

# Capital convictions decrease Suspect in attacks may have Qaida tie

## State sees drop for 5th straight year

THE ASSOCIATED PRESS

WINSTON-SALEM — The number of death-penalty convictions in North Carolina has dropped in each of the past five years, and one of the state's most aggressive prosecutors said it is because juries have become more skeptical of the justice system.

District Attorney Tom Keith and others say they believe that flaws revealed during the process to exonerate Darryl Hunt in the widely publicized 1984 death of Deborah Sykes in Winston-Salem, as well as other high-profile convictions that have been overturned by DNA evidence, have led to juries questioning more of what they see from prosecutors.

"We're losing the public-relations war," Keith said.

"I'm not going to keep trying them and trying them and trying them because I'm in love with the death penalty. If we're wasting our time, we won't try them."

Few people outside the legal world have noticed the decline since 1999, when 26 people from across North Carolina were sentenced to die, to last year, when six

killers were sent to death row.

Forsyth County provides one example of the decline in death-row convictions.

As of last year, 14 people were on death row from Forsyth County — as many as the entire state of Maryland.

Last year, Keith's office tried two capital murder cases. Both defendants were convicted, but neither was sentenced to death.

Prosecutors were surprised that in a few of their recent cases juries returned lesser verdicts despite what prosecutors thought was overwhelming evidence, Keith said.

"I think, post-Darryl Hunt, we've seen some jury decisions recently that have surprised us," Keith said. "And I think the juries are punishing the system for whatever they perceive in Darryl Hunt."

Hunt was twice convicted of murder in Sykes's slaying, then was released from prison in December after DNA pinned the killing on another man, who confessed to the crime.

On Feb. 6, a judge vacated all charges against Hunt, a move that

Keith supported.

"In the past, people used to think we about had a foolproof system. Now we know that's not true," said Robert Hurley, the state's chief capital defender.

"Jurors look at the state's case with a little more skepticism than they would have 10 years ago."

Two laws passed in 2001 have contributed to the drop in death-penalty convictions.

One law gives prosecutors the option of taking guilty pleas in capital cases in exchange for life-without-parole sentences.

Before that, prosecutors had to take the death penalty to a jury or settle for a plea of second-degree murder. The other law bans the execution of mentally retarded defendants.

Since then, six former death-row inmates have been resented to life in prison because their IQs are below 70.

Ginger and Stephen Amos have followed the push for a death-penalty moratorium.

Their son, Stephen Amos II, on duty as a Winston-Salem police officer, was shot to death by George Franklin Page in 1995.

The Amoses came within 14 hours of watching Page die last



The case of former inmate **Darryl Hunt**, who was found innocent, might have led to a drop in death sentences.

month when his execution was put on hold by state and federal judges.

Those who are calling for the moratorium are forgetting the victims of the crime, Ginger Amos said. "Until you've gone through it, you don't know what it's like," Ginger Amos said.

Keith remains a strong supporter of the death penalty.

He credits his prosecutors' success at winning death-penalty convictions for a 46 percent drop in the violent crime rate from 1994 to 2002, the highest decline of any of the urban counties in North Carolina for that time period.

Still, Keith said he is moving his resources away from death penalty cases, which are costly in time and money, to aggressively target gun criminals before they kill.

"If this community does not want us to convict people of capital murder, I'll listen to what the people say."

THE ASSOCIATED PRESS

MADRID, Spain — One of the three Moroccans arrested in the Madrid train bombings is linked to a man jailed in Spain for allegedly helping plan the Sept. 11 terrorist attacks in the United States, according to court documents reviewed by The Associated Press.

It was the latest suggestion that Osama bin Laden's al-Qaida terrorist group might have been involved in the bombings.

A Sept. 17, 2003, indictment named Jamal Zougam, 30, as a "follower" of Imad Yarkas, who was jailed and charged with helping plan the attacks on New York and Washington, D.C. Yarkas, who has used the alias Abu Dahdah, remains in Spanish custody.

The indictment, led by Spanish Judge Baltasar Garzon, showed that police had searched Zougam's home twice. One search turned up a video of mujaheddin fighters in Dagestan, Russia.

Zougam is one of three Moroccans and two Indians arrested in the Thursday attacks, which killed 200 people and wounded 1,500. Officials said phones apparently were used as detonators on the 10 bombs that tore through four rush-hour trains.

Zougam was one of thousands of Moroccans put under surveillance by authorities after May terrorist bombings in the coastal city of Casablanca that killed 33 people and 12 bombers, a Moroccan official said on condition of anonymity.

European intelligence agencies also were working Sunday to identify a purported al-Qaida operative who claimed in a videotape that the terror group bombed trains in Madrid to punish Spain's backing of the U.S.-led war against Iraq.

The tape was discovered in a trash bin near Madrid's largest mosque on the eve of Spain's general elections Sunday. An Arabic-speaking man called a Madrid TV station to say the tape was there, Spain's Interior Ministry said.

"You love life, and we love death," said the man on the tape, who wore Arab dress and spoke Arabic with a Moroccan accent.

The man said the claim of responsibility for the bombings

came from "the military spokesman for al-Qaida in Europe, Abu Dujan al Afghani."

