

'Claim Your Stuff Day' would save U.S. from its excesses

Our men and women on Capitol Hill are forever setting aside days, weeks and months to honor all sorts of people and occasions. I've got a suggestion for some enterprising young elected official looking to make a mark on the calendar: Declare a "Claim Your Stuff Day."

It would be a national workday, and everyone from Maui to Maine would have to clear out all self-storage buildings and return sofas, boats, televisions and whatnot to the rightful owners. Twentieth-century technology has spawned some incredible inventions, but it's also responsible for the heinous creation of self-storage. Troubador-philosopher Jimmy Buffett sang about the problem in a 1986 song:

*We had people to make us things
We had people to sell us those things*

We didn't have enough room for those things

*We built lots of self-storage
Calypso poet shortage*

It's important to note that the lyrics come from a song called "If It All Falls Down." The proliferation of self-storage is a sign things are crumbling a bit. Most people who use self-storage would probably categorize their surplus as "stuff." That's the ultimate American problem: people having too much stuff.

In the past, people stored their extras in basements or attics. If they didn't have any space, a relative or neighbor surely would. Also, people in past years stockpiled fewer possessions; extra items were given to churches, charities or schools. Now people are acquiring more than they can use, and no one is willing to cut back. College students. Senior Citizens. Newlyweds. Someone somewhere must need the stuff in storage.

I've tried to imagine what I could put into self-storage. I guess I'm not a true man of the '80s. I never drank peach schnapps, I don't have a personal computer, and now I have to face the failure of not owning enough items to participate in the self-storage party. It must be a fine feeling to kick back after dinner and discuss what you've sentenced to self-storage and when you might visit it next. To me, stuff isn't much good if you can't put your hands on it.

Maybe self-storage is a sign people are living above their means. With revolving credit and a few loans, it can be pretty simple to pick up a few big ticket items. All of a sudden, people own more stuff than their homes will hold. If they were filthy rich, they could spring for a house to match the size of their storage needs. But the rich are becoming an even more exclusive group, and the middle-class is growing. Self-storage is tagging right along, and the trend is causing problems.

Who wants self-storage in their neighborhood? Working on the reasonable assumption that our country is not getting smaller, it follows that

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neighborhoods and businesses will pop up around the existing storage. It can't do much for the aesthetics. And is anyone going to regulate these things? It's a kink that will throw aldermen into fits. So, unless there is a Claim Your Stuff Day, this self-storage business could really throw things out of kilter. Eventually people will have more stuff in storage than in their homes. Then the trend will flip-flop, I guess, and people will build houses for their stuff and live in little orange buildings.

Mr. Buffett sang the truth. Many homeless Americans would like to enjoy the accommodations given to second-hand furniture. Homeless people live in boxes, shelters and abandoned rat traps. New York City officials have handed out vouchers for motel rooms because so many people are living in the streets. I don't know if it's possible to convert self-storage buildings into housing for the homeless, but it's not a bad idea. It is sad to see stuff treated better than human beings.

Self-storage perpetuates itself. When all the storage is full, people will build bigger buildings around all the little buildings. We'll be paying someone to build storage for our storage. But there is a solution that will empty the buildings and maybe put a bandage on society's knee. It's time for Claim Your Stuff Day!

Yes, it may cause some temporary havoc, but in the long run we'll have a nicer life. In this nation of sudden fads and unforeseen bandwagons, we rarely get the chance to nip something in the bud. This time we can. Break out the pick-up trucks and tighten the trailer hitches. Claim Your Stuff Day will work. And maybe we'll find some calypso poets in the shuffle.

Oct. 13, 1989

CHH 10/13/89

Letters

News coverage of Panama long on bulk, short on content

U.S. media coverage of the invasion of Panama came in waves. Newspapers carried pages of reports. Networks aired live news conferences and allotted much of their newscasts to the topic.

It was more news than anyone could read with his morning coffee. On Dec. 22, the *Los Angeles Times* included nearly 30 articles, charts and maps on the invasion. Besides five front-page stories, coverage of Panama took up pages four through 13, two editorials and three opinion columns.

Panama. Panama. Panama. Everything was Panama.

But only one *Times* article had a Panama dateline. It was the same in other papers. It was the same in other papers. Nearly everything originated in Washington, D.C. Most news came straight from the Bush administration.

The Pentagon's military reporting pool obviously limited the amount of information available from the scene. But the amazing thing was how many column inches newspapers generated despite having almost no first-hand knowledge of the event.

There were features on generals, politicians and homecomings. There were cursory reports from the foreign press. The copy had little to do with the invasion, per se. One story in the *Times* detailed the historical folklore surrounding Americans who work at the Panama Canal.

Each media wave had two elements: speculation about future twists and a look back through government goggles at details of recent events.

Everyone learned Bush had four goals: To protect American lives; to preserve the canal treaties; to capture Noriega; and to establish the Endara government. Bush, who reportedly slept just two hours before a day-break press conference Dec. 21, reinforced the objectives constantly.

So, why didn't Bush nail Noriega six months ago? The president had a ready answer there, too. Spokesmen reiterated how the situation changed after an unarmed soldier was killed in Panama and another serviceman was beaten and his wife threatened. Plus, Noriega said his country was at war with the United States.

Yes, the U.S. casualties are tragic, Bush said, but the lives were worth it. A few columnists said the invasion was flat wrong. But most of the press gave Bush credit for a win. Still, everyone was speculating on Noriega's whereabouts. Had he left the country? Was he hiding in secret tunnels? Would he take to the jungles?

No one guessed that Noriega would head to Dairy Queen and then take cover in the papal embassy. Guillermo Endara, who won the presidential election last May only to be smashed by Noriega before he could take office, had taken refuge in the embassy last spring. But no one thought to wonder if Noriega might take the same tact.

Part II of the media wave brought stories of Noriega's stalemate inside the embassy. There was speculation of whether a third country would grant him asylum and how involved the pope would become.

The wave also included "tidbits" — the name of the titillating morsels that make the left-hand column in *USA Today*. It was all passed along by way of government reports. There was Noriega's red underwear. His voodoo. His prostitutes. His cocaine. His link to Hitler. His taste for opera. His hidden fortune. A nickname of Pineapple Face.

But the best "tidbit" was the rendezvous at the Dairy Queen. David Letterman said that a Dairy Queen employee recognized Noriega and could have nabbed him — but he wasn't allowed to leave the shake machine. Falling to capture Noriega immediately was about as close as the government came to embarrassment. It was an elephant chasing a flea, one columnist said.

After Noriega surrendered, the media continued to report on his past

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work for the CIA. But most stories still supported Bush. A *Time* magazine headline screamed "Showing Muscle," next to a White House photo of Bush. One headline boasted "Bipartisan Support." Lee Atwater called the invasion a political jackpot.

Once Noriega was cuffed, Bush took a jab at the TV networks that had used a split-screen technique to provide simultaneous coverage of the first military coffins returning to the United States and a Bush press conference. It was one time the administration had lost control of the information flow. Bush wasn't happy. He reprimanded the media for making him appear too insensitive to pause in his remarks in deference to the dead soldiers.

Sentiment was with Bush. Returning soldiers were welcomed as heroes. The public was proud of "our boys" — and "our girls." A female Military Police officer helped secure a kennel in Panama. That brought stories about the government's policy barring women from combat. It would not come for three more weeks that two women jeep drivers reportedly broke down in tears and refused orders to drive soldiers into Panama City during the nastiest fighting.

Media wave III brought speculation on potential legal thickets. Most sources said the government had complied with international law in the invasion and arrest. Bush promised a fair trial. The *Washington Post* reported how Reagan and Bush had split on the Noriega issue, and how invasion plans had been on the burner for months.

Government "tidbit" sources passed along details of Noriega's flight to Miami (he broke into tears when the plane left Panama). His mug shot was provided to media, and it turned up in papers across the country. Nobody ever collected the \$1 million bounty Bush offered. An unnamed White House official said, "Nobody earned it."

The most recent reports included revelations of Noriega's worldwide wealth, notably a castle in France, which should excite Robin Leach. Other continuing stories described how hostility in Latin countries has forced Bush to scale back Quayle's South American good-will trip. Johnny Carson said Bush would eventually limit Quayle to a trip to Taco Bell.

Considering the government's efforts — and the media's willingness — to portray Noriega as both evil and cartoonish, stories on bizarre aspects of the invasion will likely continue. For example, the latest Pentagon update claimed that the 50 pounds of white stuff found wrapped in banana peel inside one of Noriega's hideouts is not cocaine after all. But the military's initial error in detecting cocaine didn't deter new accusations. An unnamed Pentagon official told the media the sticky substance is really "voodoo dust," and the *Washington Post* reported the package actually contained tamales used in black magic ceremonies.

5 AM.
28, 1990

Congress wrongly touts voting bill as civil rights act

It would serve lawmakers well to pay attention to a few old sayings as they plead their case for new voter registration procedures. Sayings like: "You can lead a horse to water, but you can't make him drink."

Translate that to: You can lead a citizen to register, but you can't make him vote.

Yet, politicians in the House of Representatives apparently believe they can lead people to vote. By a margin of 289 to 12, the House has passed a bill to establish national voter registration guidelines. States would have to allow eligible citizens to register at the same time they get their driver's license. Also, citizens could register by mail or at offices of state agencies.

Currently, citizens must visit their local library or elections office and complete the necessary paperwork, at no cost, to register.

It's not that the proposals are necessarily bad or novel ideas. Indeed, *The New York Times* reports that 24 states already have mail registration, an 14 states offer motor vehicle registration. North Carolina began a DMV voter registration program back in 1983 without a mandate from Congress.

The problem is that lawmakers are trying to pass the bill under the guise of civil rights legislation. They have a shot at pulling it off because the country has such an embarrassing history of voter discrimination. Minorities have been locked out of the process by every scheme possible, including poll taxes, reading tests and violence.

When Thomas Jefferson was elected to the Virginia House of Burgesses in 1768, only adult white men who owned at least 25 acres of land, or a lot in town, could vote. These "freeholders" delivered their votes orally to the sheriff at the courthouse. Clerks and justices of the peace gathered for the social event, and the candidates — including Jefferson — provided free rum punch and cookies for the crowd.

Two centuries later, the Voting Rights Act of 1965 finally ensured minorities their place in open elections. More important than the success of the current bill is the need for Congress to protect the 1965 legislation in name and spirit. The country must not tolerate any hint of election unfairness.

However, the nation's history doesn't mean lawmakers can bait-and-switch the public into believing that any registration bill will improve voter turnout or strengthen civil rights.

The *Times* reports that backers of the bill hail it as the second coming of the 1965 landmark law.

"National voter turnout has been on the decline in the last several years. Obstacles in our registration process only worsen this trend," Missouri Democrat Richard Gephardt said.

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It's a weak case to argue that millions don't vote because registration is too elusive or too difficult. But even if there were some merit to the claims, the bill shouldn't have the widespread impact Gephardt promises because it duplicates so much existing legislation.

Furthermore, getting people to register is not the same as getting them to vote. If supporters of the bill were genuinely interested in increasing long-term government involvement, developing an elementary school voter education program would provide a better civic foundation that simply writing down a new law to permit DMV voter registration.

Additionally, it's clear that some portion of the population will always choose not to participate — no matter how easy it is to register to vote.

The basic proposals probably wouldn't do any harm to the voting process, and it's possible somebody who hasn't been able to register might use the new provisions. But politicians shouldn't manipulate the bill into a litmus of whether or not a person supports civil rights open elections. This would allow those favoring the bill to emerge as top advocates of human rights, without having to face problems such as infant mortality, prison overcrowding or education.

Politicians also shouldn't claim they have magically found a way to reverse the phenomenon of decreasing voter participation. No one has figured out exactly why so many people stay away from the polls. But anyone investigating why citizens avoid the political process might want to remember another old saying, this one from Plato.

"Those who are too smart to engage in politics are punished by being governed by those who are dumber."

MARCH 3, 1990

Ignorance is \$500,000 worth of bliss for Coach Valvano

Poor Jim Valvano. He didn't know Charles Shackleford took \$85,000.

There's no way he could know. Just like he didn't know about point shaving. And he didn't know Chris Washburn would fail miserably as a student and be banned from professional basketball for drug use.

That's the angle Wolfpack fans are taking on radio talk shows. They say it's the NCAA's oppressive system that causes trouble in State's program. Universities aren't allowed to share revenue with star athletes. Free tuition, free food, free board, free books and free air fair to Hawaii tournaments isn't enough.

The system forces players to seek outside income from sweet men like Robert D. Kramer III of New Jersey. A former N.C. resident, Kramer was so worried about Shack's academic progress that he loaned him about \$20,000.

By settling his gambling debts with a Las Vegas casino, paying thousands to the IRS in back taxes and fighting a drug charge, Kramer has demonstrated the civic duty he surely tried to instill in Shackleford. But there's no way Valvano could have known.

In addition to helping Shack stay in school, Kramer helped bail the player out of a \$40,000 debt to Larry Gillman, who previously left a coaching post at ECU when the ever vindictive NCAA came after him. Gillman, who served as Washburn's agent for several glorious years, apparently was so concerned about Shackleford's future he started giving him money while he was in high school. Valvano could not be expected to know anything about a man so far removed from State athletes.

A Winston-Salem bar owner who slid Shack a few tens and twenties also offered a helping hand. Shackleford said he took the dough because he was a young, poor kid. He jumped to a higher tax bracket in a hurry.

It seems a lot has happened without Valvano's knowing. Players managed free meals, sold game shoes and hawked complimentary tickets intended for family members. No way such a focussed coach could notice that black athletes had white "family members" at games.

Valvano hasn't known anything for years. He didn't have a clue Washburn was a thief and another player thought it proper to strong-arm a pizza delivery boy. He also told FBI investigators in 1980 he didn't know of any point shaving at Iona College, where he was head coach for five seasons.

More recently, V couldn't have known 10 of 12 players on last year's squad were on academic probation. He also apparently didn't know his teams had a graduation rate of 44 percent when he said it was nearly 90 percent.

He just didn't know. Fans seem to understand. They gave him an ovation on senior day and donned yellow ribbons to show their support.

Some administrators may also be wearing ribbons. Roddy Jones, chairman of the University of North Carolina Board of Governors, didn't blame Valvano.

"You've got to feel sympathy for a man who is coaching his heart out and something like this hits him. He's a victim," Jones said in the *Greensboro News & Record*.

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In his own defense, Valvano has elevated "plausible deniability" to new levels. He doesn't know anything, never knew anything and probably won't know anything in the future.

"I feel helpless because I'm a spectator right now like everybody else because I have no knowledge or idea of what has transpired," Valvano said.

In an interview on CBS, Valvano objected to comments that Wolfpack players have continuously been in trouble. Instead, he said the high profile status of his program magnified a few incidents. He acknowledged only three "behavioral" problems over the last decade.

In his latest responses, Valvano is accepting and denying responsibility at the same time.

"I'm not trying to absolve myself of responsibility. But culpability does not go with that," he said in one article.

Webster defines responsibility as moral or legal accountability. To be culpable is to merit condemnation or blame. Valvano is cutting it close.

The reason for the semantic tap dancing is a juicy clause in Valvano's contract. Unless he is personally guilty of a felony (yes, point shaving is a felony in North Carolina) or a major NCAA violation, the school must fork over a half-million dollars if he is fired.

He could serve communion on campus in his underwear and lose every game with players who don't graduate, but the clause would still apply — as long as he is not linked directly to a major violation. The best way to collect the \$500,000 is never to know anything. He does seem to know that much.

Conversely, even if the media wolves ruin his life, he can't quit without paying N.C. State the half-million.

The result is a standoff between a financially strapped university that most likely wants to separate itself from its coach, and a coach who would dearly love to get the hell away from Raleigh reporters. But nobody can afford to flinch.

Valvano told reporters that the word "resign" isn't in his vocabulary. At least not with a half a million bucks on the line.

MARCH 19, 1990

Spangler's war on drugs bombards the Constitution

The Fourth Amendment be damned. C.D. Spangler, czar of the University of North Carolina system, wants the government randomly to search citizens' bodies for evidence of drug use.

The citizens happen to be 4,000 athletes at state universities, but judges or students could just as easily be targets of government drug tests.

Spangler called for mandatory testing last summer. A UNC Board of Governors committee has finalized a policy, and Roddy Jones, board chairman, supports leapfrogging constitutional rights.

"I think we've spent too much time worrying about everyone's rights in this world," Jones said in one article.

He's not alone. In 1987 Bill Frieder, then the Michigan basketball coach, said: "I don't give a damn about constitutional rights when I'm coaching my team."

Contrast those words with the views of a man more committed to liberty, Alexander Hamilton.

