

Joint Committee Examines Equality in Death Penalty

The Racial Justice Act, a possible bill, could stop race from being considered in death penalty decisions.

By JENNIFER HAGIN
Staff Writer

A newly created joint legislative committee will investigate whether minorities and the mentally disabled receive disproportionately more death sentences than their white counterparts.

The N.C. General Assembly formed the board in light of three separate bills introduced in the past year aiming to curb prosecutors' ability to seek the death penalty.

One bill would prohibit prosecutors from pursuing the death penalty in cases with a mentally disabled defendant. Another calls for a moratorium to allow further study of the issue. Chapel Hill and Carrboro leaders have passed symbolic death penalty moratoriums.

The third bill would be known as the Racial Justice Act, which would prevent prosecutors from using race as a determining factor in their decisions to pursue the death penalty.

Sen. Frank Ballance, D-Warren, co-chairman of the legislative committee, said the panel had held three meetings since its formation and would not be able to report to the legislature when it reconvened in May but would report by the end of this year. "We haven't had

adequate time to review the information, so we won't be able to report in May," he said.

Ballance said he supported the bills and hoped the panel's investigation would convince other legislators to vote for them. "Hopefully, our colleagues will accept one or more of these bills."

Ballance said the purpose of the panel was not to discuss whether the death penalty should be legal, but if it was applied equally. "Even those that support the death penalty want it to be done fairly," he said.

Deborah Ross, executive director of the N.C. chapter of the American Civil Liberties Union, said the issue of race affecting death penalty decisions was worth investigating. "I think a lot of people believe it's a problem in North Carolina," she said. "We definitely need to take a good look at this."

The panel has had various experts present information, including Jack Boger, a law professor at UNC. These experts offered the committee different viewpoints and statistics regarding the death penalty in North Carolina.

Ballance said in cases where a black defendant killed a white person, the defendant received the death penalty nine times more often than a white defendant would. "I find it disparaging,

the amount of African Americans on death row compared to other races."

H.B. Prickett, president of the Raleigh-Apex chapter of the National Association for the Advancement of Colored People, said there was a problem with race being a factor in death penalty cases. "It's a big problem. It's been going on for a long time - at least 50 years," he said.

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SEN. FRANK BALLANCE
D-Warren

Prickett said the reason there was a disproportionate number of blacks on death row was because they could not afford their own lawyers, and the lawyers that were provided to them were inexperienced.

"It could be corrected by providing persons coming in front of the court with the same attorneys (that wealthy defendants have)," he said.

Ballance said race should not be a factor in determining a sentence. "We've got to move to the point where decisions are not based on race."

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Composer Debuts Final Work

By JEREMY HURTZ
Staff Writer

For local composer Roger Hannay, a long and satisfying career in music is soon to be completed.

Thursday, the UNC Symphony Orchestra will premiere Hannay's seventh and last symphony.

"There comes a time in a creative artist's life where, if you are wise, you realize that your initial burning energy to create may not be there anymore, and it's time to stop," Hannay said.

"I have many pieces - a hundred and 30-some pieces - and so I don't need any more."

From 1965 to 1995 Hannay taught music theory, music history and composition at UNC. He also founded the electronic music studio in Hill Hall and conducted the New Music Ensemble, which performed pieces by student composers.

"These other pursuits never detracted from his composing," he said. "There was a kind of interaction. I was simultaneously independent as a creative artist, but all my teaching came from my own point of view as an artist. My teaching was extremely idiosyncratic ... from the inside-out."

The premiere of Symphony No. 7 at UNC provides closure, Hannay said. "I think it's very wonderful that this last piece of mine, this big seventh symphony, is going to be premiered where I had such a long, pleasant association."

Hannay also wrote some closure into the piece itself. "Knowing that it was going to be my last piece, I thought this (would be) a good time for bringing things full-circle," he said. "And so toward the end of the piece ... there's a statement of a melody from my very first composition, from 1944."

Symphony No. 7 is a one-movement, four-section work, alternately solemn, whirlwind-fast, lyrical and pensive, Hannay said.

"My music ... is never academic," he said. "It is always full of emotional content and drama of some kind, and it's never composed to illustrate some kind of technical or academic theory."

Hannay hopes the symphony will have an impact on the audience. "I want them to have been made thoughtful, and to have experienced this wonderful thing that music can do, which is to take us to the heights and the depths in 20 minutes," he said.

Achieving this impact hinges on the talents of the musicians playing the piece, Hannay said.


"An orchestra piece is rather like an elaborate play, with a great many actors," he said.

Hannay is confident in the "actors" performing his piece, he said.

"The orchestra this season, and indeed for the past several seasons, under (conductor) Tonu Kalam, is about the best of any orchestra I know of in a liberal arts, science-oriented state university," he said. "Kalam has performed something of a miracle."

Roger Hannay's Symphony No. 7 will premiere at 8 p.m. Thursday in Hill Hall Auditorium, followed by Antonin Dvorak's Symphony No. 9 in E-minor "From the New World." The performance is free.

The Arts & Entertainment Editor can be reached at artsdesk@unc.edu.



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