

# The Daily Tar Heel

Last day

Friday is the last day to preregister for spring 1984 classes.

**Weather**  
Mostly sunny today with highs around 70. Fair tonight with lows in the low 50s. Partly cloudy tomorrow with highs in the low 70s.

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## Supreme Court asked to hear UNC desegregation case

By JANET OLSON  
Staff Writer

A civil rights group has asked the U.S. Supreme Court to hear an appeal in a case involving the 13-year-old desegregation dispute with UNC.

The Legal Defense Fund, formerly part of the NAACP, claims the consent decree governing UNC's desegregation policy is inadequate in protecting minority rights.

Among the commitments in the consent decree is UNC's agreement to increase minority presence enrollments and employment on both predominantly black and predominantly white campuses. UNC also agrees to further develop the predominantly black educational systems.

J. Richard Cohen, a Washington, D.C., attorney representing UNC, said the University remained optimistic about meeting its goals by 1986.

"Currently, the University is meeting all requirements — both in the letter and in the spirit of the consent decree," Cohen said.

But the LDF is unsatisfied with the University's desegregation policy. It appealed the decision of Judge Franklin T. Dupree Jr. in the District of Columbia Court of Appeals after the consent decree was signed. The court upheld Dupree's decision.

Cohen said the LDF's current appeal to the Supreme Court attacks the consent decree as failing to meet the criteria the Department of Health, Education and Welfare set in 1977.

"The Legal Defense Fund is determined to wreck this," said Raymond Dawson, associate vice-president for academic affairs. "They're trying to have exclusive control over higher education matters under Title VI of the Civil Rights Act."

Joseph L. Rauh, attorney for the Legal Defense Fund, refused to comment on the case, saying it would be unethical to discuss it at this time.

"It is the job of Mr. Rauh never to be satisfied," Cohen said. "The LDF has never been satisfied with the University's policies or with those of any other state."

In the past, the LDF has said that UNC is avoiding the jurisdiction of courts in Washington, D.C., by taking its case to Raleigh. In past documents, Rauh said the University's actions would not be subject to federal review.

Cohen said these accusations are false. "They are subject to review in North Carolina," Cohen said. "There is nothing unusual about a local federal court supervising a local desegregation issue."

Cohen added that the Supreme Court holds that local federal courts have primary authority to oversee desegregation matters in their locale.

"The D.C. courts see no reason to nationally centralize this issue," Cohen said.

For this reason, Cohen said the chances that the Supreme Court will hear the Legal Defense Fund's case are remote.

"The D.C. Court of Appeals was careful to avoid conflict with Judge Dupree's opinion," Cohen said. "Thus, there's not much incentive to hear the case again."

Since the Supreme Court is the court of last

resort, Cohen said the Legal Defense Fund is running out of options to appeal Dupree's decision. Rauh can petition to appeal to Dupree's court in Raleigh.

"Whether that will be timely is another question entirely," Cohen said. "The major opinion in the D.C. circuit said they should have gone to North Carolina in the first place."

The consent decree was signed by Dupree of the U.S. District Court in Raleigh on July 17, 1981. It was intended to end an 11-year dispute between UNC and the Department of Health, Education and Welfare's Office of Civil Rights.

The dispute began in 1969 when the Office of Civil Rights accused 10 states, including North Carolina, of operating racially discriminatory programs of higher education.

In January 1970, HEW issued guidelines for college desegregation. UNC submitted proposals which HEW approved that August.

But in October 1970, the Legal Defense Fund filed suit in the U.S. District Court, which said

HEW failed to initiate enforcement policies for UNC's desegregation plan. U.S. District Judge John H. Pratt ordered HEW to initiate enforcement proceedings.

UNC's Board of Governors submitted and amended a new plan at HEW's request, and HEW accepted it in July 1974.

The Legal Defense Fund again accused the plan of being inadequate and challenged the plan to Pratt in 1975.

In April, Pratt ordered HEW to require more stringent plans. HEW issued criteria in July, calling for greater black enrollment and for greater black management participation.