"Natural liberty is a gift of the beneficent Creator, to the whole human race," Hamilton said, "and ... civil liberty is founded in that, and cannot be wrested away from any people without the most manifest violation of justice."

Though the state can't randomly stop 200,000 citizens without notice and administer drug tests, that's how Spangler advocates treating citizens who play college sports.

Ironically, athletes probably use drugs less than other students. In the NCAA's initial year of testing, 99 percent of the players were drug-free, *Sports Illustrated* reported. University administrators overseeing educational programs and non-mandatory tests insist their policies work.

Another irony: The N.C. State University scandal prompted Spangler's drug-testing idea, yet nearly all of State's problems were academic and administrative. The invasive drug tests would penalize thousands of athletes who have no link to drugs or NCAA wrongdoing.

Even if the test is 99 percent accurate, about 40 athletes a year could wrongly be labeled drug users. So much for the presumption of innocence and the philosophy that it's better for a few guilty men to go free than to have one innocent man wrongly convicted.

The Fourth Amendment guarantees "the right of the people to be secure in their persons" against unreasonable searches and seizures, and it requires a showing of probable cause for search warrants.

If the government wants to override a citizen's constitutional rights, Big Brother customarily must convince a court that some compelling interest supports its action. If the drug-testing proposal proceeds without the government presenting any compelling justification, it would be easier for the state to drug test volleyball players than indicted drug offenders.

Some argue that students have no inherent right to play sports, thus nothing about the testing would be forced; students could choose not to play.

The Constitution obviously doesn't detail any right to play basketball, but it wasn't intended to outline everything someone could do in a life-

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time. Its purpose is to prescribe the powers of government, and it says the government cannot conduct unreasonable searches.

Furthermore, society can't allow the government to make participation in activities dependent upon a citizen consenting to what would otherwise be an illegal search.

A friend claims testing athletes is "justified" because their success is based on physical performance that drugs could impair.

Such logic raises the question of the state's need to test persons relying on mental, not physical, ability. Is the state's interest in monitoring the mental fitness of its bank auditors and medical researchers less than its interest in monitoring the purity of golfers?

What about the interest in testing lawmakers and judges? Terry Sherrill, former Charlotte Superior Court judge who resigned in March after being arrested for drug possession, admitted a 17-year habit. How fair is it to let a judge who smokes dope sentence dealers to prison?

The point is that unannounced, random drug testing of any group without cause will send the state down a slippery slope. If Spangler's plan is approved, government officials can easily extend testing to other groups.

Sometimes it's implied that anyone who opposes drug testing must favor drugs. But that's not the case. Many favor a faithful reading of the Fourth Amendment, absent the fear that pushes people to support unconstitutional attempts at eradicating invisible evils.

Liberty, the freedom from arbitrary control, should not be sacrificed for the drug tests Spangler and his board have proposed.

"An avidity to punish is always dangerous to liberty. It leads men to stretch, to misinterpret, and to misapply even the best of laws," Thomas Paine wrote in 1795. "He that would make his own liberty secure, must guard even his enemy from oppression: for if he violates this duty, he establishes a precedent that will reach to himself."

APRIL 8, 1990

APRIL 8, 1990

Barnes sets summertime sights on prison reform

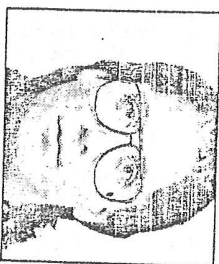
CAPITAL UPDATE

State Rep. Anne C. Barnes of Chapel Hill will spend her summer selling a comprehensive prison reform package to the General Assembly.

Barnes is co-chairman of the Special Committee on Prisons that was charged in March 1988 with finding long-term solutions to the state's prison problems. The result is a 106-page final report set to be presented to the General Assembly this session.

In addition to proposing a prison construction plan and an expansion of house arrest and intensive probation programs, the committee is calling for the creation of a new commission to completely revamp the state's criminal sentencing laws. It's a plan even Barnes admits is "very ambitious."

"This summer my time and energy will be spent primarily on [the] Appropriations [Committee] and on this prison package," Barnes said in an interview in her sixth-floor



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office in the Legislative Building in Raleigh.

The proposed bill to create the 20-member Sentencing and Policy Advisory Commission takes up 14 pages of the report. The commission's job would be to evaluate existing sentencing laws and to develop a new sentencing structure that takes into account the severity of the crime and the available state resources.

The bill specifies the primary purposes of criminal sentencing: protecting the public, punishing and rehabilitating offenders, making restitution to victims and finding jobs for able offenders in the private sector and in prison. The bill gives the commission 14 other broad areas of responsibility and requires it to review all bills that create new crimes or affect sentencing laws.

The object of the reform package is to formulate a continuum of potential punishments ranging from lengthy imprisonment to community-based alternatives or fines.

The work would begin soon. The proposed bill calls for the new commission to hold its first meeting this year before Sept. 1 and make its final report to the 1992 General Assembly. But Barnes said the deadline could be relaxed to allow the commission to finish its work.

Barnes is already set to introduce several prison bills in the House. The study committee presented its final report to the House Appropriations Committee last month.

"I think it went quite well. I got a good reception," Barnes said. "The only questions that came up that were mildly antagonistic were from Republican legislators."

She may get more unfriendly questions from the state's top Republican — Gov. Jim Martin. The governor is pushing his own proposal that calls for a \$490 million bond program to build new prisons.

But Barnes is taking the offensive. In an effort to distinguish her prison plan from Martin's, Barnes is currently distributing a packet of 19 columns and editorials (taken from six state newspapers) that address various aspects of the prison problem. The plan put forth by her committee is more sensible than Martin's hulking construction project, Barnes

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appropriated over \$154 million to add prison cells and improve existing facilities.

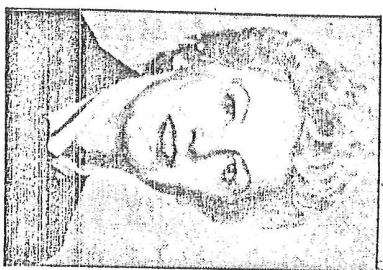
The increased funding, however, still fell short because the state agreed in lawsuit settlements to provide larger prison cells, at least 50 square feet per person. With inmates receiving more space than before, even the completion of currently planned projects would still hold prison capacity below 18,000. With the prison population projected to rise above 20,000 within two years, the state would continue to face overcrowding problems.

Despite the apparent need to add thousands of new prison cells immediately, as Martin advocates, Barnes said many states have failed to build their way out of overcrowding binds.

Increased cell space has just meant increased overcrowding. Construction must be combined with alternatives that will divert some offenders from prison, she said, because North Carolina has traditionally overused incarceration.

"Of course we need more prison cells. It's a growing state. Our law enforcement is improving every year," Barnes said. "But we need to do it with a strong understanding of what we're trying to accomplish."

In addition to the new sentencing laws, the final report proposes other solutions to the prison crisis. One is a plan to add 3,300 inmate beds by July 1, 1992, at a cost of nearly \$183 million, not including operating expenses. This would push the prison cap above 20,000, the report says.



Rep. Anne Barnes

Another idea calls for amending the state Constitution to make "restitution, restraints

on liberty [and] work programs" acceptable sentences. The state Constitution does not currently provide for sentences such as electronic house arrest or probation, so a person can choose between probation or serving the active time.

For example, a judge might suspend a six-month prison term on the condition that the offender serve six months under house arrest and two years on probation. But the offender may believe he will be released from prison within a few weeks because of his light sentence and the overcrowding problem. Thus, he might choose to serve the prison term instead of the longer, and possibly more stringent, probation. The proposed amendment would allow judges to order offenders to serve their probationary sentences.

To discourage people from violating their probation with the hope of being ordered to prison and subsequently being released early, the amendment would allow judges to order such criminals to serve their entire sentence. They would not be eligible to receive "good time" credit, which cuts a day from their prison stay for every day they serve without a major infraction.

The report includes more than a dozen other detailed recommendations to improve the criminal justice system. One idea would provide state funding to an organization that offers a residential alternative to prison for pregnant women and young mothers convicted of non-violent crimes. Another would help fund a residential treatment center to assist male

felons in developing job plans and social skills upon their release.

All this comes in a year of huge state budget deficits, so there is no easy answer to the funding question. In fact, Barnes' committee has made no recommendation on how to pay for the plan. That will be worked out in committee. Still, Barnes is convinced that voters are ready to support a drastic overhaul of the prison system.

"I think the public is concerned about the criminal justice system and the corrections system," Barnes said. "It's our recommendation. We feel it's the best approach."

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THE CHAPEL HILL HERALD

THURSDAY, JUNE 7, 1990

Jordan did well without expertise of this 'agent'

Tune is, 1990 The Chapel Hill Herald

I sat with Michael Jordan on the back row of 101 Howell Hall all semester. It was spring 1984, a time when Michael won a wheelchair full of national awards, autographed a birthday card for my little sister and first unhooked the rock-a-lye cuff dunk that would become a trademark move.

After the basketball season ended, there were whispers about whether Michael would return for his final year at the University of North Carolina at Chapel Hill.

A young lady who knew Michael better than I said she believed he would stay in school. I kind of thought so, too. But I wasn't stupid. Even as he and I talked about sports, clothes and other typical campus topics, the printed itinerary of his public appearances across the country made it clear that he was certainly an atypical junior geography major from

Winnington.

One day late in the semester, as I was trying to flesh out his plans, I jokingly said that whenever he did get to the pros I wanted to be his agent. I really didn't care about being an agent, or expect him to say yes, but I thought it might give me some insight into his intentions, which were of the highest concern to Carolina fans.

"You don't have any contacts," Michael said quickly. "You're my contact. They want you," I said, truthfully. But he didn't respond.

When Michael showed up to take the final exam in May, it looked to me like he would remain in school. As much as I dreaded finals, I knew I would have ditched the exam if there were millions of dollars to be made. He said before the test that he hadn't decided. Within a few days, however, I heard on the radio he was leaving for the

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NBA, although he came back during summers to finish his degree. He has apparently gotten along pretty well without me, despite not making the NBA finals this year.

This all came back to me as I read Senate Bill 483, a 12-page package designed to put some sense into the business of sports agents. The state Senate passed the measure last year. It is now

before the House Judiciary Committee.

Specifics vary among different situations, but basically the bill would require sports agents working in North Carolina to register with the secretary of state and renew registration each year. They would have to keep records of all athletes they represent and all expenses incurred in wooing clients.

Agents providing financial planning services would have to deposit a \$100,000 surety bond with the state.

The secretary of state could require applicants to provide five professional references. Agents would have to use standardized contract forms stating that athletes could cancel the deal within 10 days of signing.

Furthermore, agents would have to give prior written notice to university athletic directors or high school principals before

contacting athletes.

There would be civil fines up to \$200,000. Violators also could be tried on criminal charges as Class J felons, which means up to three years in prison, a fine, or both.

The new law would help all parties. Honest agents providing good services could cite their clean record with the secretary of state. Skeptical parents could check up on leeches who won't quit badgering their superstar son or daughter. The state could finally get a handle on the number and type of people representing athletes in the state.

The plan would also save young athletes from incompetents like me.

If Michael had been naive enough to make a deal with me in the middle of Philosophy 21 — which is, ironically enough, a class on logic — he might have ended up selling Nikes at Pic 'N Pay, not endorsing them on

network TV. To help prevent such catastrophes, Secretary of State Rufus Edmisten has put the bill high on his wish list this summer.

"Secretary of State Edmisten considers this bill one of the top priorities for this session," said Elliott Warnock, communications director for Edmisten's office.

Administrators from N.C. State University, which is recovering from yearlong convulsions in its own athletic department, attended a March 2 press conference in support of the bill, Warnock said, and other UNC system officials have been supportive. Twenty-five states already require some type of registration.

The only opposition has come from lawyers who don't like the notion that people who have completed law school and

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passed the bar exam should have to demonstrate competence in contract law, Warnock said.

But he emphasizes that the registration system is not entirely about competence. Registration would also allow the state to compile much-needed records on all sports agents, whether they are butchers, bakers or candlestick makers — or lawyers.

"We think they [lawyers] should still

register — just like lobbyists," Warnock said, pointing out that lobbyists in the state, many of whom are lawyers, are required to register.

With everything in the General Assembly taking a back seat to the budget crisis, it may be difficult to convince lawmakers to act on the bill this summer. But Edmisten's staff will keep pushing. Considering the impact an agent has on an athlete's future, registration is only fair, Warnock said.

"At this point, it seems that anybody — you, your neighbor, your dog, your neighbor's poodle — can say they are a sports agent," he said. "And there's no reason in the world an athlete shouldn't believe them."

Thank goodness Michael didn't believe me.

John Bare is a Chapel Hill Journalism graduate student and a former reporter.

JUNE 15, 1990

Group cites Third World conditions in rural areas

Most Orange County residents can flush, brush or shower every hour. Yet some people in North Carolina still live without indoor plumbing or a sanitary wastewater disposal system. These people are paralyzed, their plight preventing them from functioning in society.

"How can a mother who is forced to steal water or carry it for miles hold down a job? How can a child who constantly suffers from water-borne diseases do well in school?" Billy Ray Hall, president of the North Carolina Rural Economic Development Center, asks in a June 1 press release that accompanied a 32-page report on the state's household water crisis.

The Rural Center commissioned the report, which is entitled "Living Without the Basics: The Hidden Water & Wastewater Crisis in Rural North Carolina." It was written from a study

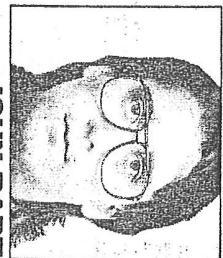
conducted by the North Carolina Rural Communities Assistance Project in Piltzboro, and it has drawn quick action in the Legislature. State Rep. Tom Hardaway of Halifax County introduced a bill on June 6 to provide \$15,000 to fund a study by the Legislative Research Commission.

The legislative study would focus on outhouses, failing septic tanks and failing waste treatment systems. The commission would deliver a final report in 1991.

"Living Without the Basics" details how the crisis of inadequate plumbing has diminished the quality of life for everyone in the state. "We must begin to understand that access to clean water and safe wastewater disposal facilities is more than a matter of convenience," Hall said in the press release. "It affects broader issues such as education and public health."

The authors of the report

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JOHN BARE

use sharp language to emphasize the severity of the problem.

"These people live in conditions comparable to Third World nations: the percentage of people living with inadequate indoor plumbing in Gates County, for example, is the same as in Lima, Peru," the report states in its introduction. The report includes a county-by-county listing of the

percentage of residents who lack running water or a safe wastewater disposal system. The data were taken from the 1980 census, but several people, including project director Kevin Bunn of the Rural Center, say little has changed.

Overall, almost 250,000 residents lived without indoor plumbing or an adequate sewage disposal system in 1980. Outhouses were used in all 100 counties. Thousands of homes piped untreated sewage right into streams.

Not surprisingly, the problem is worst in poorer eastern counties. Nearly 1 in 4 Gates County residents lacked an indoor toilet or a decent wastewater disposal system. Over 13 percent of the residents in Halifax, Hyde and Hertford were affected.

Conditions were better in Orange County, but it wasn't perfect. The data indicate that 2,016 Orange residents suffered from inadequate plumbing in

1980. That made up 2.6 percent of the county's population.

Several counties, including Durham, Cumberland, New Hanover and Mecklenburg, fared better than Orange on the percentage of residents suffering from poor plumbing.

The people most likely to be living without basic water services were the state's rural, elderly, low-income minority residents. What makes it worse, Bunn says, is that these citizens are not strong advocates, thus it is unlikely they can bring about political change that will improve their situation.

In Orange, nearly 1 in 8 black senior citizens lacked decent plumbing. Of white Orange County residents 65 and older, only 1 in 20 were affected. To correct the problem, the report offers a package of 11 proposals the state could adopt. A recurring theme is the need to build support so that the problem rises to the top of the state's agenda.

The Rural Center's call for a comprehensive long-range plan is appropriate. As it is now, Orange County engineer Paul Thammes said it is difficult for counties even to quantify the problem. Furthermore, there is not nearly enough federal or state money available to finance all the needed improvements.

"It's tough. I don't know what else to tell you," Thammes said. He cites a 1988 project, in which the county constructed a sewer system for about 100 homes near Elford, as an example of the steep costs involved. "Sewer construction is extremely expensive. We're talking about serving 100 homes for \$1.5 million. And that's just a collection system. If you include (wastewater) treatment too... it's scary the amount of money you're talking about," he said.

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Tara Fikes, director of the county's Housing and Community Development agency, said she knows of area households with inadequate plumbing, but there is not much that can be done.

"As far as dealing with it on a regular basis, we don't, because we don't have the resources," she said.

