

WEATHER
 TODAY: Cloudy; high 55-60
 SATURDAY: Fair; high upper 50s

ON CAMPUS

- Sonja H. Stone Black Cultural Center official naming ceremony from noon to 3 p.m.
- Deadline for applying for academic credit for summer and fall internships is March 31.

POLICE, PLEASE: Pine Knolls residents ask for area stationCITY, page 3
WESTWARD: Tar Heels hit Kentucky hard court.....SPORTS, page 5

SportsLine

NCAA TOURNEY
 Kentucky 87, UMass 77
 Indiana 85, FSU 74
 Duke 81, Seton Hall 69

NBA BASKETBALL
 Atlanta 107, Washington 95

NHL HOCKEY
 New Jersey 4, Boston 2
 Pittsburgh 7, Vancouver 3

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Deliberation begins in Catullo rape case

By Shannon Crowover
 Staff Writer

HILLSBOROUGH — Orange County Superior Court Judge Gordon Battle denied Thursday two motions from the defense to dismiss the case against UNC senior Carmen Edward Catullo but reduced the first-degree rape charge to second-degree rape.

The jury began deliberation late Thursday afternoon after all eight defense witnesses had taken the stand. After deliberating for less than an hour, members of the jury returned to the courtroom at 5 p.m. to announce they would continue deliberation at 9 a.m. today.

In Battle's instructions to the jury, he said that jurors were the sole judges of the credibility of the witnesses and that it was their job to determine the true facts of the case.

"The state must prove the defendant is guilty beyond a reasonable doubt," Battle said. "The state must prove that the defendant had vaginal intercourse with (the accuser), they must prove the defendant used or threatened to use force to overcome any resistance from

(the accuser), and the state must prove that (the accuser) had not consented to intercourse."

Barry Winston, Catullo's attorney, said Catullo should not have to be a mind-reader.

"This is a very unfortunate and tragic incident for everyone involved, but it's not rape," Winston said.

Orange-Chatham District Attorney Carl Fox said Catullo should have known the accuser did not want to have sex with him when she said she needed to go home.

"There's no way you can take those words and turn them into 'yes, I want to stay and have sex with you,'" Fox said.

Battle said if the jury had reasonable doubts that the state had failed to prove any one of the elements of second-degree rape, then the jury must return a verdict of not guilty.

He added that he could not dismiss the case because only the jury had the power to decide whether the prosecution had presented substantial evidence of force and had clearly expressed non-consent.

But Battle reduced the charge to second-degree rape because substantial

evidence of serious personal injury was not presented by the state.

First- and second-degree rape are defined as forced vaginal intercourse with another person against that person's will. First-degree rape is more severe because it involves serious personal injury, weapon use or more than one offender.

Catullo, a former member of the UNC wrestling team, was indicted Nov. 4 by an Orange County grand jury on second-degree rape charges. But a grand jury granted Fox an increased charge of first-degree rape Feb. 17.

The first motion for dismissal was introduced by the defense Wednesday afternoon. A second motion for dismissal was introduced Thursday afternoon, following the testimonies of the defense witnesses.

Catullo, 22, of I-3 Kingswood Apartments was the first defense witness to testify. Catullo described the early morning hours of Aug. 25, when the rape supposedly occurred, as a "mutual encounter" between himself and the accuser.

See CATULLO, page 7



Carmen Edward Catullo, left, testifies during his trial Thursday morning

Greeks organizing court to enforce alcohol policy

By John Broadfoot
 Staff Writer

The Risk Management Committee of the Inter-Fraternity and Panhellenic councils is creating a judicial review board to look into possible infractions of the alcohol policy.

The board will help enforce the new policy without putting a burden on fraternity and sorority presidents, said Laurie Austin, vice president of the Panhellenic Council.

"We really needed a system to en-

force our new policy," Austin said. "But no one really wanted to be a narc."

The new alcohol policy prohibits common containers, use of chapter funds to buy alcohol for events with non-members present and alcohol at rush events.

Corean Hamlin, president of the Panhellenic Council, said the purpose of the board was not to seek out and investigate every possible infraction of the alcohol policy.

"The board will not be going out and checking at mixers," Hamlin said. "The

only purpose will be to hear cases brought before the board."

Robert Jones, IFC vice president, said the board would get most of their cases from reports made by security guards at Greek parties.

"The main way cases would be brought before the board is from Showprose Security company," Jones said.

Showprose is the security company that now monitors Greek functions on campus.

Jones said the guard at each party

would fill out a form and turn it in to the board.

Jones said the committee was presently interviewing fraternity and sorority members for positions on the board.

"We've had a really good response, particularly from the sororities," he said.

Jones said he anticipated more fraternity members signing up after an IFC meeting earlier this week.

