

**APOLOGY**

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and the Office for Civil Rights of the U.S. Department of Education regarding the alleged sexual harassment of the student.

"Taken alone, her charging that her student was 'heterosexual' appears to have violated the University's own sexual harassment policy," he stated in the letter. "Had Ms. Crystall substituted the word 'black' for 'white,' 'homosexual' for 'heterosexual,' or 'Muslim' for 'Christian,' she would have been suspended or fired immediately."

University officials said that as of Sunday they had not received a request for information for an investigation. If a request is received, University officials said they plan to cooperate fully.

In a letter sent Thursday before Jones sent his letter, Moeser said James Thompson, English department chairman, and the University conducted a careful review after learning of the situation.

"The lecturer has apologized to the individual student with concerns as well as to all members of this class," Moeser wrote in the letter. "The department chair has met with the lecturer and students to discuss their respective concerns."

"Further, the department chair will continue to closely monitor the

situation in the class to ensure that all students are treated fairly and not penalized for their views."

Thompson said he anticipates no further action in the matter.

Moeser and Allison Rosenberg, associate vice chancellor for research and federal affairs, will meet with Jones on Tuesday at the representative's office in Washington, D.C. The meeting was scheduled prior to the controversy.

While the meeting's original agenda doesn't include a discussion of the issue, Rosenberg anticipates they will talk about it.

Rosenberg said the issue was brought to administrators' attention through a Feb. 12 column written by Daily Tar Heel columnist Brentley Tanner.

"The Chapel Hill Thought Police are at it again," the column stated.

"Freedom of speech is a right entitled to all individuals, regardless of the difference in opinion."

Laura Thomas, a former candidate for student body president, initially notified Tanner about the issue. "I think that if the University has labeled itself as a marketplace for ideas, then a viewpoint should not be excluded," she said.

Projects Team Editor John Frank contributed to this article. Contact the University Editor at [udesk@unc.edu](mailto:udesk@unc.edu).

**BOOK**

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But an ensuing debate changed committee member Dave Gilbert's mind, deadlocking the group at 4-4.

Bardsley was going to contact the absent committee member to break the tie but decided instead to schedule another meeting for Wednesday morning when the whole committee could make one last pitch before selecting the final book.

In the meantime, the committee will have a discussion over its listserv to inform all members of the topics discussed Sunday.

For the full story on Sunday's meeting go to <http://www.dailytarheel.com>. Contact the Projects Team at [jbfrank@unc.edu](mailto:jbfrank@unc.edu).

**RAPE**

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tencies between the woman's court testimony and interviews conducted immediately after the incident and last summer.

Gerding's claims included an instance in which the accuser told police that Harris' first sexual act was performing oral sex on her, while she testified at the trial that he first forced intercourse on her.

Later that morning, Assistant District Attorney Lynn Kelly called to testify a former UNC student who claimed Harris raped her in 2002, but Gerding protested the admissibility of her testimony.

Federal evidence rules allow evidence of past crimes to be used only to prove a defendant's intent or plan to commit a crime, not to establish his character.

Superior Court Judge John Jolly

conducted pretrial hearings on whether to allow the testimony and heard arguments from both attorneys again Friday.

He decided to allow the woman to testify, citing similarities that made the previous incident relevant to the trial.

But he warned Kelly that the woman's testimony might lead an appeals court to overturn the case if Harris were found guilty.

The woman, a former UNC student, described an incident that occurred when she and Harris were casually dating in the summer of 2002.

She said that during a study date she got into bed with Harris and allowed him to take off his clothes, but he then pinned her down and forced her to have sex with him.

Gerding asked if it was possible that Harris had not understood her when she told him he was com-

mitted rape. "I don't think it's possible for Rob to receive that message," she responded. "I think he honestly did not know that he was doing something wrong."

The woman said she did not report the incident to the police at the time but came forward when she learned that Harris had been charged with a similar crime.

Kelly developed her case against Harris by calling to the stand three UNC Department of Public Safety officers who fleshed out the account given by Harris' accuser.

Officer Macy Lassiter said she responded to a call of a domestic incident at about 4 a.m. March 29, 2003. She said she ran up the stairs of the residence hall to find the accuser locked out of her room.

Although Lassiter did not see Harris, she said, she learned from the woman that he was shirtless and wearing jeans and radioed this description to Officer Todd Nelson.

Nelson testified that he arrived at the residence hall after Lassiter and spotted a shirtless male leaving the area.

He said he asked the "cooperative" suspect to come over and arrested him with help from another officer on charges of assault.

In the patrol car, a report came that the incident might have been a sexual assault. Harris was surprised to learn that he was being charged with a sexual crime, Nelson said.

Lt. Archie Daniel, the detective in charge of the case, spoke to Harris after interviewing the accuser at UNC Hospitals. He said that Harris was upset that he was under arrest and that Harris claimed his accuser had started the fight.

Kelly showed Daniel and the jury photographs of the accuser, which Daniel took the morning after the crime. Daniel used the photographs to aid his description of the accuser's injuries, which included bruises and scrapes on her body. The woman's eye was swollen in several photographs.

Both Lassiter and Daniel said that when they first saw the woman she was visibly upset and obviously had been injured.

