

# The Daily Tar Heel

Chapel Hill's Morning Newspaper

Vol. 82, No. 127

Chapel Hill, North Carolina, Monday, April 1, 1974

Founded February 23, 1893

## Judicial reform passes, becomes effective next fall

by Bill Welch  
Staff Writer

The Faculty Council took the long-awaited final step to restructure the student court system Friday by approving unanimously the plan for judicial reform.

The reform, which has been through nine drafts since it was initiated in 1969, makes sweeping changes in the judicial system and for the first time puts students on the Appeals Board.

The new judicial system will go into effect next fall. The document, called the Instrument of Student Judicial Governance, was approved by Chancellor N. Ferebee Taylor in December and by the student body in a Feb. 27 referendum.

Presenting the 42-page document to the council, Associate Dean of Student Affairs, James O. Cansler said the measure "provides one document where one can turn, as

opposed to now, where jurisdiction is scattered."

The reform abolishes the Men's Court, the Women's Court, and the Honor Court, and replaces them with one Undergraduate Court. The new court will consist of 42 members—28 elected by the student body and 14 appointed by the Student Government president—seven will sit as judges in each trial. Fourteen of the members must be minority students.

The new court plan also has a minority court provision, under which defendants may request special consideration for race and sex.

If requested, at least four of the seven-member panel of judges must be of the same race and sex as the defendant.

On the appellate level, the new plan replaces the Faculty Review Board with a University Hearings Board. The board,

which will hear appeals from the Undergraduate and Graduate courts, will consist of two faculty members, two students and one administration representative.

Under the old system, all appeals were heard only by faculty members.

The reform plan establishes a Supervisory Board, which Cansler said will oversee the day-to-day functioning of the judiciary system. The board will consist of representatives of the faculty, administration and the student body.

There will also be an undergraduate court administrator who will select the members of the court panel to sit as judges in individual trials.

Calling student participation the biggest improvement of the judicial reform plan, Cansler said, "There are now no students in the appellate or overseeing levels. This provides for student participation in all levels."

In his prepared statements on the new plan, Cansler said the document represents "hard work, inspiring good work and hours of effort by students."

"Its passage will not provide the judiciary's automatic improvement, but it will provide the mechanism for progress," he said, urging the proposal's approval.

The document contains a four-page section on student rights of privacy and expression, which sets down circumstances for searching dorm rooms and establishes terms of access to student records.

Under the new plan, a student may request his records not be shown to anyone other than authorized University personnel. If such a request is made, the University will not show the records to state and federal investigators except when legally compelled to.

The new judicial plan also lists a new set of sanctions which may be used against students convicted of Honor Code violations.

Cansler said the expanded range of sanctions provide a middle ground between mild sanctions and suspension. The document contains a code of student conduct, which Cansler said, "retains and strengthens the Honor Code."

The code provides sanctions for trafficking of narcotics and marijuana and for possession of the drugs "in quantities sufficient to indicate intent other than personal use."

The document does not specify the quantity needed to indicate such intent.

In a final section, the document replaces the current Faculty Committee on Student Discipline with a Committee on Student Conduct. The new committee will consist of six students, three faculty members and three persons appointed by the chancellor.

The committee's purpose will be to oversee the entire judicial system and recommend changes in its structure.

## CGC panel hears protest

### Treasurer vote delayed

by Art Eisenstadt  
Staff Writer

Three of Student Body President Marcus Williams' major appointments were approved by the Campus Governing Council Appointments Committee Thursday night, but the committee tabled the nomination for treasurer following two closed discussions.

The committee favorably recommended the nominations of Pat Timmons for secretary, Nita Mitchell for attorney general and Darrell Hancock for chief justice of the Supreme Court. The nominations of Murray Fogler for assistant to the president, Alston Gannner and Ed Rodman for the Elections Board and Trey Doak for notary public were approved.

All nominations must be confirmed by the entire CGC membership on Tuesday night before becoming official.

No objections were filed to any appointment until the nomination of Tim Dugan came before the committee. At that point, a spectator, Bob Kelley, a Ph.D. candidate here who had applied for the post of treasurer arose saying that he had information to give to the committee, and requested a private meeting.

John Sawyer, chairman of the Appointments Committee, responded by saying that the CGC constitution specifies that all CGC meetings remain open. However, committee member Robin Dorff cited Section 4-C of the constitution as saying that meetings dealing with persons

may be closed by majority vote.