The report is intended to spark statewide interest in developing a sweeping program that will provide the resources to correct the problem. The Rural Center will work with the study commission to keep the issue in front of lawmakers and voters, Bunn said.

"It's fundamentally a matter of priorities," he said. "We know the solution. It's just a matter of the state putting its priorities in order."

That means even in counties like Orange, where less than 3 percent of the residents are affected directly, the state must take action.

Reducing the problem is not enough, Bunn said. The privies, chamber pots and unfit disposal systems must be eliminated.

"Any person using an outhouse is one person too many," he said. "That's something, in modern times, people shouldn't have to put up with."

Day-care advocates rally to win state action

Failing government child-care subsidies have left some 600 poor children in Orange County on a waiting list, stuck in limbo without the money needed to pay for day care.

The crisis has area child-care professionals lobbying state legislators to approve a comprehensive day-care package. Mary Bridgers, director of Victory Village Day Care Center in Chapel Hill, is urging parents of children at her center to write letters to lawmakers in support of the bill.

"I'm sure I'll get about 100 percent participation. Other centers are doing this, too. Lots of people are writing on this," she said.

She is promoting Senate Bill 1578 and House Bill 2371, identical packages that would increase government subsidies to finance day care for low- and moderate-income families.

Marshall Rauch, a Gaston County Democrat and chairman of the powerful Finance Committee, introduced the Senate bill June 6.

Harry Payne, a Democrat from New Hanover County, introduced the House version the same day. The bill was assigned to the Human Resources Committee, and members voted June 19 to send the measure on to Appropriations.

"We felt that was a positive move," Bridgers said. "The thing is, it's a short session, and we've got to move fast."

The plan would provide immediate help to many Orange County families.

"Many families who would like to put their children in our program cannot because they haven't been able to get help with their child care costs," Bridgers, a 23-year veteran of child care work, wrote in a letter to parents. "This bill will both improve the reimbursement rates we get from the government and enable more children to come to our center."

Along with the letter, Bridgers is distributing to parents a list of day-care woes in Orange County. Among them:

— More than 63 percent of

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CHH
6/29/90 **JOHN BARE**

Orange County moms with kids under six are working.

— There are about 600 low-income children in Orange County who already qualify for aid but remain on a waiting list.

— The average day-care cost for infants in Orange County is \$3,876 a year. For 4-year-olds, the average cost is \$3,432.

Considering that a single working mother earning \$12,000 a year is not eligible for direct government subsidies, those yearly expenses are virtually

impossible.

The new bill would make several changes in the state's day-care subsidy program.

First, there would be new eligibility requirements for subsidies. Currently, a two-parent family with a combined income of more than \$16,500 is not eligible for government aid. The new law would raise the ceiling to \$21,000 a year. The bill's top priority is providing state funds for those children who would become eligible under the new system.

Next, the bill would provide \$24.8 million to subsidize day-care costs for the 14,558 children in the state who qualify for aid under the existing law but are still on waiting lists.

Two measures, with a combined cost of about \$4 million, would set new market rates for day-care fees and for government reimbursements to centers.

Another \$5 million would be needed to establish a new formula for allocating aid statewide. The formula would

take into account local needs, such as the number of poor children in a county and the number of working mothers with young children.

The bill also calls for a sliding fee scale to allow families to pay between 1 and 8 percent of their gross income for day-care fees.

While the state's budget problems make any new spending bill shaky, the proposal appears to have the backing of key lawmakers.

In addition to Rauch's post as finance chairman, he is the most senior member of the state senate, having served 12 terms.

House co-sponsors include Ruth Easterling of Mecklenburg County and Toby Fitch of Wilson. Easterling, a seven-term representative, is a member of the Families, Children and Youth subcommittee and co-chair of the Social Services Study Commission. Fitch co-chairs a research commission on public employees' day care.

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There are also local ties. Sen. Howard Lee of Chapel Hill is a member of the Appropriations Committee, which is where the Senate bill was originally placed. Rep. Joe Hackney of Chapel Hill was one of the co-sponsors in the house.

Such broad support is a necessity considering the problems facing area day-care centers. Some facilities have already been hurt by subsidy cutbacks, Bridgers said, and unless the General Assembly passes legislation this summer, a few

centers may have to shut down.

"Some centers in our county are in real jeopardy because of the lack of funding for low-income families, because the centers are serving areas where almost all families are low income."

"The county terminated some subsidies in January. As a result, some of the centers are down in numbers," she said. "If this kind of thing continues... you are going to be in jeopardy of not meeting payroll."

NOTES

JUNE 29, 1990

Teaching Fellows Program will survive budget cuts and paper shuffling

Usually it's news when budget cutbacks mean a state program. This year it's news when an item escapes the budget knife without fatal wounds.

As the new fiscal year begins, it looks like the North Carolina Teaching Fellows Program will survive.

"The appropriation for scholarships has not been affected in any way," said Jo Ann Norris, administrator of the program and lobbyist for the Public School Forum.

The fellows program awards 400 grants per year to outstanding North Carolina high school students who plan to become teachers. Along with prompting students to consider a career in education, the program provides fellows with \$5,000 a year in scholarship money.

Fellows who teach four years in North Carolina public schools do not have to pay the money back. Fellows who leave the pro-

gram must repay the state at 10 percent interest.

Educators and politicians generally praise the program. But with the state's budget deficit ballooning to hundreds of millions of dollars this spring, no appropriation was automatic.

Legislators initially introduced a bill to cut the 1990-91 teaching fellows appropriation from \$2 million to \$1 million, leaving interest in the program's fund to compensate for the reduction.

But when Gov. Jim Martin realized that the additional revenue would have to show up on the books for the fiscal year that ended June 30, he couldn't wait on the General Assembly. He removed interest from the fund by executive order.

With the interest depleted, state lawmakers subsequently amended their bill to restore the 1990-91 fellows appropriation to the full \$2 million. Despite all the paper shuf-

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JOHN BARE

fling, the fellows program was never really in danger of being snuffed out, Norris said. Both the governor's executive order and the legislative cutback proposal were designed to take interest from the fellows fund, not money needed to sustain scholarships.

"I think the message at this point in time, is that the fund is not in jeopardy," she said. "Members of the General Assembly are trying every way

possible to maintain what they believe is a trust with these families and students."

With the major appropriation question out of the way, the two remaining portions of the teaching fellows bill deal with how the program is administered.

One part of the bill would allow the Teaching Fellows Commission to forgive the debt if the recipient dies or is disabled. There is no such clause in the original statute, which states flatly that fellows must repay the scholarship money if they do not teach four years in the state's public schools within seven years after graduation.

The second portion of the bill would allow the commission to use interest from the scholarship fund to offset the costs of planning summer activities and collecting payments from those who leave the program.

So far only 6 percent of those awarded fellowships have dropped out, Norris said. When

the fourth class of fellows enters college this fall, there will be more than 1,500 scholars spread among 13 universities.

Local students have benefited from the program. Five Orange High School students, including two 1990 graduates, have won fellowships, said Helen Massey, fellows liaison at Orange High School. She said the fellowship is one of the more attractive scholarships.

"This is one of the major ones because it does pay all expenses. For people who are interested in teaching, it is a real good thing," she said.

No Chapel Hill High School students won fellowships this year, guidance counselors said, but there have been three previous winners.

Some Chapel Hill students have been reluctant to pursue the fellowship because of the post-graduate commitment, guidance counselor Sandra Brown said, but the school

wants to identify candidates and encourage them to apply.

"I think it's a wonderful scholarship," she said.

State Rep. Fred Boyman, an Alliance County Democrat, co-sponsored the fellows bill in the House. He likes the fact that the program draws top students to public education and provides aid to some who might not otherwise be able to afford college.

The fellows program is also one of the few bright spots in a gloomy year of education funding, he said, as budget hawks try to tear the innards out of the Basic Education Program and pull the career ladder plan out from under public school employees.

"I'm very much in favor of it. It selects the best students. At least when they're in high school, they want to go into teaching. Certainly, we need to raise the quality of our public education teachers."

CHH 7/6/90

JULY 6, 1990

Agriculture Department stays out of debate on pesticide fees

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Erick Unstead just doesn't understand. Why would the state Department of Agriculture, which helps administer state pesticide laws, not send anyone to legislative committee hearings to testify about a bill that would raise the pesticide registration fee from \$30 to \$125?

The plan would generate a precious \$1.1 million in revenue for the state, which is already suffering fiscal folly. Much of the money would support agricultural research at North Carolina State University.

Nearly 90 percent of pesticides sold in North Carolina are

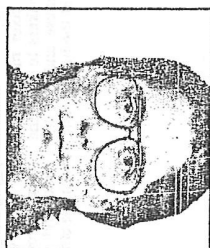
registered by out-of-state manufacturers, Unstead said, so the plan wouldn't cripple local companies.

Even better, the measure would cost each farm in the state less than three bucks a year in added expenses, according to Unstead's research organization, Agricultural Resources Center, which has an office in Raleigh.

Furthermore, there are nearly 12,000 pesticides marketed in North Carolina, but only 15 percent are for agricultural use; most are for home or industrial use. Registration fees for agricultural pesticides

would therefore make up only a small portion of all fees. And nearly all of the revenue would fund agricultural research, Unstead said.

Considering all this, plus the positive feedback Unstead said he received earlier this year from the agriculture department — why in the name of Jim Graham would agriculture officials ignore two House subcommittee hearings in which opponents of the fee increase cheered the bill into mild? "The agricultural industry told them to stay away," Unstead said, repeating scoldabout he's heard.



JOHN BARE

Though frustrated that the Agricultural Resources Center's top project failed to win support

this summer, Unstead was more surprised by the lack of input from state agriculture officials. "I think one of the most shocking things was that at least one of those meetings I went to, no one from the Department of Agriculture was there," said Unstead, who coordinates research for the private, non-profit center. He is one of the organization's two registered lobbyists.

They owe the public an explanation of why they are not behind the bill, or if they are not saying so," he said.

While all pesticides must be registered with the federal Environmental Protection Agency, each state has separate registration guidelines. North Carolina

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Pesticide

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law currently requires applicants, usually the pesticide manufacturers, to pay an annual registration fee of \$30 per product.

The bill initially proposed a \$200 registration fee but was later amended to \$125. Virginia, Iowa, California and Texas have comparable fees, Unstead said.

Unstead isn't the only person ticked at the bill's poor showing. Wake Democratic Rep. Peggy Stanley, who sponsored the legislation, is disappointed the Department of Agriculture did not participate in the hearings. "They didn't testify one way

or the other," she said, "and I think somebody needs to smoke them out on that."

If [the bill] would have been wonderful. It would have provided over \$1 million to be used by universities for research at a time when other state resources are hard to come by."

She said she felt the bill was railroaded out of the House Basic Resources Subcommittee on Agriculture, Forestry and Horticulture by Chairman John W. Brown of Wilkes County, a Republican.

"Our people barely got to say a few words. It was kind of a hostile situation," she said. "The out-of-state chemical companies were just ringing the walls of the committee hearing. We were not successful at getting a good debate."

On her second try before the subcommittee, facing a motion that would have killed the bill, Stanley said she wrote the chairman a note asking him to pull the proposal. She'll try again next year.

Despite criticism, Deputy Agriculture Commissioner Weldon Denny makes no apologies. "The legislation simply does not involve his department," he said.

"We're not involved in that bill because it doesn't involve farmers one way or the other," he said. "If they want to use it for research, that's fine. But we're not advocating — we're not involved with that bill in any way."

In the past, the Pesticide Section of the Department of Agriculture has asked the state Pesticide Board to seek increases in registration fees, but Unstead said the board has opposed the idea.

The agriculture department was also involved in a move a few years ago that increased the

fee from \$25 to \$30, but Denny said that increase was needed to sustain existing pesticide programs.

Even with those past links to pesticide legislation, the situation this summer was different, Denny insists, because his department has no direct stake in the outcome of Stanley's bill.

"It doesn't affect us, really," he said.

That's not good enough for Unstead.

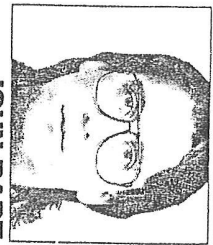
"They should have an opinion," he said. "They should either be there fighting for it or fighting against it."

Assembly likely to control portable toilet waste disposal

Odds and ends from the General Assembly:
— There likely will be tighter restrictions on the disposal of waste from portable toilets — those plastic, closet-like out-houses that line construction sites, football stadiums and outdoor concerts.
In April 1989, Democratic Sen. Frank Block of Wilmington introduced a bill to regulate the waste discharge. Portable toilet vendors in his district had complained to him that competitors were illegally dumping waste.
The measure faces little or no opposition, Block said. The senate has voted to concur with a

house version of the bill that would make it illegal to discharge portable toilet waste anywhere except a state-approved sanitary sewer system.
The new statute will make it easier to pursue violators, Block said, though the number of offenders is probably small.
"This is just to make sure these unsanitary operations don't take advantage of the situation," he said.
Larry Cashwell, general manager of Readille & Barricade, which has been in the portable toilet business in the Triangle for 25 years, said one problem is that vendors sometimes have trouble working out an agree-

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JOHN BARE

ment to discharge waste into a city's sewer system. Still, he said, the law shouldn't spark dramatic changes.

"I don't think it will affect us. They (approved city sewer systems) will just have to take us," he said. "We'll just have to have a meeting of the minds."
— Forget any ideas about in-home electrolysis kits if lawmakers approve a bill requiring people to be licensed to practice electrology.
Doing away with unwanted hair sounds pretty harmless. But when you see how the bill defines electrology — "the removal of hair from normal skin of human body by means of applying electric current to the hair papilla with a needle" — it's understandable why the state has an interest in regulating the industry. Electricity and needles can remove more than hair.
The senate version, sponsored by Sen. Ted Kaplan of Lewisville, has passed second and third readings. The house bill, sponsored by Rep. Harry Payne Jr. of Wilmington, has been referred to the Finance Committee.

The plan would create a state Board of Electrolysis Examiners, which would have the power to set licensing fees, administer board examinations, review complaints against the industry and establish continuing education requirements.
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The Chapel Hill Record

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ing education requirements.

— If legislators really want to impress voters in this election year, they should add some bite to the public disclosure laws regarding the state's 479 registered lobbyists.

Within 30 days of the close of each session, lobbyists and their employers must report all expenses incurred in promoting or opposing legislation, according to state law. Expenses to be reported include transportation, lodging, entertainment, food, contributions and items worth more than \$25.

Employers who hire lobbyists on a per-job basis must also report the amount paid to the lobbyist.

The secretary of state compiles this information and makes it available to the public, which is great. The law fails, however, in that it does not require employers to reveal how much they paid lobbyists who are retained annually or kept on the full-time payroll.

"It shall not be necessary to report the full salary, or any portion thereof, of a legislative agent who is a full-time employee of or is annually retained

by the reporting company," the law says.

No matter its intent, the provision effectively shields salaries of full-time lobbyists — whose sole job is pushing or pulling the General Assembly in certain directions — from public review.

Consider that the only reason anyone bothers to hire a lobbyist is because he or she supposedly wields influence over lawmakers; if not, they would be of no use. Voters should have access to information detailing what price people pay to influence public servants.

— Lastly, it's depressing and infuriating that legislators never bothered to ask state employees whether they would sacrifice this year's 6 percent pay raise to save jobs and programs.

Lawmakers approved the raise last summer, when revenue estimates were brighter. When things turned sour this year the General Assembly stuck by the pay hikes, despite bleeding red ink.

Increasing taxes might have allowed lawmakers to keep the pay-rise promise and still lift the state out of the budget hole,

but taxes were off limits because of the upcoming elections.

Once this fear of new taxes became obvious, the honorable thing would have been to give state workers a choice: Would you like to have the raise even though you might lose your job? Or, would you rather skip the raise this year and see that everybody's job is safe?

But in the same self-preservation mode that caused them to dodge the tax question, lawmakers reasoned that any reversal on the pay raise would mean defeat in November.

As a result, they have been stumbling and bumbling through attempts to overcome a huge budget deficit that probably could have been eliminated by repealing the pay raise.

Regardless of any joy folks get from the extra dollars in their paychecks, many state employees will lose in the end when bosses fire people and cut programs to meet leaner budgets. So don't thank legislators for preserving raises. They're hugging your shoulder with one hand and cutting your throat with the other.

Budget dragon still kicking despite calm at legislative building

C.H.H. 7/27/90

CAPITAL UPDATE

The legislative building in Raleigh looks like a crime scene and disaster area rolled into one.



JOHN BARE

Yellow plastic ribbons warning CAUTION guard the entrance. An orange mesh fence encircles part of the building, and the decorative fountains are dry.

