

# 'Probable cause' depends on officer

By Jim Sajevic

The basic rationale for search and seizure in any residence is "probable cause," UNL student Legal Services Center Director David Rasmussen said Wednesday afternoon.

Calling probable cause a "fuzzy area," Rasmussen told 74 students attending the Legal Services Seminar that probable cause depends upon an officer's ability to determine whether a crime is being committed.

"Probable cause is just that—probable," Rasmussen said. "A search might not turn up anything, but if an officer sees something through an open door or smells a peculiar odor coming from a particular room, he has probable cause to investigate."

Rasmussen said the prosecution has to prove probable cause in court, based on officer testimony, before a related case can be tried, but added that he thought most Lincoln courts accept police testimony with little question.

He advised students to cooperate

with an officer who wants to search a room, "ask or just ask questions, provided they have authority to do so."

But if you have been engaged in criminal activity, your thoughts should be on how to get out of there, he said.

"The advisability of resisting arrest is not good, whether you think you're committed a crime or not," Rasmussen continued.

Rasmussen said it's a good idea for students to keep the name of a local attorney in mind in case of arrest.

He indicated that three-fourths of local students who are taken in by campus police are held until they can be released through a pretrial release program.

He also noted that of Lincoln students, the lawfully funded pretrial release program allows persons arrested on misdemeanor charges to be freed from jail after interviews with UNL law students.

The Legal Services Center is currently operating a 24-hour telephone service that would pro-

vide a roster of available judicial attorneys, Rasmussen said.

Many attorneys are no longer willing to come down to the jail and arrange for a person's release, he said. Costs for this service range from \$25 to \$80, Rasmussen said. Rasmussen said he thought Campus Police appeared more lenient to UNL students because they deal with students every day.

The only students the Lincoln Police see are students in trouble," he said.

For example, Rasmussen said he thought students might fare better with Campus Police than with Lincoln enforcement regarding alcohol-related violations.

"It's not because of any policy, he said. "It's because by the time campus security sees you, you're pulling into the parking lot or straggling into your room. You're not stepping out of a bar and into Lincoln streets."

Traffic tickets, vandalism and insurance claims were cited by Rasmussen as the three most common student offenses.

## calendar

- Thursday
- 8:30 a.m. - Soldiers Week Headquarters - Neb. State Union
  - 9:30 a.m. - Student Affairs Staff Union
  - 12 p.m. - Human Rights Conference - Union
  - 12 p.m. - School of Journalism Union
  - 12:30 p.m. - Heuberg Iowa Women Attorneys and 4 Union
  - 1 p.m. - Task Force on Evaluation of Instructors and Teachers - Union
  - 1:30 p.m. - College of Engineering - Union
  - 12:30 p.m. - Inter Varsity Christian Fellowship Union
  - 1:30 p.m. - The Way - Campus Outreach Union
  - 1:30 p.m. - ASUN Legislative Caucus - Union
  - 2 p.m. - Christian Film "The Unbearable Sinner" - Union
  - 2:30 p.m. - Builders - Student Affairs - Union
  - 3 p.m. - Pan American World Market - Council of American Indian Students - Union
  - 3:30 p.m. - Phi Mu Alpha Fraternity Union
  - 4 p.m. - Nebraska Union Board - Union
  - 4 p.m. - Delta Sigma Pi - Union
  - 4:30 p.m. - Executive - Union
  - 5:30 p.m. - Student Y - Union
  - 6:30 p.m. - Builders - Union
  - 7 p.m. - Council on Student Life - Union
  - 7:30 p.m. - Esoteric - Union
  - 8 p.m. - Math - Union
  - 7:30 p.m. - Innocents - Rap with Mothers - Union
  - 8:30 p.m. - Free University - Union
  - 9:30 p.m. - Self Defense - Union

## short stuff

Tom Hurton, a member of Jacques Cousteau's famous diving team who worked as executive in charge of production for ABC's 32 documentary specials, "The Undersea World of Jacques Cousteau," will speak tonight at 7 p.m. in the Activities Bldg. on East Campus, using film footage, slides and personal commentary. Hurton will present a program that details some of the problems and rewards encountered in the filming of the series.

Robert Le Roy of the Dept. of Chemistry, University of Waterloo, Canada, will speak Friday at 4:30 p.m. in Hamilton 10. Le Roy's topic will be "Determining the Anisotropic Intermolecular Potentials of Van der Waals Molecules—And Why We Care."

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