

# The Daily Tar Heel

Serving the students and the University community since 1893

Witness 'Crimes'

Arts editor Jeff Grove interviewed Kathy Danzer, who will play Meg McGrath in Broadway on Tour's next show 'Crimes of the Heart.' See story, page 5.

Weather

Mostly sunny, breezy and cold today with the high near 40 with winds 10 to 20 mph. Fair but cold Thursday night and Friday with the lows in the upper teens.

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## UNC halts Wilson and Cavs, 69-66

By KURT ROSENBERG  
Assistant Sports Editor

When Ralph Sampson played his last game for the University of Virginia, the heated rivalry that had existed for four years between UNC and UVA. was officially brought to a close. At least for the 1983-84 season.

And there was no reason to doubt that proclamation after the two teams were three-quarters of the way through their first game since Ralph headed to Houston and the NBA. With 10:44 to go Wednesday night in Carmichael Auditorium, the Tar Heels were up by 21, making everyone forget about some of the most intense games of the past four seasons.

But suddenly, this too was a game, and before even Dean Smith could figure out what was happening, the rivalry was alive and well.

Virginia, led by guard Othell Wilson and center Kenton Edelin, outscored UNC, 21-1, and had two chances to tie the game in the closing seconds. The Tar Heels escaped, though, as Wilson and guard Rick Carlisle both missed short jump shots in the closing seconds and UNC hung on for a 69-66 win.

North Carolina raised its record to 13-0 and 4-0 in the ACC. The Cavaliers fell to 11-2 and 1-2 in the ACC.

"Just because Sampson's gone doesn't mean it's over," UNC forward Matt Doherty said of the rivalry that apparently never died. "I think it's always gonna be this way."

Doherty and his teammates would have to hope that the games themselves don't always develop this way. The Tar Heels seemed to have things well in hand until Wilson decided to take control of the game. He scored nine straight points, cutting a 19-point lead to 10 on three foul shots, a layup and two jumpers. That made the score 58-48.

After Doherty made a free throw, Wilson came right back with a jump shot over Michael Jordan to make it a nine-point game with 8:05 to go. Still a big deficit to overcome.

No problem. Wilson turned things over to Edelin, who turned it into a three-point game in a matter of seconds. Edelin scored on a layup, stole the inbounds pass and made a short jumper from the lane



Michael Jordan, scrambling for the ball here against UVA's Jim Miller, scored 23 points to help keep North Carolina on the winning side of a rivalry still very much alive.

and dunked off a pass from Wilson. There was 6:02 left and it was anybody's game.

"We wanted to make it interesting," Smith joked afterward.

It got a lot more interesting. Wilson, who scored 17 of his 21 points in the second half, then cut the lead to one on a 23-footer. But Jordan scored three points, Brad Daugherty got a dunk and Doherty made both ends of two one-and-ones and the score was 68-61 with 1:01 left. Finally, it seemed, the Cavaliers had been put to rest.

Not quite. Forward Jim Miller put in an offensive rebound, then stole the ball, layed it in, got fouled by Sam Perkins and cut the lead to 68-66, setting up a dramatic ending.

Wilson stole the ball from Kenny Smith, took the ball downcourt, and pulled up for a 10-foot jumper in the lane. He missed. The ball was lost out of bounds

by UNC, and UVA. had another chance with less than 10 seconds to go.

The ball went to Carlisle on the right baseline. He took an eight-foot jump shot and it went in. And then out. And that, literally, was the Cavaliers' last shot.

"It was going around and around and I guess it just wasn't meant to be," said Jordan, who was in Carlisle's face when he took the shot. "I guess it was just lucky he missed."

after a 64-63 win.

Two years before, in Sampson's only win in Carmichael Auditorium, the Cavaliers were the ones to turn the game around in the latter period, winning this one in overtime, 80-79.

Shades of 1981 Wednesday night? "Yeah," Wilson said. "Only we won that one."