There are no chalk outlines of bodies — not yet, anyway. But there are dozens of cracks in the Great Seal inlaid in the building's front porch. Even the lettering of the state motto is peeling. Inside, hunks of crimson carpet have been torn from the grand staircase, leaving behind splashes of dirty padding.

Across Jones Street, cranes half a block long rest in a pit of red clay and concrete. With their long cables, the cranes are in perfect position to sling a weight into the legislative building and put the structure out of its misery.

Razing the building might be a relief to state lawmakers, who avoided the site for several days to slap backs and swing golf clubs at a political shindig in the Blue Ridge Mountains.

Following an afternoon session July 20, legislators recessed until Thursday at 3:30 p.m., so they could attend the Southern Legislative Conference in Asheville.

The conference left the Legislature deserted most of this week. The lower level of the new public parking deck on Salisbury Street was less than half full on Tuesday, and the legislators' parking garage was nearly empty. Hallways were calm and quiet.

Three college-age women in Printed Bills watched "The Price Is Right" on a rabbit-eared TV set. In the middle of the dings and pings of Bob Barker's games, a Domino's delivery man brought in lunch. Plenty of time to kick back with a pizza.

Considering the stillness, you would have thought lawmakers had slain the budget dragon and gone home. But the mood was misleading. While adjournment could come soon, it could still be weeks away. Everything depends upon how quickly a conference committee can force two square budget plans into one round hole.

speed as adoptions handled by the state.

On a larger scale, however, lawmakers failed to address the state's day-care crisis, Niblock said. Components of a \$24 million comprehensive day-care package made it into appropriations committees of both chambers, he said, but budget planners did not adopt the provisions.

Other bills ratified just before the Asheville trip include:

- An act to dissolve the inheritance tax exemption for federal retirement benefits.
- A plan sponsored by Rep. Ann Barnes of Chapel Hill to make intensive probation and parole available to misdemeanants as well as felons. It's part of a plan to reduce prison overcrowding.

— A plan requiring municipalities operating wastewater treatment plants to give notice when untreated or partially-treated sewage bypasses the facility.

— A measure to consolidate four absentee ballot forms into one document. It should reduce paper shuffling.

As for trivia, legislators created a separate and unique oath for law enforcement officers. They will swear to be alert, vigilant and free of personal bias or prejudice. There are 35 other oaths covering every state bureaucrat from judges to weighers of cotton.

Before inventing additional oaths, lawmakers ought to glance across Jones Street to a sign at the history museum construction site. The placard praises legislators for funding the new museum and proclaims that work should be finished by summer 1992.

JULY 27, 1990

Maybe the scene — if not the dose of mountain air — will inspire lawmakers to erect a sign announcing their adjournment date. It would fit right in amid the caution signs, budget gaps and pizza boxes at their own disaster area.

Aside from the budget tug-of-war, lawmakers have worked hard at looking busy.

For instance, on July 19 the house acted on 81 public bills. Representatives ratified 12 bills, killed 45 others and left the rest in limbo.

On the same day, the Senate acted on 39 public bills, ratifying five and killing two.

Despite such activity, lawmakers have dealt mostly with narrow issues, not long-range solutions to the state's botched fiscal policy. Put another way: The politicians kept dodging out how to ration the meat and potatoes.

For example, legislators have made minor changes in laws dealing with children and families. One new measure broadens the definition of "neglected" children, making it easier for the state to intervene when juveniles are at risk.

"This was a positive thing," said John Niblock of the North Carolina Child Advocacy Institute. "It allows them to consider a child who is in a home where another child has been abused or neglected to be at risk also."

A second plan alters the way courts handle private adoptions — those cases in which neither the state nor a licensed agency is involved. The revised law allows the court to approve private adoptions with the same

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Hopeful incoming students will face cutbacks and cynicism

CAPITAL UPDATE

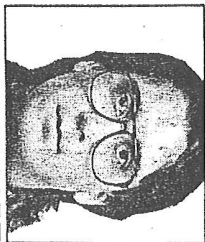
Dear Amy,
Sorry to deliver bad news, but clouds are thickening in blue Heaven.

Legislators swiped millions from state universities to help offset a \$300 million budget deficit. As a result, there likely will be fewer teachers, less computer paper, shorter library hours and more cynicism on campus when you arrive later this month to begin your freshman year.

Starting off in such a depressed environment is a fate I would wish on no one certainly not my little sister. So I thought I should warn you about the trouble.

First, classes you want might not be available. I know. It sounds ridiculous for a university to run out of classes — sort of like a shoe store running out of shoes — but several courses probably will be canceled.

Freshmen traditionally have a tough time getting prime classes, but there used to be some leeway. I picked up a great speech course in my first



JOHN BARE

semester on campus. In 1983, Novembers you'll be lucky to pick up freshman English.

About 500 university jobs — including 200 full-time faculty positions — will be cut from the state's 16 universities. No one is sure how many spots Chapel Hill will lose, but be ready to sweet talk your way into overcrowded classes. Remember to bring your own chair.

"The cuts will have a devastating impact on the instructional mission of this institution," Provost Dennis O'Connor said in a newspaper article. "I think it's going to be a very, very difficult year."

You may want to bring your own noose to math class. I know you dread taking more calculus, and the departmental cutbacks will only increase the pain. Reduced funds mean fewer teaching assistants and less individual attention.

Professors are already up-tight over restrictions on long-distance phone calls, copier machines and university letterheads. The latest budget disaster, which further jeopardizes faculty members' even more, just look at what they're saying in newspapers.

I suspect the university will take a very large hit from which it will not recover for many years. I don't think there is any doubt that it is shipping," said George Fishman, chairman of the department of operations research.

"It could be devastating," said Gillian Cell, arts and sciences dean. "I feel like I have been raped," said Lawrence Gilbert, chairman of the biology department.

"It's terrible," said Sheldon Newhouse, chairman of the mathematics department. "Our department is hit particularly hard because we had been undervalued for a long time. We've been trying to revamp it, but this not only kills all that it wipes us back to a level that I don't even want to think about."

You can tell Sheldon that you don't want to think about it either, and you'll gladly forgo math courses to relieve the burden on his department. There has even been sniping between university and UNC system officials. Local academics claim system leaders failed to make their case before the Legislature. There's talk of appointing a faculty member to lobby for the Chapel Hill campus.

"Frankly, to make a case in the Legislature, you ideally have to know the university or the Legislature, and my impression is that the (general) administration is not particularly good at either," said David Lowery, chairman of the political science department.

The crisis has everyone so worked up that you may get to see some real-life protest events — pickets, boycotts and rallies. Not every freshman is so fortunate. I hung around Chapel Hill for several semesters before anti-apartheid protesters built shanties on Polk Place and lived there for awhile.

The highlight should come Sept. 11, when students walk out of classes to protest the budget cuts. It's called Save UNC Day, and if it works, there will be a mass exit to outdoor voter registration programs and budget information sessions. Student Body President Bill Hindebol is organizing the boycott. He's also planning the first full student body assemblage since the Vietnam era. The

might before the walk-out, students will rally in Carmichael Auditorium to curse lawmakers. The big event in Carmichael my freshman year was watching Sam Perkins and Michael Jordan beat Duke on senior day in double overtime.

Bill believes a coliseum full of angry young voters will grab the attention of legislators, who face November elections. He also hopes thousands of parents will enter the political fray when their kids say they need money for summer school because UNC doesn't offer enough classes.

I don't have any profound advice on dealing with all this adversity (or the long lines you'll face in a few weeks). Just remember UNC still has a few things in its favor. After all, lawmakers didn't uproot Silent Sam or close Jeff's Confectionery. And they didn't lay a hand on the basketball recruits coming this fall.

Love,
John

AUG. 31, 1990

South Carolina has one embarrassment after another

CAPITAL UPDATE

A friend of mine used to say that if you want to give the world an enemy, start in South Carolina.

Those are harsh words for our southern neighbor. Many locales could serve as rear end of the world, singling out the Palmetto State may be unfair.

Still, a few South Carolinians seem hell-bent on proving that they have bubble gum for brains. Corruption in the state capital is making news from Washington to Los Angeles.

Here's the story line:

Ron Cobb, a legislator-turned-lobbyist, apparently helped the FBI conduct a sting operation aimed at South Carolina lawmakers. Cobb allegedly met with legislators in a hotel room and paid them thousands of dollars to support a bill legalizing gambling on dogs and horses.

The FBI now has Cobb in hiding, and federal investigators have subpoenaed campaign spending records for South Carolina's 170 state representa-



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tives and senators, the *Los Angeles Times* reported. Some 15 legislators must appear before a federal grand jury.

"It's a lot worse than I thought," an unidentified member of South Carolina's congressional delegation in Washington told *The State* newspaper after a briefing by federal agents. "They flat stated the videotapes will turn your stomach."

The videotapes purportedly show Cobb and legislators trad-

ing money for votes. Between 15 and 25 people could face charges carrying 20-year prison terms. The Associated Press reported.

"They told us the worst is yet to come, that the trials will be unpleasant and not a pretty thing to behold," U.S. Rep. John Spratt of York, S.C., said after the briefing. "I gained a sense that they have real confidence in their case, and that the evidence they're amassing is substantial."

The most incriminating evidence may still be secret.

"My God in heaven, the reporters don't know how bad this thing is going to be," said one unidentified lawmaker.

There are a few denials, but they aren't convincing. State Rep. Dennis Fant of Greenville, S.C., admitted meeting with Cobb and accepting a \$1,500 campaign contribution.

He said he wanted this legislation, Fant said in a recent article. "I told him I was already

in favor of it. He said, 'Here's a contribution.' I said thank you."

More accusations are surfacing. Cobb worked for the South Carolina housing authority sporadically from 1986 to 1988, for much of that time, he also worked as a consultant for the brokerage firm Interstate/Johnson Lane, where his job was convincing government agencies to hire Interstate to underwrite bond sales.

Wouldn't you know it, in late 1987 the housing authority selected Interstate as one of its underwriters. *The Charlotte Observer* reported.

One housing authority member, who is also a state representative and a close friend of Cobb's, has been questioned by the FBI regarding a \$2,500 contribution Cobb gave him.

While the vote-buying scandal grabs headlines, it's just one of several embarrassments South Carolina has recently suffered.

Movie star Julia Roberts

stirred up a fire when she said that Abbeville, S.C., — where she spent time filming a movie — was a "living hell" and "horribly racist." Roberts, who is from Georgia, said a black friend of hers was refused service in an Abbeville restaurant. I've never visited Abbeville, but a source whom I consider to be an expert on Southern plutocracy (she was a debutante and sorority queen) confirmed that Abbeville is a Confederate stronghold.

In another event, a South Carolina highway patrolman reportedly stopped FBI Agent Fred Verinder last March for drunken driving.

Verinder insisted on calling Highway Patrol Col. J.H. Lanier to the scene, and Lanier supposedly prompted the trooper to show mercy. The patrolman eventually handed out only a speeding ticket. *The Observer* reported, and Lanier drove Verinder home.

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Since the incident became public last month, Gov. Carroll Campbell has asked the state attorney general to investigate Lanier's actions.

Campbell didn't think Solicitor Jim Anderson, who has dismissed criminal charges against three of Lanier's sons in the last four years and also employed

Lanier's daughter, was suited for the case.

In an ironic twist, Agent Verinder, the gentleman allegedly stopped for drunken driving, was also the FBI agent who briefed South Carolina congressmen last week on the Ron Cobb affair.

Reading about South Carolina's foul leadership ought to make me glad to be a North Carolinian. Our lawmakers may seem cowardly, confused and a bit inept — but not crooked. Still, folks in South Carolina probably have it better. At least they may get to send some legislators to jail.

8/10/90 The Chapel Hill Herald
AUG. 10, 1990

Prison releases, overcrowding create hopeless situation

CAPITAL UPDATE

The Chapel Hill Herald 8/17/90



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North Carolina's criminal justice system has three missions: punishing criminals, protecting the public and preparing offenders to return to society.

Mastering the three P's — punishing, protecting and preparing — is always difficult in North Carolina, however. It seems hopeless.

First, the state is failing to prepare inmates for life after prison. Ideally, incarceration should discourage criminal behavior. In reality, prison seems to condition offenders to commit more crimes. Indeed, one-third of the inmates North Carolina releases are back in prison within three years, according to state statistics.

Second, the high recidivism rate contributes to prison overcrowding, and bursting prisons impair the state's ability to pun-

ished criminals by forcing administrators to release inmates who have served only a fraction of their sentence. In 1984, for example, the state paroled 7,692 inmates. Four years later, in 1988, the state paroled 14,460 inmates. A Pitt County man re-

ceived a 35-year sentence in 1985 for cocaine trafficking but was paroled in less than four years.

The combination of unreformed convicts and limp punishments has led to another problem: the inability of the state to protect its citizens. Prison system failures are horrifying not because they expose half-baked policies but because they sometimes allow criminals to harm innocent people.

rested Cunningham 31 times since 1968. A 1976 murder charge resulted in a conviction for voluntary manslaughter. Cunningham received a 20-year prison sentence but was paroled after five-and-a-half years. In 1987 Cunningham received a one- to two-year sentence for slitting a man across the neck with a box cutter. He served seven months.

Cunningham claims he didn't kill the cop. He'd have a great alibi if he were still serving that 20-year sentence.

tim. Roland Wesley Stevens, 36, had been serving a nine-year term for the 1987 kidnapping of a store clerk. He previously served time in Virginia and Pennsylvania for sexual assaults.

Prison officials said Stevens was let out on work-release because of his good behavior and because he was nearing parole eligibility.

A three-time murderer ditched his work-release job in Greenville in mid-June and remained at large for more than a month before FBI agents cornered him July 24 in Lincoln, Neb.

Roger Lee McQueen, 51, had been held in minimum custody at a prison facility in Greene

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County. He held a work-release job as a janitor at a state Highway Patrol office.

McQueen is serving a life sentence for killing two women in Cumberland County in 1972. Before the Cumberland slayings, McQueen had escaped from a Missouri prison where he was serving life for the 1963 murder of a St. Louis librarian.

On June 29, a state prison inmate was accused of sexually assaulting a 7-year-old girl after forcing her into a men's room at a Nash County restaurant where he held a work-release job.

The inmate, Steven Craig Wilson, is serving a life sentence for kidnapping and raping a 9-year-old girl in 1977.

Prison administrators have switched Wilson from minimum custody to medium custody and revoked 30 days of good-conduct time. Wilson entered the work-release program in April and had been scheduled to be paroled on Feb. 7, 1992.

James Arrington Jr., 32, of Asheville has been charged with first-degree murder in the

March slaying of a 9-year-old girl.

In November 1989, Arrington was convicted of assault on a female and sentenced to one year in prison. Arrington, who had prior criminal convictions, was paroled after seven weeks.

A Charlotte man was convicted in April of raping a University of North Carolina at Charlotte professor in her office.

The rape occurred last September, about six hours after the offender, Henry James Rubin, 35, who had prior criminal convictions, was paroled from prison. He had served two years of a seven-year sentence.

With overstuffed prisons, it's logical that the state must release one inmate every time another enters prison. It also seems logical that work-release jobs may help inmates establish a foothold in society.

But logic doesn't lessen the torment a little girl suffers when she's sexually assaulted by some criminal deviant whom the state has failed to keep be-

Lawyers take aim in 'no-fault' auto insurance gunfight

About 180 miles northwest of Tombstone, Ariz., — site of the Wild West shoot-out at the O.K. Corral — there is a modern-day gunfight under way between trial lawyers and auto insurers, and several North Carolina attorneys are sending money to help their brothers-in-arms buy bullets.

The battle site is Phoenix, the state capital. Depending upon your point of view, either side could be wearing black hats.

Auto insurers hope to create a "choice no-fault" insurance system. It's complex, but the new plan supposedly would lower premiums while guaranteeing benefits to customers involved in accidents, whether or not they were at fault in the wreck.

Trial lawyers claim that the

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system would hoodwink consumers, leaving them and their families destitute if they were killed or seriously injured in an accident. The plan would set overly-strict limits on benefits, lawyers argue, and no-fault customers would lose the right to

sue for additional damages. Lawyers also contend that consumers wouldn't really have a choice in purchasing the no-fault plan, because the cost of traditional coverage would probably skyrocket to offset bargain no-fault rates.

The dust won't settle until November, when Arizona voters decide whether to approve a constitutional amendment establishing the insurance plan.

Led by Howard Twiggs of Raleigh, members of the North Carolina Academy of Trial Lawyers have contributed more than \$6,500 to help fight the plan. It's the first time Twiggs has seen North Carolina trial lawyers reach out like this to assist another state.

"Throughout America, we're helping them," Twiggs said.

"Many states have done far more than we have, but they are richer states."

Passage of the Arizona plan could trigger similar legislation in other states, Twiggs said. The thought horrifies him.

