

# Law & Order

## Murder conviction against Nebraska man reinstated

The Nebraska Supreme Court reversed a court of appeals opinion Friday, reinstating a second-degree murder conviction against a Nebraska man.

Daniel L. Owens was found guilty of second-degree murder, discharging a firearm at an occupied vehicle and use of a weapon to commit a felony after a 1997 shooting left a Springfield teen-ager dead, the ruling said.

He allegedly fired an automatic pistol into a jeep carrying four teen-agers returning from getting "Slushies" in a nearby town, the ruling said.

The teen-agers told police Owens was throwing fireworks out of his Ford Escort. The driver of the Jeep said police told him to follow Owen's vehicle, which he did for six to 11 miles, court documents said.

The teen-agers pulled next to Owen's car at a stop light at Interstate 80 and Highway 50, apparently ending the chase, court documents said.

Owens then fired three times into the Jeep, hitting Joel Kudym in the head and killing him, court documents said.

Owens appealed the convictions. The appeals were affirmed after an appeals court ruled Owens was acting in self defense, stating that the "occupants of the Jeep" represented a group of possible attackers.

The appeals court also ruled the district court was wrong to not allow testimony to clear up a prior inconsistency in witness statements.

The Supreme Court ruled the appeals court did not properly instruct the jury on whether the

threatening actions of people justified use of force.

"Merely identifying a group of possible assailants, such as 'the occupants of the Jeep Cherokee,' and directing the jury to consider whether anyone in this group threatened the defendant, impermissibly broadens (a state statute defining when force is allowable in self defense cases)," Chief Justice John Hendry wrote in the opinion.

## Court orders to suppress evidence in meth case

The Supreme Court affirmed a district court's order Wednesday to suppress evidence seized by a Lancaster County Sheriff's deputy without a warrant from a Lincoln man.

Deputy Michael Scofield seized marijuana and methamphetamine from Brian Runge after stopping the man around 2 a.m. July 29, 1998.

The drugs were taken from a fanny pack Runge was wearing and Runge was charged with possession of methamphetamine.

The State's appeal of the motion to suppress the drugs during trial was based on the "plain view doctrine," which allows officers to seize evidence if they are legally in a position to see the evidence and it is of an obvious incriminating character.

The district court found that the baggies containing the drugs were not of an obvious incriminating character, the opinion said.

"The question is whether seeing baggies protruding from a fanny pack ... was sufficient to warrant a person of reasonable prudence to believe that the baggies contained

contraband. I agree with the trial court that probable cause did not exist for this warrantless seizure," Judge Wesley Mues wrote in the opinion.

## Thirty cars vandalized; damage estimated at \$6,000

Around 30 cars were vandalized near the intersection of 27th Street and Tierra Drive Saturday night or early Sunday morning, Lincoln Police Capt. David Beggs said.

Beggs said the cars' tires were punctured with a knife or screwdriver and the paint scratched. Damage was estimated at \$6,000.

## Motorcycle accident leaves man in critical condition

A 21-year-old is in critical condition after riding his 1983 Harley-Davidson motorcycle into a curb on Superior Street early Sunday morning, Beggs said.

Bill Fischer was traveling east on Superior when he failed to follow a curve in the road and hit a curb, Beggs said.

The motorcycle fell over after hitting the curb, dumping Fischer and sliding for about 300 feet, Beggs said.

The motorcycle's gas cap came off as the bike slid along the ground, causing the bike to catch fire, Beggs said.

Fischer was not burned but suffered serious head trauma in the accident. Beggs said the man was wearing a helmet. The 21-year-old's right hand was also seriously injured.

Compiled by senior staff writer Jake Bleed

# Journalist recounts White House career

By **KIMBERLY SWEET**  
Senior staff writer

For four decades, United Press International reporter Helen Thomas has been famous for questioning — sometimes even interrogating — presidents.

Standing not much taller than 4 feet, the soft-spoken reporter makes her way to the White House every day to keep vigil.

Just as she has done every day since the Kennedy administration, she enters the press room in the afternoon and waits for the president to enter.

Once he enters, Thomas's soft-spoken demeanor and reservation is tossed out the window. What is left is an aggressive reporter who wants answers to the day's pressing questions.

Talking to reporters before she was scheduled to address the Nebraska State Bar Association's annual meeting on Friday, Thomas described the feeling of sitting in the press room before the president enters.

