

## The Daily Nebraskan News Poll

We've got the questions for your answers

### LAST WEEK'S QUESTION:

Was renovating Memorial Stadium worth the \$36 million price tag?

**60 % YES\***

**30 % NO**

\*out of 185 voters

### THIS WEEK'S QUESTION:

When out on the weekends... how many drinks (beer or liquor) do you have?

cast your vote at [www.DailyNeb.com](http://www.DailyNeb.com)

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# Homicide study edges closer to a beginning

DEATH from page 1

University of Florida, applauded the committee and the Legislature for taking up the issue.

"Nebraska is at the very forefront (of the nation) in its concern about proportionality," Radelet said.

### Looking back

Proportionality lies at the heart of the debate.

Opponents of the death penalty claim that in Nebraska, as in other states, members of minorities are disproportionately likely to be sentenced to death, and opponents point to the number of minorities on Nebraska's death row as proof.

According to J. Kirk Brown with the Attorney General's office, there are currently 10 people on Nebraska's death row, two of whom are minorities.

Only three people have been executed in Nebraska since the death penalty was reinstated by the U.S. Supreme Court in 1973; two of them were black.

Curtis contends that the numbers don't tell the whole story.

"(A disproportionate number of) minorities on death row is not evidence of unfair treatment," he said.

"You also have to investigate how many crimes they commit, how they are charged and how the trial proceeds. The real issue is, given two individuals who have committed similar crimes, is one more likely than another to receive a death sentence?"

The issue of proportionality deals not only with race, but also gender, religious preference, economic status and the relationship between criminal and victim.

Some legislators suspect the death penalty is being applied inconsistently apart from any of these factors.

"I think that the study will show that the death penalty is disproportionately applied even among members of the same race," said state Sen. Kermit Brashear, who is chairman of the Legislature's judiciary committee.

Although private groups have studied the death penalty in Nebraska, the state has never compiled a comprehensive

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**KERMIT BRASHEAR**  
state senator

file of homicide cases. This lack of central records has hampered Nebraska's Supreme Court for years.

The state statutes' proportionality clause says the court "shall compare each case with previous ones involving the same or similar circumstances. No sentence imposed shall be greater" than those in similar cases.

"This bill (LB76) was created specifically in response to a series of Supreme Court cases over the years asking for this data (on homicides in Nebraska)," Brashear said.

Another major problem exists in the type of information available to commission members, Curtis said. The key factors in determining whether the death penalty is warranted are mitigating and aggravating factors.

What these are in given cases is determined by the judge.

But this occurs only in those murder cases that actually go to trial. If a guilty plea is entered or a plea bargain reached, there is no official record.

This leaves the committee with little to look at, Curtis said.

Researchers would have to interview the original judge and attorneys, as well as sift through mountains of transcripts, court records and attorneys' notes.

Nearly everyone at the hearings agreed that such primary research was necessary.

### Small numbers

Further confusing the issue is the sheer lack of cases to compare and number of variables to consider.

Around 1,200 homicides have occurred in Nebraska since 1973; of these, Curtis and others at the hearings

estimated that about 300 are comparable cases where the death penalty could have been sought and wasn't.

Only a few dozen death sentences have been handed down.

"Even if the results of the study point toward a disproportionality, they probably won't be statistically conclusive," Curtis said.

In his testimony to the committee, state Sen. Gerald Matzke of Sidney agreed.

"My fear is that every single murder case is different, unique, and I do not know how it is humanly possible to approach the issue of proportionality by judging a multitude of very serious cases," Matzke said.

Brashear believes otherwise. "I think that the results of the study will be conclusive," he said. "Either the death penalty is being applied proportionately, or it is not."

If nothing else, the study should shed light on the way that murder cases are handled in Nebraska, Curtis said.

"I hope we can improve the criminal justice system as it relates to the death penalty," he said. "That's what the commission is charged with, making sure that justice is administered fairly."

But state Sen. Ernie Chambers of Omaha wasn't so optimistic at the Omaha hearing.

"All of us know that there are county attorneys who don't believe in the death penalty," Chambers said. "So long as there is prosecutorial discretion, we're going to have 93 different death penalty laws in Nebraska."

The commission will meet to give the study final approval at a public meeting Oct. 8. The final report is due to the governor, Legislature and state Supreme Court by Jan. 1, 2001.

## Blum appraised by colleagues

BLUM from page 1

under van Rossum, who was in charge of the transitional programs office at Southern Illinois.

"I'm kind of proud because she was one of my first graduate students that turned professional," van Rossum said. "I've kind of watched her mature professionally."

Upon arriving in Nebraska after her husband, Michael Blum, landed a job as a geology associate professor, Rosemary Blum returned a favor to van Rossum.

Serving as student ombudsperson at the time, Blum faxed van Rossum an application in Southern Illinois for a spot in UNL's Multicultural Affairs office.

Van Rossum now works in the office, thanks to his former apprentice.

Besides her background experi-

ence and her outstanding work ethic, Blum excels in many other avenues of life as well, van Rossum said.

"She's a wonderful mother to her boys. She gives them every bit of time that she can, and I think that's part of Rosemary - the total person," he said.

Blum said she liked to include her children in her life at all times.

For instance, she said, she enjoys attending her son David's soccer and basketball games when she can. Blum also has a 3-year-old son, Brian.

Besides attending her son's games, she said, one of the things she enjoys most was traveling.

The only state Blum hasn't seen yet is Alaska.

Now in Nebraska, she said, her goal is to increase the awareness of the student code of conduct.

"It's an educational mission," Blum said. "We want to make sure

everybody behaves within their rights as well as their responsibilities."

Some of Blum's own responsibilities include imposing sanctions on students, explaining to students their due process and acting as an adviser to the Judicial Board and Appeals Board.

Though she can be a stern director, she said, she also knows how to relate to the students.

"I'm pretty strict about holding people accountable," she said. "I'm not a big believer in excuses ... but I think I'm pretty easy-going and approachable."

James Griesen, vice chancellor for student affairs, said Blum's experience made her an excellent choice for the position.

"I'm very impressed with her ability to grasp the demands of the job and her handling of the business at the office in a very efficient manner."

## Sorority stays, renovation plans grow

SORORITY from page 1

The university told the sorority that a new house would be built for them at the corner of 16th and R streets and that they would be paid replacement costs for the old house.

Through the task force, sorority members found out that replacement costs were small compared with what the price of the new house would be.

About 60 sorority women attended a regents meeting at the end of the 1998 fall semester to voice their concerns, Miley said.

At that meeting, UNL Chancellor James Moeser pledged not to use eminent domain to acquire the land where the house is.

It also was decided that if an agreement satisfying both the university and the sorority was not reached by Aug. 1, the house would stay put.

Cindy Cammack, member of the Alpha Chi Omega building cooperation board, said the university notified sorority members of its decision early this summer, before the Aug. 1 deadline.

Cammack was unsure why the

university made that decision, but she assumed it was financial.

Now, Miley said, there are renovations to be made in the old house because it will not be moving.

Tentative plans include the installation of air conditioning, a new computer lab and suite-style rooms.

Tracy Prater, a junior who has lived in the house for two years, said she is relieved the sorority does not have to relocate.

"(Moving) is a huge step," Prater said. "We're glad the university worked with us."