The board will consist of 32 members. Five to seven members plus a scribe to keep records of the hearing would hear each case, he said.

Austin said reports would be turned over to the board, who will research the incident and then hold a hearing.

"If they find more evidence, they will bring the fraternity or the sorority up on charges," she said.

Judi Barter, assistant dean of students, said the Risk Management Committee was still working on details of the board, but the proposal might be ready in mid-April.

"We're just in the process of putting it together," she said. "Nothing has been set in stone. We don't even have the

proposal together to give to the Inter-Fraternity Council and the Panhellenic Council."

Jones said that as soon as board members were selected, training would begin so that the board would be prepared to hear cases beginning next semester.

Austin said the Risk Management Committee would vote on the proposal March 31.

If it passes, board members will begin training for the rest of the semester and could begin hearing cases as early as late September, she said.

Flier prompts CGLA to organize rally

Members: 'Incest/Pedophilia Awareness Week' sign a direct attack

By Steve Politi
 University Editor

Members of the Carolina Gay and Lesbian Association are organizing a rally to voice their concerns about a flier circulated around campus this week that they believe exhibits homophobic attitudes.

A fluorescent yellow flier that reads "Incest/Pedophilia Awareness Week" is a direct attack on CGLA's Lesbian/Gay Awareness Week, said Svati Shah, CGLA co-chairwoman.

"This is written discrimination and a physical violation," Shah said. "This is certainly not conducive to a safe environment on campus, a safe environment that every student deserves."

"A public stand needs to be made that this kind of discrimination is intolerable."

The flier is the "work of someone

well-informed," Shah said.

The writer uses a common attack of homophobes on homosexuals by mentioning pedophilia, which means having sex with children, Shah said.

"I think the backwards claim that we are fighting a moral society to be as immoral as we choose is wrong," Shah said.

CGLA recently was involved in a struggle to gain student funding. Student Congress narrowly passed the group's budget after a heated debate.

The flier does not mention the CGLA, but it reads, "Support the movement to provide student funding for the campus support groups for these alternative lifestyles."

Shah said the incident needed to be discussed in an open forum.

"What I'm concerned about is that these are the kinds of opinions that are taken as the majority view," she said.

"The majority view they're not."

In addition, a CGLA member said a flier listing the events of Lesbian/Gay Awareness Week was placed under her door with homophobic remarks written on it.

Alicia Groeger, a Cobb resident, said she hung the CGLA's flier on her door to publicize the week's events. It was torn down, and someone had written "Anti-Gay and Lesbos of Cobb" on the flier.

Groeger said she thought incidents at Student Congress meetings could have sparked the problem. A representative was reprimanded by congress Wednesday for his behavior at the budget hearings.

"It seems like if students do that on the Student Congress floor, it makes it a little more acceptable for students to do it," she said.

Matt Stiegler, a CGLA member, said:

"I don't think this is an isolated incident at all. I really believe that gays and lesbians at UNC are subjected to a hate greater than any other group here."

Groeger said she had met with housing department officials, who are organizing floor meetings to discuss the matter.

Shah said: "It's anti-CGLA, overtly so. It's blatant, it's inappropriate, and it's stupid."

"It's the kind of stuff that people do thinking they're being cute, being funny. It's an indication of the situation we have to deal with."

Shah added that most homophobes aren't out in the open with their comments.

"It shows what we're up against," she said. "People are showing their true colors, and their true colors are yellow."

"In a way, I think this is evidence that we're being heard."

Landfill a necessary evil, area residents say

By Jennifer Brett
 Staff Writer

Anti-landfill signs litter the sides of Chapel Hill's streets, and hundreds of residents have voiced opposition to a new landfill, but some residents are tired of the protesters' noise.

"I'm sick of everyone complaining," Chapel Hill resident Tricia Scholz said Thursday. "I understand that no one wants a landfill near their house, but it's got to go somewhere."

Scholz, who lives near Site 2 on Homestead Road, said she would not be opposed to a landfill near her home as long as it did not pollute the area.

"What really pisses me off is all those signs," she said. "What are they going to do with all those signs? They're going into the landfill. The

person who made all those damn signs should have to be on the committee to pick a new landfill site."

Scholz said she was confident the Landfill Search Committee would take precautions to ensure water supplies and flora and fauna surrounding a new landfill would not be harmed.

"I'd hate to see any of the natural beauty of Chapel Hill destroyed because of a landfill," she said. "But it's not like (LSC members) have gone off willy-nilly about finding a new site. I hope they will pick the best site and protect the area around the new landfill as best they can."

Scholz's comments came a day after the LSC decision to drill on four potential sites for geotechnical evaluation.

See LANDFILL, page 4

Officials oppose Edwards' decision to drop mediation

By J. Michael Bradley
 Staff Writer

University officials filed a motion Monday opposing University Police officer Keith Edwards' motion to end mediation in her discrimination suit against the University.