### NORTH CAROLINA (69)

Doherty 2-5 5-6 9, Perkins 5-9 6-7 16, Daugherty 5-8 1-1 11, Jordan 3-10 0-0 6, Wilson 9-18 3-3 21, Hale 1-2 0-0 2, Peterson 0-3 0-0 0, Wolf 2-2 0-0 4, Exum 0-0 0-0 0  
Totals 26-50 17-21 69

### VIRGINIA (66)

Miller 4-11 4-5 12, Sheehy 5-10 0-0 10, Polynice 4-7 2-2 10, Carlisle 3-10 0-0 6, Wilson 9-18 3-3 21, Edelin 3-4 1-2 7, Stokes 0-0 0-0 0, Merrifield 0-2 0-0 0, Mullen 0-1 0-0 0  
Totals 28-63 10-12 66

## Edmisten says loopholes won Hutchins' stay

By WAYNE THOMPSON  
Staff Writer

RALEIGH — N.C. Attorney General Rufus Edmisten says convicted murderer James Hutchins' attorneys "sandbagged" the legal system in their efforts to spare Hutchins from his scheduled execution.

Hutchins' attorneys successfully used legal loopholes to delay the death by lethal injection, Edmisten said in an interview Wednesday.

"In the last ruling in this case, the U.S. Supreme Court ruled that the last-minute appeals tactics are an abuse of the judicial process," he said.

Hutchins, convicted in 1979 of the shooting deaths of three Rutherford County law enforcement officers, was granted a stay of execution Friday by the N.C. Supreme Court. A Superior Court judge, however, on Monday set a new execution date for March 16.

Edmisten said the case would be history were it not for defense attorneys' rehashing of defenses already used in other N.C. courts. "The insanity defense Hutchins' attorneys brought up had already been litigated before in his original trial," he said. "They're just trying to stave off the inevitable."

"It's always been a favorite tactic of defense attorneys to wait until months and maybe years later to use defenses," Edmisten said.

Edmisten said state law offered defense attorneys too much room for maneuvering. "We (North Carolina)

don't require attorneys to bring up any of their defenses during the trial," he said. "It's cruel and unusual punishment to the defendant and the victim ... both deserve a fair, speedy trial."

Attorneys Thomas C. Manning, Joseph B. Cheshire V and Barbara Smith — part of the seven-lawyer effort to save Hutchins' life and the attorneys who will lead the defense team in appeals for Hutchins over the next 60 days — could not be reached for comment. However, another member of the Raleigh law firm Purser, Cheshire, Manning and Parker, where the three work, commented.

"Lawyers are required to bring forth all defenses during the trial," John Parker said. "Defense attorneys cannot sandbag," he added, citing the state's criminal procedure statute G.S. 15A.

Daniel Pollitt, a UNC law professor, agreed with Parker. "That is the law, you do have to raise the issues," Pollitt said Wednesday. "You can't hold back."

He explained the defense attorneys' options in the appeals for his client. "The normal process is that you're tried by the state for murder ... you can only use those issues you raised at the trial (as basis for an appeal)." If the defense attorney discovers a new ruling or evidence that he thinks could have changed the outcome of the original trial, he can raise this issue before the court where the case was first tried, Pollitt said.

If the judge rules that the issue raised by the defense is valid, or of "constitutional dimension," the defendant

gets another day in court, Pollitt said. If the defense loses, it can appeal to a higher court only on the issues raised in the lower court.

A legal precedent was what Hutchins' lawyers needed to get the N.C. Supreme Court to grant a stay of execution Jan. 13 at 5:20 p.m. — just 40 minutes before Hutchins was to be executed by lethal injection.

