

# Death row inmate's sentence overturned Court bolsters criminal rights

WASHINGTON (AP) - The Supreme Court on Monday bolstered the right of criminal suspects to have lawyers present when questioned by police. Dissenters said the 6-2 ruling needlessly shackles law enforcement and protects the guilty.

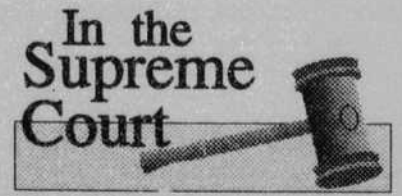
In overturning the murder conviction of Mississippi death row inmate Robert S. Minnick, the court said his confession may not be used as evidence because he was questioned without his lawyer present.

The court said that unless a previously questioned suspect asks to talk to police, they may not renew questioning in the absence of his lawyer — even after the suspect and attorney have conferred.

The high court previously had barred police from resuming the questioning of a suspect who asks to see a lawyer for the first time, unless the suspect initiates the conversation.

The decision relied largely on a

1981 high court ruling that barred police from reinitiating questioning of a suspect who has asked for but not yet talked to a lawyer. Monday's ruling extends that protection to instances in which a suspect already has con-



ferred with an attorney. Justice David H. Souter did not take part in the case.

In other action, the court:

- Agreed to use a case from Florida to decide whether police who have an owner's permission to search a car must get a court warrant before opening any containers inside the vehicle.
- Left intact a lawsuit settlement

that eased restrictions on abortion clinics in Illinois. The court, without comment, rejected arguments the settlement does not adequately protect women or fetuses.

●Refused to kill a lawsuit against California community college officials accused of unlawfully blocking the on-campus performance of a racially charged play.

●Shielded businesses from some big-money lawsuits filed by employees claiming they were fired so their employers would not have to pay pension benefits. The court ruled unanimously that fired employees may sue in federal court, but not in state courts for potentially larger punitive damages.

●Ruled by a 5-3 vote in a case from Pennsylvania and Virginia that a federal anti-counterfeiting law may be used to crack down on the sale of used cars with phony mileage readings.

## Allen

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that search committee members signed only a statement of confidentiality, agreeing to hold confidential the names

of candidates until the final list was released.

"The gist of the statement had to do with the identities of candidates," Milliken said, and Reutzel released his letter to the press on Nov. 10,

which was after the final list of candidates had been made public by the search committee.

Allen also contended that Massengale ruined the confidentiality of the candidate-regent interviews by disclosing the interview location at the Kansas City Marriott Hotel to a newspaper reporter.

However, once reports of the location and Massengale's candidacy interview were published, Allen said, the external candidates felt the rules had changed and withdrew their names from consideration.

Milliken acknowledged that Massengale had said that he had responded to a question from a reporter from The Omaha World-Herald, who had asked at which hotel the regents were staying.

Don Blank, board chairman, said he knew that Massengale had told the reporter where in Kansas City the regents were staying.

"But we didn't say it (the location) was a cold, dark secret," Blank said. "We just didn't make it public."

## Tobacco industry lobbied against smoking reports

The Associated Press

For three years, the tobacco industry and its Congressional allies have lobbied the Environmental Protection Agency to soften or delay its three draft reports on second-hand cigarette smoke, documents show.

Industry representatives sent the EPA a mountain of technical information that dwarfs the EPA's reports and met repeatedly with agency officials to press their concerns, according to documents obtained by The Associated Press under the Freedom of Information Act.

"They clearly were privy to stuff that was going on that we had no idea about," said Mark Pertschuk, executive director of Americans for Nonsmokers' Rights in Berkeley, Calif.

The EPA at the industry's request twice extended the time allowed for outside comment on draft

reports.

"No one else was as active in conveying their concerns and interests," said Robert Axelrad, director of the EPA's indoor air division.

