

White policemen charged with murder in death of black man

PITTSBURGH — Two white policemen were charged with murder Monday in the death of a black businessman who suffocated during a scuffle that Jesse Jackson had branded a lynching. A third white officer was charged with involuntary manslaughter.

Two more officers, both white, escaped charges, and one of them will testify for the prosecution in the Oct. 12 death of Jonny Gammage, 31, a cousin of Pittsburgh Steelers football player Ray Seals.

Seals said he was satisfied with the charges and called for calm. But the victim's mother said all five of the police officers were "mad with rage and evil" and should go to prison.

Prosecutors did not follow a recommendation by a coroner's jury that all five be charged with homicide.

"I have a duty to file only those charges which I believe can be substantiated by admissible evidence at trial," said District Attorney Robert Colville.

Gammage, who managed his cousin's clothing and charity interests, died after a low-speed chase by police that led from suburban Brentwood into Pittsburgh. Two autopsies indicated that Gammage suffocated because of pressure on his chest and neck; the officers said they had to fight to subdue him.

The prosecutor charged Brentwood Police Lt. Milton Mulholland and Officer John Vojtas with third-degree murder and involuntary manslaughter. Evidence of intent would have been needed for the more serious charge of first-degree murder. Second-degree murder involves a killing committed during a felony.

Third-degree murder is punishable by 20 to 40 years in prison. First-degree murder carries up to life in prison or the death penalty.

Officer Michael Albert of Baldwin was charged with involuntary manslaughter, punishable by up to five years.

All three charged officers were released on their own recognizance.

The district attorney said a fourth policeman, Whitehall Officer Sean Patterson, did not appear to be criminally responsible, and Whitehall Police Officer Keith Henderson will be a prosecution witness.

Vojtas' attorney, Jim Ecker, said he is confident his client will be cleared. "He and I both believe in the American system of justice," Ecker said.

Robert DelGreco, an attorney for the victim's family, said Albert should also have been charged with third-degree murder. Albert testified that he applied pressure to Gammage's shoulder and the back of his neck.

"He did this by baton, he did it by foot and he did it by knee," DelGreco said.

Last month, Jackson had called the slaying a "lynching," and the Pittsburgh chapter of the National Association for the Advancement of Colored People had called for charges of first-degree murder. A black leader repeated that call Monday.

"All five of them should be charged with murder because unless a strong message is sent here, it will happen again," said Jim Tarpley, a member of the Million Man March organizing committee. "We have black people here who are afraid to go outside the city of Pittsburgh."

Seals, the son of a police officer, said he would have preferred that all five officers be charged but was generally satisfied. He urged blacks to stay calm.

"To me, it was never meant to be a racial situation. This could have happened to anybody," Seals said.

Gammage's mother, Narves, said in Syracuse, N.Y., that she was satisfied with the top two charges but felt involuntary manslaughter was a slap on the wrist.

"All five officers should serve time. ... None of them tried to stop it," she said. "I think they were mad with rage and evil and they kept on until they caused his death."

Gingrich won't join presidential race

WASHINGTON — House Speaker Newt Gingrich ruled out a 1996 presidential run Monday, leaving a clearly defined field to fight for the GOP nomination and little doubt the speaker will himself be a campaign issue.

It had long been clear that Gingrich was unlikely to join the presidential race, but not until Monday did he slam shut the door. He said he would not endorse a candidate, but hoped to serve as chairman of the Republican convention next August in San Diego.

Explaining his decision, Gingrich listed the daunting challenge he faces in trying to shepherd a balanced budget through Congress, calling it "one of the most important decisions we've made in domestic government in the last 60 years."

Political calculations also played a part. Iowa's caucuses and New Hampshire's primary are less than three months away, followed by a blizzard of early primaries.

"I didn't see how I could be both speaker of the House and run a campaign of that scale," Gingrich said.

In his year as speaker, Gingrich has become a controversial, polarizing political figure, viewed negatively by 57 percent of Americans

"I didn't see how I could be both speaker of the House and run a campaign of that scale."

