

News Digest

By the Associated Press

Drifter sentenced in murder

NORTH PLATTE — A 25-year-old man whom authorities described as a drifter was sentenced Monday to life in prison for the murder of a Sutherland man at an Interstate 80 rest area.

Judge John P. Murphy imposed the sentence on Peter Wade Suffredini, who had pleaded no contest to a reduced charge of second-degree murder in the death of Samuel Coker.

Murphy sentenced Suffredini to 15 to 25 years in prison for robbery and five to 15 years in prison for felony use of a firearm.

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Georgia sodomy law upheld

'No constitutional rights to private homosexual conduct'

WASHINGTON — The Supreme Court, upholding a Georgia sodomy law by a 5-4 vote, ruled Monday that consenting adults have no constitutional right to private homosexual conduct.

The ruling was limited to "consensual homosexual sodomy." But nothing in its sweeping language cast doubt on the constitutionality of state laws that also make heterosexual sodomy a crime, even when performed by married couples.

"The proposition that any kind of private sexual conduct between consenting adults is constitutionally insulated from state proscription is unsupported," Justice Byron R. White wrote for the court.

The Georgia law, which White said is similar to those in half the states, defines sodomy as "any sexual act involving the sex organs of one person and the mouth or anus of another."

In its sodomy decision, the court refused to recognize private homosexual conduct as a "fundamental right" deserving of the Constitution's fullest protection.

The court ruled previously that decisions to marry, have children, practice birth control or have an abortion are such fundamental rights.

"We think it evident that none of the rights announced in those cases bear any resemblance to the claimed constitutional right of homosexuals to engage in acts of sodomy," White said.

"It would be difficult... to limit the claimed right of homosexual conduct while leaving exposed to prosecution adultery, incest and other sexual crimes even though they are committed in the home."

The court swept aside arguments that the Georgia law has no rational basis without explicitly ruling that it is rational.

"Law is constantly based on notions of morality," White said, "and if all laws representing essentially moral choices are to be invalidated... the courts will be very busy indeed."

The Georgia law was challenged by Michael Hardwick, an Atlanta bartender and homosexual who was arrested in 1982 for allegedly committing sodomy in his home. He never has been prosecuted under the law, which carries a maximum penalty of 20 years in prison.

The arresting officer had gone to Hardwick's home to issue a warrant in another case and was told he could find him in his bedroom.

Hardwick sued Georgia officials in 1983, seeking to have the law declared unconstitutional. He had won in the 11th U.S. Circuit Court of Appeals, but that ruling was reversed Monday.

"Plainly enough, otherwise illegal conduct is not always immunized whenever it occurs in the home," White said.

Justices Harry A. Blackmun, William J. Brennan, Thurgood Marshall and John Paul Stevens dissented.

Writing for the four, Blackmun called the decision "revolting."

"This case is about the most comprehensive of rights and the rights most valued by civilized men, namely the right to be let alone," he said.

Report says Rogers died of overdose

SACRAMENTO, Calif. — A cocaine overdose triggered a massive heart attack that caused the death of football star Don Rogers, according to a coroner's report released Monday.

Laboratory tests on blood, urine and other body fluids taken during an autopsy of the Cleveland Browns defensive back revealed the presence of the same drug blamed for the June 19 death of University of Maryland basketball All-American Len Bias.

Sacramento County toxicologist James Beede said the 5.2 milligrams per liter of cocaine found in Rogers' blood was a "fatal level" of the drug.

Coroner Charles Simmons said the tests revealed the cause of death was due to "cocaine poisoning," and ruled the method of death accidental, with no other drugs involved.

Powell wrote separately that the heavy penalty attached to violations of the state's sodomy law could represent unconstitutional "cruel and unusual punishment" because it is the same punishment meted out to convicted arsonists and robbers.

Rogers, who died Friday one day before he was to be married, "had enough drugs in him to kill an elephant," said coroner's senior investigator Roger Kaseman.

Pathologist Dr. Joseph Pawlowski, who conducted the autopsy on Rogers on Saturday, said the results of tests on Rogers' blood, bile and urine confirmed his belief that Rogers died of a drug overdose, despite many claims by friends and teammates of the player that he never used drugs.