"It's always the calm before the storm," Thomas said.

For many presidents and press secretaries, the storm begins when it is Thomas's day to ask the first question — a privilege that is shared by The Associated Press and UPI.

Thomas told anecdotes about her experiences covering the White House with lawyers who attended the annual meeting.

Building a bridge to connect the experiences of lawyers and journalists was not difficult for Thomas.

"I understand that lawyers are concerned about their image," Thomas said. "Welcome to the club."

While Thomas sees herself as the voice of the people, she said she is often criticized by those she is trying to get answers for.

"People watching you on television

will see you ask a zinger," Thomas said. "They think you are insulting their president."

Despite increasing criticism by both the people and public officials, Thomas maintained the importance of having a comprehensive knowledge of public officials.

With that perspective pervading society, future public officials should take heed, Thomas said.

"If you want to go into public service, you'd better decide at the age of 5 and live accordingly," Thomas said.

Thomas said it was important to know the character and personality of those ruling the country. With the increased coverage by the news media, modern presidents are held to a higher standard than the ones who came before them.

Thomas said she thought that was unfortunate.

"I think everyone should have been held to it," she said.

Thomas said John F. Kennedy was her favorite president to cover.

"He was the most inspired," Thomas said. "He always had his eyes on the stars."

The White House reporter also thought the extensive coverage by the media of John F. Kennedy Jr.'s death this summer was warranted.

"We had known this child since the day he was born," she said. "It wasn't just JFK Jr., it was the whole Kennedy life — one big tragedy."

Marjorie Whitted, a retired journalist, attended Thomas's speech.

"I think she's excellent," she said.

Whitted and Thomas reminisced before Thomas' speech about the past when women journalists were a minority.

"I remember when women always had to go to the women's department," Whitted said. "That's where we gossiped and got the real news," Thomas replied.

# Social Democrats hold ground in Germany

BERLIN (AP) — Chancellor Gerhard Schroeder's Social Democrats recovered from a string of losses and held their own in local elections Sunday, ensuring that the party would retain a stable minority in Berlin's local government.

The ballot also marked a triumph for incumbent mayor Eberhard Diepgen, who was certain to be appointed to a fourth term after a strong

vote for the conservative Christian Democrats.

At a time when Schroeder's austerity plans have unsettled Germans, Berliners appeared to opt for the more reassuring figure.

"We want a modern city, but we want a city where Berliners feel good and have a clear future," Diepgen said as the results came in.

Nearly complete returns put the Christian Democrats at 40 percent, a gain of 3 percentage points over the last election four years ago.

The Social Democrats were in second place with just more than 22 percent, virtually unchanged from the last election.

The results of this year's last major electoral test were sure to be a relief for Schroeder, whose popularity has slid since he introduced a budget that would cut cherished social programs.

He has insisted that the changes — including cuts in jobless and welfare benefits — are needed to bring down the nation's debt and secure its economic health.

The former East German communists gained 3 percentage points and won almost 18 percent, apparently picking up leftist voters upset by the Social Democrats' move toward the political center, returns showed.

However, eastern Berlin's Party of Democratic Socialism made little impression outside its formerly communist home turf, where it won 40 percent of the vote. In western Berlin, it got just 3.5 percent.

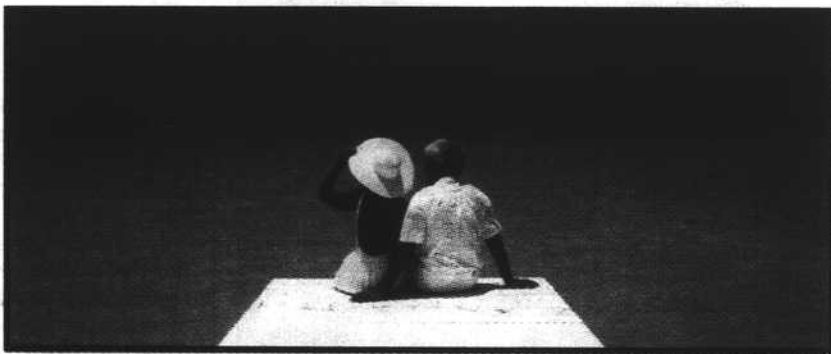
The environmentalist Greens, Schroeder's junior partner in his year-old federal coalition, lost 3 percentage points from the last election and won 10 percent.

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