

Kings' attorneys request a change of venue

OMAHA - News coverage of an Omaha credit union failure has been widespread and prejudicial, a defense attorney who wants the trial of the credit union's former manager moved out of Nebraska said Monday.

U.S. Magistrate Richard Kopf took under advisement defense requests to move trials for Lawrence E. King Jr., former manager of the Franklin Community Federal Credit Union, and his wife, Alice.

King is awaiting trial in U.S. District Court on 40 counts charging conspiracy, fraud and filing false tax returns stemming from the November 1988 failure of Franklin Community Federal Credit Union. Mrs. King is charged with 12 counts of conspiracy and fraud.

Officials said \$39 million was missing when the credit union was closed.

Meanwhile, a Douglas County grand jury is investigating child sexual abuse allegations that surfaced shortly after Franklin closed. No charges have been filed in connection with the sexual abuse allegations.

Although the Kings' trial deals

exclusively with allegations of financial wrongdoing, the media coverage has not distinguished between those charges and the child abuse allegations that surfaced in the wake of Franklin's failure, said Steven Achelpohl, an attorney for King.

"This case has literally become known as the Franklin case, concerning embezzlement allegations, concerning sexual abuse allegations and concerning everything else related to the defendants," he said.

"The court has an obligation to ensure that Mr. King receive a fair trial, and under these circumstances we submit that it is impossible to create a calm and dispassionate atmosphere for this case to be tried in the state of Nebraska."

Achelpohl produced news materials on the Franklin case from newspapers, radio and television stations throughout Nebraska.

"The pretrial publicity has been... massive, inflammatory and prejudicial," Achelpohl said.

"The question we keep asking ourselves is how in the face of all this publicity can Mr. King get a fair trial?"

Mrs. King's attorney, Jerold Fennell, said there has been so much news coverage of the case that in six hours he could review only a fraction of the material subpoenaed for the hearing.

"The mere volume of that material speaks prejudice if she is tried here," he said.

But First Assistant U.S. Attorney Thomas Thalken said the jury screening process would weed out prejudiced jurors.

"The defendant is not entitled to be tried by an ignorant jury, just an impartial one," he said. "Whatever press coverage there has been in this case, it does not rise to the level of presumed prejudice."

Kopf raised the possibility of moving the trial to North Platte. Thalken said he would prefer the case be tried in Omaha. Achelpohl threatened to oppose a move to North Platte on the grounds that it would be difficult to find a fair cross-section of jurors.

Publicity on the case has not come exclusively from the news media, said Achelpohl, who criticized statements

and mailings from Rep. Peter Hoagland, D-Neb.

Achelpohl said Hoagland has made prejudicial comments on the case in interviews with reporters and in mailings to every postal patron in the 2nd Congressional District.

Legislative candidate Denny Henson of Omaha also testified that he distributed a memo detailing allegations made in the wake the credit union failure.

Henson, who faces three opponents in the May primary for Nebraska's 4th legislative district seat, testified that he mailed 10,053 copies of a memo written by former state Sen. John DeCamp to households in the district, which includes parts of west Omaha.

Achelpohl asked Henson why he distributed the DeCamp memo.

"I felt it was a document that read, 'Addressed to the public,' and the public had a right to see it," Henson said.

Asked if he would continue to make public statements on the Franklin case, Henson said, "As an American, I

have that right."

Evidence entered by defense attorneys included Franklin-related stories and circulation figures from the Grand Island Independent, Scottsbluff Star-Herald, Omaha World-Herald, North Platte Telegraph, Hastings Tribune and Lincoln Journal-Star. Broadcast materials included tapes, news story transcripts and ratings materials from television and radio stations in Omaha, Lincoln, Grand Island, North Platte and Scottsbluff.

Thalken objected to admission of some newspaper circulation and broadcast rating information, but Kopf allowed most to be entered as evidence.

Kopf said his ruling will be in the form of a recommendation to U.S. District Judge William Cambridge.

Earlier this month, a judge found King incompetent to stand trial and ordered King to the U.S. Medical Facility at Rochester, Minn., for treatment. The court ordered a report within four months on whether King will attain competency to stand trial "in the foreseeable future."