"It is an absolute windfall to insurance companies, and it is sweeping the nation right now — sweeping the nation in that many states are considering it."

J. Ruffin Bailey of Raleigh, lobbyist for the American Insurance Association, said he has heard casual discussion of no-fault auto insurance plans, but there's no movement in North Carolina to introduce such a package.

Still, John Hinz of Phoenix, spokesman for Citizens Against No-Fault, said insurers most likely want to implement the

no-fault plan in Arizona and then push the system on other states.

The Arizona General Assembly previously defeated no-fault legislation, Hinz said, but insurance industry boosters managed to obtain enough signatures to place the question on the November ballot. No-fault proponents have more than 20 paid staffers working the state, he said, and the campaign is turning nasty.

Insurers are stressing the potential for consumer savings, Hinz said, but they aren't talking about the down side of the plan. Consider an example in which a young woman and a young man, both with choice no-fault insurance, are involved in a collision; the woman is

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killed and the man is paralyzed.

Regardless of who was to blame for the accident, the plan would limit the woman's estate to \$5,000 in benefits.

That's right, death benefits for no-fault customers would total only \$5,000, and the award would be reduced by other income. So, if Social Security paid \$2,000 to the woman's estate, the insurance would provide \$3,000.

For the man, the maximum no-fault benefit would be \$15,000. This would be for reimbursement of medical bills only. There would be no recovery for damages such as scarring, disfigurement or pain and suffering.

Under traditional insurance policies, Twiggs said, a professional person paralyzed in an accident might win a million-dollar jury verdict. Providing only \$15,000 to a person crippled in a car wreck is unjust, he said.

"I think it is an absolute fraud on the public," he said. "Can you imagine this being written into a state constitution?"

The obvious goal of the proposed system is to eliminate big-money jury awards against insurance companies. The industry has made the no-fault idea attractive by emphasizing to voters that premiums should

drop and by declaring that the plan is a type of insurance reform designed to let consumers choose their own coverage.

The problem is that the insurers' strategy is phony and deceptive, Hinz said, and voters don't realize that if they're paralyzed in an accident, no-fault policies would provide only \$15,000. Furthermore, he said, people around the country don't realize that every state may be affected by the latest gunfight in the Arizona desert.

"A lot of states need to be waked up about what's happening," he said. "This is a national movement, and Arizona is only the first target."

AUG. 24, 1990

Reforms will shake up state's criminal justice system

CAPITAL UPDATE



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North Carolina's criminal justice system is in for an earthquake. Crimes currently categorized as misdemeanors may become felonies, and vice versa, criminal laws may be rewritten to incorporate innovative punishments, such as electronic house arrest, and the state may turn to advanced computer models designed to gauge the impact of new legislation.

All this, and more, could happen in a hurry. It's up to a brand new state panel, the Sentencing and Policy Advisory Commission, which state lawmakers created this summer as part of a prison reform package introduced by Rep. Anne Barnes, D-Chapel Hill.

The 23-member commission isn't quite complete, but several members met last week to sort out a few details. So far, we know three things: Superior Court Judge Thomas W. Ross of Greensboro will chair the panel; today is the last day the Administrative Office of the

Courts is accepting applications for the executive directorship of the commission, and the group is set to hold its first full meeting on Oct. 5.

Amidst the hubbalo over state budget cutbacks, the sentencing commission has not received a great deal of publicity, but it likely will have a dramatic and long-term impact on the state. For example, a crime that's now a 10-year felony could be switched to a 20-year

offense, or the commission could recommend that the crime be dropped to misdemeanor status.

The state's existing sentencing system categorizes felonies alphabetically in descending order of severity (Class A through Class J). Statutes prescribe the presumptive sentences that judges are to hand down if they find no aggravating or mitigating factors. The new commission could alter this structure.

State law requires that inmates receive one day of "good time" credit for every day they spend in prison without getting into trouble. Thus, sentences are usually cut in half because most inmates receive one day off for every day they serve. Inmates who work prison jobs receive additional sentence reductions through "gain time." Also, state law requires prison officials to parole inmates 90 days before their sentences are set to expire. With all this, a 10-year

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Part of the commission's work will be utilizing an impact assessment model, which is a computer formula that measures the potential effects of new legislation. The model was developed by a non-profit group under a federal grant, Barnes said, and other states have used the technology successfully. It can estimate how a new law will affect county jails or how a new sentencing structure will affect the number of prison beds needed.

"This will really be a tremen-

dous help to us," Barnes said. On the down side, the commission has the impossible task of trying to please everybody. Not only must members meld their ideas, they must produce recommendations that will survive attacks from the governor, the General Assembly and voters. Regardless of how little publicity the commission has received so far, there will be lots of shouting on both sides of the political fence when the discussion turns to robbers and rapists and appropriate punishments.

In an even greater departure from traditional punishments, the commission will consider writing new sentencing statutes that include non-prison options such as community service, restitution and house arrest.

The commission will make recommendations to the 1991 General Assembly, but its duties won't end there. The group will continue monitoring the state's criminal justice system to ensure that sentences remain uniform and consistent. It will review all legislation dealing with crimes and sentences and make recommendations to legislators.

Considering that several com-

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States rely on statistics to enhance reputations

CAPITAL UPDATE

Rankings, statistics and lists are becoming more important than ever as states work to puff up their reputations as economic and political leaders, and officials have plenty of ammunition available in the battle to bolster one region or beatmouth another.

There are lists that rank the best universities, the most expensive housing markets, the smoggiest cities, the deadliest highways and the most desirable places to live. This year's national census will generate more statistics, and preliminary results indicate North Carolina's population has increased enough for the state to gain a 12th seat in the U.S. House of Representatives.

North Carolina state government plays the listings game by publishing *State Rankings*, an annual book that details how the Tar Heel state ranks nationally in every demographic category from the total value of state exports to the number of residents living in college dorms.

North Carolina often makes news for having low unemployment, low manufacturing wages



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and high infant-mortality rates. In addition, the state received attention last year when one report said that North Carolina leads the nation in the number of outhouses still in use.

Recent news items have highlighted several other rankings that reveal a little more of North Carolina's character.

Though the honor may generate some jokes, folks in Sampson County surely are proud that they have been named the nation's top hog-producing county. More bacon comes out of Sampson than any

county in America, and it's the first time any locale outside the Midwest has taken the title. Sampson beat out Sioux County, Iowa, for the top spot.

North Carolina apparently has more pigs than millionaires. According to Internal Revenue Service rankings of the ultra-wealthy, 66,300 North Carolina residents earned more than \$500,000 in 1989. That's about one super-rich person among every 95 Tar Heels.

On the other hand, pork producers across North Carolina raised nearly 6 million hogs last year, which works out to be almost one whole hog for every Tar Heel resident.

Now that the NCAA has given North Carolina State University's athletic department a standing eight-count, a recent report indicates that the university's research library may be in worse shape than its basketball program. The Association of Research Libraries, which has 105 members, has dropped NCSU's library ranking nine positions to 96th.

The state received better news regarding libraries at Duke University

and the University of North Carolina at Chapel Hill. Duke's ranking rose from 28th to 26th. UNC fell two spots but came in at 17th.

A Carnegie Foundation survey found that public school teachers in North Carolina were more likely than educators in other states to say that they would not become teachers if they had to start their careers over again. Tar Heel teachers were also more likely to be dissatisfied with their students, their administrators and the education system in general. There was no word on how North Carolina youngsters felt about the quality of their classroom experience.

There was also no word on whether the disgruntled teachers caused SAT scores to fall, or whether low SAT scores caused the teachers to sour. Regardless of the connection, Tar Heel students once again helped anchor the nation's SAT results. North Carolina improved from dead last to 49th, but the 1989-90 state average rose a measly five points - still a long way from the national average.

Statewide, Chapel Hill High School was a runaway winner. The school posted an average score of 1,043, up 42 points from last year.

Four of Wake County's 11 high schools scored below the state average. The worst news came out of Wake Forest-Rolesville, where SAT scores plummeted 92 points to a Wake County low of 811.

My alma mater, Garner High School, which has won nearly 40 straight regular season football games, moved up from last place to ninth in Wake County. The only bad thing about Garner's escape from the SAT cellar is that it could rob me of an excuse for performing poorly on tests. Just as Lorne Greene converts dog years to people years, I've always believed that I should be allowed to convert my test scores to the Joltin' toads that I might have achieved if I had attended a brassy institution like Chapel Hill High.

My excuse is probably safe for awhile, though, because even with Garner's 18-point rise, the school is still 11 touchdowns behind the national average.

The Chapel Hill Herald

SEP. 7, 1991

Gardner watches Massachusetts gubernatorial coup

9/14/90 CHH

Want to bet Lt. Gov. Jim Gardner is keeping an eye on Massachusetts politics?

Gardner, who is virtually drooling over the 1992 gubernatorial race, may be on his way to assuming the role of de facto governor. Lane-duck Gov. Jim Martin, who has bagged his limit of two terms in office and declared that he won't run for the U.S. Senate in 1992, has lost much of his political punch.

With Martin's star fading — at least in the near future — Gardner has been spraying opinions everywhere. Most recently, he has brooken from his boss on the issue of where to put a new hazardous waste dump. Though Martin is under pressure to put a facility into operation, Gardner has become a strong opponent of the siting process. During the budget bargaining this summer, while Martin was try-

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ing to maintain some semblance of peace with legislators, Gardner aired his own ads blasting lawmakers.

As he positions himself for 1992, Gardner may learn a few lessons from Massachusetts Lt. Gov. Evelyn Murphy, who last week staged a coup to try to cap-

ture voter support and to cure her state's fiscal ills. Though her inability to win public support prompted her to announce Monday that she was quitting the race for the Democratic gubernatorial nomination, she's sticking by the economic changes she implemented behind the back of her boss, Gov. Michael Dukakis, who has been in Europe on a trade mission.

Murphy's attempted takeover was made possible by a provision in the Massachusetts Constitution. The lieutenant governor, according to the constitution, assumes the powers of acting governor when ever the governor leaves the state. It's the same in North Carolina.

Such a provision elevating the lieutenant governor to the post of acting governor is usually only a ceremonial designation. Ninety-nine times out of 100, nobody changes a thing when the governor

is away. Nobody, that is, except Murphy.

Recent polls showed her running last in the three-way Democratic gubernatorial primary, and the vote is set for Tuesday. In an effort to convince the populace that she was the best candidate, she secretly planned her own economic reform package.

Though her stunt seems crazy, the situation has become desperate in Massachusetts. Unemployment in the Bay state has more than doubled; lawmakers have cut spending more than 4 percent; housing prices have fallen 10 percent, and budget deficits may reach \$1 billion. Things aren't improving. August tax revenues were \$27 million less than expected.

The Massachusetts wine has turned back into water.

As a radio reporter in Massachusetts during the early day of

Dukakis' presidential campaign, I covered Dukakis and Murphy at several events. Murphy, 50, is a precise dresser and an attractive lady. She seemed to be a more natural public speaker than Dukakis, using the same hand gestures as he did but in a less strained manner.

She was also more personable. Murphy, a Duke University alumna, brightened a bit when I told her I was a recent graduate of the University of North Carolina at Chapel Hill. She also got in the obligatory barb about the sports rivalry between our alma maters.

Having seen Massachusetts during its good times, it's hard to imagine how things got so topsyturvy on Beacon Hill.

Dukakis said Murphy's power play was an attempt "to use this

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state's fiscal situation for personal political gain." His aides called her wacky and pathetic. He's due back in Boston today, so he'll have the opportunity to undo her handiwork.

Murphy apparently decided to shake up the statehouse after advisers convinced her that the only way to save her campaign was to make a public break from the sinking Dukakis administration.

"When I'm in charge, I'll show you how I'll make the decisions. I

want to show people that there's a very serious difference between me and the governor ...," she said last week.

Murphy, who holds a doctorate in economics, kept her word. With Dukakis in Europe, she put in motion plans to lay off 1,000 state workers, cut state salaries, reduce government spending and sell state properties, including a convention center in Boston.

Gardner probably won't follow the same strategy. Unless voters start blaming everyone in the Mar-

tin administration — including Gardner — for the state's troubles, Gardner won't have to bushwhack his boss as Murphy did.

Even if Gardner and Martin remain allies, however, Gardner surely will jump at the chance to assume the duties of acting governor, even if only for a weekend. He'll just wait for Martin to go on vacation, then parade into the Governor's Mansion to call a press conference, tape a few TV campaign spots and complain about the Democrats.

SEPT. 14, 1990

THE CHAPE

Adoption case reveals complex drama of state courts

CAPITAL UPDATE

To get a sampling of the tangled dramas played out in North Carolina courts, consider a state Court of Appeals case called, "In the Matter of the Adoption of P.E.P."

The case involves a Michigan woman who agreed in 1988 to allow an Orange County couple to adopt her baby. She lived in Orange County for a few months before giving birth, with expenses paid by the adoptive parents and their attorney.

But after leaving her baby behind and returning home, the mother tried to overturn the adoption. She claimed that she was pressured into signing the adoption agreement and was unfairly influenced by The Way International, which is either a religious organization or a cult, depending on whose



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description you believe. The adoptive parents, who are referred to only as "the PEPs" in the court opinion, and their lawyer, Doug Hargrave of Hillsborough, are members of The Way, according to

the court opinion. The group helped arrange the adoption, the opinion said.

The baby's natural mother, Pamela Rogers, a former member of The Way, became suspicious of the group after returning to Michigan and seeing a Geraldo Rivera show that portrayed The Way as a cult. North Carolina Lawyers Weekly said The Way is "a religious group that has drawn fire for its behavior modification and recruitment techniques."

In late 1988, Rogers and William Rowe, Baby PEP's father, petitioned a North Carolina court to stop the adoption process. A judge denied their motion, but the couple appealed.

On Sept. 4, in a 2-1 ruling, a panel of the state Court of Appeals

upheld the trial court's decision.

In the majority opinion, Judge Hugh Wells said that the court had to resolve the dispute in the best interests of the child, which meant leaving Baby PEP with the adoptive parents. Judge Sarah Parker joined the opinion.

But even in siding with Hargrave's clients, Wells criticized the procedural steps Hargrave followed, saying the conduct was "questionable" but fell short of fraud. Wells said ignoring proper adoption procedures could result in tragic consequences.

In an emotional dissent, Judge Allison Duncan said the adoption process was filled with flaws.

"In its best light, the record in this case shows a consistent and apparently deliberate failure to ad-

here to the laws of this State, a failure the courts should not sanction by any remote implication," Duncan said.

Duncan said that a standard provision allowing the natural mother to change her mind within 90 days was altered on Rogers' consent form, giving her only 30 days. Rogers' motion to stop the adoption process came within 90 days; therefore, Duncan said, if proper procedure had been followed, Rogers could have lawfully revoked her consent.

There were other objections. Rogers' single meeting with a social worker was insufficient, Duncan said, and normal hospital procedure was bypassed when the PEPs were "allowed to leave" the

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hospital with the infant in their custody. In addition, Duncan was not satisfied that the baby's father received proper notice of the adoption, and she said the trial judge should not have prevented Rogers from presenting evidence about The Way.

Furthermore, Duncan questioned the propriety of the financial assistance Rogers received from Hargrave.

"While Rogers was in North Carolina, Hargrave paid for Rogers' room and board, gave her expense money, and paid part of her physician's fees," she said. "Throughout all this, Hargrave was the attorney

for the PEPs. The facts are disputed about who isolated Rogers from her family, but it is undisputed that she was not in contact with them while here, and ... Hargrave paid her bills. His contention that he did so out of love for someone he hardly knew is inherently incredible."

By paying Rogers' expenses, Hargrave violated a state law that bars anyone from giving compensation or consideration in exchange for receiving or placing a child in an adoption, Duncan said.

Moreover, Duncan said that affirming the Baby PEP adoption could set a dangerous precedent

by making it appear as if North Carolina courts approve of the buying and selling of babies.

"To say to future parties that the courts of North Carolina will not endorse conduct that suggests a child was purchased, I would reverse the order of the trial judge," Duncan said.

Duncan's dissent raises a disturbingly high number of questions concerning irregularities in the Baby PEP case, which could be appealed to the state Supreme Court. As Duncan said, "One cannot look at any aspect of this case and come away untroubled."

SEE PT. 21, 1990

THE CHAPEL HILL HERALD

Parties aside, Supreme Court candidates are all alike

CAPITAL UPDATE

There's not much variety among the six candidates running for state Supreme Court seats.

With three Democratic incumbents and three Republican challengers, there is the obvious difference of party affiliation. Aside from that, however, everything is about the same. All six are white men. All were born in eastern North Carolina between 1926 and 1948.

