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## Grand jury investigation challenged

By Brian Sharp  
Senior Reporter

An attorney for indicted Lincoln Police chief Tom Casady argued in court Monday that unauthorized persons in the courtroom during the grand jury investigation were grounds for dismissal of the case.

Fred Kauffman also told Lancaster County District Court Judge Donald Endacott that an oath of secrecy taken by the jurors and witnesses violated Casady's constitutional rights, making it impossible to prepare an adequate defense.

Casady was indicted Dec. 1 on one count of official misconduct. The charge resulted from his action during an investigation into the Francisco Renteria death. Renteria died Oct. 1 following a struggle with police.

Sgt. Ronald Osborn of the Nebraska State Patrol criminal division supervised the investigation and interviewed witnesses prior to the grand jury.

Osborn told the court he was present in the grand jury room for testimony of more than one witness. Osborn said he was there at the request of Special Prosecutor Robert Bartle.

Osborn said he was the first witness Nov. 14, the first day the grand jury convened. He said he was there for part of the rest of the day and again the next day.

His time was spent going over witness reports as they testified, Osborne said. At one time, Osborne said he also passed a note to Bartle's assistant.

Osborn said he appeared three other days to testify, but did not stay. He said Bartle told him not to return after Tuesday.

Over the course of the grand jury, which lasted more than three weeks, Osborn said he entered the courtroom several times when members were in recess to speak with Bartle. It was possible, he said, that he was also seen by some witnesses or jurors at those times.

Kauffman argued that only the prosecuting attorney, court reporter, jurors, witnesses and their attorneys and possibly an interpreter should have been in the courtroom.

During Bartle's questioning, however, Kauffman recalled another lawyer being in the grand jury room representing "a number of parties."

When it comes to knowing what Casady is charged with, Kauffman said, the defense can only guess. It cannot be certain, he said, without knowing what was discussed in deciding to indict Casady for "official misconduct."

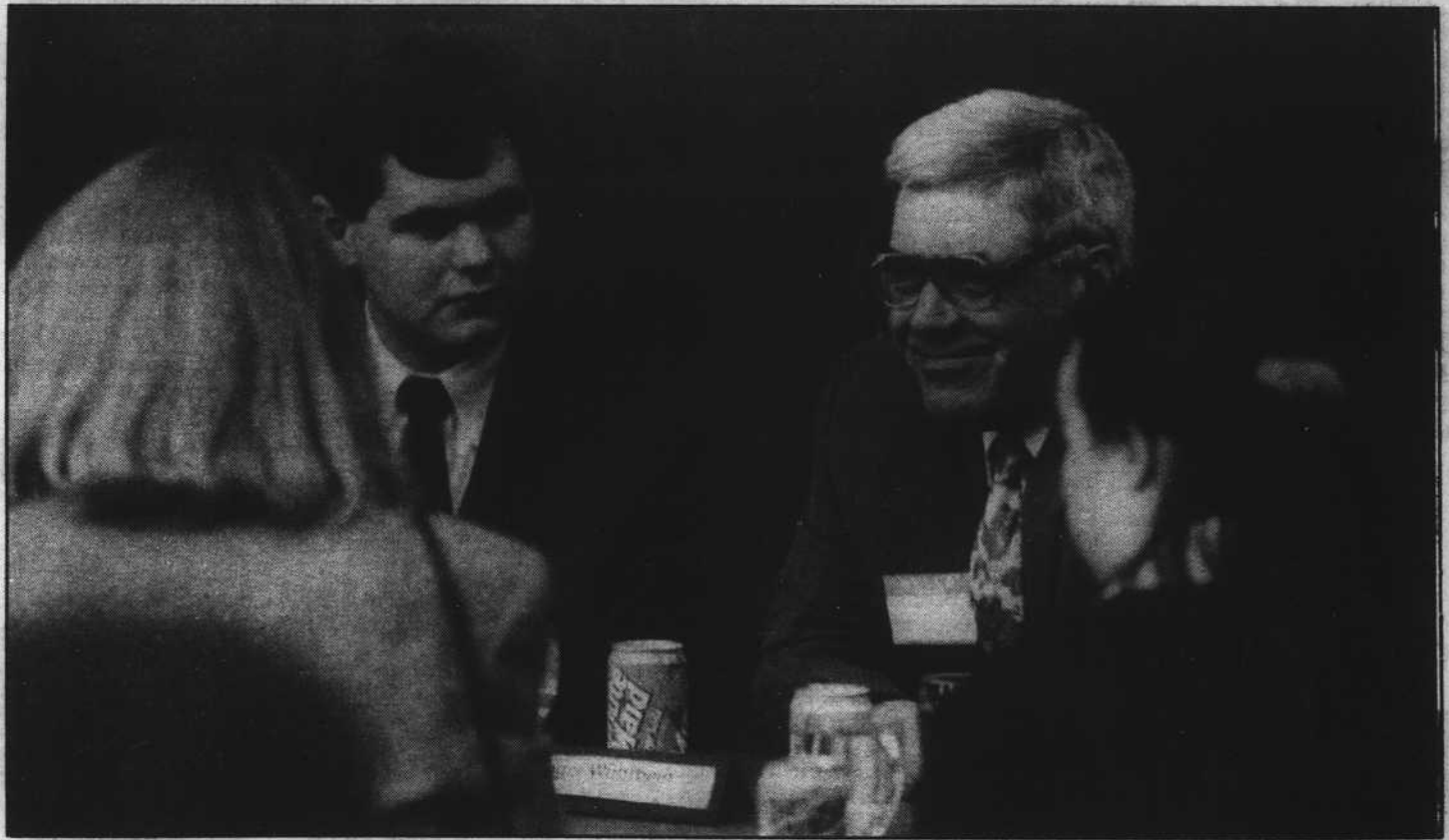
Among the ideas Kauffman spoke of were an editorial Casady wrote in a Lincoln newspaper and a memo sent to Mayor Mike Johanns.