The Interior Ministry released details about the tape's contents, and intelligence agents were trying to identify the man, verify his claims and establish who Abu Dujan al Afghani is.

"Our reservations about the credibility remain," Spanish Interior Minister Angel Acebes said Sunday.

U.S. Secretary of State Colin Powell said it is too early to say if al-Qaida is responsible.

In addition, two Spaniards of Indian origin have been detained for questioning. The interior ministry identified them as Vinay Kohly and Suresh Kumar.

One of the Moroccans already had been under surveillance since last May. The other two Moroccan suspects — Mohamed Bekkali, 31, a mechanic, and Mohamed Chaoui, a worker, 34 — have no police record at home, the official said.

The Spanish interior minister, however, said three of the suspects had previous records, and one was under investigation for suspected participation in murder.

He earlier had said that one suspect also might have connections with Moroccan extremist groups. He gave no further details.

The five were arrested after a cell phone and prepaid card were found in an explosives-filled gym bag on one of the bombed trains.

Friends of the Moroccans said the Madrid store where they worked sold cell phones, but they insisted that the men would not have been involved in planning or carrying out the attacks.

Authorities have been tracking Islamic extremist activity in Spain since the mid-1990s and say the country was an important staging ground for the Sept. 11 attacks.

### The Daily Tar Heel

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One copy per person; additional copies may be purchased at The Daily Tar Heel for \$25 each.

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## Hearing to discuss center plans

### Input sought for operations complex

BY SARAH HANCOX

STAFF WRITER

The Chapel Hill Town Council will host a public hearing today on the proposed plans for the new Town Operations Center on Millhouse Road and review other new development proposals.

The center will house both public works and transportation, cover 90 acres of land and cost more than \$40 million, making it the largest capital project ever undertaken by the town.

Today's hearing at 7 p.m. at Chapel Hill Town Hall will mark the end of a long planning process. After the hearing, the town planning staff will try to incorporate any new ideas and address con-

cerns about the plan before presenting an application for a special use permit April 14.

"This process has been a little unusual since the town is both the applicant and the reviewer of the building plans," said council member Jim Ward.

Council members anticipate few concerns about the current plan. Ward said the increase in traffic that will be caused by the new Town Operations Center might be addressed.

But plans for the center already include measures to control traffic impact. Town Manager Cal Horton has proposed a new traffic light at the intersection of Millhouse and Eubanks roads as well as restrict-

ing use of the northern end of Millhouse Road by town vehicles.

There also has been some concern about the proposed plan's use of the land within the rural buffer around Chapel Hill for a car impoundment and for storage of gravel, sand and other materials.

Ward said that this is an acceptable use of the rural buffer, and council member Dorothy Verkerk said that since the impoundment will not be paved, it should not be a problem.

The cost of the new Town Operations Center has not been a major issue. Although the costs are high, the town is pursuing actively grant money from state and federal government programs to subsidize the project.

"I think people understand that this is a necessary expense,"

Verkerk said.

The town is optimistic that grants will fund more than 85 percent of the cost of the project.

The council also will be reviewing three concept plans for new development today.

Two of the plans come from the University. One is for the construction of housing for families of adult patients receiving medical treatment at UNC Hospitals, while the other is for a new building on the UNC Softball Complex.

The third proposal, from Sawmill Development Co., is to build loft condominiums on Airport Road. The developer of this project also built The Warehouse on West Rosemary Street.

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

## Yield To Heels

### UNC Pedestrian Safety Awareness Campaign

#### Be Aware

**Pedestrians:** Do not assume drivers can stop. Look across all lanes you must cross. Even though one vehicle has stopped, another may pass in another lane.

**Drivers:** Be attentive when entering a crosswalk area. Drive slowly. Be prepared to stop. Do not overtake and pass other vehicles stopped for pedestrians on your side of the roadway.

#### Be Considerate

**Pedestrians:** Establish eye contact with drivers before crossing. Do not enter the crosswalk suddenly. Wave or thank drivers who yield.

**Drivers:** Establish eye contact with pedestrians who are crossing. Be patient.

#### Be Safe

**Pedestrians:** Cross the street between the lines within the crosswalk. If you cross the street at a place other than a designated crosswalk or intersection, remember the vehicle has the right-of-way.

**Drivers:** Yield to pedestrians crossing in marked crosswalks or at intersections. Failure to yield to a pedestrian in a marked crosswalk is a violation of North Carolina law.

As part of the "Yield to Heels" campaign, volunteers will be distributing informational fliers about pedestrian safety along with discounts from local merchants from 10 a.m. to 2 p.m. on March 17th at the following crosswalk locations: South Road by the Student Recreation Center, South Columbia Street at Big Fraternity Court and Manning Drive between the School of Dentistry and South Columbia Street.



Sponsored by the UNC Highway Safety Research Center and the UNC Department of Public Safety

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in Graham Memorial North Campus

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thurs.

Combo Lunch Meal Guglhupf Croissant Sandwich, chips & a bottled drink or Short Coffee for \$4.99

frid.

Free Shot Friday, get a free flavor shot in your coffee

Featuring Guglhupf baked goods and "We Proudly Brew" Starbucks Coffee. Specialty order forms available for your events!