filed.



UNC senior **MAKHITAR NDIAYE** retracted his accusation that Utah's Britton Johnsen used a racial slur in Saturday's loss.

If Ndiaye is brought before the Honor Court and is found guilty, he could face a penalty ranging from censure to probation to recommendation for expulsion.

Margaret Barrett, judicial programs officer for the Division of Student Affairs, said charges of misconduct had no set sanctions if the student was found guilty.

"It varies case by case and it pertains to what the facts of the case are," Barrett said. "But certainly, when a student is considered to be representing the University, then that's an issue that is considered in deciding whether a charge should be made."

Chancellor Michael Hooker said Wednesday that he was "flabbergasted" by Ndiaye's statements and said he had

sent letters of apology to Johnsen, Utah coach Rick Majerus and Utah president Bernard Machen.

"As the representative of the institution, it would have been irresponsible for me to try to dodge the issue and let it be handled quietly in the athletic department," Hooker said.

"There are lots of disciplinary issues that take place in athletics that I never know anything about."

"Once this became public, I had to represent the interests of the institution, which meant making the appropriate apologies to Utah."

Hooker said he conferred with Susan Ehringhaus, University legal counsel, earlier in the week and determined the issue to be one for the Division of Student Affairs.

Ehringhaus declined to comment on the case.

The incident gained national attention when Ndiaye, a 6-foot-10 senior center on the North Carolina men's basketball team, accused Johnsen of calling him a "nigger" during the Utes' 65-59 victory against the Tar Heels on Saturday in the Final Four. Johnsen accused Ndiaye of spitting on him.

Both players denied the accusations, but admitted they had been in a heated argument during the game.

Ndiaye later retracted the accusation, saying he "let his emotions get away" and that he had sent Johnsen a letter of apology in a statement released Monday by the UNC Athletic Department.

In the statement, Ndiaye denied spitting on Johnsen.

Fraternity robbed twice during week

■ There have been 12 cases of fraternities' food being stolen this school year.

BY JOHN GARDNER

STAFF WRITER

A recent string of break-ins is causing some fraternity members to lose their lunch — literally.

The Delta Kappa Epsilon fraternity house was broken into Monday for the second time in less than a week.

Chapel Hill Police investigator Marvin Clark said a substantial amount of meat was stolen from their freezer.

"(The thief) took chicken, shrimp, beef tips and ribs," Clark said.

The Monday break-in came on the heels of another robbery at the DKE house last Friday.

DKE president Robert Sumner said the total loss from the two incidents was about \$700.

"We're at a loss for how they're getting into the house," Sumner said.

Clark said this was the 12th break-in of this type during the current school year, but no arrests had been made.

On Tuesday, police named a suspect in one of the previous food theft cases, a Feb. 13 break-in at the Beta Theta Pi fraternity house.

Police spokeswoman Jane Cousins, quoting a Crime Stoppers press release, said, "The Chapel Hill Police Department holds warrants on Kenneth Wilson Fearington, 33 years of age, on charges of breaking, entering and larceny, stemming from the theft of frozen meat from the Beta Theta Pi fraternity on Feb. 13, 1998."

Fearington also stands to be arrested on a charge of breaking into another fraternity in November, Cousins said.

"An order for arrest has also been issued for Mr. Fearington stemming from a break-in to the Pi Kappa Alpha fraternity on November 11, 1997, for which he failed to appear in court," she said.

As for the recent robberies at the DKE house, Clark said Fearington had not been named as a suspect.

SEE THEFTS, PAGE 9

Hope behind BARS

YANCEYVILLE — With only a locker of possessions and a bed in the Caswell County Correctional Center in Yanceyville to call his own, Kwame Cannon says he blames no one but himself for his wrongdoings.

But his plight captured the attention of residents across the state, and it will touch Chapel Hill today as the march to free him forges toward Raleigh.

Sentenced to two life terms in 1986 for six counts of burglary, Cannon has spent the past 12 years behind bars.

He has gained advocates who attribute his fate to his mother's active participation in the civil rights movement, particularly in protesting a Ku Klux Klan-related shooting on Nov. 3, 1979. Despite the claims, Cannon said he was just a normal person who made mistakes and had to pay the penalty for them.

"I don't like the slant that makes me look like the best thing since marmalade or makes me look like I'm some sort of sludge," he said.

"I don't want to be put up in the air

or slung on the ground because I do have my own faults. ... I haven't done any heroic acts yet."

