

MUSTANG DAILY

APRIL 11, 1995

TUESDAY

VOLUME LIX, No. 100

Poly picks new coach for basketball

By Franco Castaldini
Daily Assistant Sports Editor

A green and gold brick road has been laid for the men's basketball team, and new coach Jeff Schneider is left with the task of paving the future.

The 35-year-old former Washington State assistant was introduced as the new head coach at a press conference Monday in the University Union.

Schneider is in charge of redirecting the men's basketball program that finished 1-26 last year and did not defeat a Division I opponent.

But Cal Poly's unimpressive record did not scare away Schneider, who said he sees a program with the potential to "become the premiere program in the Big West."

"I'm really looking forward to the opportunity at Cal Poly," Schneider said. "I'm so impressed with the people in the program."

Schneider is the third member of Cal Poly's revamped athletic staff which has made the move from Washington State — football Coach Andre Patterson and Associate Athletic Director Allison Cone are the other two — in the past year.

Schneider brings an experienced background to Cal Poly that includes being an assistant coach at the University of Tulsa in 1993-94 under Coach Tubby Smith, who is now head coach at the University of Georgia, and last year under Kevin Eastman at Washington State.

Schneider, whose coaching



New Cal Poly men's basketball coach Jeff Schneider at Monday's press conference in the University Union / Daily photo by L. Scott Robinson

career began as a graduate assistant at Virginia Commonwealth University, was ranked by one college basketball publication as one of the top three recruiters in the nation.

Athletics Director John McCutcheon said he and Cal Poly's search committee referred Schneider to President Warren Baker, who made the final decision without any hesitation.

"He is an outstanding coach,

an outstanding individual who is going to lead us into the Big West in the fashion we want," McCutcheon said.

Schneider, who was interviewed on campus Friday, was one of four applicants narrowed down from a pool of 75 last week. The other three included Cuesta College Head Coach Rusty Blair, Stanford Assistant Doug Oliver and UC-Santa Barbara Assistant Bobby Castagna.

See COACH, page 2

Faculty union, CSU office wrangle over contract agreements

By Tracy Stagers
Daily Staff Writer

After nearly a year of negotiating, the California Faculty Association (CFA) and the California State University system are still entangled in contract disagreements.

The two parties have agreed only that they are not going to agree on the issue, and will be going into meetings with an outside mediator within the next few weeks.

George Lewis, president of Cal Poly's CFA chapter and a mathematics professor, said the main problem has to do with salary advances. Lewis said the CSU wants to change how often professors advance through the system.

"It's not so much how we get paid, but how we advance," he said. "It represents an extreme change."

Under the current salary schedule, Lewis said, a professor automatically advances with pay

raises and promotions every year by steps. He said CSU Chancellor Barry Munitz wants to change the steps from automatic to merit.

Lewis said most professors are hired as assistant professors, then are promoted to associate professors, and finally to full professors.

Under the current schedule, professors can apply for a promotion once they reach a certain point. Those who don't apply for a promotion can wait to be appointed.

For instance, assistant professors automatically receive a pay raise each year, and after five years, they can apply for associate professor. But they would automatically advance every year for eight years, after which they would have to be reviewed for advancement by deans, faculty members, department heads and Vice President for Academic Affairs

See DISPUTE, page 11

Student reports attack near residence halls

By Erika Eichler
Daily Staff Writer

A female Cal Poly student was allegedly assaulted Friday night on campus while walking near Fremont Hall.

According to Investigator Mike Kennedy, the student called Public Safety from her dorm room to report the incident at 11:59 p.m. Friday.

Kennedy said the suspect, described as a twenty-year-old black male, tried to grab the student's top as she walked near the south end of Fremont Hall on Deer Road.

According to the police report filed, the suspect was wearing black sweat pants and a red sweatshirt.

University Police Officer Scott Pearl, one of the officers who responded to the call, said according to the information he got a "jogger-type came up and at-

tempted to grab her top and pull it down."

A struggle followed, according to Kennedy.

"She had a slight injury to one shoulder," he said.

"This is the first (incident of this type) I believe we've come across this year."

Mike Kennedy
University Police investigator

The victim allegedly kicked the suspect in the groin, and then ran away.

Kennedy said no witnesses have come forward.

"This is the first (incident of this type) I believe we've come across this year," he said.

Berenstein uses 'straight-talk' to reach students

By Tara Bradley
Daily Staff Writer

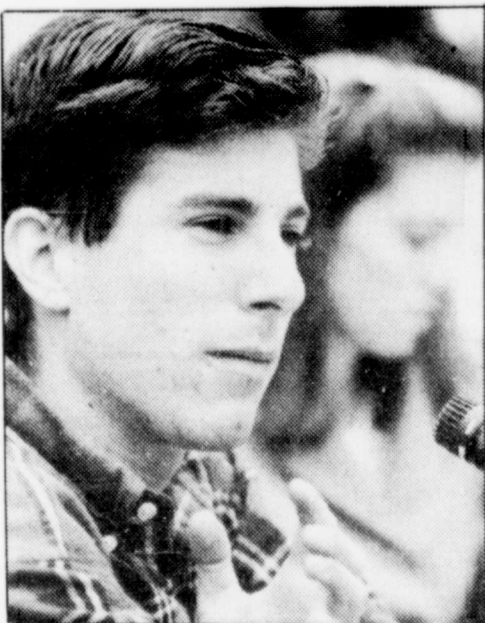
As Bernstein Bears show their furry faces on posters around campus, encouraging students to "Have a Nice Day," students can tell that election time has come again.

Mark Berenstein, political science senior and ASI presidential candidate, is leading a grass roots campaign, and his candidate's statement being handed out all over campus.

"I used to think, 'What am I going to do today?'" Berenstein said. "Now I think, 'What is going to happen to me today?'"

Berenstein entered Cal Poly four years ago as a computer science major but has since learned that he would rather debate than sit behind a computer screen. Berenstein's career at Cal Poly has been fairly continuous, except for the one semester he took off to attend Cuesta College. At times he split various quarters attending both schools.

Berenstein describes himself



BERENSTEIN

as an "average student" with "determination to get any job done." This humble 22-year-old speaks frankly about his formal

and informal education.

As a child, Berenstein remembers the way his parents dealt with matters. "I could never do anything wrong, I could always do something," he said. "I would debate my point and go on from there."

Berenstein said he thrives off forming arguments, debating contemporary issues and sees other viewpoints as essential in forming his own. And this, he said, produces his unyielding interest in student opinion.

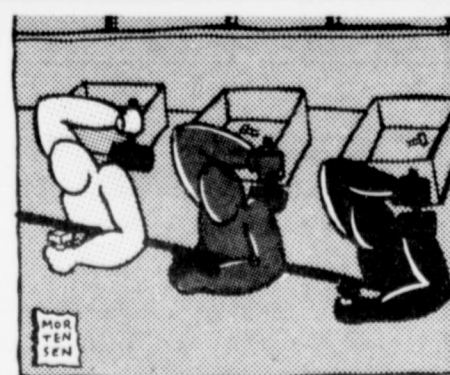
As president of Model United Nations, Berenstein was able to see the workings inside of ASI and its financial aspects. He said he felt that he had more to offer than others involved and was frustrated with the way the corporation was being run.