NEWT GINGRICH

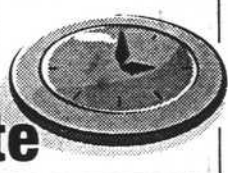
House Speaker

in one recent poll. Disapproval of Gingrich is often cited by Republicans when they are asked to explain declining support for the GOP agenda.

His decision leaves the GOP field with a clear front-runner, Senate Majority Leader Bob Dole. Texas Sen. Phil Gramm, former Tennessee Gov. Lamar Alexander, publisher Steve Forbes and commentator Pat Buchanan are among those clamoring for an opening or a Dole stumble.

For his part, Dole is working feverishly to create the impression his nomination is all but inevitable. Just Monday, Wisconsin Gov. Tommy Thompson became the 16th of the 30 Republican governors to endorse Dole.

News in a Minute



Court rules against demonstrators

WASHINGTON — The Supreme Court piled on more bad news for anti-abortion activists Monday, refusing to free five demonstrators from paying nearly \$100,000 in lawyer fees to an abortion clinic they targeted.

The action, taken without comment in a case from Sacramento, Calif., extended abortion foes' recent losing streak in the nation's highest court. It marked the first time the issue of lawyer-fee awards in abortion-linked litigation had been considered by the justices.

"That the court would let this \$100,000 penalty stand is outrageous and sends a very chilling message to pro-life demonstrators," said Jay Sekulow, a lawyer with the anti-abortion American Center for Law and Justice.

'Happy Face' conviction leads to release

SALEM, Ore. — A man and a woman who served four years for a 1990 strangling were released from prison Monday, three weeks after the "Happy Face Killer" was convicted of the crime.

"There's no longer any doubt that these two individuals are innocent. The evidence is compelling," Circuit Judge Paul Lipscomb said.

Laverne Pavlinac, 62, and her former boyfriend, John Sosnovske, 42, went free two months after Keith Hunter Jespersen confessed to the strangling of Tanya Bennett. He was convicted of the murder on Nov. 2.

Jespersen was nicknamed the Happy Face Killer for the smiley faces he drew on letters claiming responsibility for eight murders.

Pavlinac had told police she helped her boyfriend kill Bennett and dispose of her body. But at her trial, Pavlinac recanted, saying that she had lied in an attempt to escape her abusive relationship with Sosnovske.

Failed deal may mean higher rates

WASHINGTON — A failure by Congress to reach a balanced budget agreement could lead to a "sharp increase" in the cost of mortgages and other interest rates, Federal Reserve Chairman Alan Greenspan said Monday.

"I think the reaction could be quite negative" in the financial markets, Greenspan said at a Senate Banking Committee hearing.

For months, Republicans have been making the argument that failure to work out a budget deal could hurt the financial markets, and ultimately raise the cost of borrowing for consumers. Greenspan's comments, made in response to questions by Sen. Pete Domenici, R-N.M., chairman of the Senate Budget Committee, bolstered the GOP's arguments.

Jurors told that police destroyed evidence

LOS ANGELES — Jurors rolled their eyes and shook their heads Monday when told that police accidentally destroyed evidence in the drive-by murder case against rapper Snoop Doggy Dogg and another man.

During opening statements, Deputy District Attorney Ed Nison said he could not produce the bloody clothes of victim Philip Woldemariam, collected by police from the carport where 20-year-old man died.

But Nison said there was evidence that the rapper, whose real name is Calvin Broadus, and co-defendant McKinley Lee were involved in the 1993 shooting.

Dole, N.Y. officials blame Hollywood for subway fire

NEW YORK — There were no arrests and few leads in the torching of a subway token booth on Monday, but Senate Majority Leader Bob Dole and police officials pointed the finger at one alleged culprit: Hollywood.

In a virtual replay of scenes from the new movie "Money Train," two men squeezed a flammable liquid into a subway token booth on Sunday and ignited it, blowing it up and critically burning the clerk.

"That just may be an eerie and frightening coincidence, but coming only a few days after the movie was released, it offers a powerful reminder of the influence Hollywood has over our society and our culture," Dole said while campaigning in Iowa for the Republican presidential nomination.