Four earned undergraduate degrees from the University of North Carolina at Chapel Hill. Two went to Wake Forest, with one gentleman first attending Mars Hill College.

As for law schools, three candidates graduated from UNC-CH and one from Wake Forest. The other two earned law in the Big Apple, one at Columbia University, another at New York University. One



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incumbent, Willis Whichard, also has an LL.M., or a master's in law, from the University of Virginia.

Four of the candidates list Raleigh as their current hometown. One lives in Durham, another in Wilson, according to biographical notes published recently in *North Carolina Lawyer* magazine.

Martin is not the only one slinging gavels at candidates. Republican and Democratic politicians across the state are stumping for their favorites and defending the honor of their respective parties. As is customary, the candidates themselves have remained relatively quiet.

The existing election system, which prevents judges from taking stands on specific issues, always turns into a campaign-by-proxy in which designated point men promote the positions of their party's candidates. While other politicians exchange accusations of incompetence and buffoonery, judges are expected to remain above the muck and yuck of politics. That's why Chief Justice James Exum Jr. and his opponent, Howard Manning Jr., are not dueling to the finish with 30-second TV ads.

Though the process may help keep judicial races out of the gutter, it also deprives voters of information. So for a glimpse into the minds of the candidates running for the state's highest court, let's take a look at what they had to say for themselves in *North Carolina Lawyer* magazine.

"I want to be re-elected Chief Justice because I enjoy both the art of judging and the responsibility of seeing to the proper and efficient administration of our courts," said Exum, a Snow Hill native with 23 years of judicial experience.

His opponent, Manning, is a Raleigh native and a Superior Court judge. "I will bring to the office of Chief Justice 22 years of extensive, varied experience as a lawyer and trial judge," he said. "The bulk of

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this experience was earned the hard way - as a trial lawyer in private practice at all levels of our courts...."

Incumbent John Webb, 64, joined the state Court of Appeals in 1977 and the Supreme Court in 1986.

"I hope that I have established a reputation for integrity, fairness and ability so that the bar and public will support my effort to continue in office," he said.

His opponent, Republican Superior Court Judge I. Beverly Lake Jr., formerly chief lobbyist for Gov. Martin, was the only candidate brave enough or stupid enough,

depending upon your ideology, to proclaim conservative goals.

"I want to be justice of our Supreme Court in order to continue to have part in doing justice in litigation, developing North Carolina law conservatively, and meaningfully contributing to our judicial system," Lake said.

Whichard, an incumbent with a decade of judicial experience, said, "The job of appellate judge is demanding and confining, but after 10 years of it, my enthusiasm for the task is undiminished."

His opponent, Republican Samuel Currin, a former U.S. attorney

in eastern North Carolina, is a Superior Court judge.

"I have held court in almost half of our state's 100 counties and have gained a first-hand understanding of the practical, everyday problems attorneys and litigants confront," Currin said. "I would appreciate the opportunity to serve this state and our judicial system...."

Such plain vanilla statements don't provide any magic formula for selecting the best judges. But if you look at the blusterous nonsense spewing forth from the governor, the candidates' comments seem pretty appealing.

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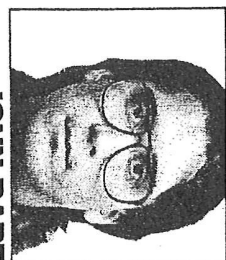
Private giving shines through campus budget clouds

CAPITAL UPDATE

It's the best of times and the worst of times at the University of North Carolina at Chapel Hill.

The worst-of-times angle has been receiving the most attention lately, and rightfully so. The state's financial situation has declined from shiny to bad to horrific, and the university has been hit hard in nearly every area. With the fiscal outlook growing gloomier, the university may well be cut down a few notches.

Evidence of the seriousness of the crisis could be seen in a memo Chancellor Paul Hardin sent out earlier this semester to vice chancellors, deans, directors and department heads. The memo urged energy conservation, which is always a good idea, whether there is a recession or not. But this memo was not a perfunctory message



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about energy usage. It was a mix between an order and a plea for help.

"The extraordinary budget constraints imposed on the University re-emphasize the need to conserve energy and to reduce utilities

costs," Hardin said. "The utilities bills for the University exceed \$25 million per year. Small percentage reductions in use of utilities can yield large dollar savings."

The university is not penny-pinching in order to buy luxuries; these types of savings are necessary for the university to carry out its basic functions of teaching and research.

Hardin offered common-sense suggestions on saving energy, reminding everyone to turn off lights not in use, to operate lab equipment only when needed and to restrict or eliminate long-distance phone calls. He also said the university would be economizing energy - which means air conditioning and heat probably will be rationed.

The theme of university cut-

backs and budget shortfalls has taken over the campus, working its way into every conversation. The problems have raised the level of cynicism and resentment among students, faculty and staff. And it looks like things will get worse before they get better.

"I feel like we're maybe already in the stages of a recession, certainly a mild one, but it could become serious," state budget director C.C. Cameron said in a newspaper article this week. "You might as well expect some further cuts."

As an alternative to laying off workers, Cameron said, the state should consider shortening its work week to four days.

With all that, how could it also be the best of times? Well, it does seem rather special that the uni-

versity is on the edge of its bicentennial celebration. In addition, private fund-raising efforts are producing important dollars. Though these private gifts cannot make up for reduced state funding, it's encouraging to see so many private gifts.

It seems there are news releases every week about private donations to the Latin American Studies program, the Linberger Cancer Research Center or one of the many endowment funds on campus. The School of Journalism, for example, recently completed a fund-raising drive to endow a professorship in the name of Walter Spearman, former journalism dean. Thus, despite the budget troubles, positive things are happening. One place good things are occurring.

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ring is the old Porthole Restaurant building in downtown Chapel Hill, which now houses the UNC Phonathon. More than 100 UNC students work the phones 10 months a year, soliciting gifts from alumni around the country.

Gillian Cell, dean of the College of Arts and Sciences, sent a letter asking alumni to support the university when a Phonathon representative calls.

"As you probably have heard by now, the state is in a fiscal crisis and has made severe cuts in the budget of our University. With the

instructional budget cut to the core we must turn to our alumni and ask you to help us make ends meet," she said.

"We rely on our alumni and friends to provide at least \$14 million in annual expendable money to maintain and enhance the College's tradition of excellence - every cent counts," she said.

Michael Strother, a 1990 UNC graduate and Phonathon director, said students contacted about 60,000 alumni last year, and about 40 percent pledged gifts. Most

alumni are receptive to the student callers, he said, because they still feel some sort of bond to the campus.

"The beauty of our program is that it's not a hard sell. Our job is really to have a conversation with alumni, find out how they are doing," he said. "We try to take this a lot further than being fund-raisers. We're ambassadors for the university."

Such positive news is refreshing. But it makes the budget cuts seem all the more tragic.

Financial woes strike public universities nationwide

CAPITAL VIEW

Throw a dart at a United States map and I bet you'll hit a state where economic failures are battering public universities.

From California to Virginia, according to *The Chronicle of Higher Education*, officials at state universities have been forced to cut spending, delay faculty pay raises and postpone building projects.

"It seems like our revenue collections are falling off a cliff," J. Wade Gilley, senior vice-president of George Mason University, said in *The Chronicle*.

About 5,000 students rallied to protest budget cuts at Virginia Tech, where 130 faculty positions were lost.

"Some classes went from 30 students to nearly 100," said Jim Budd, president of Tech's student government association. "It's getting harder to get certain classes."

The song should sound familiar. The plight of North Carolina's 16 state universities has become a regular headline, with *The Daily Tar Heel* devoting a full page this week to a list of 500 titles discontinued at libraries at the University of North Carolina at Chapel Hill.



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The only good news of the week was that the bad news didn't turn out to be as bad as expected. As of now, at least, no staff members at UNC-CH will lose their jobs to budget cuts, Chancellor Paul Hardin said. The UNC Board of Governors also sparked some wishful thinking by announcing its largest-ever budget request — about \$3.5 billion over two years.

Considering how gutlessly lawmakers dealt with revenue shortfalls last summer, it's naive to think that they will find a way to meet the board's full budget request. But it's encouraging to see

university leaders fighting to restore lost funds.

Stories like the one in *The Chronicle* help circulate news of North Carolina's higher education problems around the country. The paper quoted L. Felix Joyner, vice-president for finance for the UNC system.

"Everybody is feeling the revenue effects of the (economic) downturn, and everybody is nervous about next year. The fact is, things aren't looking better for next year," Joyner said.

The Chronicle, which highlighted problems of eight states, described a depressing scene in North Carolina.

"More than 200 teaching positions are being left vacant. Consequently, teaching loads and class sizes have increased. In addition, three of the largest libraries in the system have cut their hours and services," the paper said.

As for other states:

— Virginia officials "describe their situation as 'dire and uncertain.' Hundreds of vacancies remain unfilled, and many faculty members who had part-time or an-

nual contracts were laid off." Schools have added tuition "surcharges" to recoup losses.

— New Hampshire colleges and universities have increased tuition as much as 30 percent. Education appropriations were cut about 7.5 percent in 1989 and again this year.

— Mississippi's commissioner of higher education is asking the state's board of trustees to cut \$16 million from a \$320 million budget. The governor asked for voluntary spending reductions, but cuts may become permanent.

— Massachusetts has stumbled through three straight years of higher-education cutbacks, losing a total of \$171 million. Budgets will be reduced another 8 percent within a month. About \$10 million will come out of programs that provide financial aid to students.

— Georgia cut its higher-education budget 3 percent in August, and equipment purchases and library acquisitions have been postponed.

— Florida's higher-education spending will be reduced 3 percent later this month, and officials ex-

pect spending cuts to surpass \$30 million before the year ends.

— California's university systems lost more than \$90 million due to August cutbacks. New academic programs have been delayed, and tuition has jumped 10 percent.

All this news came alongside an announcement that *U.S. News and World Report* has ranked UNC-CH as the fourth best public university in the nation and the 20th best overall. For the second year in a row, the magazine ranked UNC-CH as the nation's "best buy" for a college education.

Though the rankings are nice, UNC-CH has slipped from the top 10 position it held four or five years ago. This may be because the rankings are based, in part, on a survey of college presidents. With state resources deteriorating daily, it will be difficult for the university to maintain its position of excellence, much less the perception of excellence. And in the rankings game — with national media spreading news of Tar Heel tragedy — perception may soon become reality.

OCT. 12, 1990

Voters' anti-incumbent mood may not help Gantt

"Throw the rascals out" has become the motto for challengers in this year's congressional races.

The anti-incumbency mood has even affected Republican Jesse Helms, who's been in the U.S. Senate for 18 years. Polls show Helms still wins with the voters on questions of experience and military might, but his opponent, Harvey Gantt of Charlotte, wins handsily on environmental matters. Voters say Gantt has a "concern for people like me" and a better vision for the future.

Moreover, in the last eight months, Helms' job rating has slipped. In one poll, more than 53 percent rated Helms' performance as fair to poor.

It's important to realize, however, that the increased unhappiness with Helms does not automatically translate into additional voters for Gantt. The anti-Helms runnings could result in a low turnout among his supporters. Or, folks who used to give \$10- and \$25-contributions to Helms may keep their pocketbooks closed this time as a way of demonstrating their disgust for the Washington rignale.

CAPITAL VIEW



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While these results would benefit Gantt, his larger goal is to win over people who previously voted for Helms. His best chance is to lure moderates away from Helms' voters furthest to the right won't budge.

But the anti-incumbency phenomenon does not guarantee that Helms defectors will support Gantt. Choosing not to back Helms and choosing to vote for Gantt are two distinct acts. The first does ensure the second. Furthermore, as illustrated by 1989 Carolina Poll data, many North Carolina adults do not share Gantt's views. There's a good reason why Helms main-

tains a high-profile fight against homosexuals. When asked for their views on homosexuality, 82 percent of the Carolina Poll respondents said it is "always wrong" or "almost always wrong." Only 9 percent said homosexuality is not wrong at all. Thus, Helms is able to peg homosexuals as his enemy and ask supporters to join the cause.

This strikes a chord with voters. Much of Gantt's financial support is coming from out-of-state artists and actors — Broadway dancer Tommy Tune and Hollywood's Paul Newman are among the contributors — and Helms is working to weave the homosexuality theme into his description of these adversarial groups.

The poll revealed that 56 percent of the respondents keep a gun in their home. Generally, liberals are associated with favoring legislation to regulate gun purchases. Therefore, most North Carolina adults have a personal interest in at least one conservative cause — the right to buy and own guns. This majority has an ally in Helms, and he is at master at inflaming their fears of liberal politicians.

Even worse for Gantt, 64 per-

cent of the respondents said they consider themselves either moderate or conservative. Only 21 percent said they consider themselves liberal. Harvey Gantt is a liberal.

This doesn't mean Gantt is a warlock who wants to quadruple income taxes to fund homophobic art, as Helms would have us believe. Gantt is running as a traditional liberal, promising that government can improve education, health care and the environment. He opposes the death penalty, which a solid majority of North Carolinians favor. The label of "liberal" shouldn't carry negative connotations, but in today's political world the tag is taboo. And it's a label North Carolina voters avoid. All of this is not to say that Gantt cannot win. There are at least two situations in which Gantt could benefit from the anti-incumbency sentiment. First, because Helms is so far to the right, middle-of-the-road voters may decide Gantt is the least offensive alternative. If Gantt were trying to unseat a more moderate Republican, say Gov. Jim Martin, he would be less likely to sway these voters. But with Helms as his opponent,

Gantt may appeal to certain moderates. Younger Democrats who previously voted for Helms, for example, may identify more with Gantt in this election. If so, Gantt could pick up enough votes to win.

Second, the federal budget remains unresolved, and the government may shut down again. This would heighten the desire to throw the rascals out of Washington. A second time bomb, the Middle East, is ticking, and Iraqis don't have any reason to cooperate by postponing warfare until after election day. Seeing Americans die in the desert would cause voters to question Bush's military decisions, and such a tragedy would hurt Helms, who's praised the U.S. show of force. Either disaster would make incumbents — Helms included — less attractive candidates. If this happens, and Gantt gets a record turnout from blacks and women, he could knock off Helms.

Barring events such as these, however, the anti-incumbency murmurings may not produce many votes for Gantt. Even folks who lose their zeal for Jesse are likely to be out of step with Gantt.

OCT. 19, 1990

Gardner's maneuvering propels him to GOP success

10/26/90 The Chapel Hill Herald

Jim Gardner sounded downright congenial at a campaign stop in Greenville on Nov. 3, 1988.

Gardner, then a candidate for lieutenant governor, promised to open the legislative process and avoid conflicts with Democratic lawmakers.

"I'm going to make that effort right after the election, to go talk individually with all 50 senators, Democrat and Republican, to let them know that I want to take politics and leave it outside the Senate chambers and concentrate on the problems facing this state," he said.

"I think that if I extend the hand of compromise, and I'm willing to sit down and work with these people, that we can have a very productive four years in North Carolina," Gardner said to about 50 supporters at the rally.

Then he shook hands, hopped into a private helicopter and hovered away to another campaign appearance. Five days later he won the election.

There are two conclusions that can be drawn from the apparent conflict between his campaign

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promises of peace and his acts of aggression in office. He has failed miserably in his efforts to forgo partisan stumping, or he never intended to pursue a strategy of compromise.

Either way, Gardner's opportunistic maneuvering has lifted him to the top of the state GOP.

Consider events of the past few days. With Republican Sen. Jesse Helms stuck in Washington and trailing in the polls, whom did Helms ask to host a fund-raiser? Not Gov. Jim Martin. Not state Republican party chairman Jack

Hawk.

Jesse picked Gardner to host his \$100-per-person fund-raiser in Bladen County on Monday. Gardner, the same man who promised to "extend the hand of compromise" and "take politics and leave it outside," was quick to bad-mouth Helms' opponent, Harvey Gant of Charlotte. "You know, what I think irks me most of all is that all the money that is backing (Helms') opponent is not coming from North Carolina," Gardner said to Helms supporters. "It is not coming from people like you who care about our state and live here and whose families are here."

"It is coming from gay bars in San Francisco and labor unions in Washington, D.C., all of these people who don't care a hoot about North Carolina or about you or our families and what kind of future we are going to have in this state."

Gardner conveniently ignored the fact that Helms has relied on out-of-state contributors to finance his political machine for more than a decade.

But Gardner's hateful politicking should not surprise anyone. Last

summer, for example, he broke away from Martin and ran his own radio and TV ads blaming legislators for the state's budget failures. So, if it's politically advantageous to attack homosexuals and link Gant with gay bars, Gardner will jump at the chance.

His antics have attracted key political patrons. Gardner has received contributions from many of the same folks who helped elect Martin.