"Nobody listens, everybody talks," Berenstein said, referring to what he feels is a need for dialogue, specifics and open-communication.

Berenstein has also worked with such nonprofit organizations as The Homeless Shelter

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CAL POLY

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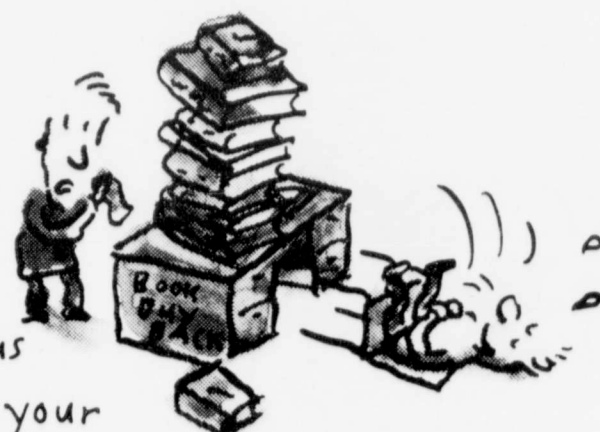
CAL POLY

12 Hikers, climbers can tackle a new mountain in front of El Corral Bookstore

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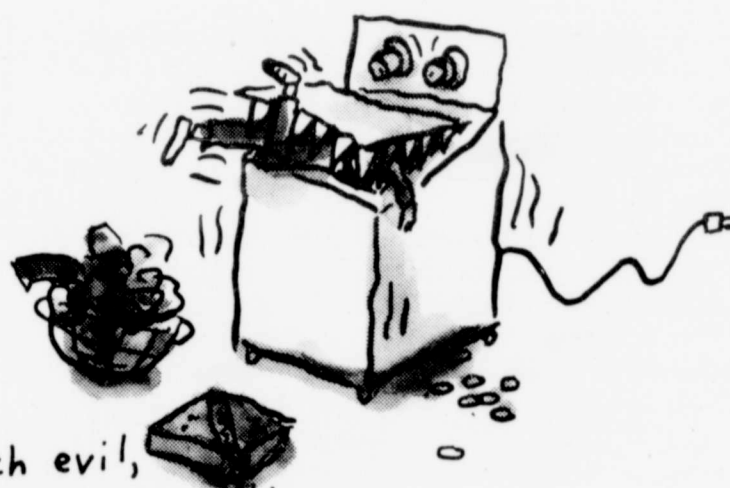
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ASI ENDORSEMENTS

President

Before endorsing Cristin Brady for ASI president, we must admit our apparent bias: she worked with us as a staff writer for the Daily last quarter.

However, we are confident our decision to endorse her is based on her abilities and qualifications — not on the fact that we like her as a person and a writer.

Brady has experience with ASI. She has worked with the Facilities and Operations Committee of ASI for the past year and has been part of the ASI Budget Subcommittee. She has had enough experience to know how student government works but not so much to be jaded by the bureaucracy.

In contrast, her opponent Mark Berenstein says planning a trip for Cal Poly's Model United Nations club is his only experience working with ASI. Sorry, but planning a club excursion could not possibly provide a person with the skills necessary to oversee an entire organization.

Brady seems to have well thought-out, workable goals. She has a plan for increasing communication with students: She wants to hold office hours in the U.U. Plaza to make herself more accessible, and use the Internet and public forums as a channel for student feedback. She plans to educate students about ASI using W.O.W. and the residence halls.

She supports forming a strategic plan, which could make ASI more efficient for years to come.

Overall, Brady seems prepared for the position. She has been following the important issues all year. She knows this is a big job and is ready for the challenge.

Brady's professionalism and approachability make her the best choice. We believe she is reliable and will follow through in accomplishing her goals.

Chair of the board

Our support for Tony Torres is lukewarm.

As the only candidate for ASI chair of the board, his election is a virtual certainty.

Certainly, he has some qualifications for the job. He has experience as a member of the Board of Directors, and has solid knowledge of its workings. He also has extensive involvement outside student government, and seems to exude energy.

Like Cristin Brady, Torres sees the need for ASI to develop a strategic plan. This would assure continuity in the organization by giving it specific objectives to work toward from year to year.

In addition, he seems to have a good understanding of the dynamics involved in managing a board whose members have wide-ranging opinions and personalities. Torres said he hopes to integrate leadership training into the board's collective schedule, and to concentrate on motivating its members.

However, all these things are based on what Torres has said. What he has done during the campaign has told a somewhat different story.

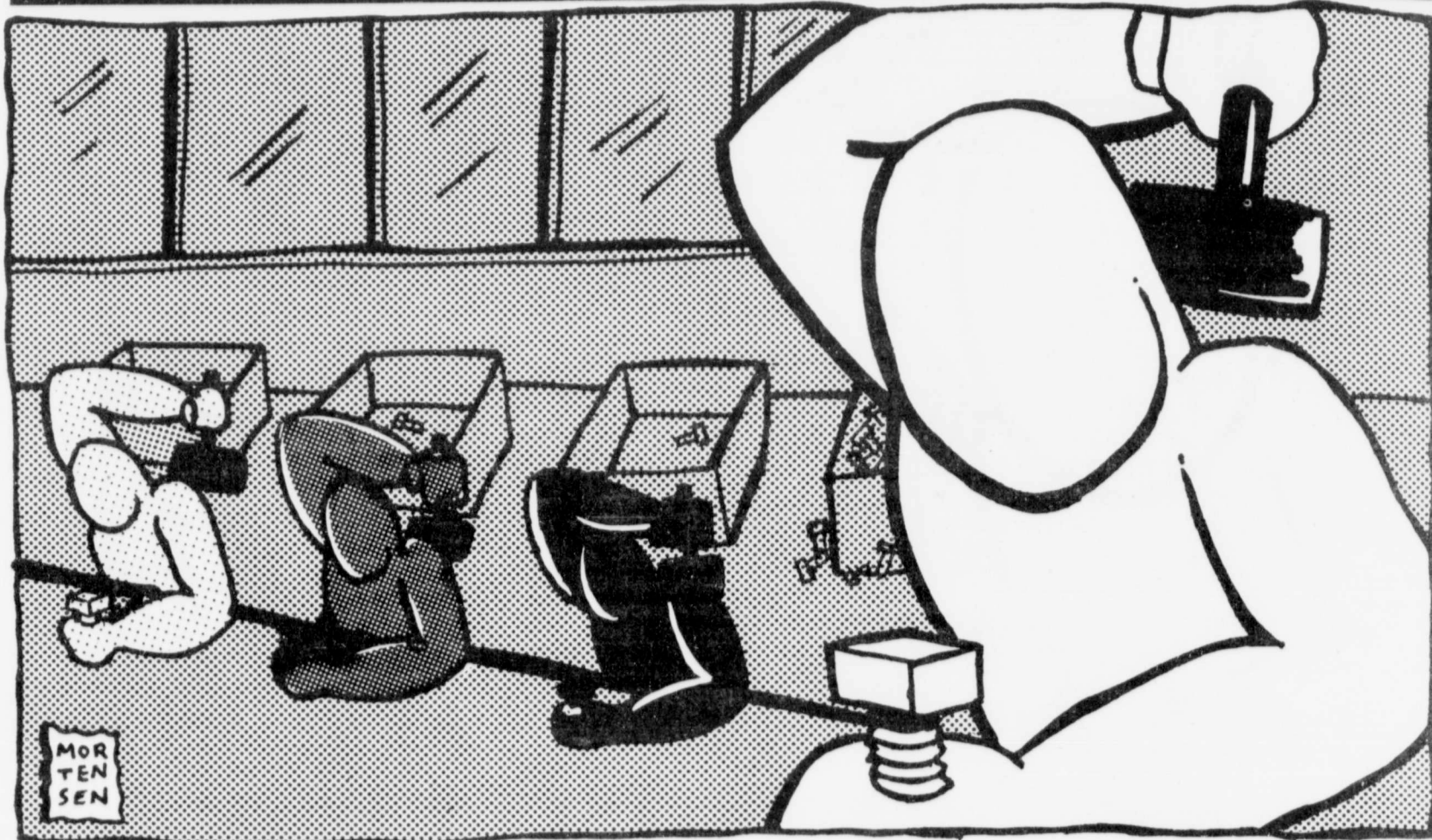
While we understand he's been busy with a national marketing competition, Torres simply does not seem to take his own campaign seriously.