The next step in the preparation of the reports occurs today and Wednesday in Washington. An advisory panel chosen by the agency will meet to consider the reports and hear testimony from interested parties, including a dozen tobacco industry representatives.

Two of the three reports will be considered: a report assessing the lung cancer risks associated with passive smoking, and a workplace policy guide on environmental tobacco smoke.

A third EPA report, a compendium of related technical information on passive smoking, is undergoing revision.

## Contract

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good," to evaluate the performance of the president and the board and to assess the direction in which the university is heading, he said.

Massengale also will retain his tenured appointment as a professor of agronomy, according to the contract.

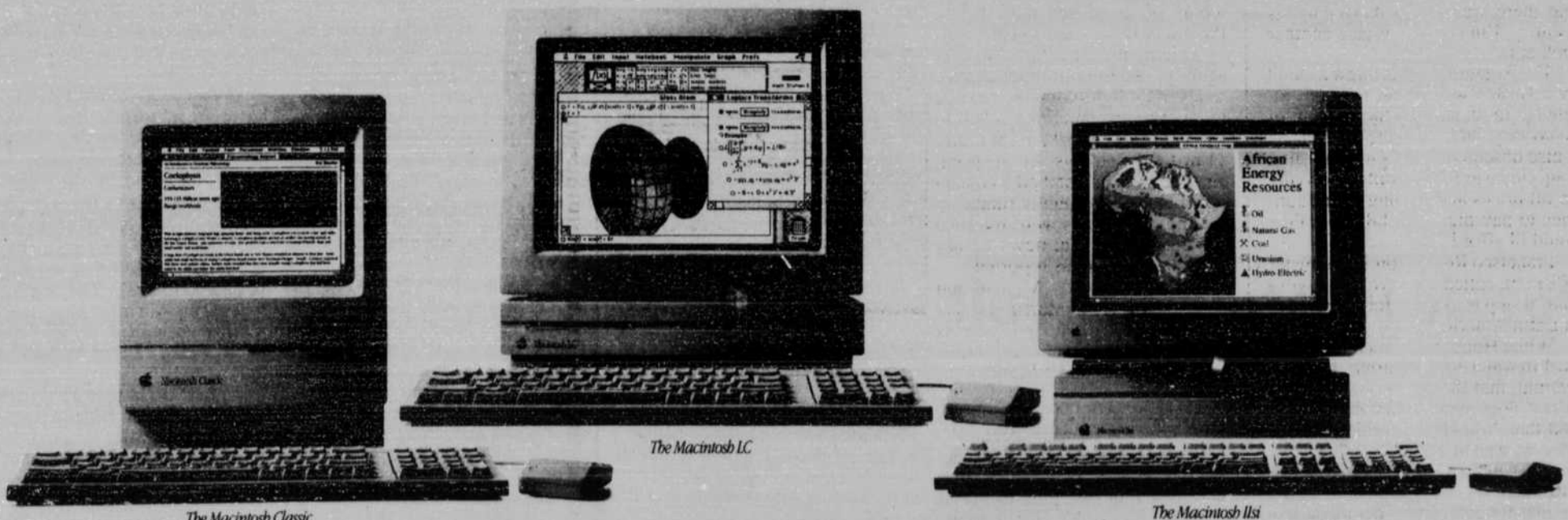
J.B. Milliken, corporation secretary to the board, said administrators routinely retain their tenured appointments. However, they, and Massengale, are relieved of teaching and research responsibilities, receiving no compensation in that position.

Milliken said the contract is "a fairly routine way of compensating a president. I don't feel there are any provisions in the contract that are not about what the board expected."

Regent Rosemary Skrupa of Omaha said that a three-year contract is standard in the education field and that the length of the contract gives Massengale a "fair chance" to face the challenges of a university with as much diversity as NU.

"Who would take over a company that's as diversified as we are and in changing times," Robinson asked, with a contract for fewer than three years? "It takes a year to learn your way around."

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