Officials moved to oppose Edwards' motion and to force Edwards to pay the mediator's fees, which the University previously had agreed to pay.

Edwards decided to drop mediation last week because of a delay and the University's choice of Carolyn Elfland, associate vice chancellor for business, as their representative, Edwards stated in a copy of the motion.

University Counsel Lars Nance said the University would rather mediate than go straight to trial to avoid the difficulties involved in a trial.

"The University is basically saying that mediation is the reasonable thing to do," Nance said.

The University's motion, written by Nance, requested mediation to avoid

the time requirements of a trial.

"In view of (the) plaintiff's ever-expanding estimate of how much time she requires of the court, most recently placed at four weeks, it seems appropriate that (the) plaintiff be ordered to mediate," the motion stated.

Nance said the numerous parties involved in the case would present difficulties if the case were to come to trial.

"Several of the people named as defendants in this case are either retired or out-of-state," Nance said.

The seven defendants include Chancellor Paul Hardin, Vice Chancellor Ben Tuchi and former Public Safety Director John DeVitto.

Orange County Superior Court Judge Gordon Battle issued an order Monday in response to Edwards' motion. The order established a hearing May 22 for all pending motions in the case. The order also stated that Edwards' trial would be held during

See EDWARDS, page 7

Believers: Black Muslim messages of unity, hope still strong today

Editor's note: This is the last in a five-part series dealing with black religious issues.

By Christina Nifong
 Senior Writer

When Marion Phillips entered the living room of Black Muslim leader Elijah Muhammad in 1969, he expected to see a lion of a man speak a message of fire and brimstone.

Instead, he found the self-proclaimed Islamic prophet quiet and cerebral. He described the lunch at Muhammad's, with 20 or so from Chicago's black academic community, as having the atmosphere of a monastery.

"He had that confidence that comes with vision," said Phillips, associate dean in the School of Medicine. "The vision that (comes from saying) 'I understand the most important things about the people, that I share their struggles, hopes and sufferings.'"

This visionary man was the link between a strict, ancient religion practiced primarily in the Middle East and the civil rights movement in America.

In 1965 Elijah Muhammad published the book "Message to the Blackman in America" to present Islam as a new way



for struggling black Americans to improve their lives. It was an urban answer comparable to the black Protestant religions in the rural South, Phillips said.

Harold Wallace, vice chancellor for University affairs, said adherents of the Nation of Islam, or Black Muslims, believed in Islam with a twist. Elijah Muhammad's message called for blacks to unify, rejecting slave masters' names and religions and participating in their own economic and education systems. He stressed the five pillars of Islam and submission to the will of Allah as ways to strengthen the black community.

Orthodox Muslims believe their god, Allah, revealed their holy book, the Koran, to the prophet Muhammad in the seventh century. Islam was revealed step by step according to what Allah determined the needs of the people were at the time, said Moahad Dar, secretary of UNC's Muslim Student Association.

First, people were taught to believe in the existence of one god, then a specific

code of living was detailed.

This code, in its barest form, is reduced to the five pillars of Islam: professing faith in one god, praying five times a day, paying alms, fasting during the month of Ramadan and making a pilgrimage to Mecca.

In addition to these basic requirements, the Koran dictates ways Muslims should eat, drink, dress, treat women, marry, divorce and educate their people, among other things.

"Islam is not only on a spiritual level, but is with man, every time of day so man will not cut himself off from God," Dar said.

This quality attracted blacks in the '60s when the Nation of Islam was at its height and the urban black community was hostile, Phillips said. "It was not a community that provided you a healthy environment, nurtured dreams, but (one that) was being preyed upon by a variety of what we would call the underworld elements."

The Nation of Islam was an answer to that. Elijah Muhammad led a movement that offered hope, Phillips said. "In large urban areas, they were reclaiming certain control over their lives." Elijah Muhammad began his work in

the 1930s when he was chosen by little-known Farrad Muhammad, founder of the Nation of Islam, to be chief minister of the movement. In 1934, when Farrad Muhammad mysteriously disappeared, Elijah Muhammad left Detroit and opened a temple in Chicago, dubbing

See ISLAM, page 2

DTH really needs you

The DTH needs more of ya'll to join the staff, and there's an interesting meeting today! Writers are needed to cover the University, the town, the state, the nation, the world and beyond, or to write features on any of these fascinating subjects, and copy editors are needed for several evening shifts to fix bad sentences like this.

The paper also needs staffers for the summer weekly DTH.

Interested folks should attend one of two meetings: at 3:30 p.m. today or at 7:30 p.m. Thursday in 208 Union. A copy-editing test will be given at 6:30 p.m. Thursday in 208 Union.

I think most people are more important than their opinions. — Jorge Luis Borges