

Daily Nebraskan

April 20, 1994

University of Nebraska-Lincoln

Vol. 93 No. 145

McElroy hearings to resume in July

Defense questions evidence validity

By Kara Morrison
Senior Reporter

Attorneys agreed Tuesday to continue suppression hearings in July for the trial of former UNL student Arthur McElroy.

McElroy, who appeared in court Tuesday, is charged with attempted second-degree murder, making terroristic threats and two counts of using a weapon to commit a felony. He is accused of aiming a semiautomatic rifle at members of his actuarial science class in an

Oct. 12, 1992, incident.

University of Nebraska-Lincoln police have said McElroy, a graduate actuarial science student, allegedly was attempting to fire when his weapon jammed. He was arrested less than an hour after the incident near his residence at 575 Dogwood St. in Bennet.

McElroy has pleaded not guilty to the charges.

District Judge Donald Endacott heard testimony by officers and dispatchers involved in McElroy's arrest and three recorded 911 calls about the incident at a suppression hearing in Lancaster County District Court.

Defense attorneys are attempting to suppress evidence gained by officers in the Oct. 12,

See MCELROY on 7

Jurors say they weren't affected by hugs, prayer

By Matthew Waite
Senior Reporter

Jurors who convicted Roger Bjorklund of first-degree murder last November said Tuesday that a prayer and hugs from the judge didn't affect their decision.

Chief Deputy Public Defender Scott Helvie filed motions March 21 to have District Court Judge Donald Endacott removed from the case and a new trial be heard. The motion claimed that Endacott's prayer and hugs violated Bjorklund's constitutional rights, including his right to separation of church and state.

Helvie's motions claim that after the jury was selected in Sidney, jurors were introduced to Endacott, who then asked the jurors to join him in a prayer.

Jurors have said the prayer was something to the effect of "God be with us." Helvie is contending the prayer violated Bjorklund's right to separation of church and state.

After the verdict was handed down, the motions claim that Bjorklund's attorneys witnessed Endacott hugging members of the jury. They claim this action violated laws preventing contact between judge and jury.

The motions were heard and overruled by Endacott on March 23.

Lancaster County Attorney Gary Lacey reopened the motions last week in what University of Nebraska-Lincoln law professor Jo Potuto called a move to prevent the issue from coming up in appeals court.

See BJORKLUND on 6

Thrill seekers issued tickets

By Angie Brunkow
Senior Reporter

Six UNL students and one juvenile were ticketed for trespassing on a Burlington Northern railroad line south of Pioneers Park, officials in the Lancaster County sheriff's office said Tuesday.

Capt. Byford Bruce said deputies found the seven standing on a railroad bridge early Sunday near the intersection of South Coddington and West Calvert streets as they watched an Amtrak train pass. The train was reported to be about three to four feet from their bodies, he said.

"I have a suspicion that it was much closer than that," he said. "They seem to get some sort of thrill."

The students had walked down the train tracks about one-fourth of a mile before they walked onto the bridge, he

See TRAIN on 6

Regent publicly critical of Spanier agenda

By Jeffrey Robb
Senior Editor

NU Regent Robert Allen said Tuesday that although Chancellor Graham Spanier was hurting the University of Nebraska-Lincoln, he should be given the opportunity to change the way he ran it.

Allen, from Hastings, has criticized Spanier for implementing a personal, social agenda instead of focusing on academics. Earlier this week Allen criticized him again, this time in a letter to the editor in The Lincoln Star.



Allen

In that response to a previous letter, Allen stated, "Spanier's style of leadership is causing UNL to lose stature, to become less important to our students and our state."

Allen said Spanier's agenda of political correctness was leading UNL in the wrong direction. Spanier is focusing too much on homosexuals, when they only are 1 to 2 percent of the student body, Allen said.

"He's bringing in a very liberal, sociological philosophy," Allen said, "and it causes problems."

Allen said Spanier's background in sociol-

gy and cohabitation, not administration and academics, led to problems.

Spanier was out of Nebraska on Tuesday, but Michael Mulnix, executive director of university relations, reached Spanier, who said he wouldn't comment on the letter.

Regent Chairman Charles Wilson of Lincoln said if Allen had a problem with the way Spanier ran the university, he should take it up directly with Spanier or with the University of Nebraska Board of Regents or NU President Dennis Smith.

"I don't see what purpose is being served by criticizing the chancellor, criticizing in the press," Wilson said. "Why write a letter to the editor? What's the editor going to do about it?"

Wilson said Allen's view of Spanier was not widely held and "off the mark."

"My perception is that his views are not shared by other persons on the board," he said. Smith also was unavailable for comment.

When he witnessed Allen criticizing Spanier for implementing a social agenda at a regents subcommittee meeting last month, Smith reportedly leaned to ask Wilson if he should say something.

Allen began his criticism of Spanier's policies almost immediately after Spanier began his job in November 1991. One month after starting, Allen said, Spanier wrote a letter to U.S. Sen. James Exon asking that the ban on

homosexuals in the ROTC program be lifted. "I should have realized then we'd be in for these kind of concerns," Allen said.

Allen said he doubted Spanier's background before the university hired him.

"I told him I was surprised he was seeking an administrative position when his background was almost 100 percent sociology," Allen said.

Allen said Spanier's actions had disenchanted students and faculty members at UNL and constituents of his district.

One unnamed professor quit because UNL was dedicated to Spanier's agenda instead of academics, Allen said.

"We want kids to be able to get a good education and get on with their careers," Allen said. "And I hate to see the university getting away from that."

Also, important areas of academia, such as building projects, are being ignored in favor of Spanier's agenda, Allen said.

"I wish (the university) had only positive things that are happening."

Allen said he had tried to talk with Spanier, but the chancellor was not an easy person with whom to talk. Spanier also doesn't seek him out, Allen said.

Spanier should receive credit for some successes, Allen said, like the hiring of Athletic Director Bill Byrne and Joan Leitzel, the senior vice chancellor for academic affairs.

Correction:
The calendar that
appeared in
Tuesday's Daily
Nebraskan
mistakenly
reported that
Cryin' Heart
would be playing
with other bands
Friday and
Saturday night at
Ninth St. Blues.
Cryin' Heart is the
only band
performing those
nights.



◀ A&E

And you are ...

David Spade from
"Saturday Night Live"
does stand-up comedy
in Lincoln tonight.
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Wednesday
73/45
Today, partly sunny
with scattered
thundershowers.



Travis Heying/DN

Jennifer Ziegler, a junior civil engineering major, takes a sediment sample from a scale model of the Missouri River inside the Walter Scott Engineering Center Tuesday afternoon. The model was built to study sediment intake at the Fort Calhoun Nuclear Power Plant. See related story on Page 8.