He said he greatly appreciated the efforts of those who had worked to release him from prison, particularly those involved with this week's march from Greensboro to Raleigh.

"I'm glad to have these people behind me, and I hope that their help is rewarded — not just by getting me out but also to bring some sense of unity," he said. "The convergence on Raleigh is a really big thing for me because to me that brings back the hope of a future for kids. ... It brings back hope that there may be social equality."

Cannon said the most moving aspect of the effort to free him occurred when victims of his crimes came to see him in prison and said they forgave him.

"It's overwhelming to have my victims visit me and say, 'I've forgiven

you,'" he said. "It's overwhelming to have (them) talk about trying to get me out of prison when it was actually me committing the crime against (them)."

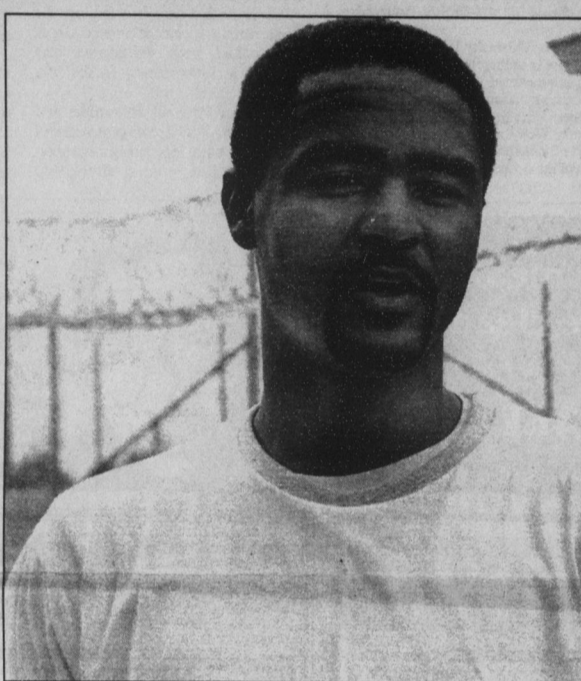
Cannon said his trial suffered from several legal loopholes, including that his defense lawyer was later disbarred for alcoholism. But Cannon said he refused to blame his plight on anyone but himself.

"I don't like pointing the finger because the responsibility is mine," he said.

"I think it was really me not knowing the law ... I don't think my lawyer intentionally tried to hang me."

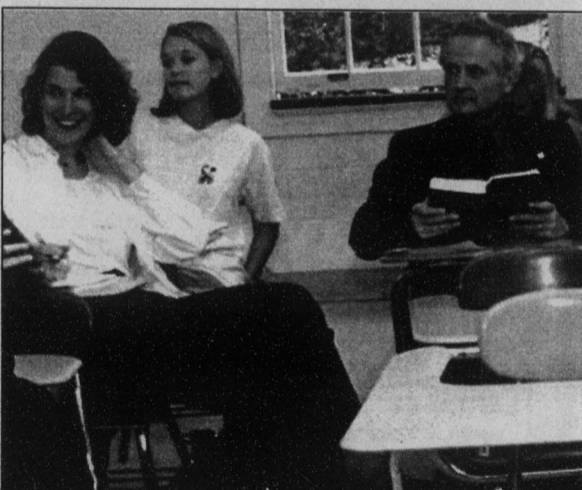
He also downplayed the idea that his mother, Wilena Cannon, had any effect on his sentencing. "My mom feels a lot of guilt, and I try to take that guilt off of her," he said. "I got caught up in not knowing, and she doesn't like me telling people that — I feel like it was dumb luck and dumb timing."

SEE CANNON, PAGE 9



DTH/ CARA BRICKMAN

Kwame Cannon has spent 12 years in prison. He is currently at Caswell County Correctional Center in Yanceyville.