There are no posters blanketing the campus. Torres was absent from the official candidates' forum in the U.U. last week. His interview with Mustang Daily was probably the most visible thing he's agreed to do, and that had to be scheduled on his terms.

Torres' lack of publicity has all but assured that the chair of the board position, listed in ASI organization charts as equal to the presidency, will remain obscure. Although this year's chair of the board, Jon Lew, has made many efforts to the contrary, they may eventually be scuttled by Torres' recursiveness.

Finally, we can only hope he manages his time carefully as next year's chair of the board. Torres said he hopes to continue some of his current involvements next year. It would be unfortunate if he allowed those responsibilities to interfere with his chairmanship.

COMMENTARY



Affirmative Action breeds racial tension

By David S. Lipka

As the affirmative action debate rages on, I would like to express three observations concerning this harmful policy.

The first was best said by Martin Luther King, Jr.: "I have a dream that one day my four little children will live in a nation where they will not be judged by their skin but by the content of their character." Based on this statement's validity, how can one seriously argue any point concerning the worthiness of affirmative action?

The most common rebuttal to this argument has always been that it is retribution for years of oppression and white dominance in American Society. But should we correct these past injustices with new injustices?

Dr. Shelby Steele of San Jose State University asks, in his book *Content of Our Character*, if it is fair to punish the white college applicant from a socio-economically disadvantaged environment, while rewarding the middle-class black American. Affirmative action makes no distinctions in class; it is a liberal one-size-fits-all solution.

The second observation concerns economic consequences of affirmative action. Without implying that minorities either are not deserving or not capable of advancement in the work place, affirmative action nonetheless harms competitiveness; hence it creates economic inefficiency.

This same point is argued in the book *Microeconomics: Principles and Policies*, by William Baumol and Alan Blinder: "If affirmative action disrupts industry and requires firms to replace 'qualified' white males by other 'less qualified' workers, the nation's productivity may fall." In other words, if a company's or university's ap-

plicant pool is reduced in terms of quality, so too will be the product of those institutions.

My final observation concerns the accentuation of racial discrimination resulting from affirmative action. We must consider the possibility that minorities who advance in the workplace, or who are accepted to prestigious universities, will be identified as "quota" beneficiaries. Their presence among peers will be viewed as protected and safe rather than as fair and equal.

Right or wrong, this possibility is credible. Are we not fostering the racial animosity between races? Are we not accentuating or instilling hatred within our society? We are all in agreement that judging an individual based on race is wrong, so why do we promote it with a bad policy like affirmative action?

Based on this premise, it would seem logical to assume that affirmative action is creating a racial separation in a society which strives toward unity and equality among all of its citizens.

I realize that some, upon reading this essay, will automatically deem me an "angry white male" with racial and gender biases. However, looking at this issue from an objective point of view, rather than subjective, I believe affirmative action's deficiencies will clearly reveal themselves.

When will we say affirmative action has served its purpose, and who will decide this? I believe it is time to question the necessity of a policy which fosters racial animosity as well as a race-based society.

David S. Lipka is a political science senior.

LETTERS

Don't just talk about racism — file a complaint

re: "The reality of racism," Apr. 7

Racism often rears its ugly head in the most unsuspecting places and ways. And, unfortunately, the City of San Luis Obispo is not isolated from this menace — as Kim Weber and her friends realized.

I cannot say theirs is an isolated incident; nor can I say it is common practice. I have no knowledge of police procedures of this city. But like Ms. Weber, I am forced to ask why all the individuals involved in this particular incident were not simply detained until the facts were sorted out?

I was not there, so I can only make judgments based upon the testimony of Ms. Weber's article. (And she has little doubt that what motivated the police's actions and response toward the African-American "brothers" was racism.)

As a writer, Ms. Weber did her duty to inform the public of this incident. She publicized it and has, therefore, made the public more aware of this possibility. For that I am thankful.

But I hope her sense of duty and obligation (not just to

her friends, but to society at large) will not end with the publication of her article. I hope that she and her friends (not to mention the "brothers") have already filed a complaint with the City of San Luis Obispo Police Department regarding the suspected behavior and actions of the officers involved.

A filed complaint would allow those officers the opportunity to explain their actions. If they can explain why they acted as they did, then Ms. Weber's concerns will be addressed. However, if they are unable to give satisfactory justification as to why all the "white" individuals involved were not detained and made to "sit on the curb" like the African-American brothers, then those officers must be held accountable for their unequal dispelling of justice and police procedures.

Racism is a fact that affects too many people. But racism will never end unless all individuals refuse to tolerate it from anyone (including the police), and force those who practice it to be held accountable for their racist actions.

So please, Ms. Weber (and everyone else), ask the police department to police itself. Demand that its members act in a benign, or at least, equal and unracist fashion. Make sure the Police Department of San Luis Obispo understands that you will not tolerate anything less than equal justice. If you don't send that message, that Saturday night won't be the last time you see racism's ugly head.