Late in the day before Hutchins was to die, a judge in Charlotte ruled that it was unconstitutional to exclude jurors during jury selection for opposing the death penalty. Armed with this precedent, one of Hutchins' attorneys, John T. Nockley of Charlotte, boarded a plane to Richmond at 11 p.m., and argued for a stay of execution before 4th U.S. Circuit Court of Appeals Judge Dickson Phillips. Phillips agreed with Nockley's arguments that Hutchins' death sentence was flawed because death-penalty opponents at the original trial were excluded from the jury panel.

Edmisten called the appeals "seemingly endless," but predicted that Hutchins would be dead before the year is out. "James Hutchins is an animal," he said. "He killed three of my buddies."

"After Hutchins shot the first two officers, he got ahead of the officer who was chasing him in a car, stopped his car, knelt down and fired at the officer as he came into sight," Edmisten said. "It was a cold-blooded ambush even if everybody says it was in a drunken rage. "Whether or not you support the death penalty," he said, "you've got to abhor that."

## Conway discusses candidacy for 'Daily Tar Heel' editor

By JIM ZOOK  
Staff Writer

John Conway, a junior journalism major from Cumberland, Md., has announced his candidacy for editor of *The Daily Tar Heel*.

"*The Daily Tar Heel* has had a tradition of excellence," Conway said. "I believe I have the innovative ideas and, more importantly, the leadership qualities to implement those ideas to make *The Daily Tar Heel* a good paper and continue that tradition of excellence that we already have."

Conway said his platform for the campaign would focus on three major points — expanded sports coverage, cutting down financial costs for the paper, and utilizing a "more moderate" editorial policy.

"First, I plan to have what's called Sports Monday," Conway said in outlining his plans for more sports coverage. "I will guarantee a full page of sports on the inside, and that's regardless of the size of the paper."

Conway added that he would be emphasizing more coverage of "non-revenue" sports, if elected, citing the women's soccer team's national title as something that deserved a more prominent position in the paper.

Conway stated his ideas on how to rechannel some funds and try to save the paper money.

"What I would like to do and what I will actively pursue is seek more competitive prices on our printing," Conway said. "Right now we are in a contract which I feel we may be getting taken advantage of."

Conway stressed that the present contract was not agreed upon by the current DTH Board of Directors or by the current business manager.

The third major item Conway said he hoped to work for, if elected, would be to change the editorial policy to be "more selective and more moderate."

"I think it is the purpose of the editorial page to provide insight and commentary on those issues which are of interest to the students and the



John Conway

community," Conway said. "I don't think it's our purpose to create issues, to create controversy or to make personal attacks."

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## Parker announces candidacy for Student Body President

By DICK ANDERSON  
Staff Writer

Paul Parker, a junior international studies major from Jacksonville, Fla., has announced his candidacy for student body president.

"I'm not a person who's ever waited for other persons to do things that need to be done," Parker said of his decision to run. "I see a real need for change — a need for a student government that can actually do something and make a difference on those things that really matter."

"First, I want to totally restructure student government to give it the flexibility it needs," Parker said. He advocates eliminating the "paper-shuffling" committees that he says currently hamper the system.

## Elections Board is non-existent

By MARK STINNEFORD  
Staff Writer

Even though Student Government is currently without an Elections Board, Student Body President Kevin Monroe expressed confidence Wednesday that campuswide elections would be held as scheduled on Feb. 14.

"I'm as anxious to get out (of office) as they (the candidates) are to get in," Monroe said.

The last Elections Board chairman, Chris Cox, resigned for personal reasons at the end of the fall semester after serving for only two months.

Before Cox took the position in October, it had been vacant since late May. Because of communication problems between Cox and Monroe, Cox missed several Campus Governing Council committee meetings scheduled to consider his appointment. The resulting delay in approving Cox as chairman last fall forced a three-week postponement in elections held to fill vacant CGC seats.

In the rush to hold the fall CGC elections, the Elections Board members recruited by Cox were never confirmed by the CGC. Thus, Student Government finds itself without an Elections Board.