Bias, 22, was an All-American forward for the University of Maryland and a No. 1 pick by the Boston Celtics in the recent National Basketball Association draft.

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Twenty to 25 percent of college athletes use cocaine, official says

COLUMBUS, Ohio — The chairman of the NCAA committee on drug education says every college in the country has a drug problem, and that an effective testing program deters abuse by athletes.

Dr. Robert J. Murphy, an associate clinical professor of preventive medicine and the head team physician at Ohio State University, says data shows that in the last five years 20 percent to 25 percent of college athletes have used marijuana or cocaine — some use both — on an average of once a week.

first, to deter use, and second, to identify the kids with problems and try to get them clean.

"We work with some for two or three years," Murphy said. "If they are in treatment for two or three years and we eventually get them clean, well, that's our goal."

Rogers, 23, was a Rose Bowl hero for UCLA, a No. 1 pick by the Cleveland Browns in the National Football League's 1984 college draft, and the AFC Defensive Rookie of the Year. He was voted the Browns' hardest worker in each of his two seasons.

Bias, 22, was an All-American forward for the University of Maryland and a No. 1 pick by the Boston Celtics in the recent National Basketball Association draft.

Murphy, also the chairman of the NCAA's committee on drug education, provided information presented to the Big Ten Conference Awareness Committee on Alcohol and Drug Abuse that found 36 percent of 2,039 athletes in a 1984 NCAA survey had used marijuana within the previous 12 months, 17 percent cocaine, 8 percent amphetamines and 6.5 percent anabolic steroids.

A 1984 multi-college survey compiled by Heitzinger & Associates of Madison, Wis., found that of 2,100 athletes at 12 colleges, 27 percent used marijuana and 14 percent used cocaine.

Murphy said that every athlete, coach, trainer, team physician, manager and other staff member affiliated with the program at Ohio State is tested. In the 1984-85 school year, Murphy said Ohio State tested three men's teams and two women's teams and that 5 percent of the urine samples showed use of illegal substances.

"Every college in America has a drug problem because it's a reflection of our society and of the student body," Murphy said during an interview. "Drug use among athletes is approximately 50 percent that of the general student population."

Cocaine was cited as the cause of deaths this month of Maryland basketball players Len Bias and Cleveland Browns football player Don Rogers. Bias died June 19 and Rogers eight days later.

Murphy said that seldom does anyone use just one substance, instead mixing marijuana with alcohol or cocaine with alcohol.

Murphy said that when an Ohio State athlete is detected using drugs, "We feel they should not play... if they have drugs in their system, they run the risk of injuring themselves as well as causing other players to be at risk because of their lack of performance."

The solution, Murphy said, is drug testing as a deterrent, not as a way of punishment.

He added that in tests of four men's teams and five women's teams during 1985-86, 1.5 percent came up positive.

"We consider that (random, weekly) drug testing has proven to be a major deterrent to drug abuse during the season," Murphy said.

He said that when an athlete tests positive the first time, they are rechecked by a second test. So-called "false-positives" occur in less than 1 percent of the tests, Murphy said.

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The solution, Murphy said, is drug testing as a deterrent, not as a way of punishment.

"The Olympic program of testing is based upon identifying (people who test positive for drugs) and of punishing them. Out program (at Ohio State) and the one I advocate is based upon,

On the determination of a positive on the first test, the athlete is placed on probation but is not disciplined by the coach by a loss of playing time. For the remainder of his or her college career, the athlete must submit to weekly tests. Positives are cumulative, so that if an athlete fails a test as a freshman and then again as a senior, it is still a second positive.

A second drug test failure brings intrasquad discipline. Starters do not start, those on the traveling squad are left at home and those who are on the non-travel squad are taken off training table.

The athlete is suspended on a third positive test. They may be reinstated after they have been declared clean for a period of four to six weeks, Murphy said.

"Every player who has been suspended over the last two years (at Ohio State) has been reinstated," said Murphy, who said that six or seven athletes at the university had failed a third test over that period.

Murphy said that Ohio State sets up counseling for those who have failed tests, and also arranges frequent visits by speakers such as National Football League drug enforcement officials.

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