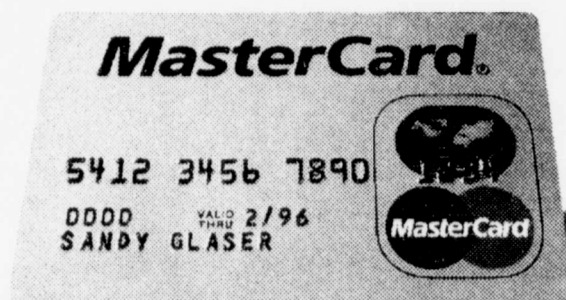
Alex Gomez
Electrical engineering sophomore

CORRECTION

In the profile of ASI Board of Directors candidates on Apr. 10, the photos for agribusiness junior David Stenseth and agribusiness junior Marc Thomas were reversed. Both are candidates for the College of Agriculture. The Daily regrets the error.

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Judge rules gun producers can be sued for deaths

By Karyn Hunt
Associated Press

SAN FRANCISCO — A Superior Court judge dealt a blow to gun manufacturers Monday, ruling that the maker of guns used in the 101 California Street highrise massacre can be sued for the deaths their products caused.

But whether the manufacturers of the magazines and ammunition contained in those weapons can be included in the suits will not be decided until this summer.

San Francisco Superior Court Judge James Warren refused to dismiss a series of lawsuits against the makers of the guns and ammunition Gian Luigi Ferri used when he burst into the Pettit & Martin law firm on July 1, 1993 and sprayed its offices with bullets.

Using three guns, including two semi-automatic weapons and hundreds of rounds of ammunition, the 55-year-old Ferri killed eight people and wounded six others before turning a gun on himself.

Warren ruled that gun manufacturer Navegar, Inc. may be liable under legal theories of strict liability and negligence. Strict liability allows damages to be awarded for any harm caused

by a dangerous product.

Navegar attorney Ernest Getto disputed that, saying the semi-automatic guns Ferri used were made legally in Florida and sold to Ferri in Nevada — both states without bans on assault weapons at the time.

"The bottom line is that nothing Navegar did has any connection whatsoever to what happened at 101 California," he said. "We did nothing unlawful in California."

The decision marks the first time in history that a court has ruled an assault weapon maker may be held accountable for the damages resulting from the criminal misuse of its product.

Warren based his ruling on the fact that the TEC-DC-9 Ferri used was a slightly modified version of one banned by the California legislature in 1989. He reasoned that the company introduced the gun into the general market and that it could have foreseen that it might eventually make its way into California and be used for criminal purposes.

Sarah Brady's Center to Prevent Handgun Violence filed eight lawsuits in May on behalf of the survivors and the families of the victims. The lawsuits maintain that the manufacturers negligently made and sold

products that "would be used to kill or injure innocent people in a violent criminal act."

They claimed the makers are liable because they make products that have no legitimate sporting or self-defense purpose and are well adopted to mass killings.

The lawsuits named Navegar, maker of the TEC-DC-9 assault pistol; Hell-Fire Trigger Systems, maker of the trigger accelerator used; USA Magazines, maker of the 32-round magazine standard in the TEC-DC-9; and Superpaw, the Nevada pawnshop where Ferri bought the gun.

Michelle Scully, whose husband John died trying to protect her from the bullets, said after the ruling that it will force the manufacturers of assault weapons to think about the consequences caused by the products they make.

"This means they cannot sell these weapons and market them to the criminal element, take the money they make and sleep well that night," she said. "They will have to think about how those guns are used, the shattered lives they leave behind, the innocent people they are going to kill."

Former Cuesta student arrested for allegedly falsifying Yale application

By Brigitte Greenberg
Associated Press

NEW HAVEN, Conn. — A Yale University and former Cuesta College student was expelled one month before graduation and charged with accepting more than \$10,000 in financial aid under false pretenses for allegedly lying on his admission application.

University police arrested Lon Grammer on Thursday in his campus room. He was released on his own recognizance for arraignment on Tuesday.

"He applied for different grants to pay for his college tuition, and we were able to find that he was not who he portrayed himself to be," said James Perrotti, assistant chief of campus police. "There were a number of fraudulent records."

Grammer's lawyer, Norman A. Pattis, Yale officials and university police wouldn't detail the allegedly false information on the application.

But Yale spokesman Gary Fryer said Monday that the records Grammer is accused of falsifying were critical to his ad-

mission.

The 25-year-old from Brentwood was charged with first-degree larceny, which means theft of at least \$10,000. Campus police wouldn't give the exact amount of financial aid involved.

"If the university believes that's larceny, they should consult someone in their law school, perhaps a first-year law student," Grammer's lawyer said.

The student had no comment.

Tuition, room and board cost about \$26,000 a year at Yale.

Grammer was studying political science. He started at Yale in 1993 after transferring from Cuesta College. He was supposed to graduate in May.

"I'm just outraged by how they treated this kid," Pattis said. "What is truly shocking is that the university summarily expelled a student who was on the eve of graduation."

Grammer was arrested just days after Harvard withdrew an offer of admission to a 19-year-old woman after learning she pleaded no contest in the 1989 slaying of her mother.

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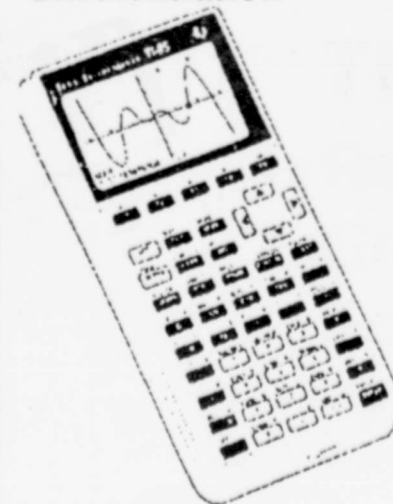
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 TEXAS
INSTRUMENTS

Wilson feels buoyed by Clinton's support for affirmative action

By Nicholas K. Geranios
Associated Press

SACRAMENTO — Gov. Pete Wilson returned from a Texas campaign trip buoyed by President Clinton's efforts to straddle the line on affirmative action, Wilson's campaign spokesman said Monday.

In a speech to the California Democratic Party Saturday, Clinton said Democrats must continue to support affirmative action, but must also study and discard any preferential programs that are unfair.

Clinton was immediately rebuked by some Democratic activists, who are demanding unqualified support of affirmative action programs.

Wilson, who has made abolition of affirmative action a cornerstone of his budding bid for the GOP presidential nomination, expects Clinton to ultimately defend such programs, spokesman Dan Schnur said.

"When push comes to shove, (Clinton's) going to have to stand 1,000 percent behind affirmative action, and that's going to hurt him with most of the voters," Schnur said.

Early polls indicate most Californians support ending affirmative action programs.

Clinton's dilemma became evident on Saturday. His speech drew raucous shouts of support as he laid out his positions. But near the end, when Clinton tried to qualify his support for affirmative action, most Democrats fell

silent.

