

Despite NATO warnings, Serb forces launch attack

MALOPOLJE, Yugoslavia (AP) — Defying global outrage over the massacre of civilians, Serb forces pounded villages Monday with artillery. The government also ordered the American head of the Kosovo peace mission to leave the country and barred a U.N. investigator looking into the massacre.

Fighting spread Monday to northern Kosovo, where ethnic Albanian rebels attacked a Serb vehicle, wounding five policemen in an ambush 25 miles northwest of the provincial capital, Pristina.

The defiant moves after last week's massacre of 45 ethnic Albanian civilians indicated President Slobodan Milosevic was willing to risk further international pressure in his campaign against rebels seeking independence from the main Yugoslav republic, Serbia.

NATO's supreme commander, Gen. Wesley Clark, and German Gen. Klaus Naumann, planned to fly to the Yugoslav capital of Belgrade on Tuesday to warn Milosevic he faces military action unless he abides by the U.S.-negotiated Oct. 12 deal that ended seven months of fighting.

In comment broadcast on CNN, Clark said NATO could be prepared to

act militarily within days or hours. "This is going to be a very clear and a very blunt message," the U.S. general said.

Kosovo's Serb minority and Milosevic's ultranationalist allies have been demanding the government crush the ethnic Albanian Kosovo Liberation Army.

Tensions rose dramatically Saturday after international verifiers found the bodies of 45 ethnic Albanians, including three women and a 12-year-old boy, in a gully near the village of Racak, 20 miles south of Pristina.

William Walker, the American head of the international peace verification mission, accused Serb police of the massacre, despite government claims the dead were guerrillas killed in combat.

Late Monday, the Yugoslav government, in a statement distributed by its Tanjug news agency, declared that Walker's comments were in "flagrant violation of the agreement made" with the Organization for Security and Cooperation in Europe, which oversees the October agreement. The government ordered Walker to leave Yugoslavia within 48 hours.

The U.N. Security Council con-

demned the killings and called for an immediate investigation. The council also urged Yugoslavia to reverse its decision to expel Walker.

In Vienna, Austria, David Johnson, the U.S. ambassador to the OSCE, expressed outrage Monday over Yugoslav authorities' "scandalous attempt to present the cold-blooded slaughter and mutilation of civilians as a military operation against terrorists."

In Brussels, Belgium, NATO spokesman Jamie Shea called the expulsion order "outrageous." He told the British Broadcasting Corporation that he hoped Yugoslav authorities would "come to their senses and reconsider this unwise decision."

Earlier Monday, Yugoslav guards at the Macedonian border turned back U.N. war crimes prosecutor Louise Arbour when she tried to cross into Kosovo to investigate the massacre.

U.S. State Department spokesman James P. Rubin on Monday expressed "grave concern" over the decision to block Arbour. In a statement, he said "there can be no excuse" for Yugoslavia's failure to meet its obligations to the Security Council and to the International Criminal Tribunal for the Former Yugoslavia.

Bill targets death sentence bias

■ LB391 aims to allow courts a way to commute sentences in capital cases when racial discrimination could be a factor.

BY JESSICA FARGEN
Senior staff writer

Under a proposed bill, racial disparity in sentencing individuals to the death penalty could be used as a defense in capital murder cases, if supported by statistical evidence.

Lincoln Sen. David Landis introduced LB391 last week, which would allow a lower court or the Nebraska Supreme Court to commute a sentence from death to life in prison if evidence of racial discrimination was shown.

The type of statistics used as proof of racial discrimination could include the number of homicides compared to the racial make-up of death row or the race of the victim and the murderer, and how race relates to the sentence received.

Landis said the recent case of

Legislature

Randy Reeves, an American Indian man sentenced to death for the 1980 murders of Victoria Lamm and Janet Mesner, did not spark introduction of the bill. Reeves' execution was stayed Jan. 12.

Landis said it is possible that race has been a factor in past capital punishment sentencing, and often is used as an argument against the death penalty.

Omaha Sen. Ernie Chambers, who once again introduced a bill to abolish the death penalty in Nebraska, said he supported the bill.

"There's racism from stem to stern in the criminal justice system, and the most crucial area falls within that realm when the state will kill a person," Chambers said. "(LB391) will focus attention and discussion on an aspect of the criminal justice system which has escaped needed, detailed

scrutiny." Although he had not read the bill, Wahoo Sen. Curt Bromm was skeptical of using statistics as a defense against a death penalty sentence.

"That's why we have judges doing the sentencing, not computers," Bromm said.

Elkhorn Sen. Dwite Pedersen said although he is pro-capital punishment, LB391 sounded like something he might support.

Pedersen, a member of the Judiciary Committee, said the Reeves case was an example where the death penalty appeared to be applied unfairly.

Reeves was sentenced to death for a murder he committed while drunk and on drugs, but drunken drivers who commit motor vehicle homicide do not receive the death sentence, Pedersen said.

"I am still pro-death penalty," Pedersen said, "but I think it needs to be fair and consistent."

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