The Associated Press reported in February, that Gardner raised nearly \$486,000 in 1989, more than twice the amount raised by Martin and more than 11 times the amount raised by Attorney General Lacy Thornburg, a possible Democratic candidate for governor in 1992.

Along with the benefits of a full war chest, Gardner has enjoyed prime bureaucratic posts.

Democratic legislators even gave Gardner a boost by stripping him of the powers that would have tied him to daily lawmaking chores. Thus, Gardner was free to concentrate on press appearances and populist issues.

Martin, by executive order, created a Drug Cabinet in 1989 and appointed Gardner to head the group. It's a figurehead position, but it allows Gardner to campaign on anti-drug themes. Martin also created the Western North Carolina Environmental Council and named Gardner chairman. The council has no substantive authority, but the job lets Gardner, a barefoot man from down east, build constituency in key mountain counties. Despite his title, Gardner still lobbied against restricting emissions that contribute to acid rain.

Gardner's strategy has proven successful, so far. Republican operatives say he is a virtual lock for the 1992 GOP gubernatorial nomination. He's received support from Martin, a Republican moderate, and from Helms, the party's arch-conservative.

The intriguing thing is that there's no way to tell what issues Gardner will be supporting two years from now. We'll just have to wait and see which direction voters are headed. Gardner surely will run out in front to lead the way.

OCT. 26, 1990

Men dominate North Carolina's key political posts

CAPITAL UPDATE

High-profile politicking is peaking in North Carolina, with only four days left until voters decide winners and losers in several important races.

Far and away the most intense contest is between Republican Sen. Jesse Helms and Democrat Harvey Gantt, who seems to have done a better job than any previous challenger of determining which issues will decide the election.

Orange County is also watching the congressional race between Democratic incumbent David Price and Republican John Carrington, who has emptied his pockets to fill our living rooms with commercials accusing Price of wrongdoing in the savings and loan debacle.

Gubernatorial and council of state elections will not be on the ballot until 1992, but already



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there is talk of how Tuesday's results will affect the pre-election posturing of potential candidates. The early line has Republican Lt. Gov. Jim Gardner, who has campaigned for Helms, as the favorite for the GOP gubernatorial nomination.

On the Democratic side, it looks more and more like Attorney General Lacy Thornburg and former Gov. Jim Hunt, who lost to Helms in the 1984 Senate race, will battle it out for the gubernatorial nomination.

In the more immediate future, House Speaker Joe Mervette of Edgecombe County, Rep. Dan Blue of Wake County and Rep. Bobby Hunter of McDowell County are fighting for control of the House speakership. The winners of Tuesday's House races will select a speaker in January.

There's nothing surprising about all this political speculation; you could hear the same sort of discussion in a political science classroom or in the Blue Mist barbecue restaurant outside of Rameur. But

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Hawkins to the U.S. Senate.

North Carolina, by contrast, is one of only two or three states that has never elected a woman to a full term in Congress or a statewide executive office. Women make up about 15 percent of the General Assembly in North Carolina, but they have held the same number of seats for more than a decade.

Things are a little better at the local level, but a recent item in *American Demographics* magazine illustrates how dramatically women have been excluded from municipal government.

Of the 4,982 local government offices in the state, the magazine reported that women held just 15.1 percent of the jobs in 1987. The national average was 20 percent. Thirty-five states and the District of Columbia were ranked ahead of North Carolina. In Connecticut, Vermont, New Hampshire and the District of Columbia, women held 30-44 percent of the local elected offices.

Women in Alaska, Arizona, Maryland and 12 other states held 20-29 percent of the local elected offices. Seventeen other states - including Georgia, Mississippi, Arkansas, Oklahoma and West Virginia - fell below the 20-percent mark but remained ahead of North Carolina.

"The Democratic Party in North Carolina remains today, insofar as power centers and its decision-making processes, in the hands of a small group of white males," former Raleigh City Council member Sandra Babo said in an April 1989 news article.

If Gantt defeats Helms on Tuesday, Babb may have to amend her statement regarding "white" males. Aside from that, her assessment still holds.

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Helms-Gantt race reveals division in N.C. electorate

CAPITAL VIEW

Throughout the U.S. Senate race, Jesse Helms promised that a Harvey Gantt win would signal the beginning of the downfall of our great nation. At stake in the contest was "the soul of America," Helms said, and only he could save the country from doom.

When Jesse delivered his victory speech late Tuesday night, American civilization apparently had been spared. Wednesday morning brought sparkling blue skies and buckets of sunshine - even in Chapel Hill, where a few faculty members dressed in black and mourned Gantt's loss.

North Carolinians undoubtedly need a break from Senatorial politics. But before moving on to other topics of the season, it's worth taking another look at characteristics of Tar Heel voters and how they cast their ballots on Tuesday.

In addition to generating pre-election predictions, recent surveys have provided details about the electorate. The Carolina Poll, completed Oct. 31, shows that political TV ads reached nearly everyone. Only 8 percent of the respondents said they paid no attention



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to the TV commercials from Helms and Gantt.

More than a third of the respondents said they paid "a great deal" of attention to the ads. Virtually all adults said they considered the commercials to one degree or another.

Furthermore, 47 percent of the respondents said they got most of their information about the Senate race from television, which reinforces the notion that candidates and consultants will continue to peddle their product through the tube. Don't expect changes in strategy when presidential, con-

gressional and gubernatorial races roll around in 1992.

As for the political positions of those polled, 61 percent support a state lottery; 42 percent support drilling off the North Carolina coast (38 percent opposed such drilling); 66 percent favor the death penalty for murderers; 22 percent believe abortion should be legal all the time; 76 percent believe homosexuality is always wrong; 32 percent believe prenatal sex is always wrong; 16 percent consider themselves liberal, and 33 percent identify with the Republican party.

Despite the veins of conservatism running through North Carolina, pundits often react with disbelief at Helms' successes. They say Helms is a zealot whose views are far outside the political mainstream. Helms' four statewide victories, however, demonstrate the breadth and strength of his support. In short, a majority of North Carolina voters keep electing him.

Helms even won six precincts in Orange County: Caldwell, Cameron Park, Cheeks, Elland, Enjo, and St. Mary's. For someone living in Chapel Hill, where Gantt enjoyed

passionate support, it's easy to forget how popular Helms is across the state.

Exit polls of more than 2,100 voters show that Gantt ran best among voters under age 29, voters making less than \$15,000, voters holding postgraduate degrees, voters who consider themselves feminists, voters who have lived in North Carolina less than 10 years, voters who consider themselves liberal and voters who are members of labor unions. He received support from 93 percent of the black voters.

Women split evenly between the candidates. Helms won 58 percent of the male vote and 65 percent of the white vote. As expected, Helms ran strong among conservative Republicans and native Tar Heels.

Among voters 30-44 years of age, 53 percent favored Helms. Among those 45-59 years of age, 58 percent favored Helms. Of those 60 and over, 59 percent favored Helms.

It's the same story with income. As income rises, so does support for Helms. He was the solid choice among voters earning more than \$50,000.

As education increases, support for Helms decreases. Sixty-one percent of voters with a high school education or less favored Helms. Only 37 percent of those with postgraduate degrees chose Helms.

The point is that North Carolina voters were clearly divided, and the split produced a conservative victory on Tuesday. The outcome should not be surprising considering the Carolina Poll evidence that a great many North Carolina adults hold conservative views.

The outcome also should end speculation about North Carolina becoming a two-party state. It already is a two-party state. Statewide politics, in fact, is becoming a GOP stronghold. Republicans have won five of the last seven Senate elections and three of the last five gubernatorial elections. Two GOP candidates came within a whisker of winning spots on the state Supreme Court. Moreover, Lt. Gov. Jim Gardner, Charlotte Mayor Sue Myrick and former U.S. drug czar Bill Bennett, all Republicans, are in position to keep the conservative string going. "The soul of America," as Jesse calls it, is safe.

NOV. 9, 1990

Davis sticks with plan — single term as Dem chief

CAPITAL VIEW

Lawrence Davis III, who said this week he will not seek a second term as chairman of the state Democratic party, doesn't kid himself when he looks back at his tenure as party chief. After taking the job in early 1989, he upset pro-choice Democrats by revealing that he was personally opposed to abortion. Fearing Davis would steer the party to the right, Democrats in two congressional districts called for him to resign.

In addition, women Democrats have voiced anger over the party's failure to recruit women candidates. Minorities have also complained that the Democratic party wants their vote but has not made sufficient efforts to support minority candidates. Furthermore, Davis alienated liberals by saying that he would like to see Democratic candidates take more moderate stands on issues.

So, after surviving various political assaults, Davis said in an interview Tuesday that he will stick by his original intention of serving only one term as party chairman. It will be up to members of the Democratic executive committee, which is set to meet early next



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year, to select a new leader.

"I intend not to seek another term... I think it was more of a question of whether I would serve one year or two," he said. "I think I made some (party members) mad at the outset, but I haven't heard any of them complaining lately."

One reason complaints may have slowed is the excitement over the spirited challenge. Harvey Gantt mounted in his bid to defeat Republican Sen. Jesse Helms.

"They made a terrific effort," Davis said of the Gantt campaign. "They did an outstanding job. I was pleased with everything but

the outcome. Harvey Gantt was just a most attractive candidate." Despite the praise, Davis still believes conservative Democrats will generally fare better against Republican candidates like Lt. Gov. Jim Gardner, who has the backing of Helms' National Congressional Club and could run for governor or senator in 1992.

"I think North Carolina is a moderate-to-conservative state on the whole, therefore moderate-to-conservative candidates have an advantage," Davis said.

Deciding what type of candidates to recruit is just one of the questions facing the Democratic party. Another concern is the House speakership. Is Speaker Joe Mavretic resourceful enough to rebuild his coalition of House Republicans and unrecruited Democrats? Can Dan Blue or Robert Hunter, who both are trying to topple Mavretic, unify members of the Democratic caucus? The winner will be in position to shape the future of the state and the party.

Another important question involves Davis' successor. While Carter Wrenn, Tom Ellis and other

operatives have directed successful GOP campaigns for nearly 20 years, Democrats have failed to establish a machine that can consistently put candidates in office.

With a key election year approaching (1992 will bring presidential, senatorial, congressional, gubernatorial and council of state contests), and with the Legislature about to begin redistricting, it's especially important that the Democratic party select a strong leader, according to political scientist Thad Beyle.

"We need someone who is ready to do battle for two years and shape the Democratic party's approach," Beyle said.

One person mentioned in speculative discussions is Pope "Mac" McCorkle III of Durham, who directed Mike Easley's campaign for the Senate. Once Gantt defeated Easley in the runoff, McCorkle stuck by his party's nominee and joined Gantt's campaign effort.

"I really want to stay active and would like to be active in 1992. I haven't really decided what, in particular, I'd like to do," McCorkle said, adding that the

party chairmanship is not unattractive.

McCorkle, who practices law in Raleigh, said the party must maintain the unity established in the Gantt-Easley race, which did not divide the party like bitter primaries of the past.

Another name beginning to circulate is Charles Mercer Jr. of Raleigh, also a lawyer. Mercer, 43, likes to joke that he's been working for the Democratic party for 29 years - since he was a page for Sen. Sam Ervin.

More recently, Mercer has worked for three victorious Democrats. He was issues director for Terry Sanford's 1986 campaign for Senate, steering committee chairman for Ed Renfro's 1988 campaign for state auditor and chairman of Chief Justice James Eburn's 1990 re-election committee.

Mercer didn't say he's planning to run for party chairman, but he left the door open; the future of the Democratic party certainly is on his mind.

"I have a lot of ideas in those regards," he said.

Nov. 16, 1990 The Chapel Hill Herald

NOV. 16, 1990

Recession or not? Holiday spending a sure indicator

CAPITAL UPDATE

It's time to eat a few turkey sandwiches and head off to the day-after-Thanksgiving sales, which officially usher in the corporate Christmas season.

Despite widespread complaints about Christmas sales coming earlier every year, it's easy to figure out why merchants erect holiday displays so soon. A Gallup poll shows that 72 percent of Americans claim Christmas as their favorite holiday. A paltry 8 percent favor Thanksgiving.

People may have their own unique, personal beliefs about Christmas, but there appears to be some mass appeal that crosses demographic boundaries. One reason this holiday season will be noteworthy is that the Christmas spending levels are an indicator of the vitality of the economy. With the stability of state and federal economies in question, economic forecasters will be watching consumer spending to see how it compares with previous years.

On the national scene, William Safire, a conservative columnist, recently referred to "the worsening 1990 recession," so it appears he's convinced the country's economy



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has already sunk. News reports indicate that Sears, J.C. Penney, May Department Stores and Limited Inc. all suffered sales decreases last month.

U.S. News & World Report has detailed other discouraging topics concerning the nation's economy. Commercial banks tripled their real estate lending in the 1980s, from \$268 billion to \$750 billion. Some \$39 billion of these loans have soured.

Even with the new budget agreement, the federal deficit will still equal about 3 percent of the GNP.

The federal agency in charge of resolving the savings and loan mess is stuck with more than \$17 billion in assets from failed thrifts. The weak property market is preventing the government from finding buyers for the real estate.

In North Carolina, things are mixed. Unemployment is relatively low, but the state budget is swimming in red.

Some argue we're already in a recession. Some say a recession is coming. Others believe that the economy is OK, but all this pessimistic talk may bring on a recession. One thing is for sure: the state is collecting less revenue than projected, and the shortfall may reach \$1 billion.

Legislators, voters and news media have bounced along amazingly carefree this year, considering the seriousness of the deficit. There's been no hint of calling on the General Assembly to find an emergency solution to the economic catastrophe. And with the state's executive branch ideologically polarized - Gov. Jim Martin is proposing new taxes while Lt. Gov. Jim Gardner is forming a coalition to oppose all tax hikes - little may

be resolved when lawmakers convene in Raleigh in January.

As for the Tar Heel business climate, state data published in *Business North Carolina* magazine show that summer retail sales dropped in Durham, Raleigh, Greensboro and five other cities.

New construction also fell sharply this summer in Wake, Guilford, New Hanover and Mecklenburg counties. On the other hand, new construction rose in Durham County.

Poll data show North Carolinians are still pretty optimistic. More than 58 percent of the respondents in a recent Carolina Poll said they expect life to be better in five years.

The same poll, however, revealed that 22 percent of the North Carolina adults are not satisfied with their financial situation. Another 40 percent are only "more or less" satisfied.

Moreover, 45 percent of the respondents said they know a person who's been laid off within the past six months.

Considering these numbers and

predictions, the holiday season is more than a time for family, friends and spiritual renewal. It is a gauge by which the state's economy will be measured. Swift sales will slow speculation about a full-fledged recession; sluggish Christmas sales will lend credence to fears that the state is in deep trouble.

Why does Christmas business matter so much? The answer lies with the aforementioned Gallup poll, which was conducted in October 1989, before the economic mood grew so gloomy.

Gallup said 40 percent of Americans planned to buy Christmas gifts for more than 10 people.

Some 30 percent said they usually leave all or most of their shopping until the last minute, but they definitely love shopping; 40 percent said they would spend between \$100 and \$499 on presents. Another 41 percent intended to spend \$500 or more.

All of this shopping costs money — money consumers may not have, or may not be willing to spend, in such an unsettling economic year.

11/23/90 The Chapel Hill Herald

NOV. 23, 1990

Frank Porter Graham still fascinating 40 years later

CAPITAL VIEW

Forty years after he lost North Carolina's most intense, hate-filled Senate contest, Frank Porter Graham is still a fascination.

Two North Carolina natives, Gus Burns and Julian Pleasants, both faculty members at the University of Florida, recently published a book on Graham and the 1950 Senate race. Their book is the latest of many efforts to examine the race between Willis Smith, a Republican, and Graham, a Democrat appointed in 1949 to fill the Senate vacancy created by J. Melville Broughton's death.

Students and reporters have written stacks of papers and articles on the contest, analyzing everything from why Graham lost to the likelihood that Jesse Helms, then a broadcast editor, was a key operative on Smith's campaign staff. Virtually every account indicates that Graham was the target



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of campaign broadsides that played on voters' racial fears and prejudices.

This infamous Senate contest will surely be one of the topics addressed at an upcoming seminar on Graham. The Dec. 8 program, sponsored by the University of North Carolina's Program in Humanities and Human Values and

the General Alumni Association, will focus on Graham's impact on the university, the South and the nation.

Faculty for the course include authors Burns and Pleasants, columnist Edwin Voder, UNC President Emeritus William Friday, UNC history Professor William Leuchtenberg and William Sinder, former editor of the *Greensboro Daily News*.