The committee voted 5-0 to meet privately with Kelley. After talking with him for about 15 minutes, the meeting was re-opened. Sawyer announced that the committee had decided to table Dugan's nomination for treasurer pending a meeting with Williams. That meeting is scheduled for 1 p.m. this afternoon.

Dugan then requested that the committee meet privately with him, and was granted a private session.

Kelley, one of four students to apply for treasurer, contacted *The Daily Tar Heel* on Sunday. "I was told that I had the best qualifications for the job after I was interviewed," he said.

Kelley, who is black, said that Williams later called him and said, "We will have to appoint someone else. I don't want to appoint too many blacks."

Williams denied ever telling Kelley he was the best candidate, and said, "I deny the accusation that my decision was based on any racial issue."

Kelley said that he would fight for his appointment through the attorney general's office, the Black Student Movement and the Student Supreme Court, if necessary. "I do not intend to back down," he said.

When asked if he would support the decision of the CGC committee, Williams said, "We'll just have to wait and see."

Committee chairman Sawyer said Sunday, "Kelley made a charge which we thought could not be ignored," but added that the committee retains a neutral attitude towards the validity of Kelley's complaint.

He added that he doubted the issue would be settled in time for the CGC to vote on Dugan's nomination one way or the other on Tuesday night.



Kung Fu Grand Master Daniel Kane Pai displays his ability during a demonstration of martial arts Sunday as part of the East Asian Symposium.

## Former RHA head claims O'Neal lying

by Robert Petersen  
Staff Writer

Former Residence Hall Association (RHA) President Janet Stephens has labeled newly-elected President Mike O'Neal's Friday statement concerning his eligibility "an out and out lie."

O'Neal a graduate student, said he had no knowledge until last month's elections that Housing policy did not allow graduate students to sign up for undergraduate residence halls.

The RHA constitution stipulates that all executive officers must live in undergraduate dormitories.

Stephens said, "Mike and I discussed the

housing ruling for graduate students last spring when he was elected president of the Men's Residence Association. As directly as I can remember, he said then, 'Don't worry, I've got it figured.'"

Stephens said O'Neal had received special permission from Housing Director Robert Kepner to remain in Avery dorm.

She said Dr. James Condie, current housing director, was upset over the decision when he took over, but decided against his option to reverse it because the move would inconvenience O'Neal.

"Condie met with Mike last semester, though," Stephens continued, "and informed him that the policy would allow no exceptions for next year."

Stephens said she had talked about the matter with O'Neal two or three times since the initial conversation.

"When he decided to run for RHA president," she said, "I said, 'You know you'll have to live in Granville, don't you? He didn't say anything.'"

O'Neal must live in off-campus RHA member Granville Towers to meet the residency requirement.

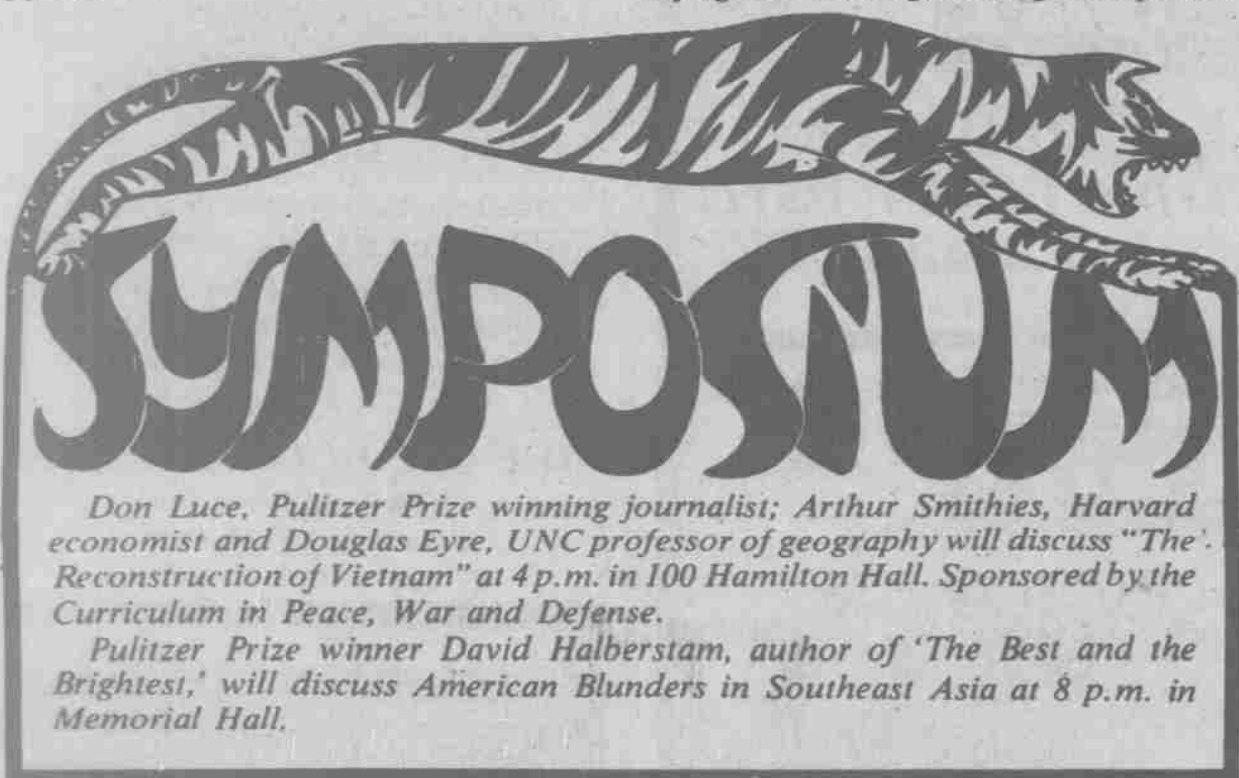
O'Neal said Sunday, "I did not know of the housing policy until I paid my room deposit. After I was turned away at Avery sign-up, I checked Granville, but they were filled up."

