

# The Daily Tar Heel

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## BOLO Victim Reveals Assault Details in Hearing

**A judge says Jesus Alvarez-Ramos will not be tried for attempted second-degree rape in an Aug. 15 assault.**

By KATIE ABEL  
University Editor

HILLSBOROUGH — After the victim of an Aug. 15 campus assault recalled details of the early morning encounter, a District Court judge ruled Thursday that the man identified by the victim would not be tried for attempted second-degree rape.

Jesus Alvarez-Ramos, 23, will stand trial for first-degree kidnapping charges in Orange County Superior Court, though Judge Patricia Devine did not find probable cause for the rape charge. He also faces another hearing next

week to determine if he will stand trial for an attempted first-degree rape charge in connection with a second campus assault that took place Aug. 17.

The victim of the first attack, a UNC sophomore who wishes to remain anonymous, spent an hour Thursday recalling details of the assault and the 10 days that followed before University Police arrested Alvarez-Ramos.

She said she first saw the assailant at the Old Well, where he approached one of her friends that night.

After he walked away, a few minutes passed before the victim separated from her friends to return to her Aycock Residence Hall room, she said.

The victim testified that she was walking on the path between Caldwell Hall and Grimes Residence Hall when she heard footsteps behind her and saw the same man she had seen earlier.

"I looked behind me and saw that he

had taken his shirt off," she said. "I didn't get more than one or two steps further before he grabbed me and threw me on the ground. We spun around and it all happened very fast."

The victim said Alvarez-Ramos pushed her to the ground and proceeded to lay on top of her. "I think his legs were straddling one of mine and he had one hand over my jaw," she said. "I think he might have wanted to kiss me."

Remaining calm throughout her testimony, she said she could recall little conversation with Alvarez-Ramos that night, but said she did remember a few of the words he uttered. "He definitely said 'baby', I believe the words he said were 'come on, baby,'" she said.

After the victim screamed, her friends rushed to her and confronted the man, who eventually ran away.

Lt. Archie Daniel, the University Police officer who arrested Alvarez-

Ramos, also testified that the victim and her friends pinpointed Alvarez-Ramos repeatedly in a series of lineups containing men resembling his description.

But Amos Tyndall, the suspect's appointed attorney, prompted Devine to reconsider the attempted rape charge in his closing statement.

He argued that the victim's testimony did not automatically signal an attempted rape and would not constitute probable cause. He said the wrestling that occurred during the attack could have been a simple case of robbery.

Devine concluded there was not enough evidence for the attempted rape charge since there was no clear evidence of sexual advancement.

"I am not satisfied that he intended vaginal intercourse or even to kiss her."



DTH/KATIE ABEL

Jesus Alvarez-Ramos is escorted out of his probable cause hearing.

### Presidential Scandal

For former UNC-Charlotte student body president Nic Mirisis, the last few months have been filled with controversy and turmoil.

**Early May** — Mirisis is caught plagiarizing a term paper and receives an "F" for the class.

**June 21** — The University Times runs a front page story about the cheating incident.

**July 1** — Mirisis sends an e-mail to McCartney threatening to sexually assault and kill her, the Times reported.

**July 6** — McCartney reports the e-mail to police.

**Sept. 1** — Panel finds Mirisis "responsible" for communicating threats and for violation of campus computer use regulations, according to the Times article.

**Sept. 3** — Mirisis steps down as Association of Student Governments president.

**Sept. 9** — Last day for Mirisis to appeal his decision.

SOURCE: UNIVERSITY TIMES

## Paper: Mirisis Suspended

**The University Times reported that a panel suspended Nick Mirisis until Spring 2001 after he threatened a newspaper editor.**

By MATTHEW B. DEES  
State & National Editor

An administrative board suspended former UNC Association of Student Governments President Nick Mirisis from UNC-Charlotte last week for threatening the life of the school's newspaper editor, The University Times

reported Thursday.

The panel found Mirisis "responsible" for communicating threats and for violating campus computer use regulations during a Sept. 1 administrative hearing, The Times reported. Barring a successful appeal, Mirisis will not be eligible for readmission to UNC-C until Spring 2001.

Neither UNC-C administrators nor Mirisis



Former UNC-Charlotte Student Body President Nick Mirisis

would confirm Thursday whether an appeal had been filed. However, Lt. William Harper of UNC-C police told The Daily Tar Heel on Tuesday that Mirisis had contested the decision.

Police reports from UNC-C police have not been released, and administrators said such material was covered by laws that protect the privacy of a student's educational records.

At a Sept. 3 ASG meeting, Mirisis told a DTH reporter, "Yes, I am a student at UNC-Charlotte right now." He would not clarify whether he was a student in good standing.

At the same meeting, Mirisis stepped down

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## Wetlands Petition Shot Down

**An appeal challenged state statutes that protect N.C. wetlands from digging and coastal development.**

By SHARON LIAO  
Staff Writer

The N.C. Environmental Management Commission squelched a petition Thursday to toss out a set of wetland regulations that limit coastal development.

The 17-member commission voted unanimously against a petition that would strike down state laws implemented in 1999 forbidding wetland digging and draining. The appeal was submitted by a coalition of developers, farmers, miners and businessmen from across the state.