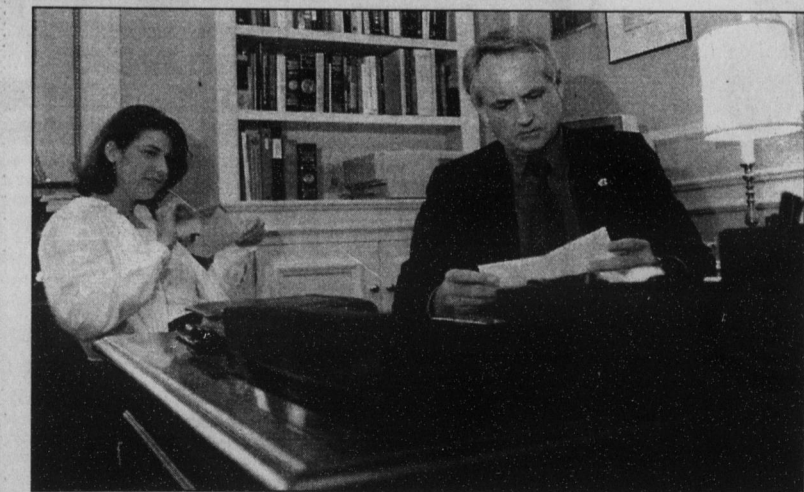
CHANCELLOR FOR A DAY

(Left) Chancellor Michael Hooker sits in on Kelly Wade's French class Wednesday morning as part of the Order of the Bell Tower's Chancellor for a Day.

(Below) In his office, Wade seizes her chance to see the components of Hooker's job first-hand.

See story, page 4

PHOTOS BY
DAVID SANDLER



Jones' lawsuit dismissed due to lack of evidence

■ Paula Jones first sued President Bill Clinton more than three years ago.

THE ASSOCIATED PRESS

WASHINGTON — A federal judge has thrown out all of the charges in Paula Jones' sexual harassment lawsuit, delivering a major legal victory to President Clinton.

U.S. District Judge Susan Webber Wright in Little Rock, Ark., informed

A White House official said, "All the charges are gone. The suit is gone."

The judge said that while Jones' claims described offensive conduct, it did not meet the standard for sexual harassment.

"The plaintiffs' allegations fall far short of the rigorous standards for establishing a claim of outrage under Arkansas law," she said in a 39-page opinion.

A spokeswoman for Jones confirmed the ruling. "It's true, but I'm not going to comment on it until I talk more to the lawyers. I'm on my way to Paula's house," said Susan Carpenter McMillan.

John Whitehead of the Rutherford Institute, which has been financing Jones' suit, said her lawyers would take

a look at the case and said that "if there are suitable grounds for appeal," they would do so.

Wright's ruling comes more than three years after Jones first went to court alleging Clinton, as Arkansas governor, made an unwanted sexual advance.

Clinton's attorneys had argued that Jones had failed to prove she was harmed in her Arkansas state job and was motivated by politics in making her accusations. "We all said we'll be very seriously considering about appealing this case," Whitehead said.

The judge's decision culminates a dramatic month in which the lawsuit erupted into battle of a contentious and sensational legal maneuvers.

Stepping up the pressure, Jones' lawyers released hundreds of pages of evidence about other alleged affairs, included an unsubstantiated allegation of a sexual assault.

Clinton's lawyer countered by charging Jones' case was "garbage" designed to gain sensational headlines without proving her case.

As a precursor to her ruling, Wright admonished lawyers about their conduct on Tuesday.

Clinton's lawyers had said that even if he had asked Jones for sex on May 8, 1991, at a Little Rock hotel room, the case against him was "vener-thin" because there was no proof that she suffered in her state job, as she alleged. Clinton was Arkansas governor at the time.

Her employment records showed she received regular raises — and Clinton's lawyers said one of her allegations of ill treatment after the alleged incident was that she didn't receive flowers on Secretary's Day one year.



PAULA JONES claimed President Bill Clinton made unwanted advances towards her while he was governor of Arkansas.

INSIDE

Is gay OK in the classroom?

A "60 Minutes" show highlighting gay and lesbian studies classes has invoked dissent among alumni at Duke University who disapprove. Page 10

Celebrate the art of writing

Southern writers will gather this weekend at UNC for the N.C. Literary Festival. Students will be able to meet and hear many of the South's best writers. Page 5

Spending abroad

Panelists at the Johnston Scholars Issues Forum said the United States needed to assume responsibility and aid underdeveloped countries. Page 2

Today's weather

Mostly sunny;
high 70s;
Friday: Rain;
high 80s

Last call

Got an idea for an in-depth project? Turn in a detailed, typed, no-longer-than-6-page proposal for this semester's Joanna Howell Fund award. The winning proposal will be printed in The Daily Tar Heel. Contact Editor Erica Beshears at 962-0245 with questions.

The ultimate thing in a man's life is to get a damn good butler.

J.P. Donleavy