Stephens said O'Neal was attempting to place the Housing Department at fault for his present dilemma and using his position as RHA president to gain privileges.

"There is a reason for the ruling," she said. "Housing has a responsibility to house undergraduates."

"He's trying to pressure Housing to make a special case. He could have applied to Granville earlier. By waiting, he ruled out that option."

O'Neal has appealed the Housing decision not to allow him to return to Avery dorm to Dean of Student Affairs Donald Boulton. Boulton's decision is due today.



Don Luce, Pulitzer Prize winning journalist; Arthur Smithies, Harvard economist and Douglas Eyre, UNC professor of geography will discuss "The Reconstruction of Vietnam" at 4 p.m. in 100 Hamilton Hall. Sponsored by the Curriculum in Peace, War and Defense.

Pulitzer Prize winner David Halberstam, author of "The Best and the Brightest," will discuss American Blunders in Southeast Asia at 8 p.m. in Memorial Hall.

## Rape

### Preventive steps can thwart increasing rate of assaults

by Diane King  
Staff Writer

The lock on the back door of the dress shop clicked shut and Kathi walked to the parking lot, searching through her handbag for her car keys. That's when she heard the footsteps— heavy, shuffling, as if the person wore cumbersome hiking boots. Out of the corner of her eye, she saw the man in a ski mask reaching for her. She ran, but his shadow clung to her, his feet pounded the wet asphalt at her heels. She stumbled, fell, rolled against the curb and then lay mute. She didn't have a chance.

The circumstances of this story are true. Kathi could be one of the 500,000 women subjected to the terror of rape each year. If she is lucky, a few hours after the end of the story she will be in a police station or hospital getting sympathetic help. If she is not so lucky, her lifeless body will be found by police or, terrorized by the threats of her attacker, she will keep the rape a secret and live alone with the trauma.

But Kathi should not have to fit into any of these categories, because the attack recounted in the story need never have occurred. Kathi, like many women, didn't understand what she could have done to avoid her situation and wasn't aware of the weapons she had at hand when she found herself trapped by an attacker.

According to an FBI survey, rapes have increased 70 per cent in the last five years. Rape isn't the only crime increasing, but because it is highly personal, it has attracted more attention than other crimes.

At one time, people said the immodesty of women was the cause of rape. The average American believed women who wore short skirts and showed their knees deserved the trouble they invited.

Dr. Ingeborg Casey, a psychiatrist who works with rapists, believes enticement has little to do with rape. "I think this myth has grown out of a part of our cultural history—the tendency to project the origin of sexuality to women and not to men," he said. "This is ridiculous because sexuality resides in both male and female human beings."

A more recent theory is that the increasing independence of women is a factor in rising incidents of rape. The increase in rapes on college campuses may uphold the theory. Women are much more likely today to attend night classes, to go to labs and lectures alone and to be professors.

Herbert T. Vove, editor of the *Campus Law Enforcement Journal*, told the Associated Press last fall that rapes have risen on every campus he has contact with.

"It's not just a case of more women reporting it," he said. "It has happened."