Under the existing laws, the commission can fine violators digging new ditches in wetlands up to \$10,000 a day, said Don Reuter, N.C. Department of Environment and Natural Resources spokesman.

A crucial element of the N.C. coast, wetlands filter out pollution seeping to the oceans, said Todd Miller, executive director for the N.C. Coastal Federation.

"They're essential to the health of our coast," Miller said.

But lawyers representing the coalition, made up of the N.C. Farm Bureau

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## Support of Public Art Fluctuates Across State

By BRIAN BEDSWORTH  
Staff Writer

Cameras flash, people propose toasts, artists mingle with collectors.

A new gallery opening in SoHo? No, just Chapel Hill Town Hall.

Chapel Hill is one of a growing number of N.C. communities that promote themselves as arts-friendly places. To this effect, the town council includes about \$10,000 for the sponsorship, promotion and display of art in its public space, said Town Manager Cal Horton.

"It's a relatively small amount when you consider the town's operating budget is about \$50 million," he said.

The town promotes local artists by using its government buildings as galleries. It allocates about \$1,500 to the Chapel Hill Public Art Commission for 15 showings of local artists each year in the town hall and the town's library, said Karen Slotta, commission director.

While the town does not charge admission to the exhibits, it does take a 15 percent commission on any piece sold at the showings.

In addition to the money for artist promotion, Slotta said, this year Chapel Hill also budgeted \$4,000 for a sculpture to be placed in the atrium of Town Hall.

But the largest portion of Chapel Hill's art budget goes to Slotta, who receives \$7,000 a year for her consulting services to the Commission.

While Chapel Hill's \$10,000 might not sound like much for a city to spend on art, Carrboro spends even less.

The town budgets \$500 a year for art, said Town Manager Robert Morgan. "And that's mostly operating

expenses," he added.

Like Chapel Hill, Carrboro displays local art in its town hall but does not purchase the pieces.

"We try to sponsor people who need the exposure," said Carrboro Arts Commission Director Joyce Preslar.

Preslar said the commission sponsors a different artist each month in Town Hall, where they can sell their pieces.

But unlike Chapel Hill, Carrboro does not take a fee from sales of pieces in Town Hall. The shows usually cost about \$35 to \$50 to put on, Preslar said.

Asheville spends even less. The city does not currently budget for art, said City Manager James Westbrook Jr. Instead, a private nonprofit group called Urban Trail purchases and commissions art for the city.

But that's changing soon.

Asheville is forming a public arts commission that should be ready by September, Westbrook said.

The city will set aside \$40,000 to \$60,000 for art purchases and commissions.

Across the state, Nags Head is also busy improving its art collection. For the past two years, the Outer Banks town has budgeted \$20,000 for its art committee to purchase pieces dealing with life in eastern North Carolina, said Committee Chairwoman Majid Elbers.

She said the town decided to purchase the pieces for economic reasons.

"Fine art will appreciate in value," Elbers said. "It's a good investment for the people of Nags Head."

The committee has placed 30 of these good investments in the town hall, police station and tax collector's office. Elbers said the community response had

See ARTS FUNDING, Page 5



DTH/LAURA GIOVANELLI

The City of Raleigh commissioned this piece of art, Light + Time Tower, stirring debate over the function of government in promoting the arts.

## Town Hall Offers Local Artists Exhibition Space

By WALTER HERZ  
Staff Writer

Visitors to Chapel Hill's Town Hall will be greeted with a little bit more color next year, thanks to a recent request by the town government.

The Town of Chapel Hill publicly declared that it wanted to commission or purchase a piece of artwork to decorate the atrium area of the

main stairway in the Town Hall.

Karen Slotta, of the Chapel Hill Public Arts Commission, said some kind of decoration for the wall was long overdue. "It's a large area," she said. "It's just begging for a piece of art there."

In a written statement, the public arts commission said, "The artwork should create excitement for our community and will be the focal point for the center of civic life in the community."

The call went out to local artists last month. The project is open to any artist age 18 and over, as long as he or she lives or works in the area.

"We're trying to get the word out to local artists here in Chapel Hill and in Orange and Chatham counties," Slotta said.

Mayor Rosemary Waldorf said this was the only artwork she knew of that received financial backing from the town.

"(The Downtown Arts Commission) has just

done such a super job," she said.

The Town of Chapel Hill has budgeted \$4,000 for the project, which would include all costs associated with the artwork, such as the artist's design fee, materials, fabrication costs and transportation and installation of the work, with which the Chapel Hill Department of Public Works would help.

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### INSIDE Friday

#### Money Talks

The Institute of Research in Social Sciences sponsors a new group for people wanting more information on the issues surrounding fair living wages for sweatshop workers. See Page 5.

#### Peace and Quiet?

Residents of Chapel Hill and Carrboro are held to different noise ordinance standards, despite their proximity to each other. Carrboro police give more citations, but Chapel Hill police fine violators more harshly. See Page 9.

#### Leave a Legacy

Until Sept. 16, seniors can offer their input on the class gift at the DTH's online site at [www.unc.edu/dth](http://www.unc.edu/dth). Ballots are also available in our office. Results will be published Sept. 17.

#### Today's Weather

Sunny;  
Low 80s.  
Saturday: Sunny;  
Low 80s.

You live only once — but if you work it right, once is enough.

Joe E. Lewis