Flores takes the Fifth in Smart deposition

All questions from Smart attorney met with refusal to answer

By Michelle Soylin
Daily Staff Writer

Paul Flores, believed to be the last person to see missing Cal Poly student Kristin Smart the night she disappeared, refused to answer any questions in a deposition Friday.
The deposition was part of the wrongful death suit against Cal Poly earlier this year. It was dismissed this month after the judge granted them extra time to better prove their case. The amended complaint said Cal Poly officials were aware of past violent acts on campus and should have taken more security measures to prevent events like Smart's disappearance.

"I would be surprised if the appeals courts overturn the judge's ruling, but I'd be doubly surprised if the California Supreme Court overturns," Adida said.

The judge in the case said the university cannot be held liable for another person's actions and dismissed the case.

D e p u t y Attorney General David Adida, who represented the university, said the dismissal saved the university $200,000 to $400,000 in possible legal fees. However, the Smarts have two months to decide if they want to appeal the case. Adida said he anticipates they will, though he remains confident the university will not be found at fault.

He added, "would be surprised if the appeals court overturns the judge's ruling, but I'd be doubly surprised if the California Supreme Court overturns." Adida

See FLORES page 2

Widow of Rep. Walter Capps will seek his seat in Congress

Associated Press

SANTA BARBARA - Lois Capps, the widow of Rep. Walter Capps, announced Monday she will run in January's special election primary to serve out the remainder of her late husband's congressional term.

"This is a decision made slowly and with much prayer over the past 20 days," Mrs. Capps said in a statement released after a morning visit to Hollister School, the last school her husband visited before his death.

Walter Capps, D-Santa Barbara, died of a heart attack on Oct. 28 after collapsing at Dulles International Airport near Washington. He was 63.

Mrs. Capps, 59, who has a background in nursing and teaching, noted that although she and her husband had separate careers for most of the 37 years they were married, their professional lives merged when he ran for Congress.

"We campaigned all over the Central Coast together," she said. "When a car accident put him in the hospital last year, I cam -

See CAPPS page 6

Procedures for amorous relationship policy violations remain unclear

By Brad Stevens
Daily Staff Writer

Better think first before getting involved with one of your professors — or one of your students, now that the "amorous relationships" policy is in effect. Better yet, better think first before trying to be effective in using this policy.

The policy attempts to prohibit "amorous" faculty/student relationships. It states that faculty members or other instructional staff shall not initiate, pursue, or be involved in any amorous or sexual relationships with any student whom they evaluate or supervise...

Though it was approved nearly a year ago, the procedure for dealing with a violation is unclear.

The policy was first introduced to the Academic Senate at the end of the 1995-96 academic year, according to Margaret Camusso, senate office administrator.

Because the item didn't make it through both readings before the summer, a requirement before the senate can vote on the item, it was required to return the following year as a first-read item.

"Once it went through the first and second read, it went very quickly," Camusso said.

Last November, the Academic Senate and President Warren Baker approved the amorous relationships policy after weeks of heated debates at senate meetings. The controversial policy, modeled after the one at University of North Carolina, received attention from local newspapers like the Telegram-Tribune and New Times.

A recent check-up on the policy now raises a few questions on the credibility of this year-old piece of university legislation stamped with Baker's approval.

Four offices are named within the policy under section VIII as "resources for assistance and information." Those offices are as follows:

• Affirmative action
• Women's Programs and Services
• Vice President of Student Affairs

See AMOROUS page 7

Assault on campus officer leads to student's arrest

Daily Staff Report

Michael Louis Fusco, mechanical engineering freshman, was arrested by Cal Poly Police at 2 a.m. Sunday on Perimeter Road, according to Sgt. Robert Schumacher of Cal Poly Public Safety.

Fusco, 18, is being held at county jail charged with assault with a deadly weapon.

Cal Poly Police officers responded to a call that someone was disturbing the peace in one of the residence halls, Schumacher said. Fusco was spotted on Perimeter Road.

When confronted, he allegedly assaulted Cal Poly Police Officer Carol Montgomery. Schumacher gave no further details since Fusco has not yet been arraigned.

Arraignment should take place today or Wednesday, Schumacher said, and Fusco's bail has been set at $40,000.

"Alcohol was involved, that was quite evident," Schumacher said, adding that drug tests were also taken but the results have not yet come in.

Full of hot air

Patrick Olson, speech communication sensor, concentrates on blowing glass after class. Daily photo by Xavier Laver
The budget committee chairman, Sen. Mike Thompson, D-St. Helena, said the case indicated a "need to improve the system. From what I have been able to ascertain, there clearly was a problem in this particular case."

Cal Poly, in a statement, said campus police have, from the start, cooperated with other law enforcement agencies, and are committed to finding out what happened to Smart. However, the sheriff's office has asked campus police not to comment about the ongoing case to protect the investigation.

Cal Poly's Public Safety department maintains that Cal Poly is one of the safest university campuses in the state.
Worst armed attack in Egypt kills 65 tourists

By Mohamed El-Dabhahny
Associated Press

LUXOR, Egypt (AP) — Militants dressed as police sprayed gunfire on foreign tourists outside one of Egypt's most renowned temples Monday, killing 65 people. It appeared to be the worst attack in a five-year Islamic insurgency that has haunted Egypt's vital tourist industry.