Cox predicted Tuesday that five of the 10 members he recruited for the board would agree to remain on it, Monroe said Wednesday he hoped to present the CGC with nominations for the chairman and members of the Elections Board within two to three weeks. According to the Elections Laws, the board must consist of seven to 10 members.

Also according to the Elections Laws, the board must make petitions available

to candidates by Tuesday, Jan. 24. The petitions must be returned by Feb. 4, and the board must hold a compulsory candidates meeting by the same day.

Monroe said he would appoint a student in his office to ensure that the requirements of the Elections Laws were carried out while the board members were being recruited and nominated.

Other tasks that need to be accomplished include scheduling election forums, recruiting poll tenders, programming any balloting machines that will be used to count the votes and printing instructions to be used by the voters, Cox said. The process of getting students to man the polls alone could take two to three weeks, he said.

Dennis Bartels, former chairman of the CGC Student Affairs Committee, has expressed interest in serving as Elections Board chairman. While he has not made a final decision, Bartels said he was not discouraged by the need to organize the elections on short notice.

"It doesn't worry me much because I like challenges, and this is definitely a big one," said Bartels, a junior from Battle Creek, Mich.

Bartels said he would make a final decision about the job after meeting with Monroe today.

CGC Speaker James Exum said the council was waiting on Monroe.

"We're ready, but we need the nomination," said Exum, who is running for Student Body President. "We can't act until the president gives us something upon which to act."

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## CGC rejects proposal to fund political groups

By MARK STINNEFORD  
Staff Writer

The Campus Governing Council Wednesday night rejected a proposal to allow the allocation of student fees to political organizations.

An amendment to the Student Constitution prohibits the allocation of Student Activities Fees to "programs services or events of a political or religious nature." The amendment was passed in a student body referendum in February 1983.

The defeated proposal would have set up a new student referendum on whether to drop the ban on funding political activities. The proposal was defeated 15-4.

CGC member Allan Rosen (District 7-graduate), a sponsor of the ill-fated bill, said the ban on funding political activities would prevent Student Government from actively pursuing programs supporting education, civil rights and the general welfare of the student body.

Rosen added that groups such as the Black Student Movement and the Association for Women Students now are unable to tackle controversial issues of interest to students.

"Why shouldn't AWS be able to work on issues that are controversial but of concern to students?" Rosen asked. "What was political 20 years ago is educational now."

Brian Dalton (District 15-South Campus), who was against the bill, said changing the constitutional amendment could conceivably allow the CGC to fund radical groups of the right or left. Kerry Haymie (District 20-off campus) agreed.

"Any group — whether it be Young Democrats, College Republicans, KKK or whatever — could be funded," Haynie said.

CGC Student Affairs Committee Chairman Ron Everett (District 13-HRC) said the bill was irrelevant because students voted to ban funding political and religious activities less than a year ago.

"The students have already decided on this; I don't see what the point is," he said.

But Steve Reinhard (District 1-graduate) said the CGC was a political body and should have the power to make political statements. He noted that colleges led the opposition to U.S. involvement in Vietnam.

"CGC can play a political role in affecting national policy," Reinhard said. "I think we should do so."

Faced with overwhelming opposition to the bill, Rosen attempted unsuccessfully to amend the proposal to make it more acceptable to the council. He proposed banning funding of "political organizations," excluding Student Government or activities "held by any organization that is primarily educational or concerned with the civil rights or welfare of the student body."

Greg Hecht (District 15-South Campus) and other council members said the terms in Rosen's new proposal were ambiguous and invited abuse by a future CGC.

In other action, CGC Speaker James Exum (District 15-South Campus) said he

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Paul Parker

professors' deadlines in ordering books and by indexing prices on other items, implementing a "third channel" besides Campus Governing Council and Residence Hall Association for student input and coordinating academic complaints regarding professor performance.

Parker, a member of Chi Psi fraternity, is executive assistant to Student Body President Kevin Monroe as well as na-

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elections