The grand jury oath holds those individuals will not discuss the proceedings outside the courtroom. The result, he said, is that Casady's 5th and 6th Amendment rights to prepare an adequate defense were restricted.

"At this stage it's a serious issue," he said.

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## Lobbying the leaders



Scott Bruhn/DN

Justin Peterson, student regent from the University of Nebraska at Omaha (left), and Sen. Roger Wehrbein of Plattsmouth, chairman of the Appropriations Committee, discuss budget issues with other student representatives at ASUN's Senators on Campus Luncheon Monday at the Wick Alumni Center.

## College funding subject of ASUN luncheon

By Pattyewel  
Staff Reporter

Fourteen state senators and two legislative aides heard student leaders' request Monday that higher education not receive budget cuts.

The senators and aides were at the Wick Alumni Center, 16th and R streets, for the Association of Students of the University of Nebraska's annual State Senators on Campus Luncheon. Approximately 80 people attended the luncheon.

The leaders from several Nebraska campuses presented the senators with a joint resolution, which would be formally announced later in the afternoon. The resolution opposed cuts in higher education funding in Nebraska.

Sen. Roger Wehrbein of Plattsmouth, chairman of the Appropriations Committee, said the resolution would definitely be considered.

Gov. Ben Nelson had proposed an increase in state funding for higher education, Wehrbein said, but other state issues, such as Medicaid and health care, would also have to be considered.

Wehrbein said he hoped the Legislature could grant the proposed increase, but senators would not have a clear picture until May.

Justin Peterson, student regent for the University of Nebraska at Omaha, said representatives from several Nebraska colleges formulated the resolution at a conference held last November in Kearney.

Peterson said the resolution was put together because student leaders wanted to assure Nebraska college students' stance on budget cuts would be heard.

The resolution was adopted by the University of Nebraska-Lincoln, University of Nebraska at Omaha, University of Nebraska at Kearney, Wayne State College, Peru State College, Southeast Community College, Mid-Plains Community College and Chadron State College.

## Resolution calls for more college funding

By Melanie Brandert  
Staff Reporter

State student government leaders urged the Legislature not to cut funding for Nebraska's post-secondary institutions during a joint press conference Monday at the State Capitol Rotunda.

The announcement stemmed from a resolution proposed by various student government leaders in November at the Statewide

Student Government Conference in Kearney. Each student government approved the resolution to present it to state senators this month.

Andrew Loudon, President of the Association of Students of the University of Nebraska, said the cost of education had increased greatly over the last five to 10 years for college students across the state.

"We're here to ask the Legislature to do something about it," he said.

"We represent a broad spectrum of traditional and non-traditional, four-year and two-year students," he said.

"We have one thing in common — we think we're paying too much to receive education in the state of Nebraska."

Loudon said Gov. Ben Nelson had proven his commitment to education by suggesting a 3 percent increase in funding for the

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## McGoveran won't just CUT COST if elected president

Editor's note: This is the fourth in a series of reports taking a look at parties campaigning for the ASUN presidency.

By Matthew Waite  
Senior Reporter

The CUT COST party moniker is a bit of a misnomer.

If its presidential candidate, Mark McGoveran, has his way, costs won't be the only thing that gets the axe. His target: bad policy.

McGoveran, a bearded, 36-year-old non-traditional student, said he intended to do his homework for the job of president.

"I intend on reading every single stitch of

policy that I can get my hands on," he said. "I'm not intimidated by these administrators with big titles and Ph.D.s."

McGoveran, an engineering major, said it was early in the campaign and he was working on a platform, but it was too long to try and convince students to read.

One of the things people can expect from him and Mitch Becker, McGoveran said, was an attempt to "stop financial abuse of students."

McGoveran dislikes one housing policy where students asked to leave school must pay a \$250 cancellation fee, even though they would not be leaving on their own accords.

McGoveran also disagrees with a policy regarding senior checks in which students can

find out only at senior check time whether some credit hours will count toward their degrees. McGoveran said the time to tell students that credit hours wouldn't count was before they took the class.

Even before the ASUN election, McGoveran said he would work to change the selection of homecoming king and queen.

To get rid of bad policies in general, McGoveran proposes to expose them through the media and try to get students to write to the chancellor.

"The press does more toward retooling policy around here than anything else," he said.

Also, McGoveran said, a "policy library" containing rules from around the university needed to be established. He said a policy

library would change the university rules from a "witch hunt to a judicial system."

"You can't find out the rules," he said. "The only time you can find out a policy is when you break it."

McGoveran said he wanted policies as open as state law books, which anyone could read. A policy library would prevent policy from changing to fit situations, he said.

McGoveran said a recent incident where a handicapped student did not make it to class one day because of bad weather was an example of policy changing to fit the situation.

The student was removed from the class because it allowed one absence, McGoveran

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