Hundreds of foreigners and Egyptians dived to the ground or scrambled for shelter behind ancient pillars as the gunmen fired randomly into the crowds along a broad plaza facing the three-story Hatshepsut temple.

As of late Monday, police had identified 24 bodies, according to the news agency, 14 Japanese, six Swiss, three Egyptians and one German. The British Embassy said five Britons were killed.

There were also reports that French tourists were killed in the mountain shootout.

Egypt's Interior Ministry reported 24 injured: 12 Swiss, two Germans, one French, one Japanese, and eight Egyptians. Eight of the wounded were in critical condition.

The attack began about 9:30 a.m., when six gunmen dressed in sweaters similar to the winter uniforms of Egyptian police climbed from a car and began shooting automatic rifles wildly.

Police killed one of the gun­men outside the temple after an hour-long gunbattle. The other five assailants bighed a tour bus and then fled into nearby mountains, where police shot and killed them as well, the Interior Ministry said.

As police brought back the attack

by Larry Gerber
Associated Press

SANTA ANA, Calif. — A 23-year-old bought garbage bags to clean up her twin sister's remains after having murdered her for "the oldest motive in the book — revenge and hatred," a prosecutor told jurors Monday in closing arguments of a murder conspiracy trial.

"Thank God police responded to the news agency: 14

Egypt's Interior Ministry has haunted Egypt's vital

government's tourism crucial to its economy.

Egypt is an enormous blow to "the oldest motive in the book — revenge and hatred," a prosecutor told jurors Monday in closing arguments of a murder conspiracy trial.

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Responses to “Footing the bill for athletes with low GPAs”

Editor,

My oh my! What a world it would be under the direction of Mr. Dexter. I, along with my fellow journalism majors, could sit around and not have to deal with others unlike us. Oh the joy of monotony! Pure Bliss!

I wish Mr. Dexter realized college is an experience. An education, regardless of what grades they receive, which is no more or less valuable than the one you and I get in the same classrooms. In some cases, it allows people, who otherwise wouldn’t be able to attend this university, to experience college life. These two parties aren’t the only ones who benefit either.

I don’t mind footing the bill for the complex, because I understand what sports can do. Sports have a unifying effect. They have the ability to build pride, both for the school and the area surrounding it. A pride, unfortunate- ly, that can’t exactly be created inside a classroom.

“Hey! Did you hear most of Mr. Smith’s history class passed his midterm?”

It just doesn’t have the same affect.

If you happened to pass by Mustang Stadium or Mott Gym Saturday, you’d have seen Poly students, as well as members of the entire community (men, women, and children) coming together rallying behind tremendous people, student-athletes. People who represent dedication and hard work.

You can stay in your technical classroom if you want, Mr. Dexter. I’ll be sharing an experience.

Robert Jezik is a journalism junior.

Student-athletes boost school pride

Opinion

Student-athletes boost school pride

Athletes are smarter than you think!

It’s not a trade school, where I come to learn about my major, but a premier liberal arts college. In your letter Eric, you assumed that student-athletes only get paid to play their “games.” I am one of 31 men on the swim team. Our whole team gets approximately one-third of one scholarship to distribute as our coach sees fit among all of us. Needless to say, nobody gives me scholarships to play games either. Eric, the swim team is not unique among Cal Poly teams; only a small percentage of student-athletes here are on scholarship.

While I am the subject of money, let me address the sports complex issue. In your letter, you said, “It would be nice if the student body could have made the decisions regarding the allocation of the extra fees we have to pay.” Eric, students were involved.

Articles ran in this very paper for weeks about the complex. Each article listed upcoming ASI meetings that would cover the issue. Record numbers of students showed up at the ASI workshop about the complex on Oct. 13. An even greater number of students attended the three ASI meetings following the workshop to get their voices heard. Were you there Eric? If you did attend, then you know that “the almighty tourist dollar” and “the lure of big name teams” were never given as reasons to build the complex. You also would know that under the approved plan, athletes only gets 18 percent of the available time to use the fields. That leaves a whole 82 percent of the time available for students like you and me. So, in reality, you are paying for your own “brand spanning new state-of-the-art facility.” Although ASI did not put the final decision to a campus-wide vote, they did ask students to attend the workshops; they did ask students to attend the meetings; they did ask students to voice their opinions; they did ask students to be involved. I’m sorry you did not involve yourself.

Eric, I hope this letter was informative. I hope that you have a chance someday to attend Cal Poly. STUDENT-athlete and discuss what being a STUDENT-athlete is all about. What is it like to take a full load AND have practice 20 hours a week? What is it like to have to work around traveling? If you don’t know any STUDENT-athletes Eric, check out the Dean’s List, there’s bound to be several above you.

Blake Seely is a computer science major and swimmer, in that order.
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CAPPs from page 1

assigned for him. And after Walter
took office, I continued to travel
with him around the Central
State to see firsthand the needs of
the people he represented, and
then to Washington, D.C., where
he fought for them.