UNC revised its plan in 1977 to comply with HEW's new criteria, but HEW Secretary Joseph Califano rejected it as inadequate. In 1979, Califano began proceedings to halt UNC's federal funding.

UNC filed suit April 24, 1979, against the federal government in Raleigh's U.S. District Court to pre-

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## UNC's Crum calls for fan controls after game incident

By EDDIE WOOTEN  
and  
FRANK KENNEDY  
Assistant Sports Editors

North Carolina football coach Dick Crum said Tuesday there may be a need for crowd-control guidelines among ACC schools after Maryland fans surged onto the field in Byrd Stadium Saturday in the closing minute of the UNC-Maryland football game.

The incident resulted in reports of injuries, which were unconfirmed by Maryland athletic director Dick Dull, Maryland sports information director Jack Zane and the campus police department.

Crum, speaking at his weekly news conference in Kenan Fieldhouse, said he was concerned for his players' safety when several thousand excited fans rushed onto the field after UNC missed a two-point conversion attempt that would have tied the game with 22 seconds remaining. Meanwhile, Duke fans celebrated their first win of the season by tearing down a goal post in Wallace Wade Stadium in Durham. As the crowd paraded around the stadium, Georgia Tech head coach Bill Curry was almost hit by the post.

At College Park, the Tar Heels had pulled to within two in the waning seconds when UNC quarterback Scott Stankavage threw an incomplete pass in the end zone to tailback Tyrone Anthony, who was then carried out of the end zone by his forward motion. At that instant, jubilant Maryland fans stormed the field, and Crum said he was afraid his players would be trampled.

"When we missed the conversion, Scott got knocked down," Crum said. "I was really fearful they were going to trample him to death. I didn't know if he was going to get up. The mass of people



Photo by Mark Holodick

Maryland fans tore down the goal post in an early celebration during Saturday's UNC-Maryland game at Byrd Stadium in College Park. Fans stormed the field with 22 seconds remaining.

just came right over him." Crum said the crowd situation was "intolerable" and said he couldn't understand why it was allowed to happen at all. "In my 27 years of coaching, I have never been around anything like that," he said. "Our players said they were actually scared going off the field."

In addition to the mob scene, Crum said some of the Maryland faithful cursed his players before and during the game, and he added that one drunken fan even made his way to the UNC bench during the game.

ACC commissioner Robert C. James said the incident was regrettable and added that he had never seen anything like that happen in previous league games.

"In a situation like that, you have players who are in a highly emotional state, and when fans bump into them it could be misinterpreted and a real melee could erupt," James said in an interview Tuesday.

James said the incident occurred primarily because temporary bleachers had been installed on the track surrounding

the field, making the field easily accessible to fans. "They (stadium officials) have removed those bleachers and will not have them there again," he said.

James added that while he expected no specific guidelines on crowd control to be introduced, he said that several of the league's athletic directors have suggested fencing in the football fields, as is the case at Kenan Stadium.

Crum suggested even tighter security. "They might consider barbed wire and land mines," he said sarcastically.

"There is no place for that kind of stuff, and it doesn't look good for the ACC," Crum said, adding that he was glad the game was not nationally televised.

Dull said Tuesday the crowd reaction was a result of the emotion stirred by one of Maryland's biggest wins in its history. Dull said no reports of injuries had reached his desk, and he said there were no alcohol-related problems.

Dull, speaking in a telephone interview from College Park, said the large crowd was just too strong for the security per-

sonnel on hand in the end zone. "What you saw was that there were a number of ushers, gatemen and personnel that were down in the end zone," Dull said. "There were also members of the university police department."

"Our procedure is to bring people down from the upper parts of the stands and increase security around the perimeter of the field. If you're talking about 50,000 people being controlled by 500 or 600 security personnel, obviously when 50,000 decide to come down, they will."

"It wouldn't have been any different in College Park or in Chapel Hill if they decided to come down on the field," Dull said.