Examining Graham's impact seems interesting and promising. Despite the larger-than-life Senate race with which his name forever will be linked, Graham accomplished much more. Born in Fayetteville on Oct. 14, 1886, Graham graduated from UNC in 1909 and earned a graduate degree from Columbia in 1916. He achieved the rank of first lieutenant in the

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Frank Porter Graham talks with William C. Friday, now president emeritus of the University of North Carolina system, at 1961 commencement exercises

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Marines and worked as a high school English teacher, dean of students at the University of North Dakota and a history professor at UNC. He became president of the university in 1930 and stayed on the job until 1949. He married Marian Drane in 1932.

More than any North Carolinian of his time, Graham became a national and international figure, sitting on dozens of boards and holding numerous appointed posts. He served as a United Nations mediator, president of the N.C. Conference for Social Service, president of the Oak Ridge Institute of Nuclear Studies, member of the na-

tional board of the American Red Cross, member of the National War Labor Board and chairman of the National Sharecroppers Fund.

He received honorary degrees from more than 20 colleges and universities. Graham died in February 1972.

While considering Graham in terms of the 1950 campaign is surely interesting, some of the most illuminating descriptions of him come from sources that predate his involvement with the Senate.

The late essayist Gerald W. Johnson, a Wake Forest College alumnus and one-time UNC jour-

nalism professor, wrote of Graham in April 1942. Graham's views on academic integrity and his support for basic civil rights thrust him into the storm center, Johnson wrote, and he became the "pest-loved" and "best-hated" man in the state.

"The hatred that he has aroused is based on his championship of unpopular people, rather than upon his advocacy of subversive ideas," Johnson wrote. "Again and again he has fought doggedly to protect the civil rights of labor agitators and sharecroppers and people who believe in things as repulsive to North Carolina as agnosticism, pacifism, and the political,

economic, and even social equality of Negroes."

Johnson emphasized Graham's appreciation of every person he met, calling his intolerance "one of the natural wonders of North Carolina."

"He is genuinely glad to talk to anybody, and he is scrupulously devout of the Scriptural dictum that no man is contaminated by what he hears, but only by what he utters. That is to say, he is so sure of his own position that he doesn't have to fend off others to protect it. But this attitude is characteristic of very great aristocrats, and for this reason I am sometimes half in-

clined to believe that Frank Graham is the greatest aristocrat of my acquaintance," Johnson wrote.

Johnson's essay offers a sliver of opinion from the 1940s, unclouded by events of the unseemly Senate campaign of 1950. The article also provides a look at how Graham was perceived by one contemporary. Read today - when North Carolina is suffering from a lack of executive and legislative leadership - the essay shows that Graham's most significant impact may have been that he established a model by which individuals can achieve greatness for themselves and their state.

NOV. 30, 1990

State needs to change inefficient legislative system

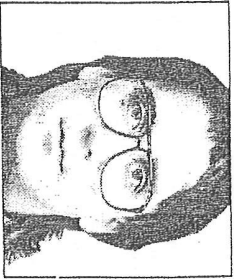
CAPITAL UPDATE

Democratic state lawmakers are expected to rally around Rep. Dan Blue of Wake County today, making him the solid favorite to become the speaker of the House when the General Assembly convenes in January.

Unanimously supporting Blue for the speakership would be a sign that Democrats are prepared to provide the leadership necessary for the General Assembly to deal with the state's troubles. Such unity, however, will not solve all the problems.

What the state needs is a change in the General Assembly's operating structure. The current system ensures inefficiency, at best, and failure, at worst. But there are several theories on how to improve things.

Some claim that lawmakers' jobs



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should become full-time posts that provide full-time pay. Currently, senators and representatives receive about \$12,000 a year. They work in Raleigh six to eight months in long sessions and three to four months in short sessions. Propo-

ponents argue that creating a full-time legislature would eliminate the need for lawmakers to be retired or independently wealthy (or attorneys whose firms allow them extended absences to hold office). Converting the job to full-time and raising the pay to \$25,000 would make it possible for nearly any Joe or Jane to seek office.

Critics insist that there is no reason to believe the quality of legislators would increase if the job description improved, and there is no need to pay the rascals any more than they already receive.

Another idea calls for lengthening terms from two years to four years. The current two-year terms require constant campaigning, legislators' complacency, and prevent newcomers from learning the system well enough to contribute. Ex-

tending the terms would also make the job attractive enough to persuade more prospective candidates to challenge incumbents.

Opponents of the idea note that only about 20 percent of the public approves of the General Assembly's performance, thus voters would oppose any move to give lawmakers longer terms in office.

To counteract the problem of incompetent legislators feeding off government fat for decades, some people want to set a limit on the number of terms anyone can serve. North Carolina, for example, might restrict legislators to eight years in office.

Abruptly ending legislative careers would warm the hearts of many voters, but it would generate

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Rep. Dan Blue
Possible speaker

North Carolina voters, lacking this option, suffer under a system in which legislators work at their

work. Legislators to work five days a week. For example, to pass a law requiring voters could use this system. For example, to pass a law requiring

discussed or voted on the measure, regardless of whether legislators ever would cut the length of legislative sessions in half. The problem is

This is the kind of change that would cut the length of legislative sessions in half. The problem is the building.

to make sure no lobbyists entered the building. To make sure no lobbyists entered the building. To make sure no lobbyists entered the building.

All lawmakers would be required to live in the facility throughout the session, thus there would be no reason for the state to tolerate three-day work weeks.

With lawmakers would check in and out of the dorm. The records detailing the arrivals and departures of lawmakers would, of course, be public information. A desk attendant would be on duty to make sure no lobbyists entered the building.

Under the current system, however, nothing could be further from the truth. People can vote for against a handful of legislators from their district, but they have virtually no impact on the fortunes of the other 160-plus lawmakers

The only sure way to upgrade the performance of the General Assembly is to institute systemic changes. Voters often say that legislators "work for us" — meaning that citizens of the state serve as the collective boss of lawmakers.

When voters discovered that they wanted to keep their favorite legislators in office, they would rush to overturn any term-limitation provision. After only eight years of service, legislators would be forced to abdicate her office and return to "meet with their constituents."

One way to help fix the problem would be to build a legislative dormitory — sort of a Granville Tower on Jones Street. With this, the state would provide room and board for all legislators while the General Assembly was in session.

For the out-of-town lawmakers who complain about the hassle and cost of finding accommodations in Raleigh, it would be a great answer. Serving meals in the dorm cafeteria would eliminate the per diem needed to feed legislators at Raleigh restaurants.

Bare

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DEC. 7,
1990

Regional growth brings conflict, strain on services

CAPITAL VIEW

Increasing population is a double-edged sword. Growth, for example, has made the Triangle an attractive area for professional sports franchises, but it also has contributed to stifling traffic problems in some cities.

As an area grows, more diverse people are crammed into less space, and the culture and quality of life change. Depending upon what a person wants, population bursts may be great. Growth in Chapel Hill, Durham and Raleigh has encouraged airlines to offer additional flights and attracted retail outlets and eateries.

But the influx of people has also meant more cars and increased pollution, and it has heightened the demands placed on city, county and state govern-



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ments. There are more trash cans on the curbs, more people calling police and more youngsters entering school.

With municipalities facing mounting responsibilities, state

and local governments must prepare for the societal, structural and economic changes that inevitably accompany growth. The overabundance of new strip malls, office complexes and housing developments indicates that business leaders are ready to accommodate new residents. The state, however, may not be ready to deal with the subsequent problems.

One problem linked to urbanization is increasing crime rates. Many of the nation's cities, including Raleigh and Charlotte, have recently set homicide records. The Capital City, which has suffered through 26 killings so far this year, is light years away from New York City's 2,000 homicides, but the total is still

alarmingly high.

While various socioeconomic factors contribute to high murder rates, population increases appear to have an impact on crime.

Seven of the 10 states with the highest crime rates had population increases of more than 15 percent from 1980 through 1988, according to *American Demographics* magazine. Florida, which had the nation's highest crime index, saw its population jump nearly 27 percent. The population in Arizona, which was third on the crime list, increased 28 percent.

By contrast, 14 of the 16 states with the lowest crime rates experienced population increases of 7 percent or less from 1980 through 1988. The population in Kentucky, which ranked 47th on the

crime chart, rose only 1.8 percent.

North Carolina was smack in the middle, with the 26th highest crime rate in the nation. The magazine reported that North Carolina's population rose 10 percent from 1980 through 1988. A little more than 55 percent of the state's population lived in metropolitan areas. This distinction between rural and metropolitan areas is another factor related to increased violence.

Of the 15 states with the worst crime problems, 14 had populations that were at least 65 percent metropolitan. In eight states, at least 81 percent of the population lived in metro areas.

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On the other hand, 11 of the 16 states at the bottom of the crime list had populations that were less than 50 percent metropolitan.

A recent hunting tragedy in Wake County, in which a Raleigh school teacher was killed, is a graphic example of trouble caused by population increases. Rural lands once occupied only by animals and hunters have become suburban paradises full of parents, kids and go-carts. Society and government have not prepared for such changes, thus two incompatible groups are left to vie for the same space.

Growth also strains government services. Court systems in many counties, for example, do not have enough judges, clerks and public defenders to handle the case loads. Furthermore, the state does not have a dime to spare to upgrade its judicial operations. It's the same with many other services. The increased diversity that comes with urbanization causes a more subtle problem. As cities become less homogeneous, traditional social orders and communal structures often break down. This can lead to an increasingly litigious community.

as David M. Engel wrote in a 1984 law review article, in which civil courts become "an important battleground in the clash of cultures."

By the way, anyone considering a move may want to know that *American Demographics* ranked Beaver County, Pa., as the safest metropolitan area in the country. The most dangerous metro spot was Miami-Hialeah, Fla. The closest place to North Carolina, on either list, was Danville, Va., which ranked as the fourth safest metro area in the nation.

Dec. 14, 1990 Chapel Hill Herald

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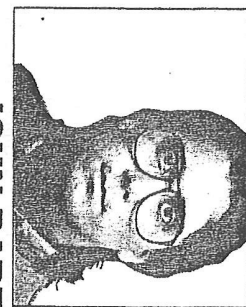
Debate over 'political correctness' likely to sweep UNC

CAPITAL VIEW

The next nasty fight at North Carolina's 16 state universities is just over the horizon. Its arrival will spark debate over whether "politically correct" curricula harm or enrich higher education.

Disputes over political correctness are sweeping through the nation's universities, raising questions about the merits of requiring students to learn about Shakespeare and Shelley or women's studies and Jewish studies. One indication of the deep split between the opposing groups is that the parties involved cannot even agree on a definition for political correctness.

One side claims that political correctness is a euphemism that describes a progressive, open course of studies in which students escape the all-white, male Western perspective that has dominated this country since its creation. Political correctness, says this group, is to be rejoiced, for it allows students to experiment with writings and ideologies that would not be introduced in traditional English or political science classes, which indoctrinate students into a world that glorifies existing power structures. Those who criticize political



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correctness say it is radically feminist, anti-U.S. and anti-Western. Political correctness, traditionalists claim, ignores centuries of accomplishments in Western societies. The result is a system that elevates special-interest polemics to the stature of scholarship. Opponents argue that politically correct messages are diluted because they incorporate beliefs from a certain set of gender-specific, religious-specific or race-specific groups. Critics also charge that political correctness threatens intellectual freedom by denigrating the worth of traditional studies. The battle has already hit Duke University, where rival factions of

faculty have openly debated the worth of various classes. The two sides also disagree on the larger issue of the mission of the university. Nationally, several pundits have written about the University of Texas, where one group is making a push to mandate some type of civil rights theme for all first-year English composition courses.

There have been several local controversies with a little of the same flavor. The most recent example involved the statues near Davis Library. One statue depicts a black female walking with a book balanced on her head, and another shows a black male spinning a basketball on his finger. A group of angered students, who believe the sculptures are racist and sexist, wants the chancellor to move the artwork. Other students believe the protest is hypocritical, pointing out that most of the objects are free-thinkers who despise conservatives like Jesse Helms who want the government to regulate art - which is what the protesters seem to want this time. The debate over racial and sexual fairness may soon focus on course offerings and class struc-

tures at North Carolina universities. Other institutions have already seen the controversy blossom, as illustrated by the chunk of space *The Wall Street Journal* recently devoted to letters dealing with political correctness.

"Political correctness is not zealotry, but the recognition that everyone, regardless of sex, age, race, religion, handicap (or political affiliation, you will be surprised to know) has a right to an opinion," Erin Ennis, a junior at Mount Holyoke College, said in one of seven letters on political correctness the *Journal* published Monday. In response to a *Journal* editorial that said "American universities have embraced thought control, political re-education and other basics of totalitarianism," the dean of the graduate school at Rutgers University defended political correctness as part of an effort to enlighten students. "Is the reminder of the realities of sexism really an exercise in thought control over the minds of men and women? Is the reminder of the realities of racism really going to enslave students? On the contrary... the truth does set one free," Dean Catharine Stimpson

said. In contrast, a Massachusetts high school student said that a superb advanced placement European history class was eliminated at his school because it was considered elitist and "Eurocentric." The teacher of the course, who is a political conservative, was also punished "for thought crimes" by the political correctness police, the student said.

An ethics professor at Rice University wrote about how politically correct ideology has affected the university's department of religious studies.

"The threat today doesn't come from pro-Christian brown shirts telling us which religion is acceptable. It comes rather from the equivalent of Maoist Red Guards telling us that the Western tradition is unacceptable," Professor James Sellers said.

As of now, it seems unlikely that these conflicts will end in compromises. The resulting full-scale battles could produce outright winners and losers, but they may hamper universities' educational efforts more than the ideology of either group.

DEC. 21, 1990

The Chapel Hill Herald

Academic freedom makes college education possible

CAPITAL VIEW



JOHN BARE

An American history course turned out to be my little sister's favorite class this past semester, her first in Chapel Hill.

She learned about the Civil War and the New Deal and other traditional topics. The course was special, however, because of her professor. He brought names and places to life, notable figures in history became fascinating human beings. He passed along detailed accounts of historical events, sometimes using humor or hyperbole to make a point.

During one of our discussions about her history class, she and I wondered how we both made it through 12 years of public schooling without ever hearing about such scenes from our nation's past. Maybe some teacher tried. Maybe I've simply forgotten. Maybe, however, college courses have a greater impact because professors are allowed to make more decisions about the curriculum.

Lectures dealing with controversial and dynamic figures such as Franklin Roosevelt and John

Kennedy, for example, inevitably will include remarks that some students interpret as editorializing. Certain students may agree with the professor's perspective. Other students may disagree. Some will sleep through it all. The point is that college professors succeed, in part, because they have more academic freedom in the classroom. Their personal experiences, their research, their readings and their backgrounds all influence their lectures and instruction.

Two recent examples from California reveal the importance of guaranteeing university faculty members a free voice, especially from government interference.

Earlier this month, the U.S. Supreme Court let stand a California appeals court ruling concerning an effort by San Diego community college administrators to stop a drama instructor from staging a play in class. The play is about a black police officer who shoots a white suspect after the suspect bats the officer with racial epithets. Administrators ordered the play off campus, they said, because local church leaders complained about the language in the production.

A Superior Court first cleared the college of wrongdoing, but a state appeals court reversed the decision. It said the administrators had violated the instructor's First Amendment rights. Most of the time, the appeals court said, administrators at public colleges cannot interfere with the teaching of a class once the course has begun.

In their appeal to the Supreme Court, college leaders relied on a legal precedent that allowed high school administrators to censor school newspapers. California administrators wanted the justices to extend the ruling to apply to colleges, but the court left in place the appellate decision. The ruling is legally binding only in California, but a lawyer for the professor said the case is a victory for academic freedom and a defeat for censorship.

There is another fight over classroom ideology at the University of California at Berkeley, where administrators are investigating an incident in which 75 students disrupted a class last month by chanting and marching through an ongoing lecture. The demonstrators accused Vincent Sarrich, an anthropology professor, of teaching racist views, and they distributed fliers asking for Sarrich to be fired.

Students apparently objected to an article Sarrich published in a Berkeley alumni magazine that said the university's admissions

policies discriminate against white applicants.

In light of such bitter fights, it's easy to see why college professors need First Amendment protection in the classroom. Conservative students may be offended by a political science professor's evaluation of the Reagan presidency, just as feminist advocates may be offended by a religion professor's analysis of the role of women in Southern Baptist churches. In the long run, students are exposed to different ideas, both pleasant and unpleasant, that help them form their own philosophies.

As long as students are not forced to adopt a "correct" way of thinking or to alter their opinions to match the beliefs of their professors, the system works wonderfully. In the case of my little sister, for example, her history professor's lectures piqued her interest so greatly that she purchased a Woodrow Wilson biography to read after the semester ended. So, one for academic freedom.

The Chapel Hill Herald

Dec 28, 1990

DEC. 28, 1990