

Deprivation of Constitutional Rights

UNIVERSITY OF Nebraska law student, Dennis Winkle, has filed a suit in Federal District Court alleging deprivation of his constitutional rights by a recent detention of Winkle by Lincoln police.

This may prove to be a breakthrough in bringing to a halt oppressive and unconstitutional action by Lincoln police. Unlawful seizures, detentions, as well as threats and attempts at intimidation must not be allowed to remain part of law enforcement in a democratic society.

FURTHER, SUCH actions often result in the frustration of justice as, witness the fiasco involving the Les Elgart narcotics episode. It is regrettable that this must be the result of police incompetence. University students have not been immune from the unconscionable practices sometimes maintained by law enforcement officials. It is refreshing to find a student aware of his rights and liberties under the Constitutional guarantees of both the state and federal systems and possessing sufficient courage to challenge infractions by the municipal officials.

Perhaps the action taken by Winkle will help substantially to eliminate the tactics which are so explicitly condemned by the Constitution of both the United States and of Nebraska. It may be that police officers may even be cautioned to avoid such practices and receive a minimum of instruction of the constitutional limitations placed on the arrest and detention of individuals.

IF DRIVING down the street at 3:00 a.m. constitutes cause for arrest and detention, then we have indeed reached the police state which cannot exist in the United States.

It may appear to be a trifling matter unworthy of the cognizance of a federal court, but it is obvious that such infractions would snowball into a wholesale forfeiture of constitutional liberties. Such is the enviable position of the American student to fear this degradation and to challenge it whenever it encroaches.

THERE HAS been a steady progression of cases decided by the United States Supreme Court evidencing an increasingly growing concern for the rights of the individual to be secure in his person from unlawful searches and seiz-

ures. One cannot be arrested without probable cause and informed of the charges and accusations against him. Further, without undue delay he must be presented before a magistrate.

In the situation presented by Dennis Winkle, we see a multitude of violations of constitutional rights. There was no probable cause for the arrest; he was not advised of the charges against him or presented for arraignment before a magistrate, he was not allowed to retain counsel. It is unquestionable that an individual cannot be detained without cause and yet, when Winkle asked to leave, he was detained against his will.

THERE IS NO frivolity involved; no miniscule of harm. If one is not to be accorded a remedy for the deprivation of his rights, there is no sanction to eliminate the deplorable conduct by the Lincoln police. Winkle has prayed for a \$48,000 judgment and that the defendants be "permanently enjoined" from further violations of his constitutional rights.

Regrettable is the fact that many persons do not understand the basis of the constitutional guarantees of which Winkle was deprived. Certainly, the maintenance of these liberties and freedoms involves a certain cost to society. Admittedly guilty persons are allowed to go free sometimes when their convictions were obtained through the use of an unconstitutional search and seizure, an unlawful arrest or detention, or a coerced confession. It is clear that such a result is a small price to pay for the sanctity of you and I as individuals to remain free from police oppression.

IT IS TO be hoped that responsible persons in the Lincoln and University communities are aware of the momentous issues involved in the principle presented by Winkle's petition for relief. It cannot be tolerated that innocent citizens are subjected to such oppressive and clearly illegal tactics.

If this writer's desires were to be fulfilled, each and every reader of this writing would personally apply himself to the eradication of unlawful police action.

FURTHER, IT is urged that Winkle be encouraged and congratulated in his fight for the principles of constitutional liberty and his justifiable vindication of the gross deprivation of his rights.

-S.C.



"WHAT ABOUT THE POOR PATIENT?"

Daily Nebraskan

SEVENTY-SECOND YEAR OF PUBLICATION

Telephone 477-6711, ext. 2588, 2589, 2590
Member Associated Collegiate Press, International Press Representative, National Advertising Service, Incorporated.
Published at: Room 51, Student Union, Lincoln 8, Nebraska.

14th & R

EDITORIAL STAFF

Editor	Edna Jensen
Managing Editor	Gary Lacey
News Editor	John Morris
Sports Editor	Terry Anderson
Assistant Sports Editor	Mike Reed
Art Editor	Bob Ray
Copy Editor	Eva Corman, Sue Butler, Wendy Rogers
Senior Staff Writers	Sam North, Jim Moore, Susan Smithberger
Junior Staff Writers	John Leonard, Steve Segrist, Gary Miller
Photographer	Diane Goshier
Reporter	Jan Beck

Business Manager	John Zellinger
Circulation Manager	Mike MacLean
Subscription Manager	Bill Gumbels, Bob Cunningham, Peter Lago
Assistant Business Managers	Jay Groth

CAMPUS FORUM

On Racial Discrimination . . .

TO THE EDITOR:

A recent issue of Life (March 15, 1963) carried a Special Report (page 15) in which the author commented on the rude treatment extended to dark-skinned African students studying at Iron Curtain universities, specifically Bulgaria.

To me, the most poignant thing was that in many ways the situation described paralleled closely the conditions to which a black-skinned or dark-skinned foreigner is subjected to here on the campus of the University of Nebraska.

Further, many humiliations and embarrassments are piled on outside the "sanctuary" of the university grounds, especially in the outlying suburban towns.

Many hypocrites and pseudo-internationalists are going to deny violently the above mentioned ideas. But if they can answer affirmatively any of these questions the author will retract his statements.

- 1) Can any dark-skinned or "Negro" foreigner secure decent housing around the immediate periphery of the university, especially if he has a family?
- 2) Can anyone of the male species fraternize with the "white" girls without invoking wrath of the powers (sororities, fraternities, university officials)?
- 3) Can anyone of them

attend school functions open to the student body without receiving harsh glances?