Kelly also called as a witness a student who lived next door to the accuser at the time of the incident.

The student said she came home at about 2 a.m. March 29, 2003 and heard noises and shouting coming from the room.

After student and her roommate called a resident assistant and no apparent action was taken, they called the police at 4 a.m., following a loud crash.

Jolly adjourned the proceedings as Kelly was questioning Rebecca Wheeler, a sexual assault nurse examiner who conducted a rape kit on the accuser at UNC Hospitals.

The trial will resume today at 10 a.m.

Contact the City Editor at [citydesk@unc.edu](mailto:citydesk@unc.edu).

**BOE**

FROM PAGE 1

different computers in the lab.

The BOE's statement said it learned from Cooper that he was using West's Onyen to log on to computers that night. West allowed the BOE to view the records of her Onyen logins and logouts at the library that night, which showed that her Onyen was logged on and off seven times between 9:20 p.m. and 10 p.m.

Those records also show that Cooper logged on to the computer next to a witness who has testified that Cooper logged on next to her and coerced her into casting a vote for West. Records also show the witness did in fact vote for West.

But West said that Cooper was a visible target for any Calabria campaign worker and that the unaffiliated witnesses could have had their testimony influenced after being approached by members of Calabria's staff.

"Those not involved with my campaign may not have a clear understanding of election laws and may have misconstrued an innocent conversation as a violation after talking to a Calabria worker," she said.

The hearing for disqualification will be held at 6 p.m. Tuesday in Union 3102. The board will decide whether one, both or neither of the candidates will be disqualified or whether a re-election should occur.

Student Body President Matt Tepper said that if one candidate is disqualified, the other will win the presidency by default. If both are disqualified, Tepper would call for a special election to take place March 2 and likely would put the six former candidates back on the ballot.

If neither candidate is disqualified and a re-election is not deemed necessary, the runoff election results would be certified, and West would win the election by a 7-vote margin.

"This is so unprecedented that it has been very difficult to create a standard," Anderson said. "The whole process has been really hard, but we're trying the best we can."

Contact the University Editor at [udesk@unc.edu](mailto:udesk@unc.edu).

**THE Daily Crossword** By Bruce Venske & Stella Daily

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**ACROSS**

- 1 Possesses
- 4 Lupino and Tarbell
- 8 Stick
- 14 Circle section
- 15 Ernie's Muppet buddy
- 16 Loan shark
- 17 Start of a quip
- 19 Commuting
- 20 Late-night Jay
- 21 Gliding ballet movement
- 23 AFL—
- 24 Part 2 of quip
- 27 Friend in Marseilles
- 29 Afore
- 30 Approximator's phrase
- 31 Greek letters
- 33 PSAT takers
- 34 Garr of "Tootsie"
- 38 Apportion
- 39 Part 3 of quip
- 40 Strong winds
- 41 Lead actor
- 42 Math subj.
- 43 Native skill
- 44 1901
- 46 Major ISP
- 47 Bus. bigwig
- 48 Part 4 of quip
- 53 "Evil Woman" rock grp.
- 54 Experience summary
- 55 River to the Caspian
- 58 Feature
- 60 End of quip

**DOWN**

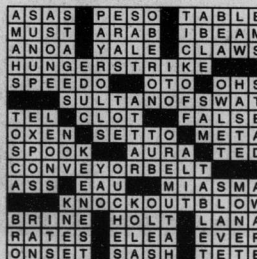
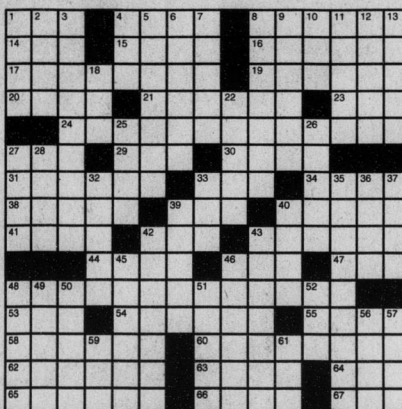
- 1 Frozen drops
- 2 Johnson of "Laugh-In"
- 3 Minute trace
- 4 Abdul Aziz \_\_\_ Saud
- 5 Airplane safety machines
- 6 Jughead's buddy
- 7 Iron type
- 8 Monitor markers
- 9 Basketry willows
- 10 Newman movie
- 11 "Fear of Flying" author
- 12 Kidney enzyme
- 13 Grain rot

**18 Jack of "Barney Miller"**

- 22 Active pastime
- 25 Cop's route
- 26 Entire
- 27 Rehan and Huxtable
- 28 Run in the heat?
- 32 The Velvet Fog
- 33 Quantity of moonshine
- 35 Thrill greatly
- 36 Philosopher Descartes
- 37 Analogy phrase
- 39 Radar signals
- 40 Festive affair
- 42 Current measuring device

**43 Large purse**

- 45 Run rings around
- 46 Chain mail in the U.K.
- 48 Wherewithal
- 49 Mary Kate and Ashley
- 50 Beyond stringy
- 51 One-up
- 52 Holy sister
- 56 Land measure
- 57 Lions' names
- 59 Byrnes or Hall
- 61 Urban RR



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