Afterwards, powerful Assembly Speaker Willie Brown was blunt with Clinton about affirmative action.

"If you do decide to leave us on affirmative action, next time I see you on a bandstand, make sure you have a banjo rather than a sax," Brown reportedly told the president, according to

"When push comes to shove, (Clinton's) going to have to stand 1,000 percent behind affirmative action, and that's going to hurt him with most of the voters."

Dan Schnur

Gov. Pete Wilson's spokesperson

the Los Angeles Times.

An aide said Brown was referring to the mentally-handicapped white Southern youth who played the banjo in the movie "Deliverance."

Brown on Monday released a 48-page report to colleagues that made a spirited and personal defense of affirmative action programs.

In his speech, Clinton urged Democrats to have empathy for white males who fear losing jobs or promotions because of affirmative action programs. He also

said that any affirmative action programs that are no longer needed or working should be ended.

But while the Democrats may have disliked Clinton's position, Schnur insisted that Clinton did not veer far from complete support for affirmative action.

"He really only moved toward the center a few inches, but the convention was very unhappy even by that minimal movement," Schnur said.

Schnur said Clinton's tendency on such divisive issues is to seek a middle ground. Democratic activists made it clear that will not work for them, Schnur said.

Wilson and three other GOP presidential hopefuls urged New York Gov. George Pataki on Monday to open up the New York primary ballot. The state's rules for ballot access favor candidates supported by the party apparatus — in this case, Kansas Sen. Bob Dole.

Sen. Phil Gramm, R-Texas, spearheaded a letter to Pataki asking him to change state law so more people can qualify for the ballot. Sen. Arlen Specter of Pennsylvania, Rep. Bob Dornan of California, who will announce his candidacy formally on Thursday, and Wilson, who is expected to enter the race next month, also signed the letter.

Getting on the ballot requires 1,200 signatures from each of the state's 31 congressional districts. The signatures must be gathered by someone who lives in the district.

Three dead in fiery freeway crash near the California-Nevada border

Associated Press

SEARCHLIGHT JUNCTION

— Three people died and a pregnant woman and her two children were critically injured Monday in a fiery, two-car collision near the California-Nevada border, authorities said.

The cars collided head-on about one mile south of the border on Highway 95 shortly before 11 a.m., said Bill Peters of the California Division of Forestry.

The cause of the crash was under investigation, but it ap-

peared one vehicle strayed across the center line, Peters said.

The injured woman and children were taken to a Las Vegas hospital, where they were in critical condition, he said. Another adult and one child in the same car were unhurt.

All three people in the other car, which burst into flames, were killed.

The victims' identities were not immediately released, in order to give police time to contact their families.

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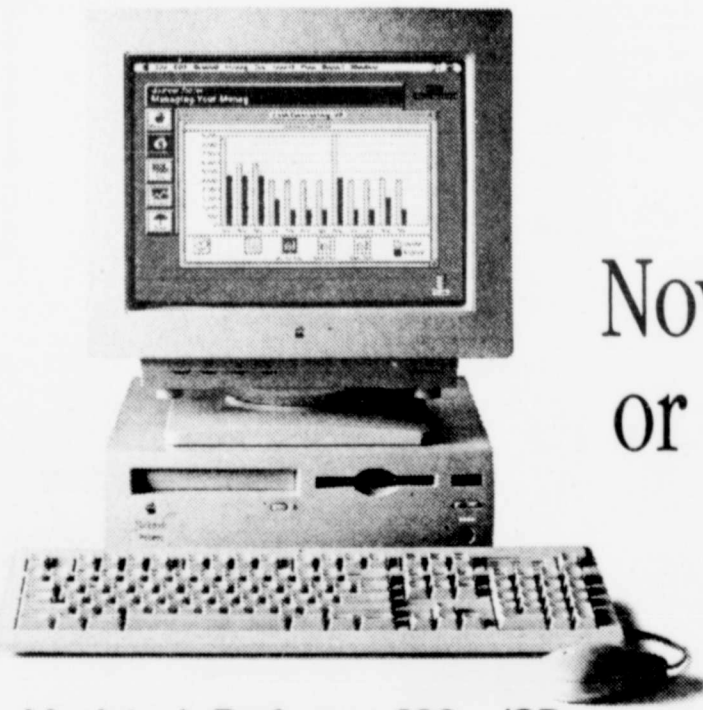
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AIDS cases on the rise in Northern California

By Ann Bancroft
Associated Press

SACRAMENTO — The Sacramento and San Jose areas have each reported 2,000 or more cases of AIDS, making them eligible for increased federal funding for AIDS programs, Rep. Robert Matsui said Monday.

"The loss of life due to AIDS in our community has reached a new and alarming level," the Sacramento Democrat said at a press conference announcing the tragic milestone.

"Sadly, we join a relatively small number of regions nationwide that have been struck so terribly by this disease."

The two California metropolitan areas join five cities nationwide that are being added to the list of 43 cities eligible for increased funding under the 1990 Ryan White Act.

The act designates cities with 2,000 or more AIDS cases as "devastated" by the disease, said

Susan Strong, executive director of CARES, a Sacramento AIDS

"The loss of life due to AIDS in our community has reached a new and alarming level."

Rep. Robert Matsui, D-Calif.

Sacramento representative

Sacramento and San Jose join five cities nationwide that are being added to the list of 43 cities eligible under increased funding under the 1990 Ryan White Act.

research and services program. Already on the devastated

list: Los Angeles, with 28,400 cases; San Francisco, 18,800; San Diego, 6,630; Alameda County, about 4,000; and Orange County, Riverside-San Bernardino and Santa Rosa-Petaluma, each with between 2,000 and 3,000 cases, said Jim Creeger, research manager for the state AIDS registry.

The designation of "devastated" means a city the size of Sacramento is eligible for more than \$1 million in increased funding for treatment and services to AIDS patients, Matsui said.

"Our caseload has grown from our first client in May, 1989 to more than 1,600 cases in just six years," said Strong.

As the disease continues to take its toll in both major urban areas and small to mid-sized cities, women and teens are the fastest growing population among AIDS patients, Strong said.

Scientists discover possible new way AIDS gets to cells

Associated Press

WASHINGTON — Scientists have discovered how a little-known AIDS protein pirates its way into cells, revealing a possible new avenue for AIDS drugs.

A virus must get to a cell's nucleus to genetically alter the cell. Various proteins of HIV, the AIDS virus, get there by slowly overwhelming cells' defenses.

The Vpr protein not only gets there more quickly, it also forces the cell to help do its lethal job, University of Pennsylvania pathologist David Weiner discovered.

Vpr hijacks another protein naturally present in human cells, one that shuttles certain steroid hormones through cells, he reports Tuesday in the Proceedings of the National

Academy of Sciences.

Laboratory tests showed some of these steroids themselves activate HIV production and suppress immune cells, Weiner said. When he added Vpr, the protein not only used the steroids' cellular pathway to reach the nucleus, it triggered steroid overproduction to help it produce HIV, he said.