A statement from Columbia Pictures, which released the film, said its makers were "appalled and dismayed" by the real-life fire. But a Columbia spokesman, Ed Russell, wouldn't comment on whether the studio acknowledged a possible connection.

Dole's comments echoed those made earlier by Police Commissioner William Bratton and city transit officials. They, too, cited the new action movie as a possible blueprint for the crime.

The clerk, Harry Kaufman, was in extremely critical condition Monday with third-degree burns over 80 percent of his body. The motive was apparently robbery.

"Somebody blew up my booth. ... Please help me," Kaufman told a police officer as he came up the station stairs, screaming and in flames.

Kaufman, 50, told investigators that one of the attackers had used a soda bottle to squirt the liquid through the token slot and the other man lit it.

A fire-prevention system designed to release a flame-stifling chemical never went off in the Brooklyn subway booth. The two men fled, leaving behind a rifle.

Police concluded that at least one of the men was injured after finding a charred black glove on a different stairwell leading to the street. Hospitals were alerted to watch for suspicious burn victims, said transit bureau Chief Kenneth Donohue.

Donohue and transit officials gathered Monday morning at a token booth at another Brooklyn station to demonstrate the fire-protection system for the media, in part to discourage copycat attacks.

Installed after a rash of firebombings in the late 1970s, the multimillion-dollar system is triggered by an ultraviolet camera suspended from the booth ceiling and aimed at the token slot, transit officials said.

Investigators were testing residue found on the ultraviolet sensor recovered from the scene of Sunday's attack in hopes of determining if someone put a cup or a coat over it, a trick used by some clerks so they can smoke cigarettes inside the booths, officials said.

Clinton

Continued from Page 1

the most dangerous U.S. military operation since the Persian Gulf War.

Clinton tried to assuage fears that the operation would evolve into a major conflict, what critics refer to as "mission creep." Four times in the speech he described the operation in narrow terms — "limited, focused" — and said it would have "realistic goals that can be achieved in a finite period of time."

The American troops would be part of a 60,000-man NATO force enforcing a 600-mile long separation zone between the warring factions. Headquartered in Tuzla in northeast Bosnia, the Americans would be deployed in a mountainous, mine-strewn countryside in harsh winter conditions.

The dangers would be compounded by the bitter ethnic rivalries and suspicions that tore apart Yugoslavia. To some in Bosnia, the NATO troops are more likely to be seen as an unwelcome occupying force than as peacekeeping savors.

The mission comes on the heels of an agreement signed in Dayton, Ohio, last week to stop the bloodiest fighting in Europe since World War II, claiming 250,000 lives.

"We must not turn our backs on Bosnia now," Clinton said. "And so I ask all Americans — and I ask every member of Congress, Democrat and Republican alike, to make the choice for peace. In the choice between peace and war, American must choose peace."

Daily Nebraskan

Editor J. Christopher Hain
472-1766

Night News Editors Julie Sobczyk
Matt Waite

<http://www.unl.edu/DailyNeb/>
FAX NUMBER 472-1761

The Daily Nebraskan (USPS 144-080) is published by the UNL Publications Board, Nebraska Union 34, 1400 R St., Lincoln, NE 68588-0448, Monday through Friday during the academic year; weekly during summer sessions.

Readers are encouraged to submit story ideas and comments to the Daily Nebraskan by phoning 472-1763 between 9 a.m. and 5 p.m. Monday through Friday. The public also has access to the Publications Board. For information, contact Tim Hedegaard, 436-9253, 9 a.m.-11 p.m.

Subscription price is \$50 for one year.
Postmaster: Send address changes to the Daily Nebraskan, Nebraska Union 34, 1400 R St., Lincoln, NE 68588-0448. Second-class postage paid at Lincoln, NE.
ALL MATERIAL COPYRIGHT 1995 DAILY NEBRASKAN

CORRECTIONS AND CLARIFICATIONS

Monday's Daily Nebraskan incorrectly reported the dates for cap and gown fittings for December graduates. The correct dates were Monday and today.