Committee rejects joint U.S.-Soviet Mars exploration

WASHINGTON - Joint missions to Mars by the United States and the Soviet Union are too risky now, a panel said Monday. It recommended instead that the two nations follow "a graceful path" of coordinated but independent exploration.

"The United States and USSR have no prior experience with the degree of cooperation necessary to carry out a technical project of this complexity or magnitude," said a committee of the National Research Council.

The committee said it was concerned "about relying on the consistency of the relationship

over a period of a decade or more into the future."

The panel's report appeared to chill the idea frequently expressed by many experts that Mars would be explored jointly by the Soviets and Americans, doing together what would be too expensive for either nation to do alone.

The United States and the Soviets have cooperated in space in the past, most notably in 1975 when three Apollo astronauts joined their spacecraft with a Soviet Soyuz and exchanged bear hugs in orbit with two cosmonauts.

Lithuania requests meeting to detail economic sanctions

MOSCOW - Lithuania on Monday asked Mikhail Gorbachev to meet with the republic's president to provide details of Moscow's threatened economic sanctions so that Lithuanians can be prepared.

It would be Gorbachev's first meeting with Lithuanian President Vytautas Landsbergis, who was elected after the republic declared itself independent March 11.

In a telegram to the Soviet president, Lithuanian Prime Minister Kazimieras Prunskiene said Lithuania wants to explain to its people just what difficulties they might face if they ignore an ultimatum Gorbachev issued Friday.

The ultimatum gave Lithuania 48 hours to rescind some of its pro-independence laws or face a cutoff of products the Kremlin supplies. Gorbachev did not say which items would be stopped, but Lithuania is dependent on the Kremlin for such crucial supplies as oil, gas, machinery, raw materials, chemicals and automobiles.

The deadline expired Sunday night with no visible cut in deliveries.

Prunskiene's telegram said broad economic sanctions would damage the Soviet economy as well as Lithuania's. She suggested the best way to clarify the threat would be in a meeting in Moscow with a Lithuanian delegation, headed by Landsbergis.

There was no immediate response from the Soviet president.

Another Lithuanian leader was quoted as saying the republic would be willing to pay hard currency for Soviet goods but would expect Moscow to do the same for items Lithuania exports.

Vilnius Radio quoted Prunskiene as saying Lithuanian leaders decided that "until we see definite physical measures against Lithuania's industry and economy, all contractual obligations to the U.S.S.R. must continue to be carried out by all our enterprises, so there should be no pretext for possible disruption of supplies by the Soviet Union."

The telegram was sent to Gorbachev

after an emergency meeting of the Lithuanian Presidium -- the leadership of the legislature -- Monday afternoon.

Journalist Vilius Kavaliauskas, who spoke to a Presidium member after its meeting, said the leadership was told the republic has just two weeks' supply of natural gas and six weeks' supply of oil.

It has only enough newsprint to publish Lithuania's newspapers for four or five days, he said.

Lithuania receives all its oil and gas from the Soviet Union at prices just a fraction of those on the world market. The small Baltic republic has very little foreign currency to buy fuel from the West.

Some economic sanctions against Lithuania could backfire on the Soviet Union, Kavaliauskas quoted the official as saying. For example:

- If Moscow cut off chemical fertilizers for Lithuania, it would mean less meat and dairy products for the rest of the Soviet Union.

- If a natural gas pipeline were shut down, the Russian district of Kaliningrad, which also relies on the line, would be hurt.

- A cutoff of supplies for the Drob textile mill would disrupt deliveries to a Leningrad factory that employs more than 18,000 people.

Kavaliauskas said the Presidium member told him: "If Moscow will ask us to pay for goods in hard currency, we will agree. But we will ask for hard currency from Moscow for our products, and in balance, it's not so bad for us."

Deputy Prime Minister Algirdas Brazauskas told Vilnius Radio that "political decisions" about Gorbachev's ultimatum would be made Tuesday by Lithuania's parliament.

Vilnius, the Lithuanian capital, was quiet Monday as the predominantly Roman Catholic republic celebrated the final day of a three-day Easter weekend. Most factories and businesses were closed, according to a worker in the information office of the Supreme Council.

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