Some campus security officers blame liberal visitation policies and coed dorms for the rapes on college campuses, because they allow people to wander in living areas without looking suspicious.

Students at some colleges have demanded tighter dormitory security. Two hundred women staged a sit-in at the University of Pennsylvania after several rapes there.

Other schools have taken action to protect coeds who must walk alone at night. Tufts University near Boston has spent \$30,000 to improve outdoor lighting, has a trained female security officer at a rape crisis center and has guards stationed in all women's dormitories.

On the Bloomington campus of Indiana University, a feminist group called Women Against Rape urges

women to carry whistles and has set up a safe house on every block as a refuge for women who are followed or harassed. The precautions were taken after 15 rapes and 20 assaults in an eight-month period.

Colleges do not have to be large to have a rape problem. The UNC campus is not immense and the town is not considered a metropolis. Yet UNC, like the metropolitan universities, is plagued by rape.

Chapel Hill Police Chief William Blake said rapes and rape attempts are increasing in Chapel Hill. According to police figures, there were nine rapes and nine attempted rapes from July, 1973, through January, 1974. This means that Chapel Hill averaged more than two rape-related incidents a month.

Chief Blake believes failure to report rapes may be causing the increase. (The FBI has estimated that only one in 10 rapes is reported.)

"Girls don't realize that when they fail to report a rape they may cause another girl to lose her life," he said.

Chapel Hill police do not believe there is a rapist for every rape wandering around Chapel Hill. They believe that often the same man may rape several times, encouraged each time his victim doesn't report the attack.

If a woman in Chapel Hill calls the police station and reports that she has been raped, policemen and the department's female social worker will go to the woman's home if she doesn't want to come to the station. Chapel Hill women are lucky in this respect because the local police are sensitive to the trauma that a woman feels when she has been attacked.

Some law enforcement experts believe that rapes are not reported because of the ordeal women often endure after they report a rape. Women find that

though they were the ones who were forcibly raped, they must defend their integrity from attacks by police, hospital personnel and the courts.

The *National Locksmith*, a security journal, cited the example of one woman who was abducted at gunpoint by four men and driven to an apartment where she was gang-raped. The defense lawyer defended one of the alleged rapists on the grounds that he was a known playboy and that the woman was also known to "enjoy a good time." He convinced the jury that she was a "licentious opportunist and unfit mother."

The jury let the accused rapist go, even though there was medical evidence that the woman was raped and a little black book with the woman's name crossed off was found in the defendant's apartment.

Chief Blake said one jury acquitted a defendant because the rape victim lived with her boyfriend.

According to the 1972 Uniform Crime Reports compiled by the FBI, of 46,430 reported rapes, only about 25,000 alleged rapists were charged. Of these, only 12,000 were found guilty and sentenced. The statistics are much better than that for Chapel Hill. Of the nine rapes reported between July and January, seven were cleared. Of the nine reported attempts, nine were cleared.

Most men commit rape only once, but many men rape often and for a variety of reasons. Dr. Casey believes that most of the reasons are related to the masculine stereotype.

"We encourage men to the dominant, to show their dominance over women," he said. "When you have a man who feels very inadequate, interpersonally or professionally, rape is one way he can show that he can live up to the masculine ideal." He added that rape can

also be a way of expressing anger toward women, or, for people who are uncomfortable with intimacy, a way of getting close to someone.

There is no way to look at a person and tell if he is a possible rapist. A study of 646 rape cases in Philadelphia showed that sex offenders are not crazy—they were no more pathological than the study control groups. Rapists are not confined to long-hairs or short-hairs or to any particular social class or income bracket. Rapists are equally divided between blacks and whites. Rapists are not even entirely confined to the male sex. Women have been convicted to rape because they lured female victims to their male attackers and assisted in the attacks.

No woman in Chapel Hill is immune from the violence of rape. Women who walk alone in the Kenan Stadium area and women who live in apartments have been particularly susceptible to rape, the police said. Only one attack has ever occurred in a campus dormitory.

"A couple of years ago, nearly every rape we had was related to hitch-hiking," Chief Blake said. Today the hitch-hiking is down but the rapes are up, indicating that other activities also attract rapists. Now, rather than campaigning against hitch-hiking, the police concentrate on showing rape-prevention films and sending warnings to students through the University administration.

"Ever since the 1965 murder of Sue Ellen Evans in Coker Arboretum in broad daylight, the administration has worked with us to get messages to the students," Chief Blake said. He added that police and administrators have worked together to improve lighting and increase patrols in the stadium area.

Please turn to Page 2, col. 5