Scientists already knew that some chemicals, including the abortion drug RU-486, can block steroid overproduction in other diseases.

Weiner then tested whether RU-486 could block Vpr as well — and it did. In addition, HIV-infected cells treated with RU-486 produced 70 percent less virus than unmedicated cells, he reported.

But it's much too early to tell if RU-486 would work in people, Weiner cautioned.

Willie Brown defends affirmative action programs, says racial discrimination is not dead

By Nicholas K. Geranios
Associated Press

SACRAMENTO — Assembly Speaker Willie Brown said Monday that affirmative action programs must be defended, because racial discrimination remains alive and well.

In a 48-page policy paper, Brown recounted how he tried to lease an apartment in an upscale building in San Francisco a few years ago. When he asked to view the apartment, he said he was told there were no units available.

"I suspected that was not the case, and that same day I sent an employee from my law office to see about an apartment," said Brown, who is black. "Sure enough, she was able to rent one on the spot."

In the policy paper to his Assembly colleagues, Brown defended affirmative action programs, currently under attack by Republicans.

Republican Gov. Pete Wilson has made ending affirmative action a cornerstone of his expected run for president. Republicans in the Legislature have proposed

bills to end affirmative action programs in state hiring and college admissions. And an initiative to end state affirmative action programs is expected to qualify for the 1996 ballot.

Early polls indicate a majority of Californians support an end to affirmative action.

Even President Clinton said last weekend that affirmative action programs needed to be reviewed, so that unneeded or ineffective programs can be eliminated.

Brown wrote that it's too early to declare racial discrimination

dead.

"I am wary of those who demand that our laws should be colorblind, when so much of our society is clearly not," Brown wrote.

"I came of age in a time and place in American history when such discrimination was so complete as to amount to a form of social and economic ostracism," Brown wrote.

He recalled how he attended segregated schools in Mineola, Texas, using discarded textbooks from white schools, taught by teachers making lower salaries

than white counterparts.

Brown, 61, said he left the south in search of opportunity, and was able to succeed before affirmative action programs existed.

Such a tragic waste of lives and talent were what affirmative action was created to prevent, Brown wrote.

Brown said no amount of education, income or social standing offers blacks protection against discrimination, an experience prosperous whites almost never endure.

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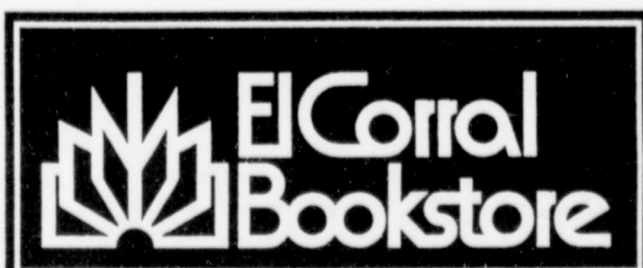
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Four dead by gunfire in apparent murder-suicide

By Karyn Hunt
Associated Press

NOVATO — A failed romance may have triggered the fatal shootings of three people and the suicide of a fourth in a quiet Novato neighborhood, police said Monday.

"It is unclear what the motive is at this juncture, but it may be a domestic situation involving the suspect as the estranged boyfriend of one of the victims," police Sgt. Jim Laveroni said.

He identified the three slain residents in Sunday's shooting as Phymany Nakhonesy, 20, female; Vilay Nakhonesy, 47, female; and Khamphouthone Nakhonesy, a 13-year-old boy.

The man police believe shot the three with an AK-47 assault rifle and a sawed off shotgun before taking his own life was identified as Daovong Khen-thalangsy, 30, of Richmond. Police did not know yet whether he had a police record.

Each of the victims was shot several times, Laveroni said.

The gunfire began at 9:55 p.m. in a triplex in this suburban city, neighbors said.

"We heard about six gunshots," said Laurie Brown, 35, who lives a few doors away. "Then we heard three or four more and then a pause then at least two or three again."

A friend who was visiting went out to see what was going on, but she yelled at him to get back in the house where they would be safe.

"It was a scary feeling. I

thought that somebody was going up and down the street shooting. It sounded so close."

When police arrived, they found two people dead outside the building, a two-story house where several families reportedly live.

The officers, worried that the killer might still be inside, called for backup from the Marin County sheriff's SWAT team and evacuated 10 residents of the building.

Neighbors hunkered down in the dark of their homes while officers took positions behind trees and yelled at residents to stay inside.

When officers went inside, they found the two other bodies.

Neighbors said the residents of the triplex had been quiet before and never caused any trouble. Police had never been called to the address before the Sunday night slayings, Laveroni said.

The killings surprised residents of this otherwise quiet suburb, Marin County's second largest city, located about 25 miles north of San Francisco.

"We haven't had this type of incident in Novato ever, as far as I know," Laveroni said. "A triple homicide and a suicide is ... overwhelming."

Until recently, Novato had an average of two homicides per year, he said. But since 1990, that figure has been rising.

"The situation in Novato, as in many American cities, has gotten worse," he said.

More Californians are without health insurance

Associated Press

LOS ANGELES — The number of Californians without any health insurance climbed to 6.5 million in 1993, while the number of employers providing coverage continued to drop, according to a UCLA study released Monday.

More than 80 percent of the uninsured belonged to working families, according to author E. Richard Brown. The 1993 data was the latest available.

"He keeps updating his figures, and they keep getting worse," said David Langness, a spokesman for the Healthcare Association of Southern California, a group of large hospitals and care providers.

The study by the Center for Health Policy Research at the University of California, Los Angeles, found that 6.5 million people had no coverage at all in 1993. That was 273,000 more than reported in a 1989 study.

The uninsured represented

22.8 percent of everyone in California under age 65. The national average was 18.3 percent, the study said.

Employers, meanwhile, paid 51.5 percent of the health insurance in the state in 1993, down from 56 percent in 1989. For the nation, they paid 58.2 percent on average in 1993.

As a result, 188,000 fewer Californians had employer benefits than in 1989, Brown said.

The research found that 84 low-wage service, retailing and light manufacturing sectors of the economy," Brown said.

Nothing happened since 1993 to narrow the gap between available coverage and people who need it, Brown said.

Kathryn Lowell, an adviser to the state Health and Welfare Agency, said it wasn't clear that the gap had widened, either.

"We were at the height of the recession (in 1993), and when people are losing their jobs you are going to see a reduction in

percent of the uninsured were workers or had a household where someone worked. Most of those, 42 percent, had a full-time wage earner, but over half were still well below the poverty line, Brown said.

The number of "non-elderly" covered by the state Medi-Cal plan at some time during 1993 grew to 4 million, or one in seven.

"We are seeing an increasing reliance on Medi-Cal to provide coverage, and I believe we are going to rely more and more on it because employers are not providing health insurance in employer-paid coverage," she said.

The study was presented to a special state Senate Health Committee hearing on health care cuts under consideration in Congress.