4) Can black-skinned foreigners enter any of the local pubs without either being ejected forcibly or served contemptuously?

5) Can any one of them (male or female) dare enter a barber shop or beauty parlor in downtown Lincoln?

I could go on endlessly. However, I'll stop. From my own short and unpleasant experience, I will tell you that he or she just can't. This situation is primarily so because the Negro student, is not accepted as an equal. He is tolerated.

This toleration has persisted and will continue to persist because of the feeling of white invincibility and superiority that permeate all facets of the university life. Even the

professors are the biggest hypocrites. Ostensibly there are those people who appear liberal or international-minded, because this is the fashionable thing in some social circles, that extend a friendly hand conveniently, but when given the acid test are found terribly wanting.

The same applies to the proliferation of existing organizations professing to foster better human relations. Sometimes I wonder whether it would not have been much better to put the signs as they do down South rather than subjecting the individual to this subtle, pernicious type of discrimination which has a lasting and devastating effect on the emotional make-up.

The paradox is that tomorrow these same white Roman gods and virginal goddesses will join the Peace Corps to go to some distant Latin American

country where they will mix with black-skinned illiterate natives to preach about the wonderful United States of America where there is equality for all, regardless of race, creed or color. How long will the farce continue? Who is fooling whom? Incidentally, in some of these countries there is racial harmony.

If anyone believes that the situation described above is not true, please check with any black-skinned foreigner on campus. The results would be interesting. The results may indicate that the various agencies concerned should re-assess their thinking and values in terms of what constitutes decent treatment to another human.

Or, maybe they believe he is not a fellow human because of his color.

Think about it.
ARTHUR RILEY JONES

NEW! PRO-ELECTRIC ROLL-ON
FIRST! BEFORE-SHAVE LOTION THAT ROLLS-ON

No dripping, no spilling! Covers completely!

Old Spice Pro-Electric protects sensitive skin areas from razor pull, burn. Sets up your beard for the cleanest, closest, most comfortable shave ever! 1.00

SHULTON



Nebraskan Applauds

Newly-installed officers for 1963 of the Alpha Chapter of Sigma Tau, national honorary engineering society: Allen Oite, president; Gary Klussman, vice-president; Mema Prettyman, secretary; Michael White, treasurer; Gordon Pinney, historian; and Tom Ragland, correspondent. Faculty advisor is Prof. James Wolford.

Get Lucky Play "Crazy Questions"

50 CASH AWARDS A MONTH. ENTER NOW. HERE'S HOW:

First, think of an answer. Any answer. Then come up with a nutty, surprising question for it, and you've done a "Crazy Question." It's the easy new way for students to make loot. Study the examples below; then do your own. Send them, with your name, address, college and class, to GET LUCKY, Box 64F, Mt. Vernon 10, N. Y. Winning entries will be awarded \$25.00. Winning entries submitted on the inside of a Lucky Strike wrapper will get a \$25.00 bonus. Enter as often as you like. Start right now!

RULES: The Reuben H. Donnelley Corp. will judge entries on the basis of humor (up to 1/2), clarity and freshness (up to 1/2), and appropriateness (up to 1/2), and their decisions will be final. Duplicate prizes will be awarded in the event of ties. Entries must be the original works of the entrants and must be submitted in the entrant's own name. There will be 50 awards every month, October through April. Entries received during each month will be considered for that month's awards. Any entry received after April 30, 1963, will not be eligible, and all become the property of The American Tobacco Company. Any college student may enter the contest, except employees of The American Tobacco Company, its advertising agencies and Reuben H. Donnelley, and relatives of the said employees. Winners will be notified by mail. Contest subject to all federal, state, and local regulations.

<p>THE ANSWER: A LOT OF BUNK</p> <p>THE QUESTION: What does an enormous cowboy sleep in? Wayne Crockett, Univ. of Houston</p>	<p>THE ANSWER: <i>The Eternal Triangle</i></p> <p>THE QUESTION: What is bound to last longer than an ordinary triangle? James Lipo, Marquette Univ.</p>	<p>THE ANSWER: Ticker Tape</p> <p>THE QUESTION: What's the Tajman's term for the electrocardiograph machine? Mark M. Glasser, Queens Coll., CUNY</p>
<p>THE ANSWER: H₂O</p> <p>THE QUESTION: In what section of the alphabet do the letters i, j, k, l, m, n belong? P. J. Morris, Univ. of Detroit</p>	<p>THE ANSWER: HAMMURABI'S CODE</p> <p>THE QUESTION: Whaddid missus Hammurabi catch? John Bestman, Univ. of So. Cal.</p>	<p>THE ANSWER: LEFT WING</p> <p>THE QUESTION: What does an alpha cross use to signal a left turn? Robert T. Marsh, Jr., Mass. Inst. of Tech.</p>

Get Lucky

the taste to start with... the taste to stay with

THE QUESTION IS: WHAT DO YOU GET WHEN YOU REQUEST A PACK OF THE MOST POPULAR REGULAR-SIZE CIGARETTE AMONG COLLEGE STUDENTS? Right! You get Lucky; you get the fine-tobacco taste of Lucky Strike. This great taste is the best reason to choose Luckies . . . the big reason why Lucky smokers stay Lucky smokers. So get with it. Get Lucky today!



Product of The American Tobacco Company - "Tobacco is our middle name"