Dull said ACC guidelines on crowd control would probably be useless because of crowd emotions in the most important games, like UNC-Maryland.

Police checked fans for alcohol and confiscated bottles and flasks, Dull said. "What you saw there is not a result of

## House invokes War Powers Act

The Associated Press

WASHINGTON — The House passed a War Powers resolution on Tuesday requiring President Reagan to withdraw U.S. forces from Grenada before Christmas. The vote was 403-23.

The Senate approved identical wording Friday by a 64-20 margin, but the unrelated measure it was attached to was killed. That sets up another Senate vote, possibly this week, specifically on the War Powers issue.

All N.C. congressmen voted for the resolution.

A spokesman said the Senate Foreign Relations Committee would move quickly on the resolution and send it to the floor for a new vote.

Reagan, like presidents before him, has resisted encroachment on his powers as commander in chief of U.S. military forces and has not indicated whether he will veto the resolution on Grenada, which would require withdrawal within 60 days of last week's invasion. A two-thirds majority vote of both the Senate and the House, however, would override that veto.

As the fighting tailed off in Grenada, the invasion became an issue of harsh partisan dispute Tuesday with Republican leaders rallying around the president and House Speaker Thomas P. O'Neill Jr. questioning whether Reagan read the available intelligence about the island.

Senate Majority Leader Howard H. Baker Jr. of Tennessee said the first invasion of Grenada came with the arrival of Cuban troops.

"In my view, (Fidel) Castro invaded Grenada," Baker said. "And there were upwards of 1,000 Cuban troops there and nobody should think that they were just construction workers."

"They were organized as military units, they were armed and their command structure was in the nature of military units and they were invaders. The Cubans were invaders of Grenada."

"American troops there relieved that invasion," Baker said, adding that the

United States "acted promptly, wisely and legally in going in there and relieving that yoke and burden of Cuban and Russian domination."

Administration officials said at one time there were more than 1,000 Cubans on the island, but later revised that figure to perhaps no more than the 784 Castro acknowledged were there.

There has been no clear word whether the Cubans were troops first and construction workers second, or construction workers armed and trained as militiamen. House GOP leader Bob Michel of Illinois said the U.S. invasion prevented the 600 American medical students in Grenada from being taken hostage.

Now that the invasion is a military success, Michel said, "there will always be Monday morning quarterbacks who think it could have been done some other way." Baker, Michel and other GOP senators and House members were briefed at the White House on the situation in Grenada by Defense Secretary Caspar Weinberger and Gen. John Vessey, chairman of the military Joint Chiefs of Staff.

Meanwhile, O'Neill was asked if the accidental bombing of a mental hospital in Grenada by U.S. warplanes represented a failure of U.S. intelligence.

"These things happen," said O'Neill, adding that a special fact-finding group of House members who will travel to Grenada on Friday will look into the intelligence available to U.S. forces before the invasion.

And then, O'Neill said of Reagan, "I often wonder if he reads the intelligence reports."

O'Neill said earlier this week he believes Reagan has been looking for a reason for two years to invade Grenada. He told reporters Tuesday he was "worried about Reagan's macho attitude" and what he termed a tendency to favor "gunboat diplomacy."

O'Neill has said the invasion was a violation of international law unless it was specifically to rescue threatened Americans and that he believes this was a secondary concern of the administration.

## Fate of Upendo is still undecided

By STUART TONKINSON  
Assistant University Editor

What's in a student union? That's the question Student Government officials, Carolina Union leaders and Black Student Movement members are tackling in a series of meetings to decide the fate of Upendo Lounge.

Current plans for the renovation of Chase Hall call for the replacement of Upendo, used almost exclusively by the BSM, by a South Campus Union on the second floor.

BSM members and Student Government officials said Monday that they had assumed, based on UNC administration statements, that the continued existence of Upendo was assured.

But Union President Lucia Halpern said that UNC administrators had told her that space should be made available to the BSM on a first-priority basis only.