Gov. Pete Wilson has
announced a primary election
will be held Jan. 11 to fill the
vacancy. If no candidate gets
more than 50 percent of the vote
in the primary, the top two
voters in each party will take part in
a runoff on March 10.

The winner will serve out the
remainder of Caps’ two-year
term, which ends in December 1998.

Republican Assemblyman
Jonas Firestone of Los Olivos
has said he will run in the special
election primary.

Even before Walter Capps’
death, Firestone had been weigh­
ing a run for Capps’ seat in the
regular June primary for the full

Mrs. Capps was a nurse for 20
years in the Santa Barbara
School District and taught at
Santa Barbara City College on
and off for 10 years.

“As a mother and a grand­
nmother, a nurse and a teacher, I
have the real-life experience to
to continue Walter’s work,” she said.

Walter Capps, a former reli­
gion professor at the University of
California at Santa Barbara,
defeated Republican Rep. Andrea
Seastrand last November by
more than 10,000 votes to win a
House seat that had been held by
the GOP for decades.

WOMEN from page 2

committee meetings held every
Thursday from 11 a.m. to noon
in UU 218.

February is also Black
History Month. Harris said,”We
would like to bring women of
color into our programming.”

She emphasized they do not
want to take away from black
history, but would like to see the
two events complement one
another.

Many of the civil rights
American women take for grant­
ed today have a relatively short
history in the United States. For
instance, women were not guar­
anted the right to vote until
the 19th Amendment to the
Constitution was passed in
1920. More currently, women’s
sports were almost non-existent
on high school and college cam­
puses until the passage of Title
IX in 1972, guaranteeing women
equal access to sports participa­
tion on public school campuses.

That law and many others were
prompted by changes in atti­
dutes precipitated by the
women’s movement of the
1970s.

If previous women’s history
celebrations are any indication,
there will be a wide enough
variety of activities to interest
almost everyone. Past events
have included plays, concerts,
art exhibits, dances, keynote
speakers, panel discussions and
self-defense programs.

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WE’LL BE INTERVIEWING ON CAMPUS THURSDAY, NOVEMBER 20.
SIGN UP FOR CAMPUS INTERVIEWS IN THE CAREER CENTER ASAP.

WOMEN FROM TOP TO BOTTOM: Libby Lister, Cynthia Ham.

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PC and Macintosh experience is desirable; one or the other application utilization is mandatory.

Applicants selected may be subject to a security investigation and must meet eligibility requirements for access to classified information. You must be immediately eligible to work for Lockheed Martin Western Development Laboratories without sponsorship.

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NCAA Div. I-AA Football Poll

1. Villanova
2. W. Illinois
3. Delaware
4. Youngstown State
5. Western Kentucky
6. McNeese State
7. Eastern Washington
8. Georgia Southern
9. Hampton
10. Montana
11. Florida A&M
12. Stephen F. Austin
13. Southern
14. Eastern Illinois
15. Jackson State
16. Appalachian State
17. Hofstra
18. Cal Poly SLO
19. Eastern Kentucky
20. Northeastern
21. Northwestern State
22. South Carolina State
23. Liberty
24. Bucknell
25. E. Tennessee State

* ESPN/USA Today poll as of November 17

Wrestling opens season at match in Fullerton

Daily Staff Report

The Cal Poly wrestling team opened its 1997-98 season Sunday at the All California Open at Cal State Fullerton.

The Mustangs, who were competing with NCAA Division I Champions finished at the top, capturing four of the top six spots.

Craig Welk (150 pounds), David Wells (158 pounds), Brian Bowles (177 pounds) and Jan McFite (heavyweight) all tied for second place. Nayif Abdullah (177 pounds) and Mike French (190 pounds) tied for third place.

Jesse Beta (142 pounds) finished fifth while Sean McCool (134 pounds) finished in sixth place.

The Mustangs have two weeks off before they travel to their next tournament in Las Vegas, Nevada December 5-6.

Men's basketball takes on Cal Baptist tonight

Daily Staff Report

The Cal Poly men's basketball team will try to make it two in a row as they take on the Cal Baptist Lancers tonight in Mott Gym at 7 p.m.

The Mustangs have faced the Lancers five times and have never dropped a game to the NCAA school from Riverside. Last year Cal Poly defeated the Lancers 143-97, breaking records left and right.

The Mustangs set a school record for points (143), field goals made (57), three point field goals made (21), field goals attempted (116), and three point field goals attempted (58). Ross Ketcham finished with 24 points as Cal Poly led 73-45 at the half.

The Mustangs will be led by Mike Wozniak who had a game-high 26 points in Cal Poly's season opener with Arkansas State last Saturday.

Yesterday's Answer:
Cal Poly running back Craig Young tied a school record with four touchdowns in a game. He shares the record with Louis Jackson (1978), Baldomar Cortez (1991), Mike Allshouse (1994).

No one submitted the correct answer.

Today's Question:
Who was the first woman basketball player to play in the men's pro league (USBL)?

submit your answer to: skaney@calpoly.edu

The first correct answer I receive will be printed along with your name in the paper the next day.