

Submerged

With a record-breaking swim at the conference meet, NU freshman swimmer Shandra Johnson has jumped into the Big 12 spotlight. **PAGE 7**



Radio, radio

Radio King, a local rockabilly band with a penchant for all things aged, will bring its swank style and sounds to the Zoo Bar Thursday. **PAGE 9**

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SAME #&?@ DIFFERENT DAY

Mostly cloudy, high 32. Chance of snow tonight, low 20.

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Accused murderer deemed unfit for trial

Suspect in the killing of a UNL student may still be found competent

By **JOSH FUNK**
Senior Reporter

The man accused of brutally murdering a UNL student in 1995 was found incompetent to stand trial for the crime Monday.

Lincoln Regional Center staff determined that Gregory Gabel was unfit to stand trial for the July 25, 1995, stabbing death of 18-year-old Martina McMnamin, but the court will have the final say in determining Gabel's competency.

Lancaster County Attorney Gary Lacey did not return calls to the Daily Nebraskan on Tuesday, but he has said

he would contest the Regional Center's evaluation.

A team of Regional Center psychiatric staff evaluated Gabel on 20 separate criteria to determine competency, said Jim Mays, director of forensic mental health.

Evaluators use a series of several different tests to determine if someone can stand trial, Mays said.

The 20 areas of a competency eval-

uation are used to make sure defendants understand the charges and procedures they face and that they can assist in their own defense, he said.

Gabel had been diagnosed as schizophrenic by the Regional Center before the arrest when he lived in a Lincoln housing program for mentally disabled residents.

The court now will take the Regional Center's recommendations into consideration at an upcoming competency hearing where either side can contest the findings, said David Babcock, Health and Human Services chief legal counsel.

If Gabel's competency is challenged, he will be reevaluated by another court-appointed psychiatrist.

But therapists do not start from scratch, Mays said.

"Lacey's challenge is understandable with the importance of this case," Babcock said.

But the Regional Center is confident its findings will be upheld.

In 18 competency evaluations last year, the Regional Center's recommendations were never overruled, Mays said.

"We welcome second opinions," Mays said, "because clinical professionals must evaluate patients on the same criteria we use."

If the court also finds that Gabel is unfit to stand trial, he will be committed to the Regional Center where he will be treated, Babcock said.

"We work on specific areas a patient is deficient in to restore competency," Mays said.

Gabel could stand trial at a later date if his psychiatric state changes, but there is no set timetable for his reevaluation, Mays said.

However, if a patient does not respond within a certain time frame, the Regional Center would make additional recommendations to the court on the likelihood of the defendant regaining competency.

The Associated Press contributed to this report



Gabel

Burger war under way

By **IEVA AUGSTUMS**
Assignment Reporter

The King could still reign. Somebody might say McDonald's. But not if Grandma has her say.

Student preference will help decide if Burger King, Runza or McDonald's will occupy the Nebraska Union's largest fast food spot, Nebraska Unions Director Daryl Swanson said.

Swanson told the University of Nebraska-Lincoln Union Board members Tuesday a survey should be conducted to serve the university's and restaurants' best interests.

"The most important criteria in deciding something like this is student preference," Swanson said.

Swanson said a random sample of about 300 students will be surveyed over the telephone by

UNL's Bureau of Sociological Research.

"We have used student surveys before for food selection in the union," Swanson said. "Scientific surveys always seem to be the best way to determine what a large population wants and likes."

The survey will include questions regarding brand recognition, cleanliness and sanitation practices of the restaurant, restaurant performance and sales, food quality and service and taste.

Union Board will give the results strong consideration in the final selection, but it still will consider the total amount of the bids, regardless of the survey's results.

"What it comes down to is comparing their projected sales," Swanson said. "This will be hard."

Swanson said the total amount of rent each restaurant pays is determined by its annual gross sales.

If gross sales were based on

\$900,000, Runza would be the highest bidder, followed by Burger King then McDonald's, he said.

Union Board President Saad Alavi said the board needs to look at how much money each restaurant will make.

However, the comparison between Runza's "home town" sales to two national chains' sales is not equal.

Jeff Barwig, public relations chairman, agreed and pointed out that Runza does not serve breakfast, while Burger King and McDonald's do.

Swanson said Runza acknowledged in its bid that it does not include a breakfast menu, but it will look into providing one, he said.

After the survey is completed, the results will be reviewed by Union Board. The ultimate decision, however, rests with the NU Board of Regents.

Traffic projects discussed

By **IEVA AUGSTUMS**
Assignment Reporter

Academic Senate

The UNL Academic Senate agreed Tuesday that shared governance is needed to open up the doors of communication between faculty and administration.

President James Ford said the Academic Senate Executive Board brought the idea of shared governance to University of Nebraska-Lincoln administration, which was "generally receptive and supportive of the issue."

However, senate members flooded Chancellor James Moeser with questions, wanting to know why there was no shared governance in the Antelope Valley development project.

Don Jensen, a professor of psychology, asked who decided to carry out the project that will help aid Lincoln's growing problems with floodwater management and UNL traffic control and safety.

"I am just concerned about who were the deciding bodies with this project," Jensen said.

Moeser said panels with faculty representation examined the flow of traffic through campus and identified areas of concern.

"Sixteenth and 17th streets are a major safety concern for the university," Moeser said.

The Antelope Valley plan was ideal, he said, because it would

block off those two streets and carry local two-way traffic instead.

Jensen said he did not see the point in making 16th and 17th streets two-way when the current one-way traffic is safer.

Susan Hallbeck, an industrial and management systems engineering professor, agreed.

"I work in Nebraska Hall and cross 16th and 17th streets daily," Hallbeck said. "I feel comfortable crossing these streets - more than some two-way streets in Lincoln."

Hallbeck said she hasn't seen or heard about any traffic injuries on 16th and 17th streets because of the one-way traffic.

Please see **SENATE** on 2

It's crunch time



SCOTT McCLURG/DN

SEN. CURT BROMM of Wahoo, left, discusses an amendment to a public school finance bill on the floor of the Legislature Tuesday as **Sen. Ardyce Bohlke** of Hastings prepares to do the same. Senators are running out of time to move bills with only four weeks left in the 1998 session.