Upendo Supervisor Marcellas Smith said that there would not be a problem with other organizations using Chase Hall for their activities. Supervision of space in Chase should stay with the BSM, however, and not be given to the Union Board of Directors, Smith said.

"The present Upendo staff can staff the new functions as well as anybody else," Smith said. "Why do we need to change it now?"

Union Director Howard Henry said Tuesday that keeping the present Upendo staff would mean the Union would have to assume part of the cost for that staff, which is made up of work-study students.

But Campus Governing Council Speaker James Exum (District 15) said Upendo has used work-study students for years, they have not been counted as Union staff, and there is no reason that things should be different in the future.

"Something's wrong here," Exum said. Halpern said that confusion may have been caused by a misunderstanding of the nature of Upendo.

"Before all this came up, I never knew that Upendo was part of the Union," Halpern said. She added that

she did not believe that most students knew that space in Chase Hall was open to their activities.

BSM President Sherrod Banks said that other students did not make use of the space because Chase Hall was so run-down.

"There have been no renovations in Chase since its beginning (in 1972)," Banks said. "The BSM is the only group that made use of it."

Exum added that if Chase Hall was almost exclusively filled with BSM-related activities, it was because there was not a sufficient demand by other groups.

"When Chase was used for other purposes, it did not attract enough students to keep it alive," Exum said. "It is the BSM which allowed Chase to survive. It should be open to all students, but it just tends to attract black students."

Banks said that how Chase was presently used fulfilled the most important needs of the students.

"If Chase becomes a black union, then it only serves to show that there isn't any more pressing need, since it's surrounded by South Campus, which is 75 percent white," Banks said.

Halpern said that she was worried about maintaining Upendo at Chase would lead to the creation of a black union and a white union.

But Exum said that there was no need to change something that has worked well so far. Upendo has always been a part of the Union, and there is no reason to change the structure now, when blacks depend on it more than ever, Exum added.

There is already too big a dichotomy between North and South campus, Halpern said. She added that she did not want the new Chase Hall policy to intensify that dichotomy.

Banks said that the BSM had a system worked out for supervising Upendo which was the most efficient for black activities.

Smith, who keeps track of the activities that go on in Upendo, said that the lounge, located on the first

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Retired police officer Charlie Edmonds checks Jeff and Jason Slade's greyhound for identification and vaccination.

## County has oversupply of stray animals

By KATHIE COLLINS  
Staff Writer

Retired Chapel Hill police officer C.L. Edmonds has a gentle manner and approaches a criminal in unique fashion. He walks up to the offender, pats his head and ties a rope around his neck.

It's only a short truck ride from the sight of capture to the prison. For many of these criminals it's only a week until their death sentence is carried out.

These criminals are Orange County's oversupply of stray dogs, many of which wander around the University campus. Edmond's job is to enforce the town's leash ordinance by picking up strays and to issue citations to owners who do not comply with the law. Strays are defined to be any unrestrained dog with or without license tags.

Edmonds picks up an average of four dogs a day in Orange County. Between 15 and 20 of these animals have been apprehended on the University campus in the last two months.

According to Don Willhoit, UNC health safety director, the stray dogs cause problems. Willhoit said the dogs block entrances to buildings, beg for food and risk the possibility of spreading rabies.

The University operates by the same leash ordinance as the town. All unleashed dogs are reported to the Campus Police and the Orange County Animal Shelter.

Dogs who are taken to the animal shelter are well-cared-for, said Mary Kennedy of the Animal Protection Shelter. The shelter will hold a dog for seven days in hopes that its owner will claim him.

If a dog is not reclaimed at the end of seven days, he is available for adoption. Anyone may adopt a dog for \$37. Adopters must sign a contract promising to spay or neuter the dog and after the terms of contract are carried out, the \$37 is refunded.

The length of time the shelter holds a dog for adopting depends on the amount of space available and on the condition of the dog. Dogs in extremely poor condition and those left unadopted are eventually put to sleep.