

## Officials consider revision of Smith Center ticket policy

By HELEN JONES  
Staff Writer

Ticketron officials are still studying whether the reasonable search disclaimer printed on the back of Smith Center tickets should be changed, Ticketron lawyer Ron Thomas said Tuesday.

Steve Camp, Smith Center director, asked Ticketron officials to change the clause when the constitutionality of the disclaimer came into question early last December.

The disclaimer says patrons of Ticketron arenas such as the Smith Center are admitted on the condition that they consent to "a reasonable search for alcohol, drugs or weapons."

Camp asked that the disclaimer be revised to read, "a reasonable, legal search," after legal experts challenged the right of Smith Center officials to conduct searches without probable cause.

Ticketron officials said Tuesday that the Constitution does not apply to the search clause, which they said is part of the terms of sale.

But Camp said that Ticketron officials had been very cooperative

when asked to consider making the change.

He said Ticketron needs to finish using the existing stock of tickets printed with the present disclaimer, but there is no objection to changing the wording when the stock is reprinted.

"I'm not sure that adding the word 'legal' will make it all that much clearer, but if people are going to be concerned about it and if it eases that concern, then I'm happy to do it," Camp said.

Thomas said the issue has not been a big problem among other Ticketron clients. "Most people realize that it (the disclaimer) is for the common good," he said.

Daniel Pollitt, a UNC Kenan professor of law, disagreed. He said that the freedom from illegal search and seizure guaranteed by the Fourth Amendment applies in the Smith Center because it is a public building, owned and operated by a state-owned

university.

"You can't buy away people's constitutional rights," he said. "It doesn't matter what form the contract takes, whether it's on the ticket or a sign on the wall."

Pollitt said he wants to see the entire search clause removed because it misleads people about their rights.

Police must have probable cause to search someone legally. "Probable cause means far more than a hunch or suspicion, and mass searches are out," Pollitt said.

Pollitt cited cases involving searches at the Greensboro Coliseum and the Raleigh State Fairgrounds in which a federal district judge ruled that the Fourth Amendment protection applies in a public arena.

North Carolina Attorney General Lacy Thornburg supported those decisions, Pollitt said. All federal judges who have ruled on such cases have also agreed that Fourth Amendment rights are protected, he added.

## Volunteers needed for program to help smokers kick the habit

By KARI BARLOW  
Staff Writer

The Orange County Unit of the American Cancer Society needs volunteers and participants for its 1988 FreshStart program to help people stop smoking. The first meeting is tonight from 7:30-9:30 p.m. in room G-7 of the University Burnett-Womack Building.

The program consists of two sessions a week for two weeks. During the sessions, a group of five to 15 people discuss smoking habits and various ways to quit.

"We hand out printed materials. We share experiences. We analyze their smoking problems," said FreshStart coordinator Margaret Hudson.

"There are three ways to stop smoking," Hudson said. "You can quit 'cold turkey' or taper the number of cigarettes, or you can delay the time you start to smoke."

Hudson said a facilitator will

explain the various dangers of smoking and the ways to stop. The facilitator also asks the participants to set a target date for when they will quit smoking.

"By the third meeting they are supposed to be ex-smokers," Hudson said. "It is the participant's responsibility, but the facilitator is there to encourage and explain the benefits of quitting."

Hudson said the number of FreshStart programs depends on demand, but the cancer society usually holds one every month.

"We are going to institute a policy where they (participants) make a small deposit," Hudson said. "Then at the end of the four sessions, we will refund their deposit. Sometimes people think that if a program is free, it doesn't amount to much."

The new policy is expected to go into effect by February or early March.

Hudson said the program is geared toward adults because it puts the responsibility for stopping on the smoker. Teenagers do not usually respond to this program.

"I wish we could get (teenagers) interested," Hudson said.

Volunteers for the program must complete a Facilitator Training Workshop, which will enable them to conduct these programs. Hudson, who trains the volunteers, said she preferred the facilitators to be ex-smokers.

"Facilitators are more successful if they have been a smoker and have now stopped smoking," Hudson said. "Otherwise, it's difficult to understand what people go through to quit smoking."

Any volunteers who wish to be facilitators should go to the meeting tonight or apply at the American Cancer Society office located on 105 W. Main Street in Carrboro.

## Police await hearing

By BRIAN McCOLLUM  
Staff Writer

Fourteen officers who filed grievances against the University police department last fall are still awaiting a hearing with University officials, attorneys said Tuesday.

The officers claimed they were not given a fair opportunity to apply for 12 promotions during a departmental reorganization in June. Several officers' grievances charged campus police officials with favoritism and racism in hiring practices.

The hearing will be scheduled with a chancellor's committee after the lawyers receive information from campus police regarding hiring and personnel practices, said Nick Herman, assistant to the officers' attorney.

The department has refused to release certain information, Herman said, including personnel files, job descriptions and papers relating to job reassignments.

The information is necessary in determining whether the promotions were granted fairly, Herman said.

"It only seemed fair to us in understanding why some applicants were promoted and others were not," he said. "It makes it untenable when we're arguing about the lack of due process in this matter."

Robert Sherman, director of security services, said University policy prohibits personnel information from being released to the public.

"There are certain records that are public information, and some that aren't," he said. "Student records aren't for release, and the same applies to employees."

Officers took the first step in the University's grievance procedure in October, when they appealed the promotions to Sherman. The department offered an apology in response.

Officers then met with police officials and University personnel officials, according to step two of the procedure. The department reopened six of the 12 positions in response.

Dissatisfied with that action, officers filed four more grievances. They have now appealed to the third step of the grievance procedure, which is a hearing with the chancellor's committee.

If the officers are not satisfied with the outcome of the committee hearing, they can appeal to the state personnel office under step four of the procedure.

Sherman says the department is still working to fill the reopened positions.

"It's a drawn-out, detailed process," he said. "We'll finish as soon as possible, because we'd all like to have these positions filled."

Danny Caldwell, one of the officers who filed a grievance, said Sherman is attempting to fill the reopened positions although the officers have continued their appeal. This action has lowered morale among the officers, Caldwell said.

"I don't think Sherman is being fair," Caldwell said. "He wants to make these (the promotions) work no matter what the officers think. The morale is so low everybody wants to work their eight hours and get home."

Caldwell also said he doesn't expect anything to change after the meeting with the chancellor's committee.

"We're 99 percent sure that nothing will come about until step four," he said.

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