Brown said the problem would get worse if Congress makes deep cuts, because that could result in tightening Medi-Cal eligibility.

Union denies claims of strike breakers in grocery strike

By Karyn Hunt
Associated Press

SAN FRANCISCO — Union officials on Sunday denied Safeway's claim that hundreds of workers have crossed picket lines to return to work in the four-day-old grocery strike affecting Northern California Safeway, Lucky and Save Mart stores.

Safeway management claims 250 unionized employees went to work on the first day of the strike and hundreds more have returned to the job since then, spokesman Mark Murray said.

Workers locked out of Lucky and Save Mart stores cannot return, whether they want to or not.

Union representatives called that assertion untrue.

"I say he must have flunked mathematics when he was in school," said Richard Benson, president of the United Food and Commercial Workers Union Local 879 in Hayward. "We've had no reports in Alameda and I haven't heard of any others in the state."

That was just one of several claims and counterclaims traded

in the strike that began last week after negotiations broke off.

Some 16,000 checkers, baggers and butchers from the UFCW walked off the job at Safeways from Fresno to Oregon at 12:01 a.m. Thursday. Lucky and Save Mart stores, which bargained along with Safeway, locked out 16,000 of their employees Friday night in a show of solidarity.

Both sides say they are willing to resume talks but no new negotiations have been scheduled.



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El Corral Bookstore

Tornado in Bangladesh kills 37, injures more than 1,000

Associated Press

DHAKA, Bangladesh — A tornado battered southern and central Bangladesh, killing at least 37 people and injuring more than 1,000, officials said Sunday.

The tornado struck Munshiganj in central Bangladesh and Chittagong and Cox's Bazar further south on Saturday. It was accompanied by hail and heavy rains.

The tornado destroyed or

damaged more than 4,000 houses, schools and offices, an official at Munshiganj, 20 miles south of here, said by telephone Sunday.

Officials said at least seven people were missing.

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Report claims Iraq fails to meet disarmament plan

Associated Press

UNITED NATIONS — In a blow to Iraq's campaign to ease crippling economic sanctions, the top U.N. weapons inspector is reporting that Baghdad seems to be pursuing a germ warfare capability.

The report by Rolf Ekeus was distributed to members of the Security Council on Monday. The council was scheduled to discuss it Wednesday.

Russia and France have pressed the council to ease sanctions on Iraq. But first, U.N. inspectors have to report that Iraq has helped destroy its long-range missiles and other weapons of mass destruction.

That's one of the conditions in the Security Council's resolution ending the 1991 Gulf War. Economic sanctions, including a ban on oil sales that has wrecked Iraq's economy, were imposed after its 1990 invasion of Kuwait.

Ekeus already has said Iraq failed to account for 17 tons of material that can be used to breed bacteria.

In Iraq last month, officials told Ekeus the material was for medical use.

According to a diplomat who read the document, Ekeus' report says his inspection team "has come to the conclusion that Iraq has not provided the full and comprehensive disclosure of its past military biological program nor accounted for items and materials acquired for this program."

"With Iraq's failure to account for the use of these items and materials for legitimate purposes, the only conclusion that can be drawn is that there is a high risk that they have been purchased and used for a proscribed purpose — acquisition of biological warfare agents," the report said.

Two suicide bombings kill six Israelis, jolt peace talks

By Donna Abu-Nasr
Associated Press

KFAR DAROM, Gaza Strip — Islamic militants opposed to the Israeli-PLO peace process killed six Israeli soldiers and wounded dozens of people in two suicide bombings Sunday near isolated Jewish settlements in the Gaza Strip.

Israeli Prime Minister Yitzhak Rabin said he would continue talks with the Palestine Liberation Organization despite calls by right-wing opponents and some of his allies to halt them in protest.

In the first attack, a van parked by the main Gaza highway exploded near an Israeli bus at about noon, killing six soldiers, said Brig. Gen. Doron Almog, Israel's commander in Gaza. Officials said 34 people were wounded.

Two hours later, about six miles up the road, a Palestinian car drove into an Israeli convoy of military and civilian cars and exploded, Almog said. Eleven Israelis were wounded, including two girls ages 2 and 4, and two soldiers who were in critical condition.

Three of those injured were Americans, said White House spokesman Mike McCurry, who was traveling with President Clinton in Los Angeles. He wouldn't give their names, but said one was a woman who was "not in very good condition." He

didn't say in which attack they were wounded.

The militant group Islamic Jihad claimed responsibility for the first attack and said it was carried out by Khaled Mohammed Khatib, a 24-year-old construction worker.

Sources in the group Hamas confirmed a report that the group's military wing, Izzedine al-Qassam, staged the second attack. They identified the suicide bomber as Imad Abu Amouna, also 24, from the Shati refugee camp.

More than 100 fundamentalist youths gathered at Khatib's home in the Nuseirat refugee camp, their cries for revenge mingling with the wails of women from inside the house and the crack of gunshots fired into the air.

"The language of bullets is the only one that will guarantee the departure of the enemy from our territory," one Islamic Jihad activist intoned through a loudspeaker.

PLO leader Yasser Arafat strongly condemned the attacks, but did not say how he would respond. "We are committed to confronting terrorism," he said. "These people are the enemies of peace."

Palestinian police began arresting Islamic Jihad activists in Gaza City on Sunday evening.

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BERENSTEIN: Senior credits his accessibility

From page 1

and Grass Roots, volunteering his time to assist the homeless and "get a sense of the community in San Luis Obispo."

Berenstein was also a member of the Recycling Club on campus.

Along with these involvements, Berenstein describes his accessibility as his most important contribution. He said, if elected, he will aim at making himself known to students so that they will know who is representing them at ASI. By being readily available and making his whereabouts common knowledge, Berenstein plans to simultaneously strengthen ties between ASI and the students it represents.

The candidate's mission statement, "Straight-talk from Mark Berenstein" explains his feelings about current issues on campus. Berenstein supports a semester system, a charter with limitations, a computer mandate and the Children's Center referendum, to name a few.

He also said he sees the lack of information on campus issues as a major problem in students' involvement.

"If you give students specifics and inform them, they will really take a stand on issues," Berenstein said. He said he hopes that his platform has done this, or, at least opened up the door for questions.

Current ASI President Erica Brown said the outline of

Berenstein's platform was positive.

"As he becomes more in tune with what is going on, he will gain a greater understanding of the issues," Brown said.

Berenstein said he felt "disgust" with the most recent voter turnout of 20 percent on the semester/quarter referendum. One goal of his is to raise the turnout to 70 percent from last spring's 46 percent. He said he set this large goal for himself because "if we don't speak, we'll never be heard."

Berenstein said he realizes that even though his belief may not be the popular belief, it has been comprised from all sources and voices surrounding him.

Originally from Hillsborough, the talkative, high-energy Berenstein learned how to debate at an early age from his parents who are both lawyers.

