



Nepotism

Winning stays in the Nebraska volleyball family with two victories last weekend over Texas and Texas A&M. PAGE 10



Alas, Jerusalem

Jerusalem Cuisine, Lincoln's own Mediterranean oasis, is pleasing customers with its healthy, affordable and tasty menu. PAGE 12

October 21, 1998

WELCOME BACK, CLOUDY

Partly cloudy, high 60. Clearing tonight, low 32.

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UNL violated no state law, report finds

By LINDSAY YOUNG
Senior staff writer

Lancaster County Attorney Gary Lacey found no reason to file charges against the university after reviewing a report produced by investigators looking into alleged criminal misconduct in UNL's anthropology department.

Lacey announced Monday that the state patrol's investigation found no evidence of any violation of state criminal code, including the state Unmarked Human Burial Sites and Skeleton Remains Protection Act of 1989.

That act makes the failure to report the discovery of human burial sites within 48 hours of their discovery a crime.

The investigation, which began last summer, sprung from dozens of allegations made by American Indians and anthropology faculty members regarding the University of Nebraska-Lincoln's handling of American Indian remains.

They alleged the remains were studied and stored in ways that violated both state and federal laws.

Lacey said he received the patrol's completed report about a week ago.

Those results were sent Monday to U.S. Attorney Tom Managhan to determine whether the patrol's investigation may present any evidence that UNL violated the federal Native American Graves Protection and Repatriation Act of 1990.

The act prohibits the study of American Indian remains without tribal permission.

Pemina Yellow Bird, a NAGPRA representative for the Three Affiliated Tribes in Kansas, said area tribes were preparing separate resolutions asking for a federal investigation.

The tribes have considered a state inquiry since mid-September because of doubts the state investigation's validity.

A university-hired attorney, Robert Gritit, with the Lincoln law firm Baylor Ewen Curtiss Gritit and Witt, also is investigating UNL's handling of remains. His report's release was delayed until the state patrol finished its investigation.

Chancellor James Moeser said Gritit will be reporting to UNL whether state laws were violated, as well as whether UNL policy was violated. The release date has not been announced.

Moeser had not had a chance to look at the state's report as of Tuesday evening but said he was optimistic. "I'm pleased to learn that there's no violation of state law," Moeser said.

Vice Chancellor for Research and NAGPRA Coordinator Priscilla Inew said she would not comment on the results of the state investigation because she had not seen the report.

The report infuriated Yellow Bird and other American Indian tribal representatives.

Tribal representatives said state investigators were not objective in their inquiries into allegations.

Dozens of allegations, some of which the state patrol looked at, included illegal handling of remains and death threats to those at the university involved in the case.

The investigation produced no substantial evidence to support those allegations, Lacey said.

Randy Thomas, a Southern Ponca Tribe of Oklahoma representative, said many of the allegations had been documented in the past, but the state investigators did not look at them.

Some of those allegations would be investigated by university police because they were not criminal allegations, said Sgt. Mark Funkhouser, a state patrol investigator.

Yellow Bird said key witnesses were not interviewed in the initial investigation. Some were interviewed after Lacey had requested the patrol clarify its first report last month, she said.

The case's chief investigator, Bob Frank, did not return calls to the Daily Nebraskan on Tuesday.

Tribal representatives also said the investigation yielded a possible conflict of interest. Yellow Bird and Thomas both said some of the UNL personnel who were being investigated have done forensic work for the state, which could have caused the conflict.

"I'm extremely disappointed," Yellow Bird said. "I still maintain laws were broken. The investigation was not very thorough."

Chalk 'em up



NU VOLLEYBALL COACH TERRY PETTIT accepts a game ball from Athletic Director Bill Byrne on Sunday after the Huskers defeated Texas A&M in four games. The win marked Pettit's 700th collegiate victory.

MATT MILLER/DN

Election '98

Debate takes contentious turn

By BRIAN CARLSON
Staff writer

KEARNEY — The final gubernatorial debate of 1998 grew testy Tuesday as Democrat Bill Hoppner attacked Republican Mike Johanns' honesty and courage, and Johanns fired back that Hoppner's ideas were failed relics of the past.

The loosely structured format of the debate, held at the University of Nebraska at Kearney two weeks before Election Day, produced free-wheeling exchanges denounced by Johanns as negative campaigning but characterized by Hoppner as legitimate probing of Johanns' record and public statements.

During the debate, in which questions could be asked at any time by the moderators and the time for answering was unlimited, Hoppner continued to attack Johanns for his early support of a ballot initiative to limit the growth of state revenue. Johanns reversed that position over the summer.

Hoppner claimed Johanns is a closet supporter of Initiative 413, citing campaign contributions to Johanns by initiative supporters. He also mentioned a statement by University of Nebraska Regent Drew Miller on a KFAB radio program Tuesday in which Miller said Johanns actually supports 413 but has publicly opposed it to improve his election prospects.

"For Johanns, this is just an issue to be overcome, not an issue for leadership,"

Hoppner said after the debate. Johanns said he has clearly stated his opposition to 413 and intends to vote against the initiative. He chided Hoppner for what he said was an unfair attack on his integrity.

"I will never attack the integrity of my opponent," he said.

Johanns and Hoppner also disagreed about spending priorities in Nebraska's future. While Hoppner said he would seek to improve government efficiency by flattening administrative costs, Johanns said he would target the state's welfare rolls for cuts.

"Somehow there is a disconnect," Johanns said. "According to projections, welfare will

Please see DEBATE on 6

Students question advertising tactics

By TODD ANDERSON
Senior staff writer

After dueling through letters and press conferences, state Democratic and Republican party leaders agreed this year's campaign has been relatively positive.

But students at UNL remain skeptical about the candidates' messages when listening to television and radio advertisements.

Following three debates between Democratic gubernatorial candidate Bill Hoppner and Republican candidate Mike Johanns, a discussion has developed about the definition of negative campaign advertising

and mudslinging. Johanns has accused his Democratic opponent of engaging in negative attacks on his record and vowed himself not to conduct a smear campaign.

But Democratic chairwoman Anne Boyle said an opponent's record and campaign statements are fair game for criticism if they are inaccurate or distorted.

Boyle and Republican party Chairman Chuck Sigerson have called on each other to lead clean campaigns, especially during the final two weeks of the election, when tension is heightened.

Sigerson called on the Democratic party leaders to "take the high road" during the last

two weeks of the 1998 election year and criticized Boyle for not taking positive campaigning seriously.

He said purposely distributing incorrect information about the other party's candidate would constitute negative campaigning.

Both Boyle and Sigerson said this year's campaign has been one of the cleanest in recent history.

Boyle said she expects her party's candidates to follow a strict code of conduct because voters expect the people they elect to behave responsibly.

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