"I hate to use the term 'student involvement,' but I will," he said. "It is what Poly desperately needs and hopefully, by giving them a platform to do it, they will."

Berenstein said he plans to tighten up the link between many separate powers on campus, while warning that he wouldn't promise anything.

"I'm a small guy," he said. "I've never been big. I never use force, but I do believe that political power is the power to persuade."

DISPUTE: Both sides seek a resolution

From page 1
Bob Koob.

Lewis said that under the chancellor's new schedule, professors will have to apply for promotion every year instead of automatically advancing.

Lewis said this will place more work on the shoulders of faculty.

"This would create a lot of work because now they'll be 500 people applying to advance each year," he said. Lewis explained that under the current system, with automatic advances, faculty members don't have to review nearly as many applications for promotions.

Lewis said another problem was the CSU's failure to define what it means by merit.

He said that if there was a pre-established definition for merit, one that everyone could agree with, then CFA would accept it.

But CSU spokeswoman Colleen Bentley-Adler said there isn't a standard definition of merit.

"The faculty on each (CSU) campus will set up the standards and criteria by which promotions are given," she said.

Lewis explained that CSU is so underfunded that there really hasn't been any salary increases for the past four years.

"Since 1990, because there has been a funding problem, they have stopped automatically awarding," he said.

Lewis said CFA and CSU have been in contract negotiations since the middle of last year. He said the Public Employee Relations Board (PERB) has declared an impasse, which means the two sides agree that they can't come to an agreement.

He also said a mediator will recommend to the board that it assign a fact-finder who will issue a report that both parties can either accept or reject. CSU officials will then offer a last best offer. If the union rejects the offer, members can opt to strike.

When asked if they plan to strike, Lewis said no.

"We won't have the support of faculty," he said.

Lewis said faculty won't go on strike because they still make a decent living.

"You're talking about people who are in the upper 20 percent income bracket in the country," he said.

Bentley-Adler said everyone is at the end of their rope, which is why a mediator was brought in.

"We believe we've discussed as much as we can with each other," she said, "and now we need help to resolve the dispute."

Bentley-Adler said the CSU system doesn't want to take money away from faculty.

"We're hoping that we could resolve the dispute so that we can award salary increases to our faculty," she said, "especially to those who deserve the increase."

Ito calls dismissed juror into his office

Associated Press

LOS ANGELES — The dismissed O.J. Simpson juror who predicted a hung jury and charged that black panelists were treated differently by sheriff's deputies was ordered to appear in Judge Lance Ito's private chambers on Wednesday, a court spokeswoman said Monday.

Jeanette Harris was served with a subpoena on Saturday from Ito, who began an investigation into alleged juror misconduct after Harris' explosive live TV interview on April 5, the day she was dismissed from the jury.

Harris was ordered to appear Wednesday afternoon in the judge's chambers for a private session. Court spokeswoman Susan Yan declined to elaborate.

On Tuesday, Los Angeles Police Department criminalist Dennis Fung returns for Day 4 of his testimony, which was interrupted when three jurors fell ill with the flu.

When the jury last saw Fung on Wednesday, he was enduring a line of cross-examination designed to show that detectives and criminalists in the case were borderline incompetents who contaminated and moved critical evidence.

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JanSport hopes to appeal to outdoor enthusiasts today by bringing a portable mountain to the University Union in front of El Corral Bookstore. All equipment will be on hand for climbers and hikers to tackle the mountain from 10 a.m. to 4 p.m. / Photo courtesy of JanSport

Climbers, thrill seekers to hike psuedo-mountain

JanSport will supply ropes, climbing gear in front of El Corral Bookstore

By Dale Myers
Daily Staff Writer

Students who have ever dreamed of doing something adventurous like mountain climbing but didn't have the time, nerve or the mountain are in luck.

The JanSport Mountain Tour will make a stop at Cal Poly this week with a 2,500-pound portable mountain, which will be in front of El Corral Bookstore today and Wednesday between 10 a.m. and 4 p.m.

JanSport Inc., an athletic equipment and clothing company, is displaying the mountain in malls and other locations across the country.

The JanSport "Get out while you can" motto explains their hope to stimulate public interest in experiencing the fast growing sport of rock climbing.

The 16-foot high, 10-foot wide portable mountain has three sides, each of which varies in degree of difficulty due to the placement of foot and hand holds and the angles of the wall.

"The most unique thing about the tour is the mountain itself," said Eric Vallee of GMR Marketing, the company that provides public relations for JanSport. "Moving a 2,500 pound mountain is no easy task either."

A team of climbers tour with the mountain to give demonstrations and assistance. Each person attempting the climb will be attached to a safety harness and assisted by one of the experienced climbers.

"The climbing structure is designed so users can try out the sport in a safe, enjoyable environment," said Paul Delorey, president of JanSport.

Climbers of all skill levels and especially those who have never climbed before are encouraged to

"The climbing structure is designed so users can try out the sport in a safe, enjoyable environment."

Paul Delorey
JanSport president

try. The climb is offered for free, and JanSport provides all the necessary equipment including high grade climbing ropes, leg loops, harnesses, slip-on rubberized climbing shoes and auto-lock belaying devices for tethering climbers.

The tour has previously attracted anywhere from 500 to 1,000 climbers in one weekend. According to team members, the crowds are usually high school and college students who are active in outdoor sports. But JanSport representatives insist that people of all ages can climb the mountain.

"The essence of JanSport is its sense of freedom, fun and adventure that brings out the child in all of us, no matter what age," Delorey said. "This focus allows us to enjoy the outdoor experience and escape from the pressure of life for a few hours."

Inspector's report: Iraq fails to meet disarmament goals

Associated Press

UNITED NATIONS — In a blow to Iraq's campaign to ease crippling economic sanctions, the top U.N. weapons inspector is reporting that Baghdad seems to be pursuing a germ warfare capability.

The report by Rolf Ekeus was distributed to members of the Security Council on Monday. The council was scheduled to discuss it Wednesday.

Russia and France have pressed the council to ease sanctions on Iraq. But first, U.N. inspectors have to report that Iraq has helped destroy its long-range missiles and other weapons of mass destruction.

That's one of the conditions in the Security Council's resolution ending the 1991 Gulf War. Economic sanctions, including a

ban on oil sales that has wrecked Iraq's economy, were imposed after its 1990 invasion of Kuwait.

Ekeus already has said Iraq failed to account for 17 tons of material that can be used to breed bacteria.

In Iraq last month, officials told Ekeus the material was for medical use.

According to a diplomat who read the document, Ekeus' report says his inspection team "has come to the conclusion that Iraq has not provided the full and comprehensive disclosure of its past military biological program nor accounted for items and materials acquired for this program."

"With Iraq's failure to account for the use of these items and materials for legitimate purposes, the only conclusion that can be drawn is that there is a high risk that they have been purchased and used for a proscribed purpose — acquisition of biological warfare agents," the report said.

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